

Landlord and Peasant in an Indian District

A Study of the Tenancy Problem

in North Kanara

by

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This Book is Dedicated

(without permission)

to

The Hon'ble Sir Reginald Maxwell, K.C.S.I., I.C.S.

Home Member, Executive Council of the Viceroy

and Governor General of India,

who, as Survey Settlement Officer and the Assistant

Collector of North Kanara,

characterised the allegations, made by non-officials that the tenantry of Kanara was rack-rented, as "loose"; and observed: "it is highly improbable that the rents really and habitually represent an undue proportion of the yield."

And also Dedicated

(without permission)

to

Sit. Morarji R. Desai

former Revenue Minister to the Government of Bombay,

who, on the Floor of the Legislative Assembly,

asserted that:

"It would be absurd for any person to believe that the income of a tenant can be only Rs.1-4-0 or a rupee per month, because it is obvious that in that case the tenant cannot live."

with the hope

that the Ex-Minister may realise that the tenantry of Kanara can contrive to live on a per capita income of

15 annas per month.

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Introduction

Land problems have recently aroused increasing public interest in the Bombay Province as well as in other parts of the country. The question of tenancy in particular has come to the forefront. A Tenancy Act was passed in Bombay in 1939. It cannot, therefore, be denied that a study of the rural problem, describing the condition of the tenant class and also showing the extent to which the new legislation in Bombay would remedy the various evils of tenancy, may prove useful. The method of such a study may very well take the form of a close enquiry into the circumstances of a particular tract or district. By the use of this method, can be obtained a much more intimate acquaintance with the actual conditions of tenant life than by any other method. An attempt is, therefore, made in the following pages to undertake an intensive survey of the tenancy problem in the district of North Kanara.

There is reason to believe that, as far as the condition of the actual cultivator of the soil is concerned, what is true of this district is more or less applicable to all the rice-growing regions in India, particularly the districts lying along the West Coast, where the system of tenancy preponderates. It is, however, true that land tenures differ from region to region; and therefore sufficient allowance must be made for this diversity. In Bengal and Behar, for instance, a large number of tenure-holders intervene

in the conditions obtaining in different rice-growing regions of India. This does not, however, mean that conditions are exactly the same. What we mean is that they are very similar, although they may not be identical.

The more prominent features of Indian agrarian system with special reference to tenancy may now be set forth in a summary form.

The extreme poverty of the average Indian peasant is a fact recognized by all including the Government. A statement exhibiting the moral and material progress and condition of India, published under the authority of His Majesty's Stationary Office, describes the tenantry as "poor, helpless, discontented men, bound down to a state of extreme depression and misery" and as "the poorest and most wretched class we find in the country." (1) Turning from this official admission to the writings of Pandit Jawaharlal Nehru, we come across the following significant words: "India today," he says, "is a poor and dismal sight behind all the splendours of the Imperial frontage. There is a great deal of patch work and superficiality, and behind it the unhappy petty bourgeoisie, crushed more and more by modern conditions. Further back come the workers, living miserably in grinding poverty, and then the peasant, that Symbol of India, whose lot is to be 'born to Endless Night.'" (2) Lastly,

(1) Fifth Decennial Report, 1913, pp. 378-79.

(2) Nehru; An Autobiography, p. 438.

turning our eyes to the Colonial Thesis of the Sixth World Congress of the Third International, we find the following observations. "In India, China and Indonesia," declares the Congress, "the pauperisation of the peasantry has reached such a height that at the present time the most characteristic feature in the villages is the poor peasant almost or entirely deprived of the land and not infrequently suffering from starvation." Thus the spokesmen of British imperialism, of Indian nationalism and of international communism - all these, irrespective of their being wedded to contradictory ^tdoctrines, entirely agree in recognising the fact of utter destitution to which India's teeming millions are condemned.

But unfortunately, the exact intensity of this privation and misery with all its attendant evils is not often realised in full even by those who are holding responsible positions in the administration of this country - be they Indians or Europeans. For instance, it was only in September 1939 that the Revenue Minister to the Government of Bombay refused to accept a statement made by member of the Legislative Assembly on the floor of the house to the effect that the average income of a tenant in the province of Bombay was only 20 annas a month. "It would be absurd," thundered the Honourable Minister, "for any person to believe that the income of a tenant can be only Rs.1-4-0 or a rupee per month, because it is obvious that in that case the

the tenant cannot live." (1) Of course, the Minister did not bring in any evidence in refuting the statement. It was only a bald declaration of faith. The tragedy of the situation was that no attempt was made by the Minister to get at facts with a view to ascertaining the actual condition of the tenantry. In spite of some admirable investigations carried on by Indian and foreign scholars, many aspects of the social and economic structure of India are still but partially revealed. This is particularly true in regard to agrarian conditions. The inevitable result is that the intensity of poverty and suffering of certain sections of our population is not fully known. The Simon Commission was right in their observation that "the depth of the poverty, the pervading presence of which cannot escape notice, is not so easily realised." (2)

The utter privation to which the mass of Indian peasantry is subjected must be mainly ascribed to the fact of India being in the position of a colonial country exploited by an imperialist nation. It is the advent of British imperialism in India that almost completely destroyed its village handicrafts, thus divorcing agriculture from industry, bringing about the pauperisation of the peasants, and increasing the pressure of population on the soil to an extra-ordinary

(1) See Bombay Assembly Debates, September 26, 1939, p.144
 (2) Report of Simon Commission, Vol I, p.

degree. The combined effect of all this has been the impoverishment of the cultivator. Other causes also contributed their share in no small measure to make the situation still worse. One such principal cause is the defective system of land tenure, a system which is entirely feudal in several parts of the country. It is this land system that lowered agricultural production, hinders the extension of cultivation, and saps the vitality of the peasant population. The fact is that the Indian cultivator is suffering from indigenous feudalism as well as from foreign capitalism, from a crisis of under-production at home and from a crisis of over-production abroad.

Unfortunately, the ill-effects of our land system with all its implications are not sufficiently realized by many. They deny that the existing land system is an obstacle in the path of agricultural progress. They think that the institution of absentee landlordism forms a desirable feature of the rural economy. They assent with all the force at their command, as Dr. Radhakumud Kookerjee did, that "the ills of the peasantry are due to causes and circumstances of which the existing land system is not responsible;" and they would seriously doubt whether any change in that system, "however radical or even revolutionary, can effect a material change in the lot of the peasantry and make it better."

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(1) See "Note of Dissent" by Dr. Radha Kumud Kookerjee in Food Commission Report, Vol. I, p. 211

They would wholeheartedly support the landlord system and would do everything in their power to safeguard its maintenance in its present form. It is absolutely necessary under these circumstances to point out all the implications and evils of this system in the light of facts and figures and to demonstrate how its abolition alone could improve substantially the condition of the peasantry and also increase agricultural production, thus benefitting the community as a whole.

It is well to remember that landlordism in its present form, as all authorities on the subject agree, was an innovation introduced in this country during the administration of the East India Company. It was considered politically expedient to foster a class of absentee rent-receivers on whose support and loyalty the Government could always count. In order to achieve this end in view all sorts of frauds were perpetrated against the peasantry, the Government being either a direct party to such frauds or conniving at them from behind. That this was so is amply borne out by the various documents quoted in the course of this study. It was no less a person than Mr. Justice Cunningham of the Calcutta High Court who asserted that "illegalities in which the executive has more or less acquiesced have contributed to a great part" of the degraded condition of the peasantry.

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 (1) Cunningham: British India and its Rulers, p.303.

Furthermore, the problem of landlord versus tenant was practically absent in India prior to British rule. This was primarily due to the fact that the proprietary rights of landlords wherever they existed were neither absolute nor so well defined as they are today. The position of the landlord was not so strong as at present when he is being aided by the legal system of the British. The tenants in pre-British days enjoyed security of tenure, and rents were governed by custom and not by competition. The landlord took interest in the process of cultivation and carried on agricultural improvements. All this has been replaced today by a system which, as truly remarked by Mr. H. N. Brailsford, breeds a class of "most rapacious parasites to be found in any contemporary social system."

Land in the zamindari areas which comprises 49 per cent. of the total is mostly under tenancy, while about half the remaining 51 per cent of the land in the rayatsari tracts is cultivated through tenants. Thus, roughly speaking, at least two-thirds of the entire soil under tillage is cultivated by those who do not own it. The proportion of land under tenancy can be gauged in another way by the number of peasant proprietors and cultivating tenants. The number of cultivating owners or peasant proprietors including those following subsidiary occupations is 23 million, while the corresponding number of cultivating tenants is 36 million. This means

that nearly 56 per cent of the peasantry, excluding agricultural labourers, form the tenant class. The proportion is really greater than what these figures indicate because in some provinces a considerable proportion of cultivating tenants was included in the category of cultivating owners. In Bengal, for instance, "if the cultivator had a permanent title to the possession of his land he was regarded as the cultivating owner and returned as cultivator with permanent rights, even if at law he was not entitled to the privileges of a permanent or settled rayat under the Bengal Tenancy Act." (1) By the adoption of this defective definition a large body of tenantry has been wrongly described as cultivating owners. Similarly, all "occupancy tenants" and "absolute occupancy tenants" in the Central Provinces were classed as cultivating owners. (2) It may, therefore, be ~~concluded~~ concluded that at least 60 per cent. of the cultivators in India constitute the tenant class. They, in fact, form the largest section of the entire population engaged in cultivation, even exceeding the number of agricultural labourers who number 33 million. This preponderance of tenants over peasant proprietors and over agricultural labourers makes the problem of tenancy of the utmost importance in the agrarian system of India.

(1) Census of India, 1931, Vol V, Part I, pp.269-70
 (2) Census of India, 1931, Vol XII, Part I, p. 235.

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Census figures further reveal that there are 4,100,000 landlords in the whole of India receiving rent in money or in kind. This landlord class, standing as it does at the top of the agrarian structure and constituting a very small proportion of the total population, owns all the rented land. In other words, a very small proportion, i.e. 1.2 per cent., of the entire population owns as much as nearly 65 per cent. of the total cultivated area in the country. This clearly indicates the extent to which the ownership of landed property is concentrated in the hands of a negligible fraction of ^{the} its people. These landlords, taking no interest in agriculture, are mere drones to the society. As Pandit Jawaharlal Nehru observes, they are a "great hindrance to production and general progress." (1) They only desire to keep up, as far as they possibly can, a status of land monopoly which is the basis of their exploitation. In the eyes of the British Government ruling over India, they are almost indispensable as they are instrumental in "maintaining peace and order" and in making India safe for imperialistic exploitation.

Below this superstructure come the peasant proprietors or cultivating owners who number 23 million. Of these a majority are small holders, cultivating their tiny bits of ground with the labour of their families.

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(1) Nehru: An Autobiography, p. 534.

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The position of many such peasants is that each of them possesses a small patch of land on which can be grown a few bushels of corn. He is a proprietor all the same but only from a juridical point of view. In the eyes of an economic student he is a pure proletarian subject to the economic laws regulating the conditions of the landless tenant class to which he really belongs. Unfortunately, Census Reports do not give the number of this class of cultivators who are part-owners and part-tenants. But the fact that they are very considerable in number cannot be denied. "Many cultivators," remarks Mr. Sedgwick in the Bombay Census Report of 1921, "have about 50 per cent. of their own land and 50 per cent. of rented land."

Under the peasant proprietors and cultivating part-owners come the vast mass of the landless tenantry. The status of these tenants is not uniform. At one end of the scale are peasants who enjoy some security against eviction and enhancement in rent. But their number is very small. At the other end of it are the great majority of peasants who hold at will, pay a rent fixed from year to year or from time to time and are liable to be increased at the landlords' pleasure, and can be summarily dispossessed without compensation. In not a few cases these tenants-at-will are actually required by their tenure to perform free labour services which recall the conditions obtaining in feudal times. Most of them

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are suffering from excessive rack-renting which does not leave them even a living wage. Their condition in certain areas is so degrading that they are no better than serfs. The various disabilities under which they labour are so revolting and oppressive that they make life miserable. Here is a list of disabilities supplied by no less an official authority than a Director of Land Records and Surveys: "Obtaining labour at less than the market rate from tenants and from debtors," writes the Director, "binding debtors to work as serfs in payment of the interest on debts which they are never given the opportunity to repay, and the deliberate ruining of "refractory" tenants by means of litigation criminal and civil, often supported by forged documents and false evidence, are common and everyday practices also of those in power on the land, and it is hard for the actual cultivators of the soil to gain that security, freedom and economic independence which are so necessary for improvements in husbandry." (1)

However hard this lot of the tenantry might be, it is not the worst: below them is another social stratum, a servile rabble, with whom the struggle for existence is still more severe. They are the 33 million agrarian proletariats of India, the majority of whom belong to the untouchable castes. They are remunerated at the daily rate of a small measure of the coarsest

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 (1) See Royal Commission on Agriculture in India Vol. III, Evidence, p. 282.

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grain or of a few pieces. And even this wretched employment is not to be procurable all the year round. "How - underfed and almost underclothed as they are - they contrive to live," asks an official, "through the cold nights of winter, which they often spend in field - watching to keep off thieves, human and others, is a standing marvel." (1) A considerable number of these are agrarian serfs who, as described in a census report of 1921, are "Freemen de jure, but serfs or slaves de facto."

It must be borne in mind that a large number of tenants, particularly those paying produce rents, are so excessively rack-rented that they are in no way better than agricultural labourers. In such cases, the tenant merges into the position of the labourer, both of them dragging on their miserable life at a starvation level only compatible with continued existence. As this study is confined to the cultivating tenant class, agricultural labourers are excluded from its scope. This should not be interpreted to mean that the problem of labourers is undeserving of attention. The problem is doubtless of vital importance. But to enter into its examination would require a separate volume.

A common charge that is often levelled against those who speak for the underdog in society - be they

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 (1) See Cunningham: *Op. Cit.*, p. 32.

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peasants or industrial workers - is that they indulge in exaggerating the poverty of the masses and in making unwarranted statements. Lest the same charge should be brought against us special care has been taken to base every statement that occurs in these pages on facts and figures contained in official publications. Non-official information bearing on the subject has been scrupulously avoided. No one has, in fact, been more helpful than Government officials in writing these pages. Official letters written by Collectors down from Major Munro in 1800, settlement reports drawn by experienced revenue officers from time to time, authoritative pronouncements made by various committees appointed by Government, speeches and writings of highly placed officials: these are the foundations on which this study is based. "The true philosophy of capitalism in practice," writes Harold J. Laski, "has been more frankly revealed by men unwedded to alternative doctrine, not seldom, indeed, unconscious that they were criticizing its foundations, than has ever been done by its opponents." Similarly, all the evils inherent in the system of tenancy under unbridled landlordism as obtaining in the district under investigation have been more frankly revealed by the representatives of the bureaucratic Government itself, a Government which has all along been fostering absentee landlordism under its wings, than has ever been done by the so-called "trouble-makers" and "agitators" among the peasantry. That this is so will be seen by the reader by going through the pages that follow.

Landlord and Peasant in an Indian District.

CHAPTER I
Regional Background

(a) Introductory

Kanara is that part of the country which is situated along the west coast of India, bounded by Goa and the district of Belgaum in the north, Malabar and Coorg in the south, the district of Dharwar and Mysore on the east, and the Arabian Sea on the west. Linguistically it forms the coastal tract of Karnataka, the Kannada speaking country. Politically it is divided into two districts, namely, North Kanara and South Kanara, the former being in the Bombay Presidency and the latter in the Madras Presidency. Till 1862 both the Kanaras formed only one district and were included in the Madras Presidency. The district came under the rule of the East India Company in 1799 as a result of the last Mysore War in which Tippe Sultan was finally defeated and slain. As this study concerns itself only with North Kanara, we leave out of consideration the South Kanara District.

North Kanara, which forms the southern-most coast district of the Bombay Presidency, embraces an area of 3,945 square miles. Within this area are to be found wide geographical variations, from the warm coastal strip to the cool peaks of the Western Ghats with the exuberant growth of the tropics. A brief description of such a territory must be limited to fundamental characteristics.

The Western Ghats, varying in height from 2,500 to 3,000 feet, run through the District from North to South,

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dividing it into two natural parts: namely, the uplands or Balaghat (area, 2,639 square miles), and the lowlands or Payanghat (area, 1,306 square miles). The talukas of Kanwar, Ankola, Bunta and Honavar with Bhatkal Petha are included in the lowlands, while the upland area comprises the talukas of Siddapur, Sirsi, Yellapur and Kaliyal. The coast-line which has a length of 76 miles is broken by the estuaries of four big rivers and the mouths of many smaller streams, through which the salt water finds an entrance into numerous lagoons winding several miles inland. The plateau of the Balaghat is irregular. In some parts the country rises into well-wooded knolls, in others it is studded by small, isolated, steep hills. Except on the banks of streams and in the more open glades, the whole is one broad waste of woodland and forest.

(b) Agricultural Zones

North Kanara is made up of four agricultural zones: the coastal rice belt; the interior forest region; the up-ghat spice-garden tract; and the eastern rice plain.

The Coastal Rice Belt stretches from north to south along the sea, forming a narrow strip of land with an average width of about four miles and a length of 76 miles. The tract is very densely populated in contrast to the interior forest zone which is very sparsely inhabited. The average density per square mile ranges from about 500 to 800, while the average density on

cultivable area varies from about 1,000 to 1,300 persons per square mile. (1) More than three-fourths of the population of the below-ghat talukas is concentrated on the below-ghat talukas is concentrated on the coastal belt. Since this region contains the greater portion of the rented land in the district, it forms the most important tract for the purpose of this study.

The principal product of this region is rice and next to it coconuts, the latter chiefly in the villages fringing the sea and creeks. The rice lands may be broadly classified under four heads, namely, 'makki', 'gadde', 'garni' and 'pulan'.

Makki lands consist of high-level rice fields where sloping ground has been terraced. It is usually stony and porous and tends to dry quickly and crack if the rain holds off. The soil is less easy to cultivate on account of the height and irregularity of the terraces, but it grows only inferior varieties of paddy by reason of its failure to retain moisture. The hills which slope down to the coast plain are generally fringed with lands of this description.

Gadde lands are low-lying, the lowest being further known as 'honda'. This land is superior to makki and is capable of growing better varieties of paddy which require longer time to ripe. On certain gadde lands it is possible to raise a second crop during the winter,

(1) See R. S. S. Report, Kunta, pp. 6-7 and Konavar pp. 6-7.

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which is termed 'karu', 'suggi' or 'waingan'. The winter crop can, however, be obtained only where water is available by constructing dams to running streams. The winter crop generally appears in small patches. The greater portion of the gadda land, however, produces only one crop. Sometimes it so happens that the monsoon crop cannot be raised in very low-lying parts, as such an attempt is frustrated by the stream which feeds it during the winter. The soil of the gadda lands is generally superior to that of the makki and hence the produce is greater.

Gazni land consists of fields along the creeks of rivers which are liable to inundation, at high tide and to erosion when the river is in flood, unless protected by embankments. "An immense amount of labour is expended on the maintenance of the embankments, which are formed of mud and are usually protected on the outside by planting rows of mangroves, especially of the kind known as kandli. Anything approaching alluvion is quickly claimed by the occupants of adjoining land and fresh embankments are thrown out to afford a further lodgment for silt." (1). Gazni is never sweet enough to grow good varieties of paddy. If salt water gets in, it may take anything up to four years to sweeten the land again sufficiently to grow a crop. On the other hand, if the

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 (1) R. S. Papers, Eumta, pp. 2-3.

salt water is successfully kept out and the river floods are not excessive the yield is excellent. The variety of rice grown on the gazni is called 'kagga'. Canals are rarely ploughed, but generally hoed. No manure is used, as the flood water from the river brings down sufficient silt. This flood water is let on to the gazni by a sluice and is run off again at ebb tide after the silt has been deposited.

Pulan consists of a wilderness of loose white sand which is usually found along the sea shore. It is worth nothing except as capable of reclamation. The rice cultivation exists only on that portion which is reclaimed, from which the sand has been cleared to a considerable depth and formed into embankment round the fields, stability being given to these sand-heaps by planting of 'kaju' and 'undi' trees. As the soil is sandy, the rain-fall quickly soaks through. The pulan fields require much manure. The yield is much less than on the gadda land.

Interior Forest Region: This region comprises the central area of the district and is chiefly occupied by dense forest. The cultivable area is very small. The principal products are rice and betelnuts. The cultivation is almost confined to valleys and is exceedingly scattered. A single village frequently consists of a number of hamlets or clearings separated from one another by extensive areas of forest. The population is very sparse. Almost all the land is

cultivated by the owners themselves. As there is practically no tenancy in this area, the region is not at all important for the purpose of this study.

Up-ghat Spice-Garden Tract: In the villages at the foot of the Sahyadris and on their lower slopes in the talukas of Siddapur, Sirsi and the southern part of Yellapur are the rich spice gardens, which are the special glory of Kanara. The western and central portions of these talukas constitute the spice garden tract. "These gardens," to use the words of a former Governor of Bombay, "being not only numerous but individually extensive, are indeed among the agricultural spectacles of India, and are hardly to be surpassed anywhere in the East Indies."

(1)

The region may be divided into two well-marked portions, the western section with the ghats and heavy evergreen forests of sparse population and cultivation and the eastern section with its congeries of hills and deep valleys containing the main spice garden cultivation. "There is a rolling sea of hill tops, softly outlined, the general elevation being about 2,100 feet above the sea level. To ascend any eminence is to see hills and yet further hills, and from the next eminence the scene is repeated..... The moist deep valleys through which these small but important mountain streams find their winding way, are the natural home of the

(1) Minutes by Sir Richard Temple, 1879-80, Vol.V,p.37.

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arecanut garden, which, with its adjoining strip of rice land and necessary homestead, the well wooded slopes effectually conceal. But the very advantages which make this an ideal garden country render communication, at all times difficult, impossible during the monsoon, even between homestead and homestead. The householder, the streams being often torrential has to lay up against the rains and surround himself with all the needs. This forced seclusion moulds the character of the people and to the new comer is no doubt very trying."

The gardens vary in area from less than an acre to ten acres. In shape they are long and narrow resembling the form of the valleys in which they are situated. "They are guarded by high banks or by a thick belt of forest timber and brushwood. Within the belt is a strong fence and within the fence a second ring of mangoes, jacks, limes, plain plantains, cocoa-palms, oranges, citrons, pomaloes, apples, and other fruit trees. Besides the fruit trees, are rose and jossamine bushes, and of vegetables, cucumbers and cornered cucumbers, gourds and snake gourds, radishes, yams, chillies, and brinjals. In the centre of the gardens are rows of betel-palms with black-pepper and betel vines trained up their stems, and cardamon bushes in shady spots between the rows of palms and plantains."

(1) All these crops except betel-nuts, pepper and cardamoms are grown for home consumption. These spice

.....
 (1) Kanara Gazetteer, Part II, pp. 5-6.

gardens are the distinguishing feature of the District in the Presidency, and the prosperity of the above-mentioned Kanara depends mainly on the prosperity of these gardens.

The tract is malarious and suffers seriously from this disease. Apart from actual deaths, the disease saps the vitality of the people and in consequence they suffer from enertia. This prevents outside labour coming from the coast and assisting the cultivation to the extent that is necessary. Hence labour is most scarce and greatly needed for the garden cultivators. The vital statistics for the region show more deaths than births. The gardens are liable to attack by various diseases, 'koleroga' to betelnut and 'kotte-roga' to cardamoms being the more serious. Apart from these diseases, the most serious enemy of the gardeners is the monkey. As Mr. Collins says, "Monkeys are the worst animal pest of the garden area where the big ditches and steep banks of the gardens often keep out other wild animals. In the gardens situated at a distance from the houses, which are now all too numerous they have the ^{fields} field to themselves. It is not an exaggeration to say that they eat a quarter of the plantain crop, and in the cocoanut garden they destroy a large portion of the nuts, while they throw down large numbers of the small supari nuts when they are forming." (1) The monkeys also pull down the berries from the pepper-creeper and tear open the main stem of the cardamom plant.

.....
 (1) Quoted in the Enquiry Report on Garden Lands, p.27.

The majority of gardens are cultivated by tenants. The Government Enquiry Officer appointed in 1935 says that in the Siddapur Taluka he collected statistics in 45 villages and found that of the total garden area of 2,794 acres in these villages, 1,280 acres were cultivated by owners, while 1,514 acres were cultivated through tenants. (1) In the Sirsi Taluka, of the 2,641 acres of garden land in the 42 villages he visited 1,168 acres were cultivated by owners while 1,473 acres were cultivated through tenants. (2) Since more than half the gardens are let out to tenants the tract should be considered as important for the purpose of this study.

Eastern Rice Plain: The eastern strips of the up-ghat talukas constitute this region. The only important crop is rice. Garden cultivation is rare and also inferior. Forests are not so dense and do not contain valuable timber. The villages resemble for the most part those of the plain country, the houses being grouped together and not scattered about as in other parts of Kanara. Though the region is an admixture of forests and patches of cultivation, the latter are much longer and broader than in the spice garden tract. The climate is not quite so unhealthy. Although the extent of the land under tenancy is not as great as in the coastal strip or the spice garden tract, it is considerable to make the problem sufficiently alive.

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(1) Ibid., p. 12
 (2) Ibid., p. 31.

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(c) Distribution of Crops

The total area of North Kanara is classified as under: (1)

	acres
Forest	2,063,858
Not available for cultivation ...	73,603
Cultivable waste other than fallow ...	58,106
Current fallow	102,999
Net area sown	228,571

Total	2,527,137

The most distinguishing feature is that about 82 per cent. of the total area is covered with forest. It will also be seen that the area kept as current fallow is as large as to constitute nearly one-half of the net area sown. In addition, 58,000 acres are still available for cultivation. The fact that such large areas are kept uncultivated inspite of the heavy pressure of population on the soil shows that something is wrong with our system of agriculture. The tragedy of agriculture in Kanara is that cultivation cannot be extended in the interior portions of the district on account of the prevalence of malaria, the intensity of which has greatly increased in recent years due to extensive afforestation. Unless the present policy of favouring the

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(1) Season and Crop Report, Bombay Province, 1938-39.

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growth of forest at the cost of agriculture is abandoned and unless land colonisation schemes on a large scale are undertaken, further extension of cultivation is impossible. On the contrary, if the present policy is allowed to continue, there is a grave danger to agriculture, which will result in sending out of cultivation a considerable area now under the plough. The extent of mischief that has been caused so far may be gauged by the fact that more than 30,000 acres of rice land have been lost to the plough during the last forty years.

The most important food crop grown in North Kanara is rice. The aspect of Kanaran agriculture which impresses itself on the imagination of the observer is its rice fields. The⁹/₁₀ fact 65 per cent. of the total cropped area is under paddy as is evident from the following table: (1)

<u>Crop</u>	<u>Acres net cropped</u>
Rice	158,752
Betalnut	17,038
Cocoanut	11,603
Spices (pepper and cardamom)	4,228
Sugarcane	2,791
Ragi	2,079

(1) Compiled from the Season and Crop Report, 1938-39.

The area under food crops is 76 per cent. of the total, of which rice alone constitutes 65 per cent. and ragi one per cent., the rest being devoted to other minor crops such as grain, jowari, etc. Of the non-food crops betelnut is the most important, occupying 17,033 acres and thus forming nearly 80 per cent. of the total acreage under this crop in the whole of the Bombay Presidency. Similarly, the cultivation of black pepper and cardamom is exclusively confined to North Kanara in the province. These crops occupying an area of more than 4,000 acres are found in the spice garden tract of Sirsi and Siddapur. Another important produce in Kanara is cocconut which occupies about 40 per cent. of the area under this crop in the province. The only district in the Presidency, which contains a larger acreage under cocconut palm than Kanara, is Ratnagiri. The area devoted to sugarcane, though not large in itself, is much greater in Kanara than in all the three other Konkani districts put together. Of 3,792 acres sown under sugarcane in the whole of Konkani 2,791 acres are in Kanara.

Agriculture is steadily declining in Kanara as a result of the contraction of the area under cultivation. The shrinkage has affected all the important crops as the following table will show:

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Year	All Crops (acres)	Paddy (acres)	Tea (acres)	Sugarcane (acres)
1890-91	240,399	196,189	5,257	3,424
1900-01	233,679	183,814	7,671	3,180
1910-11	224,937	184,125	5,516	3,060
1920-21	237,309	159,635	3,561	2,814
1930-31	230,393	165,333	1,606	2,675
1938-39	228,571	158,752	2,079	2,791
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1890-1939	-11,828	-37,437	-3,178	- 633

There has been a total reduction of more than 11,000 acres under cultivation. The more significant shrinkage is under paddy, the staple diet of the district. As much as 37,000 acres of rice land has been lost to the plough during the last half a century, the average annual reduction amounting to 750 acres. There has also been a reduction in the area of spice and betelnut gardens. With regard to these gardens, it is however, not possible for us to compare the present figures with those prior to 1920 in view of the fact that the classification of acreage under these crops has changed since. But recent statistics show a considerable shrinkage in the garden area as is evident from the figures below:

(1)

(1) Compiled from the Inquiry Report on Garden Lands.

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Taluka	Garden Area in acres 1923-24	Area in acres 1933-34
Siddapur	7,212	6,529
Sirsi	5,825	5,654
Yellapur	3,032	2,951
Total	16,039	15,134

It will be seen that there has been a reduction of 935 acres within one decade. Moreover, of this occupied area comprising 15,134 acres, 1,232 acres were lying fallow. This means that on the whole more than 2,000 acres were lost to cultivation. This shrinkage must be considered very serious especially in view of the fact that the raising of a spice garden represents the labour of the cultivator for twelve years.

In the absence of adequate rainfall, upland Kanara is not well provided by a system of irrigation. It is true that there are some tanks and wells, but their condition is most unsatisfactory. To quote an official report of 1935, "almost all the tanks are in a serious state of disrepair and in every village one visits one meets with large areas of wet garden now getting (bettu) dry due to shortage of water. The gardeners everywhere complained of this and rightly so because while the yield from a wet garden is normally two khandis per acre, that from a dry garden rarely exceeds one and a half khandis." (1) In 1938-39 the area irrigated in the

(1) Enquiry Report on Garden Lands, p.12.

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district from all sources amounted to 17,846 acres, or only eight per cent of the net cropped area. A well-thought out scheme of irrigation for the spice garden tract of Kanara is an urgent necessity.

(d) Land and Population

According to the census of 1931, North Kanara contains seven towns and 1,226 villages with a total population of 417,835. The number of persons ~~was~~ employed in all occupations as principals, working dependents and subsidiary workers was 148,724. Of these 92,698 were engaged in cultivation. Thus the population employed in agriculture is equal to 63 per cent. of the total employed population.

From the point of view of density of population, North Kanara occupies a peculiar position in the Bombay Presidency. Since more than 80 per cent. of its area is covered with forest, it has only 106 persons per square mile of the total area, the lowest density in the province. This does not, however, imply that the pressure of population on the soil is the lowest in Kanara. On the contrary, the pressure on land is the highest in this district. This is reflected by the density of population on the cultivable area, which shows that there are 689 persons per square mile of cultivable area. No other district in the province has this high density on its cultivable area. None of them, in fact, can approach Kanara in this respect, as the

following figures reveal. (1)

District	Density per Square mile of cultivable area.
Kanara	639
Kaira	541
Surat	530
Thana	516
Kolaba	492
Ratnagiri	456
Panch Mahals	410

The rest of the districts in the province are omitted because the density in their case falls below 400. It will be seen that the difference between the density in Kanara and that in Kaira is as great as 143. The difference is still greater when compared to that in any other district. Even these figures fail to bring out the intensity of the pressure of population on land in Kanara. The density shoots up to a much higher level when the area actually under crops is taken into consideration. As already pointed out, of the cultivable area in Kanara more than half, or 160,000 acres, is not cultivated. By working out the figures, we find that the density on cultivated area - and not on cultivable area - amounts to 1,170 persons per square mile.

Another characteristic feature of the population in North Kanara is the great inequality of distribution. The most densely populated region is the coastal strip. Population is very sparse in the interior forest region.

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The spice garden tract and the eastern rice plain fall between the coastal strip and the forest region in this respect.

To put the density according to talukas and pethas, the lowland talukas show a greater density than the upland ones as the following table reveals. (1)

<u>Lowland Kanara</u>		<u>Up-land Kanara</u>	
Taluka or Petha	Density on total area (per square mile)	Taluka or Petha	Density on total area (per square mile)
Karwar	229	Siddapur	101
Ankola	107	Sirsi	73
Kumta	294	Yollapur	31
Honavar	220	Kundgod Petha	47
Ehatkal Petha	304	<i>Halizal</i> Supa Petha	23

It will be seen that the most marked inequality is between the Ehatkal Petha and the Supa Petha, the respective density being 304 and 23 per square mile. This inequality is the greatest because almost the whole of the Ehatkal Petha lies in the coastal strip whereas the whole of the Supa Petha is included in the central forest region. In no lowland taluka, excepting Ankola, the density is less than 200, while in all the upland talukas, excepting Siddapur, it falls below 100. The lower density for Ankola can be explained by the fact that, although the taluka lies in the lowland region,

(1) Census of India, 1931, Vol.VIII, Part II, p.462.

its length along the coast is only ten miles and that much of its inferior portion is covered with hills and forests. There are equally marked inequalities even within each of the lowland talukas, the population being densest in the villages adjoining the sea, and being sparse in the inland villages. In Kunta Taluka, for instance, the density on cultivable area in the coast villages was estimated to be 1,348 per square mile while in the inland villages it was 544. (1)

These demographic conditions largely affect the agrarian problem in general and the question of tenancy in particular. The distribution of peasant population does not correspond to the extent of cultivable area. The land in the coast region can scarcely provide the rice required by the population under the present state of cultivation; and on the other hand, large areas of fertile land are lying fallow in the interior region because the necessary labour is not available. The competition for land on the coast forces up rents and makes the problem of tenancy more intense.

The third peculiarity of the population problem in Kanara is that since the beginning of this century population is showing a marked tendency to decrease instead of increasing as in other parts of the country. The following table reveals the extent of decrease or increase for each decade since 1872:

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(1) R. S. Papers, Kunta, p. 6.

-19-

Year	Population	Increase or Decrease
1872	3,93,498	
1881	4,21,932	+ 23,434
1891	4,45,453	+ 24,521
1901	4,54,490	+ 8,037
1911	4,30,548	- 23,942
1921	4,01,727	- 28,821
1931	4,17,835	+ 16,108

Thus there was a regular rise till 1901 when the population reached its highest figure. Then commences the steady decline. It is true that the figure rose in 1931. But this rise, though apparent, is not real because the sudden decrease in 1921 was more than normal due to the influenza epidemic. It was but natural that this sudden fall should have been filled in to some extent in 1931. The conclusion that the population is decreasing is, therefore, obvious. The principal cause for this decline is the extensive afforestations in the interior parts of the district. That the process of depopulation is going on only in the afforested areas is evident from the following table which shows the extent of depopulation in the inland or up-ghat talukas and the extent of increase of population in the coast talukas.

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Coast or Lowland Kanara			Interior or Upland Kanara		
Taluka	Population		Taluka	Population	
	1831	1931		1831	1931
Karwar	47,742	64,264	Siddapur	35,658	33,379
Ankola	34,189	38,150	Cirai	62,400	39,955
Kumta	58,578	65,832	Yellapur	36,314	27,829
Nonavar	85,625	104,865	Halihal	61,154	43,561
Total	226,134	273,111	Total	195,526	144,704

The figures speak for themselves. The population has increased by 46,000 in the coast talukas whereas it has fallen by 50,000 in the upland region. The mischief caused by extensive afforestations is too obvious to need any explanation.

This decline of population in Kanara, one would expect, results in lowering the pressure on land. But the truth is that the pressure on land is showing a tendency to increase. The decrease in population from 1900 onwards amounts to eight per cent., while the shrinkage in the area under paddy cultivation amounts to 23 per cent. during the same period. This clearly means that the number of persons to be fed on each area of rice land has increased since 1900. It is thus obvious that afforestation has resulted and is still resulting not only in devastating population but also in increasing the pressure of population on the soil by sending out

of cultivation vast areas of rice fields.

(c) Landlord and Tenant Classes

One more special feature of the agrarian system obtaining in Kanara is the existence of a ^{distinct} landlord caste. The landowners in coastal Kanara consist principally of Saraswat Brahmins (1) except in the Bhatkal Petha where they are replaced by Navayats, a muslim community of Arabian extraction. The Saraswats who once belonged to Goa migrated to Kanara long ago. Brilliant Endowed with superior intelligence and education, these people supplanted the original landed proprietors of Kanara who formed a class of small independent cultivators, or yeomen. The Saraswats are wholly non-agricultural and have no interest in cultivation. At present very few of them live in villages and those who stay there are not cultivators but either shop-keepers, moneylenders or both. A majority of them reside in towns while a considerable number owning land in Kanara spend their entire life in Bombay or some other big city. Most of them have seen neither their lands nor their tenants. Their only interest in the landed property is to receive rent through an agent. This absenteeism, which has been increasing since the opening years of this century, leads to great evils as we shall presently see. What is

(1) In the term "Saraswat" the Sub-Sects, namely, the Gaud Saraswat Smarths and Vaishnavas are included.

true of the Saraswats is equally true of the Navayats. To quote the words of an eminent official, the Navayats are "traders by tradition and wholly non-agriculturists, but land is their favourite investment and their speculations in Dhatal extend even to the remotest jungle villages. Owing to their ignorance of and lack of interest in agriculture they make bad and exacting landlords." (1) The Saraswats number about 25,000 in North Kanara, thus forming about 6 per cent. of the total population, while the Navayats are about 7,000.

The tenant class chiefly consists of the Halakki Vakkals, Halepalks, Komarpalks and Bhandaris. Of these the first two castes are the more important. The Halakki Vakkals, about 30,000 in number, are the most backward but at the same time the most hard-working and perhaps the most skilful cultivators of rice in the district. The appellation 'Halakki', in fact, is full of significance. 'Halakki' in Kannada means table or white rice. This appellation is given to them probably because they are the chief growers of the better varieties of rice. The Halakki Vakkal is considered to be the best tenant from the landlord's point of view because he can be the easiest victim of exploitation on account of his extreme backwardness, child-like simplicity, hard-working nature and incredibly low standard of living. He is remarkably regular in the payment of rent. The Kanara Gazetteer

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 (1) R. S. Papers, Honavar, p. 8.

describes him as "hardworking, honest, sober, thrifty, and simple" and says: "A Halakki Vakkal seldom begs, the old and infirm being supported by their neighbours in return for such light work as they can do." (1) In the words of a Settlement Officer, they form an "industrious and honest class of cultivators." (2) But they are so ruthlessly rack-rented that a former Collector of Kanara had to admit that they, as cultivators, are "in the position rather of agricultural labourers than real tenants." (3)

The next important tenant-class is constituted by the Halepaiks who are numerically the strongest caste in the district, numbering about 50,000 or forming about 12 per cent. of the entire population. They are not so backward and ignorant as the Halakki Vakkals. The Gazetteer describes them as "clean, hardworking, thrifty, sober, and orderly." (4) Another tenant caste, the Kenuarpaiks, numbering more than 10,000 formed the local militia in pre-British days. They have taken to agriculture since the British occupation of the district.

There are two other important cultivating castes, namely, the Madores and the Konkan Marathas. Socially they bear a considerable resemblance to the above mentioned tenant classes. But they differ from them in

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- (1) Kanara Gazetteer, Part I, pp. 204, 205.
 (2) R.S. Papers, Ankola, p. 9.
 (3) Ibid., p. 64.
 (4) Kanara Gazetteer, Part I, p. 285.

having preserved to some extent their proprietorship over the lands they cultivate. Roughly speaking, half of them own lands while the other half are reduced to the position of tenants. The Kadavos are the best growers^{1st} of rice. To quote from an official report, "rice cultivation leaves nothing to be desired particularly in the case of lands cultivated by Kadavos, who are the most efficient class of cultivators." (1)

Turning our attention from rice fields to spice gardens, we find the latter being cultivated by a remarkable class of Drabmins called Kavika numbering about 36,000. There is no distinct landlord caste in the spice garden tract; both landowners and tenants are drawn from the same caste. The Kavika generally engage themselves in all the process of agriculture except ploughing. As observed by Sir Richard Temple, an ex-Governor of Bombay, the Kavik gardeners "labour incessantly with a skill and industry equalled only by the endurance with which they bear up against the insalubrity of their climatic surroundings." (2)

Sharp social and economic distinctions separate the landowning from the tenant classes on the coastal region of Kanara. The Saraswats have reached a moderately high standard of life, while the great mass of the tenantry subsist on the starvation level. The mode of

(1) R.S. Papers, Ankola, p. 12

(2) Minutes by His Excellency, 1879-80, Vol.V, p.39.

living of the Halakki Vakkals and the degree of exploitation to which they are exposed compel us to term them as "the human cattle". Of course, the Honourable Sir Reginald Maxwell would satisfy his conscience by believing, as he actually did, that the miserable position to which the Halakki Vakkals have sunk is "perfectly congenial to them." (1) But persons possessing a variety of conscience different than that of Sir Reginald may arrive at a different conclusion. Their belief is that the appalling condition to which the peasantry of Kanara has been reduced is not at all congenial to them but is forced upon them against their will by an absentee landownⁿing class, whose one thought is to extract with a minimum of trouble (or no trouble at all) the maximum amount of rent from a population "as widely separated from themselves in their ways of life as Jamaica negroes from the slave owners who exploited their labour."

There is a great gulf between the Konkani speaking Saraswat landlords of Goa extraction and the Kannada speaking tenantry indigen^eous to the soil of Kanara. The former are an educated and 'enlightened' class, while the latter are an illiterate and ignorant mass. If the former with their intelligence and cunning make successful merchants and moneylenders, the latter with their simplicity make unfortunate customers and convenient debtors. If the former make "bad and exacting" landlords

 (1) R. S. Papers, Kuntz, p. 8.

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the latter make good and obedient tenants paying their rents regularly. The gulf between these two classes is widening day by day. For all the outward appearances peace and harmony may reign between them. But the truth is, to use the words of the great French writer Elie Halévy: "When the landlord does not reside, but is content to receive rents due from his tenants, and considers that the more he receives the better he is served, landlords and tenants form two classes hopelessly at strife." These words correctly sum up the present position in Kanara.

CHAPTER IILand and its Distribution(a) Proportion of Rented Land.

Landlordism is more widespread in Kanara than in any other district of the Bombay Presidency. Kanara is essentially a land of absentee landholders and their landless tenants. Out of an area of 324,457 cultivated acres, only 114,541 acres, or about 36 per cent., are cultivated by owners, while as much as 207,363 acres of land which constitutes about 64 per cent., is cultivated by tenants. The remaining negligible area of 2,553 acres, is tilled by labourers or farm servants under the supervision of the owners who do not work with their own hands. (1) And yet land in Kanara is supposed to be owned by peasant proprietors under the so-called rayatwari tenure!

Comparing the figures for Kanara with those for the province as a whole, we find that the proportion of land under tenancy is more than twice in the former than in the latter. While in Kanara 64 per cent. of the land is under tenancy, the corresponding percentage is only 31 in the rayatwari areas of the province. Again, the proportion of land under tenancy is the highest in Kanara, as is evident from the following figures:

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 (1) See Table in the Appendix

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Land Under Tenancy (1)

<u>District</u>	<u>Percentage of Land Under Tenancy</u>
1. Kanara	63.91
2. Bombay Suburban	63.18
3. Kolaba	53.09
4. Thana	45.86
5. Belgaum	43.56
6. Ahmedabad	40.60
7. Dharwar	38.98
8. Bijapur	37.38
9. Kaira	37.27
10. Patnagiri	34.94
11. Sholapur	33.11
12. Surat	29.90
13. Broach and Panch Mahals	28.01
14. Nasik	26.12
15. Satara	24.19
16. Ahmednagar	22.07
17. Poona	21.66
18. East Khandesh	20.76
19. West Khandesh	16.43
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Presidency (2)	31.06
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(1) Bombay Land Revenue Administration Report, 1936-37,
pp. 100-122

(2) These percentages apply only to rayatsari areas. Land under the Talukdari, Khoti and other systems of tenure is not taken into consideration. If this is included, the proportion of the acreage under tenancy exceeds 50 per cent. of the total.

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Another fact to be equally noted is that in no other district, excepting in Kolaba and the Bombay Suburban District, the area cultivated by tenants exceeds the area cultivated by owners. But even in Kolaba the proportion of land under tenancy is considerably less in comparison with that in Kanara, the respective percentages being 58.09 for Kolaba and 63.91 for Kanara.

Much the same conclusion that nearly two-thirds of the land in Kanara is cultivated through tenants is further suggested by the following figures contained in the Revision Survey Settlement Reports:

Survey Numbers cultivated according to tenures

Taluka or Petha (1)	Nos. cultivated by owners. (2)	Nos. cultivated by Tenants. (3)	Percentage of Col.2 to Col.3 (4)
<u>Coast Talukas</u>			
Karwar	6,433	9,562	59
Ankola	3,142	7,154	70
Ruzta	6,314	14,316	70
Honavar	5,865	19,245	76
<u>Up-chhat Talukas</u>			
Haliyal	4,733	5,768	55
Yellapur	2,624	1,414	35
Sirsi	11,593	12,048	51
Ciddapur			
Total	40,707	69,507	63

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It will be seen that as many as 69,507 survey numbers are cultivated by tenants, while those cultivated by owners are only 40,707. Thus the proportion of survey numbers under tenancy is about 63 per cent. of the total.

Let it be noted that the proportions vary to some extent in different talukas with the result that land under tenancy constitutes a much greater proportion in the coast talukas than in the up-ghat region. Even in the coast region, the proportion varies considerably as we go from north to south, the proportion of survey numbers under tenancy being the highest in Honavar Taluka where it reaches 76 per cent. The only taluka in the whole district where the proportion of survey numbers under tenancy is less than that under peasant proprietorship is Yellapur. But it is important to note that the Yellapur taluka contains only 4,038 survey numbers out of the total of 110,214 in the district.

The above statistics cannot, however, give the exact proportion of acreage under tenancy in each taluka; for all the survey numbers cannot be equal in size. Unfortunately, we have no figures to indicate the exact extent of acreage under tenancy in each taluka. But it seems that the average size of a survey number owned by a rent-receiver is larger than that owned by a peasant proprietor. This conclusion is supported by the remark made by the

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Collector of Kanara at the time of the Revision Survey Settlement to the effect that the proportion of occupied land cultivated by owners was less than a quarter of the whole occupied area in the coast talukas. (1)

(b) Proportion of tenants to owners

Turning to the distribution of land among the population, we find the preponderance of tenants over peasant proprietors as the following census figures would show: (2)

	Rent Receivers from land	Cultivat- ing Owners	Tenant Culti- vators	Agricul- tural Labourers
Earners (Principal Occupations)	3,072	9,416	38,843	13,526
Working dependents.	1,043	2,020	8,573	939
Earners with subsi- -diary occu- -pation.	84	664	7,702	6,816
Total	4,199	12,090	55,118	21,281

It will be observed that the number of cultivating tenants, including working dependents and those following subsidiary occupations is as large as 55,118

(1) R.S. Papers, Ankola, p. 58

(2) Compiled from the Census of India, 1931, Vol.VIII,
Part II.

or 13 per cent. of all the cultivators, while the peasant proprietors are only 12,090 or 13 per cent. In other words, for every five cultivators four are tenants.

Even among the peasant proprietors many are reduced to the position of tenants, for land owned by them is held in mortgage of which the occupancy is not transferred to the moneylender. The status of such owners is in no way better than that of ordinary tenants, as was clearly shown by the Deccan Riots Commission who stated: "When the land has been transferred by mortgage, the foreman almost invariably commences by leaving the debtor in occupation as tenant, and a form of mortgage exists in which the profits of the land really are all that is mortgaged, as the tenant is left in possession without any transfer or acknowledgment of the mortgagee's right, so long as he delivers the produce yearly. On the failure of the debtor to deliver the produce the mortgagee usually obtains possession. Sometimes the produce of the land is made to represent the interest of the loan, but more usually a specific rate of interest is cited in the mortgage bond. The debtor holds as tenant on every variety of terms and conditions." (1) These remarks apply with equal force to mortgage tenants in Kanara. We, however, do not know

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 (1) Deccan Riots Commission, Report, p.

how many peasants come under this category. But it seems that the number of mortgage tenants in Kanara is considerable. This conclusion is confirmed by the Government Enquiry Officer, Garden Lands, Kanara, who in 1935 remarked in his report: "The large number of interest rents shows how land is passing into the hands of the Sarkars at Sirai." (1) With regard to the Siddapur Taluka, the same officer said that interest-rents were numerous. (2) By adding the number of these mortgage-tenants to that of ordinary tenants, it becomes clear that more than 82 per cent of all the cultivators in Kanara constitute the tenant-class.

If we consider the proportion of tenants to landlords, we find that there are 13 tenants for every rent-receiver on an average. That most of the rented land is concentrated in the hands of a very small fraction of the population is evident from the fact that the number of non-cultivating proprietors receiving rent, including working dependents, is only 4,199, or about 2½ per cent. of the total earners in the district. Safely assuming that each earner has more or less the same number of dependents to be maintained by him, it becomes clear that the rented land, which forms nearly 64 per cent. of the total cultivated area, is owned by an insignificant minority

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(1) Enquiry Report of Garden Lands, p. 30
 (2) Ibid, p. 11

of less than 3 per cent. of the total population.

If the quality of the land in point of fertility is taken into consideration, one feels that the land held by non-cultivating classes is of a better quality than that owned by the peasant proprietors. A large proportion of the land held by the latter class is not rice land at all, but comprises hilly tracts where only ragi and other inferior crops can be grown. In fact, the Government Enquiry Officer for Garden Lands in Kanara remarked with regard to the Siddapur Taluka that "almost all rice area in the garden tract is cultivated through tenants."(1) We shall not be far from the truth if we say that nearly three-quarters of the rice-land in the district is owned by the non-cultivating classes.

Another fact to be noted is that the proportion of tenants to owners has been increasing constantly since the last seventy years, as is evident from the following figures:

<u>Year</u>	<u>Cultivating owners</u>	<u>Tenants</u>	<u>Total No. of culti- vators.</u>
1872 (Adult Male Population)	24,556 (34 p.c.)	46,559 (66 p.c.)	71,115 (100 p.c.)
1931 (Earners)	9,416 (19 p.c.)	38,843 (81 p.c.)	48,259 (100 p.c.)

In 1872 the percentage of tenants to the total number of cultivators was 66, while in 1931 it increased

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(1) Ibid., p. 12

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to 81. It is true that there has been some divergence in census classification. The figures for 1872 relate to the total adult male population including dependents, while in 1931 they relate only to principal earners of both the sexes. This does not, however, make much difference in ascertaining the proportions of tenants to owners.

The preponderance of tenancy has been so marked a feature of the district that almost every Settlement Officer was impressed by it. Mr. Monteath, the Collector of Kanara, in forwarding the Revision Settlement Reports of the Ankola, Kumta and Honavar Talukas, made certain significant remarks which deserve to be quoted here:-

"The great preponderance among the agricultural population of tenants and "charers" occupied in the cultivation of land is another noticeable fact, and one which characterises all three talukas alike, although of course the actual percentages vary somewhat. Still more remarkable is the fact also characteristic of all three talukas that of the whole occupied area a very large proportion-about half in Kumta and Honavar- is owned by a numerically insignificant fraction of the population, consisting of non-cultivating occupants. The proportion of occupied land cultivated by owners appears to be less than a quarter of the whole occupied area. Such occupants - that is those who cultivate their own holdings - constitute

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in Kunta about a seventh, in Ankola about a fifth, and in Nonavar and Thatkal between a third and half of the whole agricultural population." (1)

These remarks were made nearly 30 years ago. It cannot, therefore, be doubted that the proportion of tenants is still greater to-day when their number has further increased.

(c) Petty Zamindari

One special feature of the distribution of land in Kanara is that a large number of the owners who let out lands are petty landholders. Of 19,776 holdings under tenancy as many as 12,953, or about two-thirds, are of five acres or below. Most of the owners do not cultivate their lands in Kanara not because their holdings are too large to be cultivated by them and their families, but because they belong to the non-agricultural castes. The existence of a class of petty landholders living on rent may mean a worse type of landlordism from certain aspects of the problem. Usually a small landholder is forced by circumstances to be more exacting on the tenant than a big landlord. As the income of a petty landowner in the form of rent is not great, he cannot afford to be generous towards the tenant. This is especially so in the case of those owners whose only source of

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 (1) R. E. Papers, Ankola, p. 53

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income of a peasant is land rent. Perhaps the prevalence of this class of petty landholders is one of the causes why the rents are excessively high in Kanara. That smaller landlords are far more exacting than the bigger ones was also the experience of the Russian peasantry of the Czarist days. Stepniak, the great Russian author, tells us that "Acting as a rule through their managers and agents, who have no personal interest to serve, these large proprietors are in reality the least exacting of the gang. (1)

The average holding of a non-cultivating occupant is larger in size than that of a peasant proprietor, as is evident from the following table:

<u>Holdings</u>	<u>No. of holdings</u>	<u>Area held (in acres)</u>	<u>Average size of a holding (acres calculated).</u>
Cultivated by owners.	23,413	114,541	4
Cultivated by tenants.	19,776	207,363	10

Thus the average size of a holding cultivated by the owner is 4 acres, while that of a holding owned by the rent-receiver is 10 acres. This does not, however, mean that the average size of the plot let out to each tenant is 10 acres. Obviously it is much less because many rent-receivers let out their lands to more tenants than one. Because of the fact that

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(1) Stepniak; The Russian Peasantry, p. 56

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the average size of a holding owned by the non-cultivator is 10 acres, it should not be presumed that he owns only so much of land on an average. The number of rent-receiving earners in Kanara being 3072, the average acreage of land owned by each amounts to 67½ acres.

(d) The Size of Holdings

Coming to the size of holdings, we find that out of 48,520 holdings as many as 35,033, or nearly three-quarters, are of five acres or below. (1) As the area held by these 35,033 holdings comprises only 47,700 acres, it becomes clear that the average size of a holding of this group is about one acre and 14 guntas. The position gets worse in the case of holdings cultivated by owners in this group, the average size of such a holding being only one acre and eight guntas. We reach this figure by dividing the area of 26,583 acres occupied by 21,914 holdings. As the average size of a holding is only one acre and eight guntas, there must be many holdings whose size is still smaller. The inevitable result of this is that many owner-cultivators, finding their holdings too small to support their families, rent an additional plot of land. Thus a large class of cultivators who are partly tenants and partly owners has come into being.

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 (1) See Table in the Appendix.

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Unfortunately, their number is not known. But in view of the fact that as many as 21,914 holdings cultivated by owners are of an average size of one acre and 8 gunthas, the number of part-owners must be large. The position of many such peasants is that each of them possesses a patch of land of a few square yards, on which he can grow a bushel or two of paddy. He is a proprietor all the same, but only from a juridical point of view. In the eyes of an economist he is a pure proletarian, amenable to the economical laws regulating the conditions of the landless tenant class to which he really belongs.

The extent to which the fragmentation of land in Kanara has proceeded is shown by Mr. Keatinge, ex-Director of Agriculture. He gives the following instance in the village Uppin-Pattan in Kunta Taluka, which he calls typical of Kanara. An area of 52 acres was divided up into 139 separate plots held by about 50 land-holders. "In another way, however," proceeded Mr. Keatinge, "the fragmentation is even greater than the figures indicate, e.g. in Survey No. 1 the number of sharers shown is 3; but in reality the field is divided into 18 plots, each sharer cultivating 6 plots annually, and moving on to another 6 plots the year after, and so on." (1) It is noteworthy that since Mr. Keatinge wrote this in 1921, the sub-division and

(1) Keatinge: Agricultural Progress in Western India, pp. 165-193

fragmentation of land have proceeded further, as is seen by the following table, with the result that the position has become much worse to-day.

Number and Size of Holdings

<u>Size</u> <u>(in acres)</u>	<u>1916-17</u>	<u>1926-27</u>	<u>1936-37</u>
Upto 5 acres	29,446	29,236	35,083
5 - 15	8,334	9,082	8,631
15 - 25	2,372	2,654	2,434
25 - 100	2,221	2,275	2,078
100 - 500	367	341	200
Above 500	22	22	11
<u>Total</u>	<u>42,780</u>	<u>43,660</u>	<u>43,520</u>

It will be observed that the increase in the smallest size group is so great that it is almost equal to the increase in the total number of holdings. To be exact, while the total number has increased by 8,740, the increase in the smallest size group has been 5,640.

The sub-division of land is often ascribed by critics to the rapid increase in population. It is, however, difficult to draw this conclusion in so far as Kanara is concerned. As we have already seen, the number of holdings under five acres has increased by about 15 per cent. since 1916-17; but the population of Kanara, has decreased instead of increasing during the same period. In 1911, the population of Kanara was 430,000, while in 1931 it decreased to 417,000, thus recording a reduction of 13,000. Hence the real

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causes for the sub-division of land must be sought elsewhere. The breaking up of the joint family system of the Hindus is undoubtedly one of the causes. But the more important causes are the contraction of the area under cultivation due to extensive afforestations in the interior portion of the district and also the decline of ancient rural industries of the district. The artisans and craftsmen engaged in these industries have been forced to fall back on agriculture for their livelihood. This has naturally increased the demand for land which can only be met by a process of sub-division.

To sum up, there is a highly concentrated ownership and at the same time a widely distributed use of the land, with the result that most of the holdings are uneconomically small. In other words, there is an incongruity between land owning and land using, between private ownership and common need. ©

CHAPTER III

How the Peasant became Landless

(a) Peasant Proprietary at the Advent of British Rule.

We have seen in the last Chapter that in Kanara land is generally held to-day by a class of middlemen who stand between the State and the actual cultivators. Though the origin of landlordism in Kanara can be traced back to a period prior to the British conquest of the district in 1799, its rapid growth leading to the present miserable state of affairs is the product of the last 140 years. The purpose of this chapter is to show how a healthy class of peasant proprietors was expropriated and how a parasitic class of non-cultivating landholders living on rent has come into existence throughout the district and especially on the coast region.

Before explaining the causes that led to this expropriation, it is necessary to have a knowledge of the agrarian conditions existing at the advent of the British rule. There is sufficient evidence to show that at this period land in Kanara was generally tilled by a class of peasant proprietors paying land revenue direct to the State. This does not, however, mean that the system of tenancy was altogether unknown. On the other hand, we definitely know that the practice of letting land to tenants

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was in existence and that the tenants were known as "ganigaras". But the important point to be determined is, whether tenancy was the common feature of the system of land-tenure as it is to-day or whether it was only an exception.

The historical evidence that has come down to us clearly points out the fact that peasant proprietary preponderated and that tenancy was rare throughout the district. During the years 1800-1801, Dr. Francis Buchanan, under the orders of the Marquis of Wellesley, Governor-General of India, made a journey through Mysore, Kanara and Malabar for the express purpose of investigating the state of the country with special reference to agriculture, art and commerce; he has left a detailed report of his observations, which helps us in forming an idea of the conditions then prevailing. A careful perusal of Dr. Buchanan's diary would show that most of the land in Kanara, both North and South, was cultivated by landholders themselves and that only a small portion was let out to tenants. Thus, writing from Mangalore, the southernmost part of Kanara, Dr. Buchanan says that "At present, however, the greater part of the country belongs to Dimts and other Sikars, who style themselves proprietors (Malikies)" (1)

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(1) Buchanan: Mysore, Canara and Malabar, Vol. III,
p. 31

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Dr. J. Stokes, Member of the Board of Revenue, writing in 1835, described the Bunts as "a class of Hindu Sudras who seem originally to have held nearly all the lands of Lower Kanara, and who still form the great proportion of the Moolgars." (1) It is needless to comment, in this connection, that the Sudras of Kanara form the main agricultural class of the district, cultivating the land with their own hands. This fact is corroborated by Dr. Buchanan who proceeds to say that "many of the landlords retain their own estates and cultivate much of them with their own stock." (2) It also appears that even among Navik Brahmins the general practice was to cultivate the rice land on their own account instead of letting it out to tenants as is the case to-day. Writing from Haldipur, situated in the central region of Kanara, Dr. Buchanan remarked: "The proprietors are called Mulsherras, and are chiefly Navik Brahmins. Most of them cultivate their lands on their own account; but some let a part out to Gaynigaras, or renters." (3) Again, writing from Cadashivgad, which is on the northern extremity of Kanara, Dr. Buchanan had to say: "By far the greater part of the cultivation is carried on by the proprietors (Mulgars) and tenants of the

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(1) Printed Documents, Vol. III, p. 162
 (2) Buchanan: Op. cit., III, p. 32
 (3) Ibid, p. 139

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public (Circular cutties), and very little by lease-holders In general, the family of the proprietor labours the farm." (1) The "tenants of the public" referred to here should not be confused with the tenants of the landlords, whom Dr. Buchanan calls "lease-holders."

With regard to garden lands, Dr. Buchanan, writing from Mangalore, stated that "the proprietors let very few of their gardens." (2) Again, he wrote from Karhala that "all the gardens belong to the landlords, who very rarely let them out for rent." (3) That there was almost complete absence of tenancy in the spice garden tract of North Kanara is borne out by Buchanan's diary. While travelling through this region, Buchanan does not even mention the word "ganigar" (tenant), while he was careful to recognise that a few "genigaras" existed on the coastal rice belt. Writing from Sirsi, he expressly stated that "in this country most of the labour, even in the grounds of the Brabants, is performed by the proprietors," (4) thereby clearly suggesting that the proprietors cultivated their gardens with their own hands instead of letting them out to tenants.

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- (1) Ibid, p. 181
 - (2) Ibid., p. 33
 - (3) Ibid., p. 85
 - (4) Buchanan: Op. cit., III, p. 226

The above quotations which refer to different parts of the district, namely, the southern, the central and the northern, abundantly reveal the fact that tenancy was not the general feature of the system of land-tenure in Kanara at the beginning of the nineteenth century.

What has been stated by Dr. Buchanan is further borne out by Major (afterwards Sir Thomas) Munro, the first Collector of Kanara, who, in his letter dated 1st July 1801, to the Board of Revenue, remarked: "In Mangalore, Vittel and all the best cultivated districts, by much the greatest share of the land is in the hands of the landlords; and this, I imagine, is the case even in Barkoor, nearer the sea." (1) What the Collector meant by the phrase "the land is in the hands of the landlords" is that it was cultivated by them and not given out to tenants. Again, Mr. Read, the Collector, wrote in 1814 that only about one-tenth of the estates were entirely rented out and that there were very few landholders who did not cultivate with their own hands. (2) That land was held by the peasants & direct from the State without the intervention of middlemen was also the definite opinion of Mr. Maltby, the Acting Collector, who in his letter, dated the 22nd July 1839, to the Board of Revenue, stated as

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(1) Fifth Report, Appendix 24, p. 815
 (2) Printed Documents, III, p.2

follows in unmistakable terms: "On our occupation of this country, we found a proprietary right in land clearly established and acknowledged. This right was vested in a body of hereditary farmers each holding his separate estate and paying his assessment direct to the Government, without the intervention of any Zamindar or village community."

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(b) Wide Diffusion of Landed Property in the Past

That there was a wide diffusion of landed property in Kanara at the commencement of British rule can be shown with the help of official evidence. For instance, Major Munro, in his letter dated in December 1800, to the Board of Revenue, refers more than once to the fact that land in Kanara was widely diffused among the people into small patches and that big estates were unknown. To quote the words of Munro, "as from the minute division of land very few of them (landholders) can be supposed to be rich, no considerable sum can be expected from them for great estates." (2) Giving out his reasons why it would be inadvisable to divide Kanara into big estates and thus to create a wealthy class of landlords, Munro stated that "to think of dividing Kanara into great estates would only be attempting

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(1) Early Letters, p. 122

(2) Ibid., p. 63

to carry it backwards." (1) He further alluded to "the wide diffusion of landed property, by which almost every field has a different owner." (2) This wide diffusion of landed property in Kanara, in the opinion of Munro, could be traced back to as early as the 14th century when, during the reign of Paribara Raya of Vijayanagara, "the whole of the lands were parcelled out among a prodigious number of landholders," as a result of which "great estates, however, were not common." (3) This opinion expressed by Munro in his letter, dated the 31st May 1800, to the Board of Revenue, was based on a careful examination of ancient records as well as on his own observations on the then prevailing conditions in Kanara.

We are fortunate in having some statistics as to the diffusion of landed property in Kanara during the early years of the nineteenth century. According to a report drawn by Mr. A Road in 1814, the number of persons owning land in Kanara was 43,666 (4). Of these 16,898 were in North Kanara and were included in the talukas of Onore (Honavar), Ankola, Soonda and Bilghi. Mr. Road, however, seems to have omitted the figures for Soopa and Banavasi talukas. But from a report submitted by the

(1) Ibid., p. 57
 (2) Ibid., p. 63
 (3) Early Letters, p. 23
 (4) Ibid., p. 69

Collector of Northern Division (present North Kanara) to the Board of Revenue, in 1802, we know that the number of proprietors in Coopa and Banavasi was 4,037 and 1,027 respectively. (1) By adding these figures to those supplied by Mr. Road, we get the following table:-

<u>Taluka</u>	<u>No. of proprietors.</u>
Oore (Honavar)	4,530
Ankola	4,713
Secnda	6,530
Bilghi	1,125
Coopa	4,037
Banavasi	1,027
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Total for N. Kanara	22,012

In addition to these, there were 8,352 persons in the whole of Kanara, (North and South) who held land as "Sirkar gnicies" or tenants of the Government. (2) As these holders were as good as proprietors for all practical purposes, excepting in name, they will have to be included in the above table. But in view of the fact that their number is not shown separately under each taluka, we do not know how many of them were in the present North Kanara district. But we shall not be far from truth if we assume that about half of them, viz., 4,000 were in North Kanara;

(1) Fifth Report, Appendix 24, p.821
 (2) Early Letters, p. 83

for the proportion of the 'Sirkar genies' must have been greater in the north than in the south on account of the fact that the proportion of Government land, unclaimed by the ancient proprietors (Mulgars), was greater in North Kanara than in South Kanara. Now by adding this number of 4,000 "Sirkar genies" to the number of 22,012 mulgars, we arrive at the figure of 26,012 which represents the number of persons owning landed property in North Kanara during the early years of the nineteenth century.

This number of 26,012 landholders should have increased in the natural course of events. In fact, Major Munro believed that the number would considerably increase and consequently the diffusion of landed property would be still wider in Kanara as years rolled on. After observing that great estates were very rare in Kanara, Major Munro proceeded: "Where there are no entails nor artificial restraints on the transfer of land; where there are no exclusive rights of primogeniture; where the progress of population is urged on, by early marriage and abundance of food, and where it is common to supply, by adoption, the want of children, every great estate must in a short time, be divided into a number of small ones. A widely extended division of property is the point to which things are of

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themselves continually hastening and to which they must finally arrive, unless obstructed by violent regulations." (1)

Unfortunately, the prophesy of Major Munro did not come true. As time went on, the ownership of land became concentrated in the hands of a few instead of being diffused among a larger proportion of the population. In fact when Major Munro wrote the above words, the reverse process had just started and the few big estates that he noticed were the result of that process. At present the number of landholders in North Kanara is only 12,468. (2) Thus during the last 130 years as many as 13,504 persons, or more than 50 per cent., lost their lands and became landless peasants. The position is really more serious than what it appears to be from these figures, because in the past a person owning land had a larger number of co-sharers in the family than at present. In the past the average number of co-sharers in a family, under the joint family system of the Hindus, was undoubtedly larger than it is to-day when that system is fast disappearing. To illustrate the point. Safely assuming that one proprietor represents one family and further assuming that in the past the average number of co-sharers

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(1) Early Letters, pp. 56-57

(2) Census of India, 1931, Vol. VIII, Part II, pp. 161-63

in a family was four and that to-day the number has fallen to two, we find that the total landed property owned by the 26,012 landholders in the past was in fact shared by $(26,012 \times 4)$ 104,048 persons, while the corresponding number of sharers to-day would be $(12,483 \times 2)$ 24,976. Thus, it is true to say that about 80,000 persons lost their proprietary right in land during the course of the last 130 years. These figures, though they do not pretend to be exact, are helpful to indicate roughly the proportion of the population which has been rendered landless.

Even the above calculations do not fully bring out the extent of mischief that has been done. Of the 12,483 land-owners of to-day, a vast number are cultivators each holding only a small patch of ground the income from which is not sufficient for the maintenance of the family. They are, therefore, obliged to rent additional land from larger owners. What this really means is that a large majority of these cultivating owners are not full owners but are partly tenants and partly owners. In other words, they are landowners only in name. The truth of this statement is borne out by the hard fact that on an average each of the 9,416 cultivating owners hold only one acre and 8 goonthas, which together constitutes 36 per cent. of the total cultivated

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area in the district, while the remaining 64 per cent. of the area is owned by only 3,072 persons who live on rent.

That there was a wide diffusion of landed property in Kanara is further evidenced by certain official figures supplied by Mr. Read to Dr. Buchanan in 1801. These statistics give the number of homesteads in all the talukas comprised in North Kanara. (1) As already seen, we have also figures showing the number of landed proprietors in these talukas in the early years of the 19th century. By putting these two sets of figures together, the following table is obtained:-

<u>Taluka</u>	<u>Houses</u>	<u>Proprietors.</u>
Honavar	10,554	4,530
Ankola	6,130	4,713
Dupa	6,929	4,037
Soonda	3,398	6,530
Bansvasi	2,729	1,027
Bilghi	2,593	1,125
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Total	32,331	22,012

Thus safely assuming that one proprietor represented one homestead, we find that about sixty homesteads in every hundred had landed property in 1801. The position to-day is quite different.

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(1) Buchanan, Op. cit, III, pp. 195, 243

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According to 1931 Census, there are 87,283 occupied houses in North Kanara, with 12,488 landed proprietors. Now assuming that one proprietor represents one homestead on an average, it becomes clear that only 13 homesteads out of every hundred own landed property to-day. The comparison clearly indicates the extent to which the peasantry in Kanara has been expropriated.

There are two processes by which tenancy in land is created. The first process comes into operation when a person holds a large area of land, all of which he is unable to cultivate on his own account. The inevitable result is that he lets out a portion of his estate to tenants. The second process comes into operation when the owner belongs to the non-cultivating class. In this case, tenancy is created irrespective of the size of the land owned by the person. He rents out his estate not because it is too large to be cultivated by him but because he does not practise husbandry. The second process seems to have been working more actively in Kanara than the first since the advent of the British rule, with the result that to-day most of the land is not only concentrated in the hands of a few families but it is owned by non-agricultural classes.

One important feature of peasant proprietary in Kanara in the past was that the proprietors were associated together in village communities. These

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communities, belonging to particular castes, occupied different villages and were represented by an elected or hereditary headman. The proprietors were jointly responsible for the payment of the Government revenue due from the entire village; or they had their separate holdings known as 'vargs' in the village, each paying his quota of revenue due from his plot. That particular castes or families formed distinct village communities in Kanara at the beginning of the last century was noticed by Major Munro. It is remarkable that even to-day almost all the cultivators in a typical Kanara village or a section of the village are drawn from one of the agricultural castes, though they no longer possess their ancient proprietary right in the village land. In fact, there are very few villages or sections of villages where the cultivators belong to diverse castes.

(c) Expropriation of the Peasantry --
Frankis by Shanbhoss

Having seen that there existed a large class of peasant proprietors at the advent of British Rule, let us proceed to examine the causes that led to the expropriation of this class and to the creation of a vast body of landless tenantry in its place. The most common way by which this expropriation was accomplished by the higher educated non-agricultural classes was the adoption of various fraudulent methods.

In order fully to understand these frauds perpetrated, it is necessary to have an idea of the system of land revenue administration in Kanara on the eve of the British conquest.

Under the former system of land revenue administration, the estate of a landholder was known as 'Varg'. Generally speaking, there were separate vargs in each village, but vargs comprising lands in different villages were not unknown. (1) Within the village the plots belonging to a 'varg' were often scattered and could not be identified by anyone but the owner and the village accountant (Shanbhog). The 'vargs' had no strict boundary marks and no record of the extent of area. Only the amount of assessment to be paid to the Government in respect of each 'varg' was shown in the village account-book kept by the shanbhog. Occasionally 'vargs' were subdivided and new 'vargs' were formed under new names, but this was not the rule. The different parts of the varg had no specific revenue affixed to each of them, but had only one aggregate amount for the whole. (2) This system of land administration had three great defects. First, the boundary of each field was not shown in the village records; secondly, the area of each estate was not known; thirdly, the land revenue to be paid on each

(1) Kanara Gazetteer, Part II, p. 178

(2) Early Letters, p. 69

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unconnected part of the estate was not separately ascertained, the owner or vargdar paying a total amount on the whole estate.

The shanbhogs or village accountants were invariably recruited from the higher educated class - the Saraswat Brahmins and particularly from the Shcavis, a sub-division among them. A sort of hereditary right to fill the office of the shanbhog was considered to have been invested in this community. Almost every important village in Kanara was inhabited by a few Saraswat families. (1) These people had practically monopolised not only the posts in Government service, but also the business of money-lending and the internal and external trade of the district. In fact the Saraswats can be called the Jews of Kanara. An official report of 1833 describes them as "sufficiently expert and assiduous by acuteness and intelligence. It is not surprising that men of this stamp, in the general struggle for wealth, should be successful competitors with the simple and ignorant farmers with whom they have to deal." (2) A Collector of Kanara described them in 1821 by stating that "there is not a more dissolute sect in India" than these. (3) The traditional hatred felt by the toiling Kanaran peasant for the

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(1) In the term "Saraswat" we include Goud Saraswats (Smarths and Vaishnavas) also.

(2) Printed Documents, III, p. 163

(3) Ibid., III, p. 54.

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Saraswat shopkeeper and money-lender is stigmatised in the Kannada proverb: "If a forest is grown let loose a goat; if a town is prosperous let loose a Konkani (Saraswat)". To quote another official document, "They have a poor name for honesty, and especially those who are shopkeepers are held in suspicion by their neighbours." (1) There is no doubt that the methods used by these users and oppressors have not been clean. These people always looked for an opportunity to turn to their profit the needs, the sorrows, the sufferings and the misfortunes of others. The conspicuous position they now occupy in the economic life of Kanara came about during the last century and a half.

Great confusion had prevailed in Kanara at the beginning of the last century owing to the sudden change of Government. With the capture of Seringapatam and the death of Tippu Sultan at the close of the fourth Mysore War in 1799, Kanara came under the rule of the East India Company. Taking advantage of the unsettled conditions in which the district was thrown, the shanbhogs reaped the utmost advantage in their power in order to become substantial landholders by expropriating the peasantry.

The first thing the shanbhogs did was to remove

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(1) Kanara Gazetteer, Part I, p. 133

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or destroy the revenue account books in the taluka offices so that they might not fall into the hands of the European Officers. How this was done, is narrated by Mr. T. Harris, Collector of Kanara, in 1821. "When after the fall of Seringpatam it was fully understood that British power would shortly extend thither, the shanbhogs, who are all Chennawees, and the head inhabitants Cankanees and Gowdas, entered into a formal confederacy to conceal every account which contained information as to the productive powers of the land or mode of assessment under former Governments. The irruptions carried on at this time by Yennajee Haick in Ankola and Soolgar Hegaday in Soopah gave a color to this loss of accounts, but I am satisfied it is a pretence only to withhold documents. I am given to understand that Major Munro could not obtain any documents, and, if I am to judge from the complete deficiency at this day, it is not surprising." (1)

Having concealed the accounts the shanbhogs proceeded with a regular and systematic plan to falsify the village account books which they had in their possession. The assessment on the estates owned by the shanbhogs and their relatives was greatly reduced while the assessment on the lands held by the peasantry was heavily increased. Care was

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 (1) Printed Documents, III, pp. 52-53.

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taken to see that the aggregate amount of assessment on the whole village was not brought below the amount shown in the old pre-British records. To illustrate the point. Granting that the total amount of land revenue from a particular village was not shown to be Rs.5,000 in the old records, the shanbhog did not reduce this figure. This reduction was not effected because the shanbhog wisely thought that such a step might expose him, in case the higher authorities could ascertain the aggregate amount of revenue of the village through the records available either at the district head-quarters or at the Central Secretariat at Seringapatam. What he did was to distribute the aggregate amount of Rs.5,000 as he pleased among the various estate-holders or vargdars in such a way that the vargs held by him, his relatives and other wealthy men of his class who could bribe him were made to pay only nominal assessment. The vargs of the peasants, who invariably belonged to the so-called lower castes, were so heavily assessed that they were often forced to resign their estates. As soon as the varg was resigned by the peasant, the shanbhog or his relative would make a formal application to Government with a request to assign the varg to him and would also plead for a substantial reduction in assessment. The tremendous influence the applicant wielded with the taluka and district officials of his own caste

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would enable him to secure the estate at the reduced assessment. The land thus acquired was then leased out to the expropriated peasant. These ingenious methods of frauds were facilitated by the defective system of the land revenue administration of the former days. It was not easy for the higher authorities to know whether the assessment was equitably distributed or not among all the estates in the village because the area of each estate was not shown in the records. As officially admitted, "owing to the total ignorance of the Government officers respecting holdings or yarags, fraud could only be proved inferentially by assuming that a given quantity of land should bear a given amount of assessment which would be equivalent to an entire reassessment."

(1) The failure of the British Government to undertake the survey settlement operations till as late as 1865 gave further opportunities to the shanbhogs to carry on their frauds with greater ease and with a more systematic planning.

These frauds were so commonly and so ruthlessly practised that they attracted the attention of a number of officials connected with the administration of the district, who felt called upon to take notice of them in their reports submitted to the Government from time to time. Mr. T. Harris,

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(1) Kanara Gazetteer, Part II, p. 169

Collector of Kanara, in his letter to the Board of Revenue, dated June 14, 1821, after referring to the "pretended ignorance of the shanbhogues and want of old accounts, their corruption," (1) proceeded to observe: "At present it (Socnda Taluka) is in the hands of shanbhogues, and hence exist inequalities of assessment far beyond the acknowledged differences in Lower Canara." (2) Alluding to Ankola Taluka, he stated, "I clearly saw grounds for suspecting frauds these moganies (sub-divisions of a taluka) are entirely in the hands of this sect of Brahmans (Shenvis). The Jammabundies were theirs, and whilst a system of lowering one's and raising another's assessment was permitted, the gross abuses now discovered must have flourished." (3) The frauds were so extensively practised that Mr. Harris suggested a survey of all the lands as the only remedy. Above all, a survey, he said, would "lead to the upholding many a sorely oppressed tenant by conferring to him a lighter assessment"; (4) and observed: "The oppressed will be relieved, and the fraudulent landholder compelled to disgorge." (5) In consequence, an experimental survey in a few

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- (1) Printed Documents, Vol. III, p. 35
 (2) Ibid., p. 33
 (3) Ibid., p. 54
 (4) Ibid., p. 36
 (5) Ibid., p. 55

villages now in Sirsi taluka was commenced but unfortunately it was not extended to other parts. Even this survey which was limited to a very few villages showed "the greatest inequalities and irregularities in the former assessments" (1) which had resulted from frauds committed by village accountants.

The fact that the shanbhogs went on shamelessly committing further frauds in the unsurveyed parts of the district is evidenced by a number of official documents. Mr. J. Babington, who succeeded Mr. Harris as Collector, wrote as follows in 1828: "From the lax manner in which the village accounts have been kept in this province for a series of years, and the destruction, alteration, and forgery of them by the shanbhogs, no satisfactory adjustment of the revenue can be made from those now existing, and nothing but a thorough revision of them and the preparation of a new set of accounts, will enable the Collector to make any settlement that will be completely satisfactory either to the Board of himself." (2) Notwithstanding these remarks the survey was not extended. "The shanbhogs," declared Mr. J. Stokes, Member of the Board of Revenue, who was specially deputed to Kanara in 1831

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(1) See Kanara Gazetteer, Part II, p. 163
 (2) Printed Documents, III, p. 73

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to make a report, "are believed to have availed themselves of the confusion incident to the transfer of the province to a new power, to make many fraudulent alterations in the public accounts." (1)

Again, in 1849, Mr. Blanc, the Collector, reviewed at great length the frauds committed by the shanbhogs. His testimony is so illuminating that it lends itself to copious citations. After referring to the "shameful manner in which every species of fraud and forgery is perpetrated to obtain or hold possession" (2) of even the smallest piece of land, Mr. Blanc proceeded to observe: "The readiest resource the people appear to have to save themselves seems to have been the falsification of the accounts for the purpose of deceiving the officers of Government. It is to this cause that I principally attribute the excessive inequality in the assessment on different estates, and I think it more reasonable when we find such numerous instances of estates not paying, as noticed by Mr. Viveash, one-tenth of their produce, and very many not so much, to ascribe it to rather to the success with which influential landholders, the shanbhoges and their relations and friends, were enabled to conceal the actual state of their farms, and lower the original assessment, than to the fact of the old

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(1) Printed Documents, III, p. 171
 (2) Early Letters, p. 167

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Rakah (old standard assessment) having been originally so absurdly low as it is now often found." (1)

Proceeding further, Mr. Blane stated: "A clue to the true explanation of these great inequalities is afforded in paragraph 57 of Mr. Blair's letter of the 30th July 1842. He says 'I beg to explain that the several additions to the assessment made were frequently unfairly distributed upon the estates of the poor ryots in order to relieve the rich and influential landholders from the burden.The shanbagues were the sole depositories of all information respecting the revenue, they and their relations were all landholders, and every facility was afforded by the unsettled state of the country. A true account can seldom to this day be got from a shanbague, and it would be contrary to all experience to suppose that they were more honest men, or that they would not embrace every opportunity afforded by the confusion into which affairs had fallen,..... to reap the utmost advantage in their power. That they did so is indeed so notorious as to render idle any laboured assertion of the fact There can be little doubt that the system described by Mr. Blair, of favouring influential ryots and over-assessing the poorer, was carried to such an extent far beyond what he represents" (2).

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(1) Early Letters, pp. 174-175

(2) Ibid., pp. 175-176

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Mr. Blane was so much disgusted with these frauds that he was compelled to record that the British Government "were from the very commencement building upon a rotten foundation" (1) the structure of the land revenue administration in Kanara.

The thoroughness with which the shanbhogs were carrying on their regucry is borne out by the following extract from Mr. Blane's report: "There are parties in Canara who, it is well known, maintain a regular manufactory of forged documents; and I could mention the name of an influential shanbogue in Ankola from whom it is commonly said that documents of any date and of any dynasty, may be procured according to the taste of the applicant." (2) The frauds were so universal, so wicked and so systematically and basely practised that even the Collector, says Mr. Blane, was almost helpless in affording any protection to the oppressed. To quote his own words: "The basest acts, forgery, corruption, and perjury are daily committed for the purpose of depriving a neighbour or tenant of his rights and property or for defrauding the Government, and the Collector is almost helpless to protect the one as to vindicate the rights of the other." (3)

As to the inequality of assessment resulting

- (1) Early Letters, p. 176
 (2) Ibid., p. 199
 (3) Ibid., p. 224

from these frauds, the Kanara Gazetteer says that it was "extra-ordinary and most pernicious; landholders in some places hold land almost rent-free (tax-free), in other places they were subject to an oppressively high demand." (1) It is needless to state that these estates, which were heavily taxed belonged to the ignorant cultivating classes of the Sudra caste. The peasantry was so mercilessly oppressed, we are told by Mr. Elane, that in some cases the original assessment or ghist amounted to more than the whole produce." (2) Mr. J. Elphinstone, Acting Collector of Kanara, wrote in 1857 that "the poorer cultivators" were "too highly assessed." (3) The inevitable consequence was that the owners of such lands were forced to resign their holdings. On the other hand, the assessment on the estates of the influential landholders of the higher castes was "nominal" (4) Major W. G. Anderson, Superintendent, Revenue Survey and settlement, wrote in 1864 that these people "had hold their lands on exceptionally light assessment." (5) It is again stated that "the assessment was frequently unfairly distributed upon the estates of the poor ryots, in order to relieve the rich and influential landholders

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- (1) Kanara Gazetteer, Part II, p.165
 - (2) See Ibid., p. 169
 - (3) O.S.S. Papers, Coopa & Yallapur, p. 95
 - (4) Ibid., 179
 - (5) O. S. S. Papers, Coopa and Yallapur, p. 2

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from the burden." (1)

The shanbhog was so influential in position and so unscrupulous in his dealings that he struck terror in the hearts of the degraded peasantry. Indeed, he was the all-powerful personage in the village. The extent to which the ignorant peasant was afraid of this local bully is well illustrated by the following extract culled from a Survey Settlement Report written in 1872: "The people are very ignorant and entirely under the thumbs of shanbhogs, who have made use of their official position to become large holders of land which they rack-rent to sub-tenants. I have asked a ryot why they did not give up cultivating shanbhog's land and take up waste fields from Government. The answer was, what would the shanbhog say to this; the first point clearly was to keep on good terms with him." (2)

These quotations speak for themselves. The frauds perpetrated by the shanbhogs must have wrought a terrible havoc throughout the length and breadth of Kanara in those days.

(d) Surreptitious Encroachments

Another method adopted by influential land-holders to expropriate the peasants was to encroach

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(1) Early Letters, p. 175

(2) O. S. S. Papers, Coopa and Yellapur, p. 132

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upon their lands. The non-specification of boundaries and the absence of a survey, coupled with the tremendous power wielded by the shanbhogs in falsifying official records, facilitated these encroachments. In addition to encroachments upon private lands, appropriations of the common land of the village such as the grazing grounds and also of the Government waste was the order of the day.

Ample evidence bearing on this subject is contained in official documents. The information which these records afford is of great interest.

Major W. C. Anderson, Survey and Settlement Officer, after remarking in his report of 1864, that influential landholders, shanbhogs and patels had "very largely encroached" upon their weak neighbour's lands, says: "I will give one specimen (an aggravated instance certainly) of encroachment upon one individual, but common enough as regards the amount of land held without being brought to account. Acres 37, bearing assessment by the old accounts Rs.4, were entered in the accounts as the "w^hag" of a certain ryot, who we found in actual possession of but 2 acres 23 gunthas, for which he paid the Rs.4, the whole of the remaining land was occupied by the Patel of the village without any recognition in the accounts, and without paying anything whatever for it." (1)

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 (1) O.S.S. Papers, Coopa and Yellapur, p. 24

The same authority also observes: "From the want of definition of estates disputed boundaries are common, the limits of estates have become greatly enlarged, both by encroachment upon Government Waste and upon each other." (1)

It appears that encroachments on Government waste lands and on the common pasturage of the village were much more common and more extensively carried upon than on individual estates. This was but natural. The evil effect resulting from these appropriations was equally injurious to the interests of the peasantry. The appropriation of the common lands of the village deprived the peasantry of their valuable rights of pasturage and of gathering leaves for manure which they had enjoyed from time immemorial. Moreover, the encroachments upon Government wastes prevented the peasants, who had lost their lands for various reasons including frauds committed against them, from securing new land from the Government. In consequence, the landless peasantry had to take on lease the encroached lands on extortionate rents. In other words, the cultivable waste in each taluka was almost monopolised by a few influential landholders. The preponderance of tenancy in Kanara to-day should be partly attributed to this cause. This fact was clearly admitted by Mr. Blane, who wrote: "The holders

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(1) O.S.S. Papers, Soopa and Yellapur, p. 18

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claimed the same proprietary rights in the waste, as in the cultivated land, and, as a consequence, claimed the right of selling or letting them, and thus if they chose, separating them from the cultivator, and alienating them from their original uses. Another effect of such a tenure was that even where the lands were greatly in excess of the quantity necessary for which they were intended, the holders could prevent others, from taking them on a fixed assessment payable to Government, and the person who took the land paid the rent to the landlord, not to Government, and was in every respect his tenant."(1) In this way a considerable number was added to the growing bulk of the tenant class.

These appropriations were carried on systematically for nearly a century, that is, from the very commencement of British rule in 1799 till 1832 when the survey of all lands in the district was completed. The extent to which this practice was resorted to is evidenced by various official records bearing different dates.

In 1839, Mr. E. Kaitly, Collector of Kanara, in the course of his letter to the Board of Revenue, says: "In many cases the just claim to the right of pasturage or of gathering leaves for manure preferred by the holders of the neighbouring estates to

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(1) Early Letters, p. 195

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the exclusion of other villages has been changed to a claim of proprietary right in the soil, and many secret encroachments have been made upon waste to which the parties have no title whatever." (1) In 1836, the Jummabandy Report, referring to these encroachments, stated that "the landlords clandestinely added to their estates from the adjacent Government waste." (2) In 1841, the Board of Revenue, in its proceedings of September 23, described them as "intermixture of uncultivated with occupied lands through encroachments made upon the waste." (3) Again, in 1843 the same Board termed the encroachments as "fraudulent appropriation of waste." (4) In 1848, Mr. Blane, after reviewing how the encroachments were made, observed: "it will be seen that there has always been, and still continues to be, a large quantity of waste land alleged to be private property." (5) In 1872, Major W. C. Anderson, the Survey Settlement Commissioner, after citing many instances of encroachments which he could detect during the survey settlement operations, stated that "considering the agency employed to control and record occupation of land it may be considered wonderful that the encroachments are not more extensive." (6) In 1878, Mr. A.N. Macdonald,

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- (1) Ibid., pp. 129-130
 (2) Printed Documents, III, p. 191
 (3) Ibid., p. 107
 (4) Ibid., p. 109
 (5) Early Letters, p. 201
 (6) O.S.S. Papers, Scoopa and Yellapur, p. 132

Collector of Kanara, wrote that "encroachment on Government waste lands gave him (landlord) an increased area on which he paid nothing." (1) Finally, to quote the highest authority in the province, namely, the Governor of Bombay, "It is notorious," wrote His Excellency in 1879, "that Government land was often surreptitiously appropriated without any addition to the land tax." (2) Similar quotations can be multiplied. But it seems that these are enough to convince the reader.

It was not only the cultivable waste that was encroached upon but also extensive areas of forest and hill slopes that were intended to afford to the cultivators of the neighbouring villages the means of procuring leaves from the brushwood or jungles growing on them as manure for their fields, and to furnish grass as fodder for their cattle. Proof of this is furnished by a number of official records, including the Order of the Government of Madras issued on May 23, 1850. (3) Often the encroachments were so extensive that they covered the entire forest area of a village. (4) The High Court of Bombay, terming one of such encroachments as "a very impudent fraud," showed how a landlord in the Karwar Taluka "got himself installed" as the owner of a whole village. (5) Be it noted that this is only one of the many instances.

(1) O.S.S. Papers, Soopa and Yellapur, p. 154

(2) Minutes by His Excellency, 1879-80, Vol. V, p. 40

(3) See Indian Law Reports, Bombay Series, Vol. III, 1879, p. 511.

(4) See the judgment of Bombay High Court in the case of Backerappa vs. The Collector of North Kanara, Indian Law Reports, Vol. III, 1879.

(5) Ibid., pp. 615-617.

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That is more important but at the same time more distressing is that these land-eaters without being contented with their encroachments during the pre-survey period, managed to appropriate further portions of public lands even during the survey operations. It is, indeed, a matter of shame that the Government quietly acquiesced in them. To quote the testimony of His Excellency the Governor: "Much land had been appropriated in previous times by the large and influential landholders to which they had no real title, and more during the execution of the survey, since everyone was allowed to point out the limits up to which he claimed the land, according to which the land was measured off, and such claims were admitted without question or investigation." (1) It is this unpardonable attitude on the part of the Government that must be held responsible for the encroachments made during the survey settlement operations.

The fact that the shanbhogs and the men of their caste misused their official position in order to become large landholders by devouring upon public lands, is officially admitted: "In most places," says the Kanara Gazetteer, "the bulk of large landholders are of the Shonvi caste. In many cases these people are the descendants either of

(1) Minutes by His Excellency, 1879-80 Vol. V, p.43

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village accountants or of the relations of village accountants, officers who had every facility for enlarging their own holdings and allowing those in whom they were interested to enlarge theirs by encroaching on Government waste." (1)

As already explained, one of the evil effects of these extensive encroachments was to prevent the peasantry from obtaining land from Government and in consequence to create a class of tenants on the encroached lands. In fact, the evil motive behind these encroachments was the creation of a race of rack-rented tenantry and not the extension of cultivation in the interest of agriculture. That this was so is clearly brought out by a former Governor of Bombay in the following extract: "land was extensively claimed without any prior right and without any immediate intention, or in fact any ability to bring it under cultivation, but for the purpose of securing the refusal of it, and to exclude other claimants. Especially it was desired by large landholders to keep out their sub-tenants from becoming occupants under Government on their own account, which, however much it might be to the improvement of the condition of the sub-tenants, would reduce competition for land among them and lower rents." (2) It is at once apparent how the encroachments in the past have been

(1) Kanara Gazetteer, Part II, p. 185

(2) Minutes by His Excellency, 1879-80, Vol. V, p.42

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greatly responsible for the preponderance of tenancy in Kanara to-day.

(c) Other Methods of Expropriation and
Creation of Tenancies

In addition to illegal encroachments, other methods of various kinds seem to have been resorted to. One such method usually employed by shanbhogs and other officers was to be harshly strict in the collection of land revenue from the poor cultivators. Often the demand for land revenue was made even before it was really due. The failure on the part of the cultivator to pay the revenue within the given time would result in the attachment or sale of his property. The attached property would then be taken over by the shanbhog or his castemen from the Government on payment of assessment. This practice was prevalent not only during the early years of British rule but also during the reign of Tippu Sultan when Kanara was under a state of confusion on account of the wars against the English. That these villanies were perpetrated during the early years of British rule is amply borne out by many official documents.

(3) As to the reign of Tippu, proof is furnished by the writings of Sir Thomas Munro who, in one of his

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(1) For instances of this kind, see the judgment in the case Baskarappa vs. Collector of North Kanara, by the Bombay High Court Indian Law Reports, Bombay Series, Vol. III, 1879.

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letters written in 1800, says that "petty landlords were often compelled to sell or mortgage their estates for the payment of revenue before it was due" and that such anticipations were "often directed beyond the general rate against particular landlords in order to compel them to sell their estates to persons who had bribed the Amildar for this purpose." (1)

The growth of tenancy in Kanara should also be attributed to the wrong policy adopted by the Government in the matter of giving out the cultivable waste lands. Waste lands were divided into large blocks and were given out to big landholders. Since applicants were not allowed to take only a portion but the whole of the holding, the poor peasants were unable to secure waste lands on account of the big size of the holdings. Moreover, those who had taken the land were later on granted the concession to retain the uncultivated portion without being called upon to pay assessment on it. Only the portion that was actually brought under the plough was assessed. The natural consequence of this policy was, the creation of new tenancies. As truly pointed out by Mr. Blane in 1848, "They (landholders) thus retain a lion on a large quantity of land which they pay nothing for, and prevent

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 (1) Early Letters, pp. 46-47

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others from taking it up except as their tenants."

(1) With a view to discontinuing this undesirable practice, Mr. Ilanc recommended to the Board of Revenue that waste lands should be given out to cultivators "in small and convenient spots upon a fair and equitable assessment." (2) But it appears that the recommendation was not given effect to, and the evil practice continued as before for many years to come. It was only in 1874, during the original survey settlement operations, that the practice was somewhat modified. Now the holder of the uncultivated portion, instead of holding it revenue-free, was made to pay 1/8th of the full assessment afterwards. (3) But the main objectionable feature of the policy of favouring large landowners was not abandoned. Land was not parcelled out into small farms of convenient size so as to enable the peasants to take them up. The extent to which this has prevented the peasantry from taking up land is clearly brought out by a Settlement Report of 1910 which states that "in most of the jungle villages at the survey whole ~~waxes~~ were forced into single survey numbers, and if the cultivator desires a particular piece of rice land, he finds himself bound to pay assessment on acres

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(1) Early Letters, p. 236

(2) Ibid., p. 237

(3) Govt. Resolution No. 5573, dated 21st October, 1874.

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of more or less worthless land which he does not want." (1)

Thus the policy of giving away vast areas of waste lands to non-agriculturists has been greatly detrimental to the interest of the peasantry. Its evil effects were, however, realised by a former Governor of Bombay, who, after observing the conditions in Kanara during the course of his tour into district, recorded his opinion thus: "Moreover, the fact of there being waste land at the disposal of Government, does indirectly benefit the tenants-at-will in the district generally, who, if oppressed or rack-rented by the proprietors, will resort to Government lands. This consideration may prove hereafter to be of great importance to the growth of tenant right, a result greatly to be desired, on the Coast especially." (2) But unfortunately, by the time the Governor had realised the mischief in 1879, most of the cultivable waste on the coast had been allotted to non-agriculturists. It is thus evident that the allocation of waste lands to these people has contributed in no small measure to the growth of tenancy. To quote the words of a Settlement Officer, "The landlords retain much of the best fallow, doubtless in order to protect

(1) R.S. Papers, Mirats, pp. 29-30

(2) Mirats by His Excellency, 1879-80, Vol.V,
p. 42.

their other investments, and this practice must successfully have hindered the growth of peasant proprietorship." (1)

(f) Even Gods Expropriated

Not satisfied with the appropriation of lands that belonged to human beings, the pious gentry of Kanara expropriated even the gods! Fortunately for them, almost every important temple in Kanara had substantial landed property entered in the name of the temple deity. (2) It is common knowledge that some of these temples, which were once famous for their wealth, are having only a small income at present. Although this comparative poverty of these temples should be attributed to many causes, it is not unlikely that a substantial portion of the temple lands was surreptitiously transferred to the names of those who were in charge of the management. Considering the frauds committed against the ignorant peasantry, it may not be wrong on our part to presume that similar acts were also perpetrated against the temple property. However, one thing is certain. Many temples owning extensive estates in the past have lost many of them. To mention only one instance, we are told by Dr. Buchanan that the

(1) R. S. Papers, Kunta, p. 30

(2) See Kanara Gazetteer, Part II, p. 184.

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famous Mahabaleshvara temple of Gokarn had possessed lands to the value of 12,000 pagodas (Rs.48,000) a year. (1) But to-day its annual income from land falls below Rs.5,000. On the other hand, the present manager of the Mahabaleshvara temple holds lands whose assessment itself - let alone the income - amounts to nearly Rs.5,000 a year.

It may be argued that from the peasants' point of view it makes little difference whether the land belongs to a temple or to a private landlord. This may be true in so far as the peasant cultivates his own land. But the position entirely changes when the cultivator is a tenant because it is certainly better for him to be a tenant on the estate of a public temple than under a private landlord. Even to-day in Kanara the rents of lands belonging to a temple or math are generally lower than those on the neighbouring lands owned by private individuals. It is thus evident that the transfer of temple land to private ownership meant an increase in rent.

(g) Usurers as Expropriators

As is well-known, one of the main causes, leading to the expropriation of peasant proprietors throughout India since the advent of British rule is the usury practised by money-lenders. The same

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(1) Dushanan: Op. Cit., III, p. 171

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cause operated in Kanara also. But here the result has been worse than in other districts because of the greater disparity in knowledge and economic power between the money-lending class and the peasantry. In consequence the moneylender became more dominant, while the debtor sunk to the condition of a mere serf. The rigour with which land revenue was being collected aggravated the difficulties of the cultivator who was often driven into the clutches of the money-lender. As truly admitted by the Hon'ble Sir T. Hope, as early as 1879, "To our system must in candour be ascribed some share in the indebtedness of the ryot." (1) Moreover, the arming of the moneylender with highly objectionable legal powers over the debtor under the judicial system of the British accelerated the process of expropriation. To quote the Hon'ble Sir T. Hope again, "through these undue powers the ryot is enslaved by a vast amount of debt which has been much enhanced by our legal system" (2) This was also the view of an eminent judge of an Indian High Court who said that "the almost universal practice of dependence on moneylenders has entailed more serious consequences owing.... partly to the speedier, more exact, and more effectual procedure of the civil courts." (3) The

(1) Proceedings of the Governor General's Council dated the 17th July, 1879.

(2) Ibid.,

(3) Cunningham: British India and its Rulers, p.31

result was that within three decades of British rule over Kanara, the expropriation of the peasantry was almost complete. "To a peasantry expropriation means discouragement, despair and exasperation," declared the Hon'ble Sir T. Hope(1) to the expropriated peasantry of Kanara, driven to despair, discouragement and exasperation, rose in revolt in 1830. The revolt was so widespread and had assumed such serious proportions that the Army had to be called in to put it down. It is important to note that the conferring on money-lenders undue powers by the courts was one of the main causes of the revolt. This was the opinion of the Collector of Kanara, who wrote in 1839 that "the principal complaint alleged by the ryots during our late unhappy disturbances was the rigour with which the money-lenders were enabled to enforce their debts."

(2)

That is most distressing is the attitude adopted by the Government towards the usurious moneylenders. The Government was well aware of the fact that scowars were supplanting the original landed proprietors. Still they did not think it their duty to check this process by enacting necessary legislation. What is worse, the Government did not simply refuse to interfere. On the contrary, the process of expropriation was viewed with favour.

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 (1) Proceedings of the Governor General's Council,
 17th July 1879.

(2) Early Letters, p. 127

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This attitude on the part of the Government is well illustrated by the following extract taken from a report presented by Mr. J. Stokes, Member of the Board of Revenue, who was specially deputed to Kanara in 1831 to study the conditions on the spot. In the course of his observations, Mr. Stokes wrote: "Frequent complaints have been made of the unscrupulous and extortionate dealings of the sowcars, which it has been proposed to check by legislative enactment, and complaints are probably well founded. We can scarcely expect it should be otherwise, where men are influenced so much by self-interest and so little by moral considerations. But this is not an evil to which it would be politic on the part of the Government to attempt to the application of the remedy. The class with whom the sowcars are ~~connected~~ contracted can scarcely claim a larger share of our sympathy, for they are not morally superior, while they are inferior in most other respects; when they know how they seem quite as ready as the sowcars to overreach their neighbours by dishonest artifice. Any peculiar position to them would counteract rather than assist the law of nature by which all evils of this kind have a tendency, if left to themselves, to work their own cure. The wisest course for Government is to abstain from interference Any legal restrictions on the dealings of the sowcars would be

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regatory as to the attainment of the object proposed, and in many other respects injurious." (1)

Mr. Stokes admitted that the complaints of usurious and extortionate dealings of the sowcars were well founded and that the money-lenders were influenced only by self-interest and not by moral considerations. Still he maintained that there was no evil in this. He went even further to state that the oppressed peasantry could scarcely claim the sympathy of the Government because they were not 'morally superior' to the sowcars and because they were inferior to them in other respects. By the term 'in other respects' Mr. Stokes perhaps meant that the impoverished and ignorant peasants were inferior not only in wealth and education but also in the skill and cunning that was required for defrauding and cheating one's own neighbour. Because the masses were inferior to the sowcars in these respects, the direct logic of Mr. Stokes and his British sense of justice led him to believe that these worthless creatures were not even entitled to the sympathy -- let alone protection -- of the benign British Government. On the other hand, by propounding the great theory of the law of nature, "by which all evils have a tendency to work their own cure," he thought it wisest for

(1) Printed Documents, III, pp. 163-164.

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the Government to assist the operation of this iron law by fully sympathizing with the oppressors. There is no doubt that the Government faithfully followed 'the wisest course' as advised by the eminent administrator Mr. Stokes, with the inevitable result that the evil of peasant proprietary-ship worked its own cure by converting itself into a heinous system of rack-renting.

(h) The attitude of Government towards
frauds

What was the attitude of the Government towards the frauds committed against the peasantry? It is, we believe, the manner in which the Government behaved that greatly facilitated frauds. The policy of the Government throughout was one of non-interference and timidity and was actuated by a desire to enlist the sympathy and support of the higher educated classes in its difficult task of administering the newly conquered district. To put it in another way, the Government seems to have said to the higher classes: "Please help us in administering this territory and allow us to exploit it to our advantage. In return we promise to help you in your programme of oppressing the masses. We can certainly act up to our promise by adopting the policy of non-interference. You may very well go on with your frauds provided, of course, you can perpetrate them only secretly, at any rate,

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not so openly as to embarrass the British administration."

The East India Company had realised fully well its difficulties in the task of ruling over a foreign nation. Englishmen have always been suspicious of the aspirations of the Indian people and especially of the masses who can be roused against them. They, therefore, wisely thought it safest to govern India with the support of the indigenous vested interests. To enlist the support of these interests was to favour the classes representing those interests as against the ignorant masses of the country. This is exactly what was done in Kanara as also in other parts of India. In its selfish fear the British Government appealed to the worst instincts, for selfishness and greed was its best support.

This was the position. The Government, out of regard for its own interest, allowed the landowners to defraud the peasantry. Throughout the policy was to please the upper element in the society. Proof of this is forthcoming in abundance from the pages of official documents. Down from Major Munro, the first Collector of Kanara, upto the transfer of the Indian Government from the hands of the East India Company to British Parliament in 1858, this policy was very carefully pursued.

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Munro tells us, in one of his letters written in 1800, that he thought it prudent to continue the inams of the shanbhogs, resumed by Tippu, "not so much on account of their being of any real use as of their influence over the inhabitants and their connection with leaders of banditti enabling them to excite disturbances in the country." (1) It was this fear from the shanbhogs that actuated Munro and his successors not to displease them even at the cost of the peasantry. Munro had learnt from his own experience that it was not an easy task to administer Kanara without the help of the upper classes. As soon as Munro took possession of the district in 1799, he declared his intention to examine the revenue accounts of each village. As this was against the interests of the shanbhogs, they used every device in their power to prevent Munro from carrying on his intention. "As soon as they discovered my intention," says he, "they entered into combinations to bring me to terms ..
 They almost starved some of the amildars. I had detached, by preventing them from getting fire and water; and whenever I approached a village, the inhabitants went off to another, so that I was sometimes several weeks in a district without seeing one of them." (2)

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(1) Early Letters, pp. 2-3

(2) Gloig: Life of Munro, Vol.I, pp. 238-39.

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It is true that in this boycott of Major Munro the shanbhogs secured the support of the entire population. It always happens that the higher classes, by appealing to the patriotic and religious sentiments of the ignorant masses and by making them all sorts of false promises, enlist their active support in its struggle against the foreign conquerors. After the struggle is over the very bourgeoisie which has led the movement expresses the masses who had supported the struggle, so that it may reap all the benefits for itself. The same process operated in Kanara. The very shanbhogs who had posed as the benefactors of the people as against the British went on ruthlessly and mercilessly defrauding the peasantry after the boycott of Major Munro subsided. The Government, recognising the capacity of the shanbhogs to excite disturbances, was careful to see that they were kept satisfied. This the Government did by not interfering with the shanbhogs in their frauds, so long as they did not go against its own interest. In other words, a sort of secret alliance between the Government and the shanbhogs was established the object of which was to share the benefits to be derived by exploiting the masses.

We have many documents to prove this policy of timidity and non-interference on the part of the

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Government. As already stated, frauds by shanbhogs could have been prevented by undertaking a survey of all the lands in the district. But the Government would not do this lest it might spread discontent among the influential classes. The fear of the Government is well illustrated by a letter written by the Collector of Kanara in 1821. The Collector tells us : "I was compelled to give up enquiry where I clearly saw grounds for suspecting frauds," and proceeds to say that his assistants "must have clearly been deterred making enquiry from the fear of incurring the hatred of this sect, the Shunnavees" (Shenvis). He concludes by observing that "as in the Balaghat, these raganics are entirely in the hands of this sect of Brahmins." (1) Here is a Collector of the mighty British Government who was forced to give up enquiry because he suspected frauds : Can this be called timidity or indirect encouragement to shanbhogs to perpetrate further frauds? Let the reader draw his own conclusion. It was also admitted that raganics (sub-divisions of a taluka) were "in the hands" of Brahmins. If the raganics were in the hands of these people, how was the Government supposed to have been administering the district? The fact was that the Government was quietly conniving at what the

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(1) Printed Documents, III, p. 54.

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shanbhogs did. The Collector was also against the proposal to undertake a survey on the ground that it would equalize the assessment and thus would "change the value of private property." (1) This amounted to saying that a survey would lower the value of lands obtained by shanbhogs through frauds by raising their assessment. Similar was the opinion of Mr. Blair who was the Collector of Kanara in 1842. He forcibly argued, we are told, against the survey by pointing out that it would be impolitic on the part of the Government to introduce it because of the "disturbance it would create in the existing relations of landed property" and "because of the opposition of all the influential classes." (2) Similar quotations can be multiplied.

However, the fact must be recognised that some Collectors held the opposite view. They were sympathetic to the peasantry and wanted justice to be done to them. But unfortunately their number was so small that they should be considered as exceptions.

This attitude on the part of the officers of favouring the rich against the poor is further evinced from the following extract taken from the judgment delivered by the highest judicial authority in the province, namely, the High Court of Bombay. It refers to a landlord in the Karwar Taluka, whose family had

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(1) See Kanara Gazetteer, p. 164
 (2) Early Letters, pp. 218-219.

held the post of shambhog for many generations. (1)

"In 1822 Balakrishna", so runs the judgment, "failed to pay up the whole of the assessment. The crops of the cultivators were seized, and were about to be sold, when several of them asserted their mul or proprietary right to their holdings, notwithstanding the yam as a whole was entered in Balakrishna's name. He, they said, was but a farmer of the hamlet, as Hanji and Vithal had been before him; and they proposed themselves to undertake the farm of the village and bring its assessment up to the standard of H.H. 50 (Rs.200) in three years. The tahsildar on enquiry found that some of the raiyats were mulgars (owners); and as Balakrishna had failed and his heir Balhaji would not come forward, he recommended that at the next janahandi the settlement should be made with the raiyats individually."

"In 1829, Balakrishna's son, Shantappa, sought to be restored to the position of head vargdar(proprietor), settling with Government for the whole village; some of the 'kuls' (cultivators) naturally opposed this, but the tahsildar supports the application conditionally on Shantappa's furnishing security. The head assistant Collector at first declines to entertain his proposal, but eventually it was acceded to."

Here is a brilliant piece of British justice.

(1) Indian Law Reports, Bombay Series, Vol. III, 1879, pp. 603-604.

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It was clearly established that the cultivators were owners and not the tenants of Balkrishna. They regularly paid the assessment to Government after their proprietary right in the lands was recognised. The son of Balkrishna approaches the Government with a request to restore him to the position to which he had no legal title : It is noteworthy that the tahsildar, who in all probability was a casteman of Balkrishna, supports the application, thus openly identifying himself with a grossly illegal line of action, an attitude consistently adopted by the subordinate Indian officials in those days. What is much more remarkable and distressing is that the Head Assistant Collector, an Englishman, finally accedes to the proposal which he first declines to entertain, and consequently expropriates the cultivators and reduces them to the position of tenants. This shows the tremendous influence which the Indian subordinates wielded with the higher European Officials; the motives with which the British administrators were actuated; and their policy of subordinating justice to expediency. The result was that blackmail triumphed and fair play was thrown to the winds. The whole episode shows the degradation to which the administration of Kanara had fallen during the rule of the East India Company. Do it noted that this instance is not an isolated one.

The above quotations look very ugly. But if the reader thinks that these disclose the mentality of the

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Collectors and Assistant Collectors only and not the attitude of the Provincial Government, he is mistaken. There is no lack of quotations to show the attitude of the Provincial Government, but they make an even uglier reading. For instance, here is an extract from the proceedings of the Board of Revenue. The Board, in reviewing the proposal for a survey in Kanara, observed: "it is not to be expected that such parties will cheerfully submit to have their advantages diminished by such a process; and, as the owners of the most profitable estates are almost all men of wealth or connected with the public service, it is to be expected that the whole weight of their influence would be exerted to thwart and nullify the results to be expected from a faithful survey." (1) Hence the conclusion was that there should be no survey so that the influential landholders and public servants need not be interfered with in their villainies against the helpless poor. Again in 1847, "The Governor in Council, in reviewing these and some subsequent proceedings of the Board of Revenue, agreed that a survey was the only way of correcting fraud and inequality. At the same time he thought that some weight was to be attached to the objection raised on the ground of dissatisfaction, and directed that no further proceedings should be taken." (2) Please note

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(1) Quoted by Mr. Blane in *Early Letters*, p.221
 (2) *Kanara Gazetteer*, part II, p. 168.

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that His Excellency had realised that frauds could be prevented only by undertaking a survey. Still he opposed the survey because it would dissatisfy the land-eaters!

To conclude. The grossest abuse of authority on the part of the officials and the unpardonable attitude adopted by the Government in conniving at the monstrous frauds perpetrated by the higher classes against the peasantry forms one of the most sickening chapters in the economic annals of Kanara. All that could be plundered was plundered. The inevitable result of all this has been that at the present day more than four-fifths of our peasantry, who were once healthy independent yeomen, are driven to the condition of mere serfs, tilling the soil and making over the produce to the landlords. Events have proved Karl Marx to be right in his following observations on British rule in India: "The profound hypocrisy and inherent barbarism of bourgeois civilization lies unveiled before our eyes, turning from its home, where it assumes respectable forms, to the colonies, where it goes naked. They are the defenders of property, but did any revolutionary party ever originate agrarian revolutions like those in Bengal, in Madras, and in Bombay? Did they not in India, to borrow an expression of that great robber, Lord Clive himself, resort to atrocious extortion, when simple corruption

could not keep pace with their rapacity?" (1) Certainly the hypocrisy of the British Government lies unveiled before our eyes when we go through some of the quotations we have cited in this chapter. Its nakedness is proved to demonstration when we discover that the Government was openly advocating a policy in Kanara the result of which was to defraud the peasantry. Certainly they were the defenders of property, we mean the property of the shanbhogs obtained through frauds. It is true that no revolutionary party ever originated an agrarian revolution in Kanara like that created by the East India Company, a revolution which ended in the wholesale expropriation of the peasantry. Was it not an 'atrocious extortion' to reduce innocent peasant proprietors to the position of unfortunate tenants as the Assistant Collector of Kanara actually did? Certainly it was.

(1) ~~Law~~ and Eagles on India, p. 64.

CHAPTER IVFORMS OF LEASES.

Since nearly two-thirds of the cultivated land in Kanara is in the hands of tenants, and enquiry must be made into the methods of letting land. Land in Kanara is rented out under one of the four forms of leases, namely, 'mulgeni', 'chalgeni', 'nadagi' and 'palu'.

(a) The Mulgeni Lease

Mulgeni is a perpetual lease peculiar to Kanara and the mulgenidar is the permanent tenant. Mulgeni is defined in Wilson's Glossary as "The tenure of an original occupant, either of new or previously cultivated lands with hereditary succession, or of a hereditary farm or land at a fixed rate, corresponding with the tenure of the hereditary non-proprietary cultivator of the North-West Provinces, and indefeasible as long as stipulated rent is paid: a perpetual lease"; (1) and mulgenidar as "a hereditary cultivator, a tenant holding a perpetual lease, not removable as long as he pays his rent." (2) The word 'geni' means rent paid to the landlord or proprietor. Mulgeni is also known as Kayamgeni.

This species of tenancy is as good as a freehold, and the mulgeni tenant is rather a kind of subordinate landlord or sub-proprietor. It is hereditary, and the

(1) Wilson's Glossary, p. 353
 (2) Ibid., p. 354

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tenant can sell, mortgage, lease or bequeath his lands, and in default of children, can adopt and pass the lands to his adopted son. The purchaser or the heir stands in every way in the same relation to the landlord as the original tenant did. When the mulgenidar dies without heirs, the lands revert to the mulgar or proprietor. But in the mulgeni leases recently executed conditions against alienations and mortgage are often inserted.

A few mulgeni deeds belonging to the early part of the last century stipulated that if the assessment increased the lessee would pay the enhanced amount, but the majority had no such provision. (1) The result was that in some cases the revised assessment exceeded the rent fixed in a mulgeni deed. Most of the mulgeni deeds executed since the survey contain the stipulation that if the assessment is increased the lessee will pay the enhanced amount. Thus all increase in the assessment at present falls on the tenant.

At present the mulgeni tenancy is generally common with regard to cocoanut and betelnut gardens, and is very rare in the case of paddy fields. Most of the areca gardens rented out are held on mulgeni leases. A common feature of these tenancies in the spice garden tract is that the tenant is to pay a net rent (ain munafe) after paying the land revenue. The spice garden in its fulness represents the labour of about twelve years, the period required for raising it. The cultivator must plant fresh trees every year to replace

(1) Kanara Gazetteer, Part II, p. 186

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the old ones. There are also certain operations like giving fresh earth (agatemannu) which are undertaken once in six years. It is thus evident that unless the tenant has a permanent interest in the garden, he is sure to neglect these operations. A mulgeni lease is, therefore, very well suited to these gardens. But one great dis-advantage to the tenant is that if any portion of the leasehold has gone out of cultivation due to shortage of labour or other causes, the mulgeni tenant cannot relinquish it to Government while the landlord has no interest in relinquishing the land as the mulgeni tenant has to pay the land revenue on the entire leasehold. "The mulgeni tenant has either to relinquish the entire leasehold to the landlord or to continue to pay the land revenue on all the lands, good and bad, and pay net rent to the landlord. In some cases the mulgeni tenant cannot surrender even the entire leasehold to the kabjedar (landlord) as one of the conditions of the original contract is that the tenancy can only be terminated by the consent of both the parties to the contract, and the landlord will naturally never give his consent when the lands are not worth the rent fixed upon them. This permanent tenancy and its peculiar features prevent the free play of economic force and contribute to swell the area of occupied fallow". (1) This is the view expressed by an I.C.S. Officer. However, it is not the feature of permanency as the officer thinks but the fact that the

(1) Enquiry Report on Garden Lands, pp. 7-8

tenant cannot terminate the lease without the consent of the landlord that ruins the mulgenidar. The evil effects of this peculiar feature of the tenancy are described in detail in Chapter VII.

The mulgeni lease is also preferred whenever the land to be leased either contains the house of the tenant or requires him to sink capital in its improvement or to incur constant expenditure on its maintenance as in the case of 'gazni' or 'pulan' rice lands. Another occasion for the creation of mulgeni tenancy is when the owner sells the land. The land sold is taken back from the vendee on mulgeni, "a system which ensures to the vendor the enjoyment of the land, while the interest, disguised as rent, is recoverable by the inexpensive expedient of a rent suit."⁽¹⁾

Often a premium is paid by the tenant at the commencement of the lease as consideration for its permanance. In such cases the rent stipulated is governed by the amount of premium. The greater the amount of premium the lower the rent. In other cases, especially when a mulgeni is created with a view to building the house by the tenant on the land the rent tends to be higher than the normal. When the landlord lets the land on mulgeni lease so that the tenant may embark upon improvements, the factor taken into account in fixing rent is the produce which the land is expected to yield after

(1) R. S. Papers, Kumta, p. 18

the improvement. The High Court of Bombay held that the mulgenidar is not entitled to claim abatement of rent on the ground that the land demised has deteriorated in its productive powers on account of innudation of sea water.

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The rent under the mulgeni lease is generally fixed in money, though there are cases wherein it is fixed in both, the more usual practice is that the amount of cash is equivalent to the assessment on the land. The idea is that the portion of rent to be paid in produce should form the net income of the landlord, while the rent in cash goes towards the payment of land revenue. Though mulgeni is commonly associated with garden lands all over the district, the same is not true in the Bhatkal Petha where annual tenancy generally replaces mulgeni even in the case of cocoanut and betelnut gardens. " One reason for this difference," says Mr. Maxwell, "is that the competition for land consequent upon the greater density of population further south has assisted the landlords to maintain the system most favourable to themselves." (2)

A mulgeni tenant is not necessarily a cultivator, although a majority of them are. Those mulgenidars who sublet their mulgeni lands to cultivators should be considered as subordinate rent-receivers. Thus the non-cultivating mulgenidars constitute an additional class of

(1) Vishwanath V. Ramkrishna, 27 Bom. 1478
 (2) R. S. Papers, Honavor, p. 13

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parasites receiving rent from actual cultivators and paying a portion of it to the original proprietors. The result is that the cultivator is called upon to pay extortionate rent on account of the fact that he has to maintain two parasites on the land instead of one. It is worthy of note in this connection that the High Court of Bombay held that the original landlord has a right to recover the rent of his lands direct from the permanent sub-tenants of the original mulgeni tenant.(1) This decision makes the original mulgenidar a sleeping tenureholder without the liability of passing on a portion of the rent he receives to the original landlord.

(b) The Chalgeni Lease

The most common form of lease in Kanara is termed 'Chalgeni' or annual tenancy. Almost all the rented rice fields in the district are cultivated through chalgeni tenants. The chalgenidar may hold land either directly under a proprietor or mulgar or indirectly through a permanent tenant or mulgenidar. The landlord can evict the tenant at the end of the year. Although written deeds of chalgeni leases are not unknown, oral agreements are numerous. However, the written evidence of these oral leases can be found in the Record-of-Rights. The chalgeni rent, barring a few exceptions, is invariably paid in kind, the rent being a fixed amount of the produce. Many chalgeni tenants have held their holdings from a long

(1) Ganpati vs. Nagabhatta, 22 Bom. 118

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time and would be only too glad to convert the lease into a mulgeni; but the landlords, as remarked by a Settlement Officer, "are unwilling to lose the chance of increasing their rent on some future occasion." (1) Thus the chalgeni tenants, as observed by another Settlement Officer, "are at the mercy of the landlord who after the expiration of a year or of a longer period if such a period has been agreed upon is at liberty to enhance the rent or evict the tenant." (2) The High Court of Madras, in deciding a case from South Kanara District, held that if a tenant shows immemorial possession or continuous possession for forty years and if the landlord is unable to prove that the tenancy is a chalgeni, the presumption is in favour of mulgeni, (3) and, therefore, the tenant can neither be evicted nor can the rent be increased.

(c) The Share-Tenancy

In addition to mulgeni and chalgeni systems of tenancy, there are two other forms of leases termed 'nadagi' and 'palu'. The peculiarity of these systems lies in the fact that the rent, instead of being a fixed amount as in mulgeni or chalgeni, forms an agreed share of the produce. Thus both 'nadagi' and 'palu' closely resemble the systems of share-tenancy, metayage or share-cropping which are widespread in France, Italy, Portugal, Spain,

(1) R.S. Papers, Karwar, p.4

(2) R.S. Papers, Ankola, p.10

(3) See Sunder Raja Iyengar: Land Tenures in the Madras Presidency, pp.62-63.

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in the Balkan Countries, in Greece, and in Turkey, in vast tracks of the eastern world (China, Japan, etc), South America, and also in Australia, Canada, New Zealand, and the United States of America. (1) Share-tenancy also prevails in many parts of India. But in Kanara it does not predominate. Of the survey numbers under tenancy in the whole district, only about 18 per cent were cultivated on systems of sharing the produce, while the rest were cultivated on fixed rent. The following table showing the preponderance of fixed-rent tenancy over share-cropping may be found to be interesting:

Taluka	Survey Nos. under share- tenancy (nadagi and palu)	Survey Nos. under fixed rent tenancy. (mulgeni and chalgeni)	Total numbers under tenancy
Karwar	141	9,421	9,562
Ankola	119	7,031	7,150
Kumta	3,029	11,287	14,316
Honavar	3,835	15,410	19,245
Haliyal	3,736	2,032	5,768
Yellapur	517	8,97	1,414
Sirsi and Part of Siddapur	1,073	10,975	12,048
Total	12,450	57,053	69,503

These figures, which are compiled from the revision

(1) I. L. O.: The Representation and Organisation of
Agricultural Workers, p.35

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settlement reports of the respective talukas, are the latest available, though not up-to-date. Since these figures were collected there has been no appreciable change in the proportions. They may, therefore, be safely taken as indicating the present position. Taking the district as a whole, it will be seen that out of 69,503 survey numbers cultivated through tenants, only 12,450 or about 18 per cent. are operated through share-croppers. Share-tenancy is almost non-existent in Karwar and Ankola, while it is considerable in the other two coast talukas of Kumta and Honavar. In the spice garden tract of Sirsi and Siddapur, it is rarer than in Kumta and Honavar, while in Yellapur it reaches the proportion of more than one-third of all the survey numbers under tenancy. The only taluka where share-cropping predominates over fixed-rent tenancy is Haliyal.

As already stated, there exist two types of share-tenancy, namely, 'nadgi' and 'palu'.

The 'nadagi' lease is of a quasi-permanent nature. This form of tenancy is created only with regard to cocoanut gardens and prevails to a considerable extent on the coast, particularly in Honavar and Kumta Talukas. The nature of tenancy is that the landlord grants a permanent lease after he himself has planted a certain number of trees on the land. The tenant is required to look after the trees until they begin to bear nuts, when the tenant becomes entitled to receive his share of the produce every year. The rent is fixed generally at certain proportions

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of the produce, the landlord receiving either $1/2$, $5/9$, $3/5$, $2/3$ or $3/4$ or $4/5$ of the yield. The landlord bears the expense of planting trees, and the tenant bears the expenses of rearing them. When full grown trees are made over to the tenant, the lease is called 'sulgi'. The landowner pays the assessment. The lease is terminable at the will of the tenant, but he cannot be ousted unless it is proved that the garden has suffered from neglect.

(1) The landlord cannot demand a greater share than that fixed at the time of the agreement.

The 'nadagi' lease closely resembles mulgeni. The feature of permanency is common to both; the amount of rent or the portion of the produce once fixed as rent cannot be enhanced in either case and both are generally associated with garden lands. In fact 'nadagi' is a modified form of 'mulgeni' calculated to fit in within the framework of share-tenancy. The prevalence of the 'nadagi' lease is, however, declining in recent years.

The other system of sharing the produce is termed "palu" and is generally associated with rice-fields, particularly gaznis or salt water lands and fields in the interior forest tracts. The reason why 'palu' is much in evidence on gazni lands is obvious. These lands are liable to be flooded by salt water. If the water is kept out the yield is excellent, but this cannot always be expected. Hence any lease agreement stipulating to pay a fixed amount

(1) Kanara Gazetteer, Part II, p. 186

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of rent will lead the tenant to a very precarious situation in those years when little or nothing can be grown. The various types of 'palu' in vogue respectively involve payment by tenant of $1/2$, $5/9$, $3/5$ and $2/3$ of the outturn of paddy after deducting seed. (1) The third variety in which the landlord receives $3/5$ of the produce largely preponderates, while the second and fourth are rare. The first is practically confined to the malarious forest region where there is a paucity of tenants. The rarity of the system of 'palu' in the coastal strip can be explained by the fact, as truly observed in an official report, that "a very large proportion" of the landlords "have no sort of local interest in their lands, which are purely a monetary investment and are often scattered about in a number of remote villages, where the supervision of cultivation implied in any system of dividing the produce would be expensive and inconvenient" (2) Ordinarily the share-cropper bears all the expenses of cultivation. It is only in certain remote parts of the jungle that the landlord has to find seed and cattle for ploughing or pay the tenant for weeding and threshing. It is obvious that 'palu', like 'chalgeni', is an annual tenancy. The landlord is free to enhance the proportion of his share at the beginning of the new year or to evict the tenant.

(d) Produce Rents

Rents are generally paid in produce in the case of

(1) R.S. Papers, Kumta, p. 22
 (2) R.S. Papers, Honavar, pp. 13-14.

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'chalgani' lands and obviously so in the case of 'nadagi' and 'palu'. Rents in money are much in evidence with regard to 'mulgani' leases. On the whole, more than 70 per cent. of the survey numbers leased are associated with produce rents as is evident from the following table: (1)

Taluka	Nos. paying produce rents.	Nos. paying money rents.	Total Nos. under tenancy
Karwar	8,059	1,503	9,562
Ankola	4,981	2,169	7,150
Kumta	10,628	3,688	14,316
Benavar	14,067	4,378	19,245
Haliyal	4,250	1,518	5,768
Yellapur	793	616	1,414
Sirsi and part of Siddapur	6,562	5,486	12,048
Total	50,145	19,358	69,503

It will be seen that as many as 50, 145 survey numbers out of 69,503 are rented out on produce rents, while only 19, 358 on cash rents. The proportion of leases on produce rents is the highest in Karwar. Benavar comes second, Kumta third, Haliyal fourth, Ankola fifth, Yellapur sixth, and Sirsi and Siddapur last. Produce rents are less common in the last three talukas

(1) Compiled from the R.S. Papers of the Talukas.

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on account of the fact that they contain large areas of spice gardens which are usually leased on fixed money rents under the mulgani tenure.

The medium of payment of produce rents of rice fields is paddy in up-ghat Kanara and in the Karwar Taluka on the coast. In the remaining coast talukas of Ankola, Kumta and Henavar, rent is usually paid in parboiled (luchgi) rice. In land paddy becomes more frequent in proportion to the remoteness of the village and is practically universal in the far off villages. Payment in rice instead of in paddy might have been expected in the remote villages, since the greater bulk of paddy must tell against its transport to the coast; but labour is so scarce in the jungle that apparently conversion on the spot would not be profitable. In those parts where rent is paid in rice instead of in paddy, the tenants are required to hand over the rice in straw-balls known as 'rudis', the construction of which involves great skill and considerable labour. It is also stipulated in the lease deeds that the tenant should convey the produce to the landlord's residence which is generally in the town. This involves additional expense to the tenant, particularly when the rented land is situated in a far off village. As calculated by a Settlement Officer, the charge of conveying rent to the landlord's house varies from 5 to 8½ per cent. of the

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rent in the case of different villages in the Bhatkal Petha. (1)

There is no one standard measure by which grain-rent is paid. Weights and measures are perhaps less uniform in Kanara, says the District Gazetteer, than in any other part of the Bombay Presidency. (2) The capacity of the measure 'khandi' by which rice rents are paid varies from taluka to taluka and often within a taluka itself. This gives ample scope for landlords to swindle tenants. "In some cases," says an Official report of 1935, "tenants give the entire produce to the superior holder, who markets it and as there is no clear settlement of accounts, the actual amount recovered cannot be ascertained". (3) Lease deeds are not wanting in which it is stipulated that tenants are liable to pay so many khandis of grain not according to the standard measure but according to the measure (kolga) in the possession of the landlord's family. Landlords of the Ankola - Taluka have ingeniously devised a special measure called "gani kolga" ('gani' signifying rent) for the only purpose of receiving rent. Needless to state that this gani kolga is of larger bulk than the standard measure known as 'sikke kolga'.

What does this prevalence of produce rents signify? The reason why rent is paid in grain is that tenants

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- (1) R.S. Papers, Fenavar, p.14
 (2) Kanara Gazetteer, Part II, p. 36
 (3) Enquiry Report on Garden Lands, p. 43

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hardly possess enough cash to pay money rents. Also landlords, particularly the big ones, prefer rents in grain to money-rents evidently for commercial speculation. Not satisfied with a fixed income from land, these people want to make a greater profit by controlling local rice markets. This they can do if they receive rent in grain. The payment of rent in kind thus deprives tenants of the power to control local markets and they are at the mercy of the merchant class who in Kanara are not different from the landlord class.

It is the considered opinion of eminent writers on agrarian problems that produce rents obtain in these areas where the condition of the tenantry is most appalling. "A rental in kind", observes Mr. Cunningham, a member of the Indian Famine Commission of 1880, "is, in fact, synonymous with an oppressed and degraded peasantry. The system opens", he says, "the door to every species of exaction ----- There is ample evidence that ----- rent in kind has been a source of oppression on the part of the landlords, demoralisation of the tenant, and discouragement to agricultural improvement, and that its abolition is regarded, by those who have experience of its working, as a condition precedent of all subsequent advance". (1) Those who are acquainted with conditions in Kanara are compelled to endorse -

 (1) Cunningham: British India and its Rulers, pp. 172-73

these remarks coming from the pen of a High Court Judge.

In addition to rents, tenants in Kanara are - obliged to make all sorts of presents to landlords on festival days and other occasions. For instance, the presentation of fruits, vegetables and flowers on the Ananta Chaturdashī Day and the Ganesh Chaturthi Day; of fruits, vegetables and ropes (for tying cattle) on the Divali day; of sugarcanes on the Kartika Dwadashi day; are more or less common. As pointed out by a Settlement Officer, "There are cases in which straw, fruits, fowls, etc., are added to the rent in rice". (1) - Furthermore, tenants are required by lease agreements to perform many irksome services for landlords, services which recall the conditions obtaining in feudal times. The following extract from a vulgar deed executed in the Karwar Taluka affords a typical example: "In - connection with this estate you have to pay", so runs the deed, "as is received annually in the village, the cart, Sainya, and provide also Bitti Begari - (forced labour) and furnish me with one Kambi-Kone, 12 seers of Fadi-Mike (betelnut), 6 seers of pepper, 12 seers of cardamoms at the Maha Chavati, one labourer for thatching the house, one labourer on the -- occurrence of each special occasion, auspicious and such other occasions". All this is demanded in addition to the ordinary rent, which in this particular case is -

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(1) R.S. Papers, Ankola, p. 16

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Rs.50. It is worthy of note that the stipulations in this deed are very much milder when ^{compared} ~~compared~~ to those generally contained in the lease deeds obtaining in the talukas of Kunta and Konavar including the Dhakal Petha. In some villages in the Kunta Taluka services from tenants are required for more than fifteen or twenty days in a year and entirely without remuneration.

(e) Fixity of Tenure.

Excepting ^{comparatively} ~~comparatively~~ few in number, the vast body of the tenantry in Kanara has no security of tenure. There is reason to believe that this was not the case in the past when even the tenants at-will or chalgenidars were secure in ^{holdings} their ~~holdings~~. We saw in the last chapter that peasant proprietorship preponderated in Kanara at the advent of the British rule and that the extent of tenancy was scarce. Even this small body of tenantry in those days appears to have enjoyed complete security of tenure carrying with it a moderate rate of rent. Tenants once put into possession of ^{holdings} ~~holdings~~ were not generally evicted nor their rents increased. In fact, the distinction between mulgani and chalgeni forms of leases was not emphasized as is done to-day. Chalgeni in course of time was generally converted into mulgani at the old rate of rent. This healthy feature of the tenancy system drew the attention of the early ad-

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administrators of the district, who had nothing but admiration for it.

Major Munro was so much impressed with this feature of the tenancy that he opined that it was "well worthy imitation either in other parts of India or Europe". During the course of his observations on the subject, Munro wrote: "There are chally ruznic or tenants at will, who, by courtesy have become tenants in perpetuity; these are such, as have held lands of a superior landlord for two generations or more; - in some cases, indeed it has been extended to those who have held fifty years, and who with the consent of the superior, have at different times made extensive improvements in their lands, or have levelled, or have brought others into cultivation. Such lands are generally supposed to descend from father to son, for ever, at the original rent agreed on. The superior has the right, either to raise his rent, or cut his tenant; but it is universally considered a stretch of power, so unjust and illiberal, that it is seldom or ever resorted to; at any rate, before it can be done the tenant must be reimbursed in full for all lasting improvements. This custom, indeed, which is also extended by right to all tenants at will for a year, even making improvements with the consent of the - landlord, and, by courtesy, to those making them without his knowledge, is the grand fundamental system and

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prop of the Canara agricultural system, and is well worthy of imitation, either in other parts of India or Europe. -----On the death of any landlord, his successor is obliged, by usage, to observe all engagements he may have made either with challi or cool guenics.* (1)

Four conclusions can be deduced from this - quotation. First, chalgeni lease became mulgeni by the force of usage or custom. Secondly, even chalgeni, before it could mature into mulgeni by the prescriptive right of continued possession, had a fixed rent which was never increased. Thirdly, a chalgeni tenant was not generally evicted. Fourthly, he had the right of being reimbursed in full for all the improvements, even though they were made without the consent of the land lord.

The fact that the rent of chalgeni tenants was not raised and that they were not ^{evi} evicted is further corroborated by Mr. Thackeray, the Member of the Board of Revenue. In his report on Kanara submitted in 1807, Mr. Thackeray observed that "though the proprietors have power to turn out or raise the rents of the tenants at will, they seldom do so, but go on content with the customary rent." (2) Again pointing out that chalgeni for all practical purposes was considered as

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(1) Fifth Report, Appendix 24, pp. 818-19
 (2) Ibid, p. 623

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Mulgeni, Mr. Road, the Collector of Kanara, wrote in 1814: "Many of those entered challi guenies or tenants-at-will, are, no doubt, cool guenies or tenants -for- ever, at old fixed and low rents which they have - continued paying to this time, for neither any improve- ments they make to their farms, however much they may increase its produce or however high the landlord's own estate may be raised by Government, are sufficient causes for an increase of the tenant's rent, and thence the under-tenants in Canara may truly be said to enjoy a more quiet possession of their lands, a greater share of the produce thereof, and a more certain regard for any extra-ordinary labour and expense they may be at, than in most parts of India." (1) With regard to those chalganis which were not entered as mulgenis, Mr. Road observed: "Even the rents of challi guenies, or tenants -at-will, so long as they continue to pay them with regularity, remain the same." (2)

So strong was custom that it had practically the force of law. Custom, and not competition, determined the terms of a tenancy. It was therefore not possible for landlords to exact from tenants anything more than the customary rent. In short, as truly observed by - Mr. Malthy, the Collector of Kanara in 1839, "The - rights of the under-tenants, whether permanent or temporary, were equally established by the known customs

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(1) ~~Ibid.~~, Early Letters, p. 85
 (2) Ibid.

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of the country." (1) All these quotations conclusively prove that landlords in Kanara did not have the right to arbitrary eviction and arbitrary increase in rents. It is the British jurists who gave the landlords a new unrestricted right in their landed property. The relationship between landlord and tenant which was based on customary land tenures was converted into one based on 'freedom of contract.' This grant of freedom meant freedom for the strong to oppress the weak; freedom for the proprietor to demand an ever increasing share of the produce from the tenant. "What wonder, then, that the drones in the hive have prospered and grown fat, or that the working bees have become ^{as} furnished and lean."

It is the sense of security that gave the tenantry in pre-British days incentive to improve agriculture to the fullest possible extent. To quote from a letter written by the Collector of Kanara in 1814, " These perpetual tenants may be regarded as the most industrious of the cultivators, and who have contributed most to make Canara what it now is, forming an excellent example of the benefits derived from a moderate and fixed land rent, which does not rise with improvements." (1) As years rolled on and as custom gave place to competition, the ancient vulgari

(1) Printed Documents, III, p.1

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tenure become less and less common, with the result that at present chalgaidars form the vast majority of the tenantry. There is ample testimony to show that with the advent of British rule the method of letting land on mulgeni lease was going out of practice. An official report of 1807 says: "Few moolgucnies, or fixed tenants, have, it is said, been created since the Company's Government." (1) Again, the Collector of Kanara wrote in 1814: "I have to observe that few instances have ever come to my knowledge of the - creation of any new mool Gucnies, but on the contrary the landlords have always endeavoured to get more lands into their immediate possession or for the purpose of renting them out to Challi Gucnies." (2)

Another reason why the number of mulgeni leases has decreased can be found by the fact that influential land-holders, taking advantage of the great confusion that prevailed in Kanara during the reign of Tippu and the early years of the British rule, converted many ancient mulgeni tenancies into chalgeni leases. These conversions were facilitated on account of the old practice of not recording in writing every lease - agreement. That the rights of tenants in Kanara were often defined by custom and not always by written agreements is borne out by an official report of 1839 which says: "The interests of under-tenants are -

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(1) Fifth Report, Appendix 24, p. 823
 (2) Early Letters, p. 87

sufficiently defined by the known usages of the country, but there are no express arrangements for recording them." (1) Another document of 1801 states that "deeds are generally entered into ---- but oftencr not." (2) The absence of written deeds ^{coupled} with the tremendous power wielded by the shanbhogs must have induced many influential landholders to reduce their mulgeni tenants into tenants-at-will. The very fact that disputes between landlords and tenants on this point became common immediately after the occupation of the district by the British lends further support to this inference. Here is an extract from an official document of 1801, which shows that such disputes were general. "It is often difficult to define, which is which. The landlords all declare they are challi - guenies, because they look forward to increasing their rents. The tenants again declare they are mul guenies".

(3)

Even in those cases wherein mulgeni tenancies were created by means of written deeds, unscrupulous landlords were not wanting who would go to the length of refusing renewal of the written deeds on the decay of the old ones. It appears that not a few tenants were deprived of their mulgeni right in this way. It is interesting to notice in this connection what an

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- (1) Early Letters, p. 131
 (2) Fifth Report, Appendix 24, p. 816
 (3) Ibid

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official letter of 1802 says: "As, however, it has not been customary to grant new agreements on the decay of old ones, it happens that few ancient deeds can be produced, and the landlords, well aware of the advantages they will derive from ^{vert} converting a mool to a challi guency, deny the authenticity of any copy they may keep, while the originals have generally been granted too long ago, to be proved." (1) The quotation is too clear to require any elucidation.

Another method employed was to force tenants to hand over the lease deeds to landlords. "So many villanies were practised," remarks an official report of 1801, "by forcing title deeds from persons, that those having them, frequently buried them, or laid them. Those only who have deeds, or who can prove their tenure, should be admitted as mool guencies." (2) It is obvious that those unfortunate tenants who could not produce their deeds were dispossessed of their mulgeni rights and reduced to the position of tenants-at-will.

(1) Ibid., p. 819
 (2) Ibid., p. 816

CHAPTER V

Land Rents

An attempt will be made in this Chapter to estimate the rent in proportion to the gross yield, to calculate the net income of the tenant after deducting rent and the cost of cultivation, and to examine whether the peasantry is rack-rented or not. Other questions such as the recovery of rent, rates of rent since the advent of British rule, and the problem of afforestation in relation to rents are also dealt with.

First turning our attention to the rice fields on the coast, which by far form the largest proportion of the rented land in the district, let us try to find out the gross yield per acre so that the portion of the produce that remains with the tenant after the payment of rent may be estimated.

(a) Yield of Paddy

The Government of Bombay have published the results of certain crop-cutting experiments conducted by the Revenue Officers from time to time. Unfortunately, the practice of conducting these experiments was stopped in 1909 and since no further statistics have been published. In regard to the Kanara District, the results of 35 crop experiments on rice on the coast region, that were made during the years 1879-1908, are available. An abstract of these experiments is specially prepared for the purpose of this study and is given in the Appendix. It will be seen from the

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abstract that the results vary greatly, the quantity of yield ranging from 520 lbs. to 3,970 lbs. This variation must be due to a variety of causes. First, the fertility of the soil is not the same in every case. Secondly, the amount of labour bestowed and the quantity of manure used may not be the same. Thirdly, the years during which the experiments were made are different. Fourthly, certain experiments were made on the monsoon crop while others on the winter crop. In spite of these variations an attempt can be made to arrive at a general conclusion though only of an approximate character.

The gross yield in each experiment should be converted into a twelve-anna crop which is officially estimated to represent the normal yield. A classification of the experiments, after the conversion, would show that in 5 cases the yield was below 1,000 lbs; in 4 cases it varied from 1,000 to 1,400 lbs; in 3 cases from 1,400 to 1,800 lbs; in 9 cases from 1,800 to 2,200 lbs; in 7 cases from 2,200 to 2,600 lbs; in 4 cases from 2,600 to 3,000 lbs; and in three cases the yield exceeded 3,000 lbs. Thus the division under which the largest number of cases fall is the division showing a yield of 1,800 to 2,200 lbs. These cases may, therefore, be taken as indicating the average yield. Whether this gives the approximately accurate average can be checked by working out the general average for each of the 35 experiments. This general average can be obtained by dividing the total quantity of produce in

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all the 35 experiments by the figure 35. The result is 1,988 lbs. of paddy per acre. It may, therefore, be said that the average gross yield per acre is 1,988 lbs.

This average of 1,988 lbs. per acre can be taken as the average for the whole coastal region of Kanara, only if it can be proved that the plots selected for the purpose of experiments represented the average quality of rice land in point of fertility. But it seems that the plots selected were of a better quality than the average rice-growing land in the region. The Revenue Officers, who conducted the experiments, appear to have been inclined to show a greater yield with a view to justifying a higher rate of assessment. They, therefore, selected the better type of plots, instead of the average ones, for the purpose of their experiments. This can be easily shown by comparing the rate of assessment on each plot with the average rate of assessment on rice land in the village in which the plot was selected. In as many as 27 cases out of the 35, the land under experiment bears a higher rate of assessment than the average rate in the respective village. It is only in six cases that the assessment on the plots experimented upon is slightly lower than the average assessment, while in two cases it is almost equal. What is more, in many cases the difference between the rate

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of assessment of the land under experiment and the average rate of assessment is very considerable. Thus, for instance, in Ex. No.2 the assessment was Rs.6-4-0 per acre while the average assessment in the village was only Rs.4-14-2. A few other corresponding figures are: Rs.5-10-0 and Rs.4-7-6; Rs.5-4-0 and Rs.3-11-9; Rs.5-8-0 and Rs.3-15-5; Rs.4-1-0 and Rs.3-2-8; Rs.6-0-0 and Rs.4-10-5. These instances clearly show that the average yield of 1,933 lbs. per acre is really the average for the best type of land and not for the average type of land.

Secondly, all the crop-cutting experiments were confined to small plots measuring from four to six gunthas. As truly observed by Mr. R. H. (now Sir Reginald) Maxwell, "The average yield of paddy per acre calculated from a crop experiment on four gunthas is of course subject to deductions on account of rice-bands, edges and other irregularities." (1) It is, therefore, needless to point out that the average yield, as indicated by the crop experiments, will have to be lowered considerably in order to arrive at the average yield for the average land. A moderate reduction of ten per cent. from the yield of 1,933 lbs. seems to be justified. Thus we conclude that the average gross yield of paddy per acre of rice land on the coastal region of Kanara is approximately 1739 lbs.

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 (1) R. S. Papers, Kanta, p.14.

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or 22 maunds and 29 lbs or a little more than 16½
 Kanara khandis. (1)

That this estimate is not an under-estimate can be seen by comparing it with the average yield of paddy in Bengal or in Madras. The Flood Commission held that the average yield of paddy per acre in Bengal is about 19 maunds (2), while it has been officially estimated that the average yield per acre in Madras Presidency is 21 Maunds. (3) On the other hand, there is reason to believe that the average yield of 22.29 maunds or 1789 lbs for the coast region of Kanara is rather an over estimate. According to the figures given by the Kunta Experimental Government Farm, the average yield of the "Mackati" or early variety of rice is 1,200 to 1,500 lbs. of paddy per acre, while that of the "Halga" or late variety is 1,600 to 2,000 lbs. (4) Thus the average yield of 1,789 lbs. seems to be an over-estimate.

The same conclusion is arrived at by looking at the Season and Crop Reports. The Government of Bombay publishes annually the Season and Crop Report giving the estimates of the area under each crop and of the yield of the principal crops expressing as percentages

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(1) 60 lbs. make one maund; 103 lbs. make one
 Kanara khandi.

(2) Flood Commission Report, p. 80

(3) See Ibid., p. 80

(4) Experiments in Measuring Crops, p. 52.

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of the normal outturn. What is meant by a normal yield is thus described:- "That crop which past experience has shown to be the most generally recurring crop in a series of years; the typical crop of the local area; the crop which the cultivator has a right to expect, and with which he is (or should be) content, which if he gets more he has reason to rejoice, and if less he has reason to complain. In other words, it is the figure which in existing circumstances might be expected to be attained in the year if the rainfall and season were of a character ordinary for the tract under consideration, that is, neither very favourable nor the reverse." (1) The total outturn of the different crops is then obtained by multiplying the forecast area by the forecast yield per acre. A perusal of the Season and Crop Reports for the last twenty years would show that the average outturn of paddy per acre in North Kanara District has never exceeded 14 maunds; on the other hand, it has fallen as low as 11 maunds during certain years. It is true that the average for the whole district will be lower than that for the coast region which is better cultivated than the interior portion. But the difference of over eight maunds per acre seems to be great. It is thus clear that the estimate of 22.29 maunds for the

(1) See Estimates of Area and Yield of Principal Crops in India, Appendix I.

coast region cannot be an under-estimate under any circumstances.

(b) Rates of Rent

Having seen that the average yield of paddy per acre is 22.29 mounds or about 16½ khandis, let us proceed to find out the average rates of rent. As observed in the last chapter, the rent for rice land on the coast is generally paid in kind. With regard to rent, we are fortunate in possessing very accurate information which has been officially collected on a scientific basis. During the last Survey Settlement operations Mr. R. H. Maxwell made an exhaustive enquiry into the question of rents in Kunta and Honavar Talukas and Dhalkal Petha. In conducting this enquiry, says Mr. Maxwell, no transaction was accepted without personal verification in the Record of Rights on the spot, supplemented by inquiries of the rayats concerned if they were present. (1) In the Kunta Taluka Mr. Maxwell visited every inhabited village for this purpose and noted as many as 1,204 transactions of leases, (2) while in the Honavar Taluka the leases examined and accepted were 1,288 spreading over 103 villages. (3) As the results of this enquiry are based on a careful study of a large number of leases,

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- (1) R. S. Papers, Honavar, p. 12
 - (2) R. S. Papers, Kunta, p. 17
 - (3) R. S. Papers, Honavar, p. 12.

absolute reliance may be placed in them. Mr. Maxwell divided the coast villages into two groups. An abstract statement showing the average rates of rent per acre of rice land in each village is specially prepared from the survey settlement reports and is appended to this study. A summary of this abstract gives the following results:

Taluka or Petha	Group	Average Rent per acre (In Paddy)	
		Khandis	Kolgas.
Kumta	I	10	15
	II	9	0
Konavar	I	12	5
	II	12	0
Bhatkal	I	13	5
	II	9	0

Thus the rent varies from 9 khandis to 13½ khandis per acre. It is highest in Group I villages in the Bhatkal Petha. In some villages the average rent is considerably higher than that is indicated by the above figures. In the Bhatkal Petha, for instance, the average rent per acre is 14 khandis in Talca, a little more than 14½ khandis in Nuttalli, 15 khandis in Mudhatkal and 22 khandis in Mandolli. In Konavar Taluka, it reaches nearly 14 khandis in Kolga-Idgunji and in Kavinkurve, nearly 15 khandis in Kurva, and more than 15½ khandis in Koldkar and in

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Kalin-Idgunji. In the Kunta Taluka, the rent exceeds 17½ khandis in Nadumaskeri and in Torke; while it is more than 15½ khandis in Harumaskeri, Banikodla and in Manehalli; and nearly 14½ khandis in Gulcangdi, Harodi and Talgod. It may be that in these villages the land is also more fertile and consequently produces more than the average gross yield. So much with regard to Kunta and Nonavar Talukas and the Bhatkal Petha.

Now turning to the remaining coast talukas, namely, Ankola and Karwar, similar enquiries into rents to those made by Mr. Maxwell were conducted by Rao Bahadur V.D. Yennemadi and Mr. G. L. MacGregor respectively during the course of the revision survey settlement operations. But unfortunately, these officers omitted to give in their reports the actual amounts of average rents in each village, contenting themselves with showing the average incidence of the assessment on rent for each village. Under the circumstances it is not easy for us to extract accurate figures showing the exact amounts of rents as could be done in the case of Kunta and Nonavar. But these officers, though they omitted to incorporate the detailed results of their enquiries in the reports, have recorded their broad conclusions based on them. These conclusions help us in ascertaining the average rents. Mr. MacGregor remarks in paragraph 25 of his report that the average rent varies from much nearer

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ten to thirteen khandis of paddy per acre in the coast region of the Karwar Taluka and adds that "rents of 18 khandis are however not with." (1) In regard to the Ankola Taluka, Rao Bahadur Yennowadi observes that the rent varies from 6 to 18 khandis of paddy. (2) This remark obviously applies to the whole of the Taluka including the interior region where rents are low. It may, therefore, be presumed that the minimum amount of six khandis represents the average rent in the interior portion while the amount of 18 khandis represents the maximum rent on the coast. In conjunction with the figures given by Mr. MacGregor for the coast region of the Karwar Taluka, it may be safely concluded that the average rent on the coast of Ankola ranges from about ten to thirteen khandis per acre, though the maximum may reach to 18 khandis.

From what has been stated above, the following summary, showing approximately the average rents for the whole coastal region of Kanara, is prepared.

Taluka or Petha.	Average Rent Per Acre (in Paddy)			
	minimum		maximum	
	Kh. Kolgas.		Kh. Kolgas.	
Karwar	9	10	13	0
Ankola	9	10	13	0

(1) R. S. Papers, Karwar, p. 4
 (2) R. S. Papers, Ankola, p. 10.

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Taluka or Petha.	Average Rent Per Acre (in Paddy)			
	minimum		maximum	
	Kh. Kolgas.	Kh. Kolgas.	Kh. Kolgas.	Kh. Kolgas.
Kumta	9	0	10	15
Honavar	12	0	13	5
Bhatkal	9	0	13	5
Average	9	16	12	9

These rates of rents are not current but relate to a period nearly thirty years ago, namely, 1908-1912, when the revision survey settlement operations were undertaken in the coast talukas. Since then and especially immediately after the introduction of the revised rates of assessment rents have increased in Kanara as everybody knows. It may, therefore, be said that the above rates err on the side of moderation.

(c) Proportion of Rent to Produce

We have already seen that the average gross produce of paddy per acre is about 16½ khandis while the average rents per acre vary from 9 khandis to 13½ khandis. It is thus easy to deduce the percentages of rent to gross produce in each taluka. The result is as follows:-

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Taluka	Average Percentage of Rent to Gross Produce	
	Minimum	Maximum
Kartar	58	73
Ankola	53	73
Kumta	54.50	65
Honavar	72.50	74
Bhatkal	54.50	80
..... Average	..... 60	..... 75

It will be seen that the proportion varies from 54 per cent. in the Kumta Taluka to 80 per cent. in the Bhatkal Petha, the average for the whole coastal tract ranging between 60 per cent. and 75 per cent. It may, therefore, be safely concluded that the rent varies from 60 to 75 per cent. of the gross produce. It is extremely interesting to note that this conclusion is more or less corroborated by the Survey Settlement Officers. Rao Bahadur V. D. Yennanadi, in paragraph 23 of the Ankola Taluka Revision Settlement Report, clearly says: "Properly speaking a tenant is entitled to half the gross produce but in majority of cases his share does not exceed $\frac{1}{2}$ to $\frac{1}{3}$." (1) This means that the proportion of rent to gross produce varies between 66 and 75 per cent. Mr. R. H. Maxwell, referring to rents in the Honavar Taluka, wrote: "On

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(1) R. S. Papers, Ankola, p. 10.

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a study of the various systems and their distribution it appears safe to interpret the rents of my proposed Group I as representing not more than a $\frac{3}{5}$ ths share of both paddy and straw, and all other rents as representing not less than half the value of both." (1)

Thus it is admitted that the average proportion of rent in as many as 45 villages, (comprised in Group I) covering about forty per cent. of the total cultivated rice land in the Taluk, was 60 per cent. of the paddy and straw. If straw is not taken into consideration, the proportion of paddy must be greater than 60 per cent. In the remaining villages, the rent was not less than 50 per cent. of both paddy and straw. That is more, in regard to the Bhatkal Petha, Mr. Maxwell observed: "For the sake of simplifying calculations, however, a slight excess in the mafi or measure of grain used south of the Venkatapur River has been neglected, and the proportional rents in Bhatkal are therefore 3.7 per cent. higher than the figures shown."

(2) It is thus evident that, so far as the Bhatkal Petha is concerned, the proportion of rents varied from 53.7 per cent. to 63.7 per cent. of the total yield both in paddy and straw. The proportion must be considerably higher if only paddy is taken into account. Turning to the Kizita Taluka, Mr. Maxwell

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 (1) R. S. Papers, ^{Honavar,} Kizita, p. 14
 (2) Ibid, pp. 14-15.

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observed that any rent recorded in as many as 51 villages (Group I) out of 73 in the coast region of the Taluka was approximately the equivalent of 60 per cent. of the normal outturn of paddy. (1) However, these observations of Mr. Maxwell that rents in the Kunta-Honavar tract ranged from 50 to 63.7 per cent. of the produce are not in consonance with the rental figures given by him in the Settlement Reports, according to which, as already seen, the rentals vary from 54 to 80 per cent. of the yield. This divergence is obviously due to the fact that Mr. Maxwell over-estimated the gross yield. We have already shown that the average gross yield is about 16½ khandis per acre, while Mr. Maxwell, without giving his reasons, simply stated that the average outturn of paddy per acre ranged from 16 to 26 khandis for radio (best) lands in Kunta (2) and from 27 to 30 khandis on the best land in Honavar and Bhatkal. (3) Apparently Mr. Maxwell has taken this yield on the best land as the average yield for the average type of land. This naturally misled him to conclude that the rent varied only from 50 to 63.7 per cent. of the gross yield.

(d) What is Back-renting

Officials have held divergent views on the

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- (1) R. S. Papers, Kunta, p. 22
 - (2) Ibid., p. 14
 - (3) R. S. Papers, Honavar, p. 10.

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question whether the tenantry in the coastal region of Kanara is rack-rented. Mr. C.L. McGregor, as Assistant Collector and Survey Settlement Officer, was of the definite opinion that there was rack-renting in all the coast talukas. (1) Rao Bahadur V.D. Yennemadi, District Deputy Collector and Survey Settlement Officer for the Ankola Taluka, wrote that the Halakdi and Kare Vakkals, who form the largest proportion of the tenantry of the Taluka, suffered from rack-renting and added: "Of rack-renting there is a good deal in the coast belt of the Taluka, where the villages are overcrowded by cultivating classes and where there is a keen demand for land for cultivation." (2) Mr. L. O. Swift, Collector of Kanara, in forwarding the Revision Settlement Report of the Karwar Taluka, upheld the view of Mr. McGregor that the tenantry was rack-rented and observed: "While admitting the high subletting value of the lands in villages on or near the coast, I am inclined to think that in not a few cases it is unreasonably high, and more than the land is really entitled to." (3) Mr. G. E. Curtis, Settlement Commissioner and Director of Land Records, commenting on the same report, agreed with Mr. McGregor that rack-renting was common. (4) Finally, the Government

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- (1) R. S. Papers, Karwar, p. 4
 - (2) R. S. Papers, Ankola, p. 9
 - (3) R. S. Papers, Karwar, p. 37
 - (4) R. S. Papers, Karwar, p. 42.

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of Bombay, in their Resolution, No.1197 (Revenue Department), dated the 10th February 1910, admitted that rents on the coast of the Karwar Taluka were high and that the tenantry was rack-rented. (1)

On the other hand, there are other officers who have denied the allegations of rack-renting. Mr. R.H. Maxwell, as Assistant Collector and Survey Settlement Officer, stated with regard to the Kurta Taluka that there was "little support to the loose allegations of rack-renting so often heard in connection with this Taluka it is highly improbable that the rents really and habitually represent an undue proportion of the yield." (2) It is rather strange that Mr. Maxwell expressed this view in spite of his admission that the average rate of rent was 60 per cent. of the gross outturn of paddy. This view of Mr. Maxwell was enthusiastically supported by Mr. G. Montcath, Collector of Kanara, in forwarding the Revision Settlement proposals for the Ankola, Kurta and Honavar Talukas. Mr. Montcath wrote: "I submit that the such more searching enquiries made by Mr. Maxwell should be considered as disposing once for all of what he rightly calls these loose allegations" of rack-renting.(3) Mr. Montcath knew the results of the "searching enquiries" of Mr. Maxwell which showed that the average

(1) See Ibid, p. 47

(2) R. S. Papers, Kurta, p. 24

(3) See R. S. Papers, Ankola, p. 61.

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rents covered as much as 60 per cent. of the gross outturn in paddy; and yet he satisfied himself by stating that there was no rack-renting! Mr. C. H. Seddon, Acting Settlement Commissioner and Director of Land Records, commenting upon Mr. Maxwell's proposals, sang the same tune but with greater enthusiasm and warmth. He remarked: "It seems to me that the conclusions drawn are unanswerable. The rents here paid are fair rents", (1) and added that "rack-renting is a figment of the imagination." (2) Mr. W. D. Sheppard, Commissioner of Southern Division, relying upon the comments of all these officers, went a step further and characterised the allegations of rack-renting as "mythical." (3)

This diversion of views among the officers is mainly due to their failure to think independently and to review the whole problem in a scientific manner. All the higher officers placed too much reliance in what the Settlement Officers had said in their original reports. Because Mr. MacGregor and Rao Bahadur Yennandi stated that there was rack-renting, Mr. Swift and Mr. Curtis and even the Government of Bombay said the same thing. On the other hand, because Mr. Maxwell wrote that the allegations of rack-renting were loose, Mr. Monteth, Mr. Seddon and

(1) See R. S. Papers, Ankola, p. 77

(2) See Ibid, p. 78

(3) See Ibid, p. 81.

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Mr. Sheppard repeated the same story, though in different words. What is still more regrettable is that the Settlement Officers did not bother their heads to understand what they really meant by the term 'rack-renting' and what its implications were. Mr. MacGregor, for instance, did not advance any evidence to support the existence of rack-renting nor did he say what he meant by the term rack-renting. Rao Bahadur Yennanadi also failed to give any arguments in support of his statement but simply repeated what Mr. MacGregor had stated. He, however, appears to have held the definite view that rack-renting could exist only in those cases wherein the rent was more than one half of the gross produce. That he held this view is evident from the following remark occurring in his report: "Properly speaking", he wrote, "a tenant is entitled to half the gross produce but in majority of cases his share does not exceed $\frac{1}{2}$ to $\frac{1}{3}$." (1) Mr. Maxwell did not discuss the implications of rack-renting but was satisfied by simply stating that there was no rack-renting because the tenant paid only 60 per cent. of the gross outturn in paddy or 50 per cent. of both paddy and straw! (2)

In order to ascertain whether rack-renting exists in any particular area, it is first of all

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(1) R. S. Papers, Ankola, p. 10

(2) See R. S. Papers, Kuzita, pp. 22-24.

essential to know what rack-renting really means. It is true that the proportion of rent to gross produce plays a prominent part in determining the existence or non-existence of rack-renting. But this consideration alone cannot be the determining factor. It is quite possible that there may be rack-renting in a particular case wherein the tenant is called upon to pay a very small proportion of the gross produce as rent. On the contrary, there may be no rack-renting even when the tenant is called upon to pay a greater proportion of the produce. To illustrate the point. Suppose a tenant-family produces paddy of the value of Rs.400 by cultivating a particular piece of land and pays 20 per cent. of the yield as rent, thereby earning Rs.320. In another case, the tenant-family produces paddy of the value of Rs.1,000 and pays 40 per cent. of the yield as rent thereby earning Rs.400. Here the tenant paying 40 per cent. of the produce as rent earns more than the other one who pays only 20 per cent. of the produce. It is thus evident that only the proportion of rent to gross produce cannot determine the existence or otherwise of rack-renting.

In our opinion, the only criterion to determine whether the tenantry of a particular district is rack-rented or not, is to ascertain whether the tenant, after the payment of rent, retains sufficient amount of produce which would enable him and his family to

live in reasonable comfort. If he cannot live in reasonable comfort but simply subsists, it must be said that he is rack-rented, although the rent he pays may cover only a very small proportion of the gross produce. In other words, it is the amount of produce that the tenant retains (and not the amount that ~~him~~ he pays to the landlord) that must finally decide whether he is rack-rented or not. It is of interest to mention in this connection that the Burma Land and Agriculture Committee of 1933 took the same view. In defining the term "fair rent," they stated: "Our conception of a fair rent is that rent should not exceed the part of the crop remaining after the cultivator of an economic holding has met the normal cost of cultivation and maintained himself and his family in reasonable comfort as that is understood by this class of cultivator in the district in which he lives. We go further and consider that the cultivator should retain for his own use some part of the crop over and above the minimum required to maintain himself and his family in reasonable comfort."

(1) It is thus clear that any rent which does not satisfy this definition of fair rent is rack-rent. With this definition of rack-renting in mind, let us proceed to examine whether the tenantry of Kanara is rack-rented or not. For the purpose of this examination, it is essential to ascertain the family-income

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 (1) Burma Land and Agriculture Committee Report,
 pp. 8-9.

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of the tenant as well as the cost of living.

(c) Average Family Income

In order to ascertain the average income of a tenant-family from agriculture it is necessary to know the average acreage of land tilled by a family. The figures contained in the Revision Settlement Reports show that the total area of land under paddy cultivation in all the four coast talukas was 83,816 acres, while the total agricultural population practising tillage (including tenants and peasant proprietors) was 120,052. (1) Since a certain portion of this acreage produces the second (rainy) crop in the winter, the total acreage under paddy must be somewhat greater. According to the latest official information, the area under the rainy crop in North Kanara was 8,592 acres. (2) As a greater portion of this land is situated in the coast talukas, it may be concluded that the total area under paddy in these talukas is in the neighbourhood of 96,000 acres. Assuming that an average family consists of five persons, there would be 24,010 families living by tilling the soil. The assumption that on an average five persons make one family is supported by the last census figures according to which there were nearly five persons in each occupied house in the North Kanara district.

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(1) For detailed figures see the R.S. Papers
 (2) Season and Crop Report, 1933-39, p. 45.

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The definition of "house" as given in the Census is "the building or part of a building occupied by one family, that is, by a number of persons living together and eating in common mess, with their dependants and resident servants." (1) This means that a house corresponds to a family. It is thus clear that 24,010 cultivating families were in possession of 96,000 acres of rice land in the below-ghat talukas of Kanara. This works out to four acres of land in the possession of each family on an average. We have already shown from the evidence based on crop experiments that the average yield of paddy per acre in the coastal region of Kanara is about $16\frac{1}{2}$ khandis. The multiple of these two factors gives the average gross income per family from the produce of the land. Thus the average gross income would be 66 khandis of paddy.

It has been already proved that the average rent per acre varies from 60 to 75 per cent of the gross produce. By deducting this proportion of the gross produce from the gross yield, we find that a family retains from $16\frac{1}{2}$ khandis to $26\frac{2}{5}$ khandis of paddy. Even granting that every tenant-family pays only 60 per cent. of the gross yield of paddy as rent and not 75 per cent. as is done in many cases -- we find that the family earns $26\frac{2}{5}$ khandis of paddy. According to official calculation, the amount of rice

(1) Census of India, 1931, Vol. VIII, Pt. I pp. 19-20.

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(kuchgi) obtained from paddy is about 55 per cent. of the original bulk. (1) Thus 26 $\frac{2}{5}$ khandis of paddy is equal to 14 $\frac{1}{2}$ khandis of kuchgi rice. The average price of kuchgi rice for the last ten years is at the rate of 22 lbs. per rupee (or 40 lbs. of paddy per rupee). (2) The valuation of 14 $\frac{1}{2}$ khandis of rice is, therefore, Rs.71-3-0. In addition to this quantity of rice, the family also retains all straw. It is officially calculated that the value of straw per acre of the best land on the coast of North Kanara comes to about Rs.5/-. (3) Thus the family earns about Rs.20/- in this way.

In addition to paddy, the cultivator can raise sug, urid and other pulses in the winter. The total area under these winter crops in the coast talukas of was 3,980 acres or 4,000 acres in round figures (4) whereas the total area for the whole district was 7,682 with an outturn of 1,003 tons. (5) This works out at 224 lbs. of outturn per acre. It is already shown that the estimated number of cultivating families in the coast talukas was 24,000. This means that each family on an average had $\frac{1}{6}$ of an acre under pulses. Thus the average outturn for each family

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- (1) R. S. Papers, Kunta, p. 16
 (2) See Season and Crop Reports.
 (3) See R.S. Papers, Kunta, p. 39; and Honavar, p.31.
 (4) See R.S. Papers.
 (5) Season and Crop Report, 1938-39, p. 102.

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would come to 37½ lbs. of pulses. It is true that each family is in the possession of four acres of rice land; but in view of the fact that only a small proportion of the rice land can be made to yield pulses, the crop is confined only to 1/3 of an acre out of every four acres. The average price of pulses being one rupee for 19½ lbs. (1) the value of the 37½ lbs of pulses would be about Rs.2.

To sum up, the average income of a tenant family is as follows:

	<u>Quantity</u>	<u>Value</u>		
		Rs.	As.	P.
Paddy				
Straw	25.2/5 khandis (14½ khandis of rice)	71-	3-	0
		20-	0-	0
Pulses	---	2-	0-	0
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Total		93-	3-	0

(f) Cost of Cultivation

It is out of this income that the tenant has to incur the cost of cultivation. We are not concerned with the cost of cultivation of capitalist farmers who have to pay cash wages for all the work done on their farms. We are dealing with the humble tenant, who tills four acres of land with his own hands and with the help of his family. Thus the main items of expenditure are: (1) the seed, (2) the maintenance of

(1) See Season and Crop Reports since 1929

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plough-bullocks and the cost of agricultural implements. With regard to manure, let us take the view that the family is able to procure it as the result of its own labour by collecting leaves from the forest and by gathering the dung of the plough-bullocks.

With regard to seed, it is officially estimated that the seed required for sowing one acre of rice land in coastal Kanara ranges from $\frac{1}{2}$ to one khandi of paddy. (1) Taking the lower estimate of $\frac{1}{2}$ of a khandi per acre, the average quantity of seed required by a family cultivating four acres of land would amount to three khandis of paddy. Next turning to the cost of feeding the plough-bullocks, we have already seen that the number of cultivating families in the coast talukas was 24,010. The number of ploughs in these talukas was 27,063. (2) This means that each family owned one plough on an average. That one plough is needed to till an average family-holding of four acres of rice land in Kanara is corroborated by the author of the Kertar Taluka Revision Settlement Report who wrote: "Cultivators always claim that they require a pair of plough cattle for every four acres and this is probably what they have." (3) The plough-bullocks in Kanara are not fed with oil-cakes, but are allowed to graze on the somewhat scanty grass,

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(1) R. S. Papers, Kanta, p. 14

(2) See R. S. Papers of respective talukas.

(3) R. S. Papers, Kertar, p. 7.

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on catch-crops and on the straw of the rice-crop. Not much cash is actually spent upon their up-keep, nor is a valuation necessary as the straw has no selling value in many villages away from towns. As practically the whole of the straw is consumed by the bullocks, its value can be set off against the cost of feeding bullocks. The cost price of a pair of bullocks in the coastal rice region of the Bombay Presidency is, according to an official authority, Rs.40. (1) As the effective life of cattle is eight years, the annual charge comes to five rupees.

In addition to this cost of purchase, provision should be made for meeting the interest on the capital raised in purchasing the bullocks. We shall make the point clearer. The cultivator requires Rs.40 to purchase a pair of bullocks. He has to borrow this amount from a moneylender and pay an annual interest of Rs.4 at 10 per cent. per annum - a moderate rate indeed for a ryot. If the cultivator lays aside Rs.5 a year from the produce he shall recoup the original capital of Rs.40 raised in eight years. But how is he to meet the interest due on the amount? This must be met from the net produce. At the end of the eighth year, his bullocks are of no use to him, and he has to purchase new ones for which he has to raise a loan again, so that the sum of Rs.40 he

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(1) P.C. Patil: Principles and Practice of Farm Costing with Farm Studies, p. 855.

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originally borrowed is a permanent debt, and the interest thereon should, in the ordinary course, be deducted as part of the cost. The annual cost of maintaining a pair of bullocks, therefore, amounts to Rs.9.

The cultivator in Kanara generally requires the following implements: One 'negilu' or plough, four 'kutaris' or spades, one or two 'kattis' or big sickles, four 'halgattis' or small sickles, one 'kodli' or axe, in addition to many other instruments of minor importance. The annual cost of purchasing them and of keeping them in good repair may be calculated at about Rs.2-8-0, a very low estimate indeed.

(g) Net Earnings of the Family

After deducting the cost of cultivation from the income, the net earnings of the family amount to Rs.53-9-5 as shown below.

<u>Article</u>	<u>Quantity</u>	<u>Value</u>
		Rs. as. p.
Paddy	26.2/5 khandis (14½ kuchi rice) (or 1,566 lbs.)	71- 3- 0
Straw		20- 0- 0
Pulses	---	2- 0- 0
<u>Total</u>		<u>93- 3- 0</u>

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Cost of Cultivation

<u>Item</u>	<u>Cost</u>		
	Rs.	As.	P.
(1) Seed (3 khandis of paddy)	8-	1-	7
(2) Feeding of Bullocks	20-	0-	0
(3) Depreciation and interest on the cost of bullocks.	9-	0-	0
(4) Cost of Implements.	2-	8-	0
	<hr/>		
Total	39-	9-	7

Thus the balance is Rs.53-9-5 which would purchase 1,178 lbs. of kuchgi rice.

It may be argued that the tenantry can add to this income the earnings derived from subsidiary occupations and hence the total family income may be larger. But the fact is that there are very few subsidiary occupations in North Kanara to which the tenant can turn during the slack season. The only subsidiary occupations of any importance that are open to cultivators are the following: (1) growing vegetables and fruits; (2) gathering fuel from forest for sale in towns; (3) and carting. The income that can be derived from these sources is not, however, substantial. Whatever little earnings the family may be able to secure from subsidiary occupations is

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 (The Government of India, Department of Agriculture, 25, 1932,
 British-India, and its
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offset by the fact that it has to spend a substantial portion of its total income on cooking utensils (pottery), betel-leaves, thatching the house, on clothing, on kerosene oil, and on a number of other small but necessary items.

What is worse, even this small income from subsidiary sources is denied to the mass of the tenant population. The Census figures reveal that among the tenant-cultivators in North Kanara only 7,702 earners and dependents out of 55,118 had any subsidiary occupations to follow. (1) As many as 47,416 persons or about 86 per cent. of the total had to depend entirely on cultivation for their livelihood. It is thus apparent that a vast majority of the tenantry has no income other than that derived from tilling the soil.

(h) Cost of Subsistence

In order to estimate the cost of subsistence of a family in North Kanara, it is essential to know the composition of an average family. As already seen, the average family in North Kanara consists of five persons. The Census figures further show that nearly 49 per cent. of the total population in North Kanara is below 15 years of age. (2) This means that two persons out of every five constituting a family are

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(1) The Census of India, 1931, Vol. VIII, Pt. II,

(2) Census of India, 1931, Vol. VIII, Pt. I, p. 87.

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children under 15 years, while the other three are adults of over 15 years of age. Mr. J. C. Jack, in his study "The Economic Life of a Bengal District", also says that an average cultivating family consists of three adults (two men and one woman) and two children.(1) Thus the food requirements of an average family are equal to those of three adults (over 15), of which one is a woman, and two children (under 15). Dr. Aykroyd, the present Director of Nutrition Research Laboratories, Conocer, in assessing the food requirements of women and children as fractions of those of the "average man," gives the following scale: (2)

Scale of Average Calorie Requirements

	Co-efficient	Calories required.
Adult male (over 14)	1.0	2,600
Adult Female(over 14)	0.8	2,100
Child 12 and 13 years	0.8	} Average child 0.6
Child 10 and 11 years	0.7	
Child 8 and 9 years	0.6	
Child 6 and 7 years	0.5	
Child 4 and 5 years	0.4	
		1,000

According to this scale, the requirements of two male adults, one female adult and two children would work out at four times those of an adult male.

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(1) J.C.Jack: The Economic Life of a Bengal District, pp. 53-59
 (2) Health Bulletin, No.23, Govt. of India, 1933, p. 2.

Thus, the minimum food requirements of an 'average family' are those of four adult males.

The Flood Commission, which reported only last year, estimated that the annual quantity of paddy required by a person would be nine mounds. (1) This amount of paddy is equal to 395 lbs. of rice. Dr. Aykroyd, in prescribing an adequate diet for an average Indian adult male, considers that 15 ounces of rice should be consumed daily. (2) This comes to 337½ lbs. of rice per annum. This quantity of rice in Dr. Aykroyd's diet is comparatively less because other articles such as pulses, vegetables, fats and oils, etc. are prescribed in certain proportions in addition to rice. This diet, says Dr. Aykroyd, is absolutely necessary in order to supply "the minimum caloric needs of an average Indian, engaged in ordinary easy-going agricultural or cooli work." (3) An Official Enquiry Committee, which reported recently, holds the view that the diet prescribed by Dr. Aykroyd is just sufficient to keep men at subsistence or efficiency level; and says that subsistence means "subsistence on the minimum standard necessary to maintain health and working capacity." (4) It is thus evident that Dr. Aykroyd's diet means the subsistence diet.

(1) Report of Flood Commission Vol. II, p. 85

(2) Health Bulletin, No. 23, Govt. of India, 1938, pp. 13-14

(3) Ibid, p. 2

(4) Report of Court of Enquiry on Question of Dearness Allowance for Railway Workers, p. 46.

The cost of this diet, as worked out by the same official Committee, amounts to Rs.5 per adult per month in the urban centres of Bombay Presidency at pre-war prices (on August 1, 1939) (1). A reduction of 16.66 per cent. is allowed in order to determine the cost in rural areas. (2) Allowing even a slightly greater reduction, that is, 20 per cent., for the rural areas of North Kanara, we find that the monthly cost would come to Rs.4 per adult and to Rs.16 for an average family. Out of this amount, the cost of vegetable and fruits prescribed in the diet will have to be deducted, because the tenant-family in Kanara may be expected to get these articles free by growing them on the rented land. According to the Inquiry Committee above referred to, the monthly cost of vegetables and fruits in the diet would come to annas ten per adult (3) and to annas forty per family. By deducting this amount from Rs.16, we find that the monthly cost for a family in North Kanara amounts to Rs.13-8-0, while the annual cost to Rs.162. The same conclusion is arrived at by looking at another official source. According to the Director of Land Records and Agriculture, the cost of living for the agricultural classes in Kanara was from Rs.30 to Rs.36 per adult per annum. (4) As this estimate

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- (1) Report of Court of Enquiry on question of Dearness Allowance for Railway Employees, p. 134
 (2) Ibid., p. 52
 (3) Ibid., p. 134
 (4) Report on the Economic Condition of the masses of Bombay Presidency, 1887-83, p. 97.

was based on the prices ruling in 1897, the present cost must be at least Rs.40 to Rs.45 since the prices are very much higher to-day. This works out at from Rs.160 to Rs.180 for an average family. It may also be of interest to note in this connection that Mr. J.C. Jack, referring to Bengal which is a rice-growing region like Kanara, considers that those families with an annual income of Rs.165 are just above indigence while those with Rs.115 are "struggling in the grip of want." (1) This lends further support to the conclusion that the cost of subsistence for a family in Kanara comes to about Rs.162. That this estimate errs on the side of moderation can be seen by the fact that the cost of subsistence in Burma, a rice-growing region like Kanara, has been officially calculated at Rs.5.75 for each male adult per mensem or at Rs.318 for an average family per year. (2)

(1) Excessive Back-runtins

We have seen that the net annual earnings from agriculture of an average tenant-family in North Kanara amount to Rs.53-9-5. This means that the family secures only a four months' subsistence in a year, if it is to consume the adequate diet prescribed by Dr. Ajikroyd. In other words, the income of the family is

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(1) J. C. Jack: Op. Cit., p. 81

(2) Burma Land and Agriculture Committee, Report,
p. 12.

as low as Rs.4-0-0 per month or less than 2½ annas per day, or a little less than half an anna ~~per~~ per head!

Another way of looking at the matter leads to almost similar results. Instead of taking the diet prescribed by Dr. Aykroyd which contains many articles besides rice and instead of determining the value of this diet in money, let us take the diet based on rice alone. The Famine Commission of 1880, in considering the daily subsistence, took 1½ lbs. of rice per head as the amount required to keep the cultivating classes physically fit. (1) This works out at 2,700 lbs. of rice per annum for an average family. Again the Director of Agriculture and Land Records, Bombay Presidency, calculated that two lbs. of grain for an adult man, 1½ lbs. for an adult woman, and one lb. for a child below 14 are required to keep them above starvation level. (2) This also comes to 2,700 lbs. of grain for an average family per annum. We have seen that the net annual income of a tenant family in Kanara amounts to 1,178 lbs. of rice. It is thus evident that, according to this method of calculation, the family gets subsistence for five months and a week during the course of the year. It should not, however, be forgotten that only the quantity of rice is taken into consideration in reaching this conclusion.

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- (1) Report of the Famine Commission, p.
 (2) See Report on the Economic Condition of the
 Classes of the Bombay Presidency, 1887-88, p. 6.

It is at once apparent that the tenantry which subsists on a diet grossly in-adequate in quantity and ill-balanced in quality simply drags on its existence in a state of starvation. If this is the position of those tenants paying 60 per cent. of the gross produce as rent, what will it be in the case of those paying a greater portion of the produce? And we have seen that a very considerable number of tenants are paying more than this proportion! The fact that the tenantry of Kanara is not able to secure sufficient rice for its maintenance is admitted even by landlords. In their 'memorial' submitted to the Government of Bombay in 1938, the landowners of Kanara stated: "Thousands of agriculturists in the Taluka of Honavar and the petha of Bhatkal who cannot purchase rice or ragi on account of extreme poverty, have to make up the deficiency by subsisting for months on 'talipot' pith, of which the food value is so poor that all that can be said about it is, that it fills the stomach." (1) Such is the condition of our peasantry, and it shocks no one. Certainly it matters nothing to the landlord so long as he pockets his rent. The Settlement Officer is not concerned with the tenant's lot so long as he can 'justify' an increase in the assessment.

As already explained, any rent that does not leave the cultivator sufficient means of livelihood

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 (1) The Memorial, p.4.

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is rack-rent. The impoverished tenantry of Kanara, therefore, is certainly rack-rented. The officials who characterized the allegations of rack-renting as "loose", as "a figment of the imagination" and as "mythical" would not have made these unwarranted and irresponsible statements, only if they had bothered their heads to ascertain whether the tenantry was securing a full year's subsistence by tilling the soil. Mr. C. N. Seddon, Acting Settlement Commissioner and Director of Land Records, in forwarding the Revision Survey Settlement Reports of Ankola, Kumta and Honavar Talukas, asked a very significant question. He wrote: "was a class of inhuman landlords extracting the last pie from a degraded peasantry willing to live on the margin of subsistence?" (1) Mr. Seddon, of course, answered the question in the negative! But the reader must have been convinced that the question could have been answered only in the affirmative.

In spite of this wretched condition "the ryot tills that another may rest, and sows that another may reap." This he does because the power of self restraint is very great with our peasants, and the elasticity of their stomachs is simply surprising. Of course, Sjt. Morarji R. Desai former Revenue Minister to the Government of Bombay, refuses to believe in the elasticity of our peasants' stomachs. Though vanquished, he would argue still like the famous village school master by declaring, as he

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 (1) R. S. Papers, Ankola, p. 78.

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did in the Legislative Assembly, that "It would be absurd for any person to believe that the income of a tenant can be only Rs.1-4-0 or a rupee per month, because it is obvious that in that case the tenant cannot live." (1) Will the Ex.minister kindly note that the per capita income of a tenant x in Kanara is only 15 annas a month? It is the misfortune of our country that a responsible Minister should not know the great art that is being practised by our peasants which teaches them how to starve and yet to live. In fact one 'standing marvel' in India, as pointed out by an European Official, is how its vast mass of underfed peasantry contrive to live and work. (2)

(1) Any Rent is Rack-Rent and No Rent is Fair Rent

It is amply proved that the tenantry in Kanara is excessively rack-rented and driven into the abyss of starvation. Can the fixation of a 'fair rent' prevent rack-renting? In order to prevent rack-renting, the rent will have to be adjusted to a scale which will leave the cultivator adequate means of livelihood throughout the year. This means that every tenant-family should be enabled to retain about 60 khandis of paddy which at the present prices would bring an income of Rs.162. If the family should retain 60 khandis of paddy it will have to produce 67.2/9 khandis because 7.2/9

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(1) Dambay Assembly Debates, September 23, 1939, p.144
 (2) Ece Cunningham: British India and its Rulers, p.32.

khandis would go towards meeting the cost of cultivation. We have seen that the total gross outturn of paddy which an average family produces is equal to 66 khandis. This means that there is a deficiency of $1 \frac{2}{9}$ khandis, even if the tenant is allowed to retain all the gross produce. The deficiency is really greater because the Government assessment on the land will have to be paid out of the gross produce. The only logical conclusion is that the tenant cannot pay any rent, if he is to secure adequate means of livelihood. In other words, any rent is synonymous with rack-rent and no rent is fair rent under the conditions existing at present in coastal Kanara. The Peasant Enquiry Committee appointed by the Maharashtra Provincial Congress rightly asserted that "any demand by landowners that does not leave the tenant a minimum subsistence is positively immoral." (1) To demand any rent in Kanara, therefore, becomes a moral crime. To sum up, the cultivator is not able to procure even the minimum subsistence consistently with the maintenance of the system of landlordism.

(k) Land as an Investment

The excessive rents, while condemning the vast mass of the peasantry to a life of dire poverty, bring a steady and safe income to the parasitic landowning

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(1) Report of the Committee, p. 53.

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class in the form of interest on the money invested by them in purchasing land. In point of fact, the rice land in coastal Kanara is considered as one of the best forms of investment with a return of from four per cent. upwards on the capital. That this is the case is shown by the following figures transcribed from the Revision Survey Settlement Report of Honavar Taluka, showing what percentage on the capital invested is represented by rents of land for which the sale prices were also obtained.(1)

Group	Village	Sale		Lease		Percentage of rent on price.
		Multiple of asse- -sment.	Price per acre.	Multiple of asse- -sment	Rent per acre.	
I	Mundolli ...	180.6	Rs. 1,114	7.5	Rs. 44 4 6	3.9
		111.6	700	5.6	33 9 7	4.8
II	Dailur ...	100.0	562	5.8	33 10 0	5.8
	Talan ...	150.0	825	6.0	33 0 0	4.0
		72.7	400	4.3	23 10 5	5.9
		72.7	372	4.3	22 0 0	5.9
III	Golibilur ..	25.8	129	1.5	7 8 0	5.8
	Herangli ..	50.0	253	3.8	19 3 9	7.6
	Talgaod ..	63.3	336	5.3	23 2 6	8.3

It is to be noted that only in one case the rent is slightly less than four per cent. In two cases it is between four and five per cent; in four it is nearly six per cent, while in the remaining two cases it is as high as 7.6 and 8.3 per cent respectively.

(1) R. S. Papers, Honavar, p. 17.

Commenting on the above table, Mr. Monteath, the Collector of Kanara, remarked: "I have asked landholders about this, and have always been informed that the highest prices paid - up to Rs.1,000 an acre for the best quality of rice land in the most populous villages represent a safe investment with a return of from four per cent. upwards on the capital." (1) It is thus apparent that the Government securities are considerably less profitable. The landowner has another advantage over the holder of Government securities in so far as he is able to wield considerable power over his tenants.

It is often maintained that there are many landholders in Kanara who have purchased lands at high price and who consequently do not obtain the rates of interest mentioned in the above table. Granting that this is so, our reply to this contention is that there is no reason why the tenant should be compelled to pay unreasonable rent just because his landlord happens to have purchased the land at a high price. Why should the tenant be held responsible for the unprofitable bargain of his landlord? Generally speaking, neither the seller nor the buyer of land in Kanara takes into consideration the productive capacity of the land with a view to determining its reasonable price. Nor does it occur to him that the tenant cultivating the land is entitled to retain enough produce for his maintenance.

(1) R. S. Papers, Munda, p. 72.

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The only factor taken into account is the rent that the cultivator is paying to the owner at the time of the transaction, irrespective of the consideration whether that rent is reasonable or otherwise. To put it in another way, it is the amount of produce exacted through rack-renting rather than the land that is being sold and purchased. The views expressed by the Burma Land and Agriculture Committee on this point are convincing and may be quoted in full. "It has been represented to us," says the Committee, "as a justification for the existing level of rents that much of the land now in the hands of landlords came into their possession when the purchase price of land was high and that the rents now paid give a very modest return on the invested capital. However this may be and however much we sympathise with the victims of an unremunerative investment, we must point out that these are irrelevant considerations in the fixation of rent. The capital value of any property is determined by its earning capacity and not inversely. The rent which a tenant may reasonably be expected to pay in any specific place and time is in no way governed by the price at which the tenant's holding came into the possession of the landlord." (1)

Although these remarks are made in connection with Burma, they apply to Kanara and in fact to the whole of India with equal force.

(1) Report of the Burma Land and Agriculture Committee, p.17

(1) Recovery of Rent

It is a common practice for the landholders in Kanara to allege that they do not recover full rents from their tenants and consequently their income is not as much as it appears to be. This may be so in a few cases when a particular tenant is a habitual defaulter. Even then there cannot be much scope for habitual defaulters in coastal Kanara, where competition in renting land is keen, because of the fact that landholders can secure other tenants to cultivate their land to the exclusion of the defaulters. If the landholders are not recovering high rents there is no reason why the price of land in Kanara should be high. Moreover, the high rents would not be an attraction to investors unless they expect to recover them regularly.

There is enough official evidence to show that the landholders have been recovering their full share of rents. Mr. R. H. Maxwell wrote: "Most landlords of the district have yet to be convicted of such generosity as to absolve their tenants without recourse to the rent suit; and the average number of rent suits was by no means a large figure in a taluka (Kumta) where both leases and non-resident landlords are so numerous."⁽¹⁾ Similarly, Colonel W. C. Anderson, referring to the Brahmin landlords of the Karwar Taluka, made the following remark: "They have apparently earned for themselves

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 (1) R. S. Papers, Kumta, p. 22.

the reputation which they enjoy as being most hard and exacting landlords." (1) The position seems to have been correctly stated by the Collector of Kanara who wrote: "I have no doubt that in some cases full amounts are not recovered, but a good many revenue assistance cases come before the local Courts and full rents according to leases are always awarded and, so far as I am aware, recovered from tenants almost invariably. I have hitherto received no complaints of the non-recovery of landlord's dues according to assistance awarded in Revenue Courts, and presumably in the large number of cases in which assistance is not asked for, recovery is even easier. It is, therefore, for Government to judge what weight can be attached to the statement that as a general rule full rents are not recovered" (2) This was written in 1903. But the remarks apply with equal, if not greater, force to-day when it has become easier for landlords to recover rents on account of the fact that the competition in renting land has increased since.

The landlord, under the provisions of Section 86 of the Bombay Land Revenue Code, is entitled to assistance from Government for the recovery of rent payable to him by his tenant. The object of the provision is to enable the landlord to recover rents summarily and inexpensively. The law leaves the Collector no discretion as to withholding assistance when an application

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(1) O. S. S. Papers, Marwar, p.
 (2) See R.S. Papers, Marwar, p. 46.

is made. The words are: "He shall hold a summary enquiry and shall pass an order for rendering any assistance." All the expenses in connection with the application fall on the tenant. Moreover, the Collector is not legally bound to admit pleaders in proceedings under this Section. In fact, the enquiry is not a judicial proceeding in the sense of requiring the various formalities laid down by the Civil Procedure Code.

That this law is wholly favourable to landlords and results in great injustice and hardship to the tenant class is undeniable. The provision is so atrocious in character and mischievous in intention that it has accelerated the process of expropriation of the peasantry. Those cultivators who are partly tenants and partly owners are the worst victims of this draconian law. There are many instances of their lands being sold in execution of decrees awarded under this Section, without their being given even reasonable time to pay the rents due from them with regard to the rented lands. Let it not be supposed that we are indulging in exaggeration in making this statement, the truth of which has been admitted even by officials. For instance, here is the considered view of an Assistant Collector of Kanara. After observing that the tenants of spice gardens are "economically ruined" on account of excessive rents, the Assistant Collector proceeds: "The only thing I can suggest is to interpret the provisions of the Land Revenue Code more strictly and to refuse assistance

except to the extent of assessment in cases of interest rents. It is true that the Kajibedar (landlord) can go to the civil court and get his rights decided. But this will give time to the tenant and if prices rise, he will be able to carry on for sometime more." (1) That this iron law of rent recovery has been instrumental in expropriating small holders was also the definite opinion of no less an official than Sir Reginald Maxwell, who, in giving evidence before the Royal Commission on Agriculture in India, asserted: "The consequent decline of the peasant proprietor class is greatly assisted by the provisions of Section 86, Bombay Land Revenue Code, which are wholly favourable to the landlords, and I would recommend firstly the repeal of Section 86, Land Revenue Code, and the connected sections, and secondly the withdrawal from Civil Courts of all jurisdiction in money suits against small farmers unless brought by a Co-operative Society." (2) It may be noted in passing that Sir Reginald was the Assistant Collector and subsequently the Collector of Kanara for an aggregate period of seven years prior to his tendering evidence before the Royal Commission.

This section of the Land Revenue Code, besides being harmful to tenants, is wholly wrong in principle. Why should the Government go out its way to render

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(1) Enquiry Report on Garden Lands, p. 58
 (2) Royal Commission on Indian Agriculture, Evidence, Vol. II, Part I, pp. 337-38.

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special assistance to landlords in the recovery of rents particularly in view of the fact that the landlords as a class are much stronger than the tenants? There are civil courts to which the landlords can appeal. The Government, in inserting this section in the Code, have made the Collector not only the Collector of the public land revenues of the District but also the private rent-collector of the local landlords. So far as our knowledge goes, no such provision exists in the rent recovery laws of any civilized nation.

It is passing strange that this iron law is occasionally supported even by certain non-officials. What is surprising still is the proposal that the State, instead of simply giving assistance, should go a step further and itself collect rents for the landlords at the Government expense. Mr. P. Kodanda Rao, for instance, in his "Malabar Tenancy Problem" makes this proposal. "It may also be provided" he writes, "that, if the jennis (landlords) wish it, their rents may be collected for them by the Government along with its assessment and paid over to the 'jennis', without any cost to them, which, procedure will save the 'jennis' the trouble and expense of collecting their rents themselves or through their agents." (1)

It is absolutely true that this procedure will save the landlords the trouble and expense of collecting

(1) Kodanda Rao: Malabar Tenancy Problem, p. 52.

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rents; but at the same time, it is equally true that it will bring more trouble for the tenants, so much more indeed that it will ruin them completely, as Sir Reginald has shown. Moreover, the adoption of the proposal will positively encourage absentee landlordism of the worst type. The only obligation on Indian landlords to-day is the responsibility to pay the assessment in time. If they are relieved even of this duty, at the same time being assured of regular rent recovery through the State agency, the landlords will be exalted to the enviable position of pensioners, without the least anxiety and care about their lands and rents, let alone the poor tenants. Perhaps the proposal is made with the idea that the landlords should be free to reside anywhere they choose and spend as much of their time as possible or even their entire life if they so choose in cities like Bombay or Madras to utilise in the best possible manner the proceeds of their landed estates. Certainly the proposal is very attractive in so far as it will enable the landlords to receive money-orders regularly every year from the Revenue Department on whom the task of collecting rents will devolve. But the effect it will have on the rural economy will be simply shocking since it is universally agreed that one of the worst things that can happen to a rural community is absentee landlordism. The acceptance of the proposal would mean, as a friend facetiously observed, the coming into operation of the Money-Order Theory of Rent Recovery.

(a) Rents for Spice Gardens

Next to rice, the most important crop in Kanara is the produce of spice gardens yielding betel-nuts, pepper and cardamoms. In regard to these lands, rents are generally paid in cash and not in kind as in the case of rice land on the coast. Thus the proportion of rent to gross produce must change with any variation in the prices of the garden produce. Secondly, the rent, being a fixed sum of money under the mulgani lease, cannot be altered without the consent of the landlord. The result is that the tenant is called upon to pay the fixed rent year after year although the prices may change. To illustrate the point. Suppose a tenant has to pay a fixed sum of Rs.50/- on a plot of garden which was yielding produce of the value of Rs.100 fifteen years ago. Now take for granted that on account of a decline in prices the same quantity of yield fetches only Rs.75. This means that in the past the tenant's share of the gross produce was one-half while at present it has fallen to one-third. It is thus clear that the proportion of rent to gross produce varies with the change in prices.

For these reasons, it is more advisable to find out how much a tenant earns on an acre of garden land after paying the rent than to ascertain the proportion of rent to gross produce. Even in this case, his earnings will depend on the price of the produce from

year to year. But this cannot be helped. As we are more concerned with the present condition of the tenantry than with the past, let us confine ourselves to the period of the last ten years, namely, from 1930 to 1940 and see how much a tenant could earn on an acre of garden land.

In the year 1934 the Government of Bombay appointed Mr. H. J. Desai, I.C.S., to enquire into and report on the economic condition of the garden lands in Kanara with special reference to the rates of assessment. Mr. Desai submitted his report in March 1935. The report contains detailed figures giving the estimates of the cost of cultivation and the gross yield of an average good garden in each taluka. The information contained in the report is summarised in the following table. Those who are interested in further details may refer to the Tables given in the Appendix to this book. In working out the profits of cultivation, Mr. Desai has included expenses which would be incurred by an ideal cultivator and has taken the yield from the ideal garden as the gross produce.

Taluka	<u>Income per</u>	<u>Expenses per</u>	<u>Net Profits.</u>
	<u>acre.</u>	<u>acre</u>	
	Rs. a. p.	Rs. a. p.	Rs. a. p.
Siddapur	191- 8- 0	158- 1- 0	33- 7- 0
"	157-10- 0	124- 6- 0	33- 4- 0
"	179- 0- 0	139- 0- 0	40- 0- 0
Sirsi	204- 0- 0	156- 0- 0	48- 0- 0
Yellapur	103- 8- 0	83- 8- 0	20- 0- 0

It will be seen that the net profit from an acre of average good garden is Rs.48 in Sirsi Taluka; and Rs.33 to Rs.40 in Siddapur Taluka; and Rs.20 in Yellapur Taluka. This net income is earned by an owner-cultivator who has not to pay rent. But in the case of a tenant-cultivator, the amount of rent will have to be deducted in order to arrive at the net profit. Let us, therefore, proceed to find out the average rent paid by a tenant on an acre of average good garden.

According to the report of Mr. Desai, the average good gardens are included in Groups I and II in Sirsi and Siddapur and in Group I in Yellapur. Statements of kulzeni leases of these gardens in each group are given in Mr. Desai's report. As these statements were prepared after carefully examining a sufficiently large number of transactions in each taluka, they may be safely taken as representative and accurate. A table embodying the summary of these statements is specially prepared for the purpose of this book and is given in the Appendix. The average rents per acre in each group are as follows:-

<u>Taluka</u>	<u>Groups to which the gardens belong</u>	<u>Average rent per acre</u>
		Rs.
Sirsi	{ Group I	54
	{ Group II	34
Siddapur	{ Group I	35
	{ Group II	40
Yellapur	Group I	30

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Thus the average rent per acre varies from Rs.34 to Rs.54 in Sirsi; from Rs.35 to Rs.46 in Siddapur; and is Rs.30 in Yellapur. After deducting the amount of rent from the net profit the following balance is left in the hands of the tenant-cultivator in each case:

Taluka	Net Income per acre		Rent per acre		Balance	
	mini-	maxi-	mini-	maxi-	mini-	maxi-
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Sirsi	43	43	34	54	+14	-6
Siddapur	33	40	35	46	- 2	-6
Yellapur	20	--	30	--	-10	--

It will be seen that the tenant cultivator gets a profit only in one case, and that too of Rs.14 only. In all other cases he suffers a loss varying from Rs.2 to Rs.10.

It is true that the above figures give only averages and hence they may not be applicable to each and every tenant-cultivator. There may be exceptional cases where in the tenant makes a greater profit or incurs heavier loss than what is shown in the table. But the general conclusion that the whole of the net profit of an average garden goes towards the payment of rent is irresistible. The question then arises that, if it does not pay to cultivate a garden, why does not the tenant surrender it to the owner and seek other means of livelihood? This

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is because, as explained in chapter IV, the mulgani tenancy, under which the gardens are usually leased, cannot be terminated nor the rents be lowered without the consent of the landlord. The result is that the gardens cannot be surrendered nor their rents be reduced. The tenant is, therefore, compelled to labour in order to see that the rent is paid. Secondly, as there is no other occupation to which the tenant can turn, he cannot leave his garden. Thirdly, the sentimental attachment to his property right in the mulgani tenure and an optimistic view of the future regarding prices are also partly responsible for the retention of many gardens.

The only income that a tenant can earn is the wages of labour of himself and his family in the cultivation of the garden. Thus the tenant cultivator has been reduced to the position of an agricultural labourer. He is a tenant only in name but a labourer in reality. That is worse, he is not even remunerated adequately for the labour of himself and his family. According to the estimates made by Mr. Desai in his report, a gardener and his family could earn about Rs.50 per acre in this way. (1) As one family can cultivate from one to one-and-a-half acre of garden land without the help of hired labour, the family earnings would come to from Rs.50 to Rs.75 per annum. That this amount is quite inadequate for the proper maintenance of a family has been shown.

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(1) Enquiry Report on Garden Lands, p. 17.

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The tenant gardeners of Zamara are paying excessively high rents with the result that their condition has become extremely miserable. This fact is officially admitted. In the concluding portion of his report, Mr. Desai describes their position in the following unmistakable terms: "These rents cannot be paid now due to the fall in prices and the Sawcar usually insists on his pound of flesh ----- the gardener entered into contracts on the prices of the boom period. -----Prices have fallen and he is now in trouble ----- True rents as well as interest rents are high and as no Sawcar or landlord will reduce the rents voluntarily, and as the tenancy is in most cases not terminable except with the consent of both the parties to the contract, the tenant gardeners are now faced with complete ruin. I have met with cases where a man holds an acre or two of land in his own right as occupant and also holds a similar area on mulgeni lease and is now paying high rents on the leased lands from the profits of the lands he holds as occupant. ----- I see no hope for the tenant, unless prices go to the old level of the date of the leases. The tenants who cultivate 50 per cent of the gardens in this tract are thus economically ruined and the gardens are deteriorating in consequence ----- if prices continue at the present level for a decade the majority of the tenant-gardeners will have to quit their lands."

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 (1) Ibid., pp. 57-58.

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Since these remarks were made in 1935 the prices of betelnuts and other produce of spice gardens have not gone up to any appreciable extent. The position, therefore, has become worse to-day, and it seems that large areas will be sent out of cultivation soon.

(n) Increase in Rent since 1800

It is extremely interesting to note that rents in Kanara have increased slowly but steadily since the advent of the British rule. As the proportion of land under tenancy increased, the rates of rents also went up. In fact a close relationship exists between a rise in the acreage under tenancy and an increase in the rates of rents. Rents were comparatively low at the beginning of the last century when peasant proprietorship preponderated. They went on increasing with a corresponding increase in the extent of tenancy reaching the present high proportion of 60 to 75 per cent. of the gross produce.

Major Munro, writing in 1800, stated that the average rent was about 50 per cent. of the net produce in all the talukas on the coast except Mulki, Kundapur and Bekul where it was from 30 to 40, and Ankola and Honavar where it was somewhat less. (1) Be it noted that these proportions are to the net produce, that is, gross produce minus the cost of cultivation. Assuming

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 (1) Fifth Report, Appendix 24, p. 813.

that 25 per cent. of the gross produce goes towards meeting the cost of cultivation - a very moderate estimate indeed, the proportion of rent to gross produce falls below 22½ to 30 per cent. in Ankola and Honavar Talukas which then comprised the whole coast area of the present North Kanara District. The next references to rates of rents for rice land on the coast are those contained in Dr. Buchanan's diary of 1800-1801. Writing from Brahnavara in the southern part of Kanara, Dr. Buchanan recorded that the tenants did not in general pay so much as half the gross produce to landlords and cited the following instance to illustrate his statement: "According to the valuation of five villages in this neighbourhood, I find, that out of 2049 Rasodas, the gross value of their produce, the cultivators retain 1295 Rasodas." (1) This works out at a little more than 63 per cent., which represents the portion of the gross produce retained by the tenants. In other words, the landlord's share was about 32 per cent. Writing from Haldipur situated in the present Honavar Taluka of North Kanara, Dr. Buchanan noticed that the tenants paid, "for every Koray sown, 2 Korays of rice for land of the first quality; 1½ for middling land; and one Koray of rice for the worst land: out of this the proprietor pays the taxes." (2) It is, however, not possible to deduce from this the proportion of rent paid by the tenants

(1) Buchanan: Mysore, Canara and Malabar, III, p. 103
 (2) Ibid., p. 140.

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without knowing the gross produce yielded by these lands. Fortunately, Dr. Buchanan furnishes figures giving the gross produce (in the form of multiples of the seeds sown) for the lands in this village. The information given by him is arranged in the following table: (1)

<u>Kind of land</u>	<u>Gross produce in Morays for one Moray sown.</u> (Paddy)	<u>Rent in Morays (Rice) or (Paddy)</u>	
Bylu (best land)	11	2	4
Makki (middling)	7	1½	3

It will be seen that on the best land the tenant paid 4 morays of paddy out of the gross yield of 11 morays, while on the middling land the respective proportions were 3 and 7. This means that in the first case the tenant paid a little more than 36 per cent. of the gross produce as rent; and in the second case he paid a little less than 43 per cent. of the same. Coming to the year 1807, Mr. Thackeray, Member of the Board of Revenue, who was specially deputed to Kanara to study the systems of land tenures, reported that "The rent lies between one-fourth and one-third of the gross produce." (2) Again, referring to Kanara, the authors of the Fifth Report from the Select Committee, published in 1812, wrote: "At an early period of the British administration, it appears, that the share of the produce received by the landlords as rent was about fifteen

(1) Ibid., p. 142

(2) Fifth Report, 1812, Appendix 24, p. 823.

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per cent. and that which belonged to the tenant, 57 or 58 per cent. leaving the remainder, about twenty-four per cent. as the land tax or public demand; but that in some places, the landlords enjoyed from 60 to 70 per cent. of the net rent, while the tenant also received a larger proportion of the gross produce." (1) Then comes the report of Mr. Read, Principal Collector of Kanara, dated January 1, 1814, in which we come across the following example which shows that the tenants paid only about 34 per cent. of the gross produce as rent. Mr. Read wrote: "By the accompanying abstract survey register of five villages it would appear that the total gross valuation is Star Pagodas, 2341-0-67, of which only 793-19-49 is paid to the moolgars (landlords), leaving a balance of Pagodas 1,547-35-9, ----- to the Guenies or under-tenants, as the Settlement of the estates composing these villages for the current year being 724-23-9, leaves only 68-41-40 clear gain to the landlords." (2)

The proportion of rent as indicated by the above quotations varied considerably as the following summary would show:-

<u>Year</u>	<u>Authority</u>	<u>Percentage of Rent to</u> <u>GROSS PRODUCE</u>	
		<u>Minimum</u>	<u>Maximum</u>
1800	Munro	22½	30
1801	Buchanan	32	32
1801	-Do-	36	43
1807	Thackeray	25	33
1813	Fifth Report	42	43
1814	Read	34	34
	Average	32	36

(1) Ibid., p. 133

(2) Early Letters, p. 63.

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Thus it will be seen that the proportion of rent to gross produce ranged from $25\frac{1}{2}$ to 43 per cent., while the average was between 32 and 37 per cent. The conclusion is that rents are almost twice as high to-day as at the beginning of the last century.

That rents were generally very moderate in the past is further illustrated by the fact that in many cases of mulgani leases they were even lower than the Government Assessment on the land fixed at the time of the original survey settlement. We are officially told that the "assessment fixed at the original settlement having in some cases exceeded the rent payable by the mulgani tenants, some landlords threw up the lands and others succeeded in inducing the tenants to agree to pay enhanced rent." (1) To quote another official report, "Colonel Anderson mentions that in some cases the survey assessment exceeded the rent due from the tenants, and that he was not prepared to prescribe any remedy. I know that a large landholder found himself in this predicament, but a friendly compromise was arrived at between him and his tenants, the latter agreeing to pay him the profit he got before the survey. In most cases, however, the landlords did not find their tenants so obliging and had to resign their lands." (2) A third official publication remarks: "One of the most difficult points arising out of the survey settlement results from

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(1) R. S. Papers, Ankola, p. 10
 (2) R. S. Papers, Karwar, p. 4.

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the fact that the revised assessment exceeds the rent fixed in a mulgani deed." (1) All these quotations abundantly reveal the fact that mulgani rents on many lands were so light as to be lower than the rates of assessment now in force.

(c) Afforestation and Rents

The rents of rice land in the coast region are forced up in the fierce competition for renting land by the cultivating classes. The competition is fierce because the vast mass of the peasantry is landless and also because the coast villages are densely populated by them. The extensive afforestation in the inland tracts of the district has further aggravated the situation by driving the peasants from the forest region to the coast villages.

The extent to which afforestation has decreased cultivation and consequently depopulated the forest tract can be gauged by the fact that in 1891 the population of the inland tract, roughly comprising the four up-ghat talukas, was 195,610, while in 1931 it fell down to 144,724, thus showing a decrease of more than 50,000 or about 25 per cent. in forty years. On the other hand, the population of the coast talukas during the same period rose from 226, 314 to 273,111, thus recording an increase of about 47,000. The extent of depopulation of the

(1) Kanara Gazetteer, Part II, p. 186.

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inland tract is really greater than what is indicated by these figures, because even in the coast talukas there has been a continuous flow of population from the interior to the coast villages. The land in many inland villages has been sent out of cultivation on account of this depopulation. In 1890 the area under paddy cultivation in Kanara was 196,189 acres while in 1939 it fell down to 153,752 acres, recording a drop of 37,437 acres or of 19 per cent. This decline has occurred only in the inland parts. As an official report says, "In these the population has seriously decreased, and is now inadequate even for the limited cultivation which exists."

(1) The evil effect of this is seen on the coast strip where the population migrated. The policy of extensive afforestation inland is thus partly responsible for raising rents on the coast. The Government of Bombay admitted this fact in their Resolution, Revenue Department, No. 1197 of February 10, 1910. They stated: "Government are disposed to attribute the increase of population largely to the pressure upon the coast tracts caused by the extensive afforestations inland. They also consider that the high prices of the land are due to the pressure of the population, that the same cause accounts for the high rents."

(1) R. S. Papers, Kunta, p. 23.

CHAPTER VILand Revenue and Rent(a) Rent in relation to land revenue

Land Revenue or assessment is land tax which the owner of the land is called upon to pay to the State, while land rent is that amount of produce or money which the tenant is required to pay to the land-owner under the terms of a lease agreement. Land rent minus land revenue represents the net income of the landlord.

An argument usually brought forward by landholders in Kanara is that land revenue forms such a great proportion of rent that the latter cannot be lowered. What they contend is that very little margin is left to them after deducting assessment from rent. Without going into the question of the incidence of assessment in Kanara, which is rather irrelevant to the issue under discussion, let us proceed to examine the reasonableness of the allegation that rent forms an unduly high proportion of land revenue and that the net income of landholders is not considerable.

We need not take into consideration the central forest region where tenancy is practically non-existent. Turning first to rice fields on the coast, it can be shown that the incidence of assessment is

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not great in proportion to the rent recovered from tenants. The fact is that rent varies from four to five times the assessment. This means that if the rent is Rs.100, the land revenue ranges between Rs.20 and Rs.25 as is clearly brought out by the following figures:

Taluka	Group	Average incidence per cent of actual assessment on rent.
Honavar	I	22.5
"	II	25.4
Kimta	I	23.1
"	II	26.4

In the Karwar Taluka it was found that rent was four to five times the assessment in villages under Group I and Group II, (1) while in the Ankola Taluka the percentage of assessment to rent varied between 8.4 and 26.04 in villages under Group I except in one village where it was 39.2. In Group II the percentage varied between 8.8 and 27.2 except in two villages where it was found to be 32.6 and 32.7 respectively. (2) It will thus be seen that, generally speaking, rent was four to five times the assessment. When the above calculations were made the price of paddy per khandi was Rs.2/-. This means that the proportion of land revenue to rent was even less in those years when

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(1) R. S. Papers, Karwar, pp. 10-11
 (2) R. S. Papers, Ankola, pp. 68-69

the price was higher, the assessment remaining - constant. From 1919 to 1929 when the price of paddy was higher than Rs.4/- per khandi, rent must have been eight to ten times the assessment. In 1921, for instance, Mr. G. Keatinge, the then Director of - Agriculture, taking a typical example of a village in the Kunta Taluka, calculated that rents in that - village were about ten times the assessment at that time. (1)

It is, however, true that rent must have been less than four or five times the assessment in those years when the price of paddy per khandi had fallen below Rs.2/-. But when this had happened, as during the period 1933-1939, rebates of assessment were - granted with the result that the rent did not fall below four to five times the assessment. We thus find that since 1914-15 when the revised rates of assessment were introduced in the below-ghat talukas, the average rent of rice land in the coast villages was never less than four or five times the land revenue. On the other hand, it rose up to eight or ten times the assessment during certain years. These facts conclusively prove that the contention of landholders that assessment is high in proportion to rent is absolutely groundless. At present the cultivator pays many times more to the absentee landlord than to the state.

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 (1) Keatinge: Agricultural Progress in Western India,
 p. 197

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To turn to spice gardens. Here also the net income of the landlord bears a large proportion to rent, although its proportion is not so high as in the case of rice fields on the coast. According to the latest available official statistics, the percentage of assessment on rent is as follows: (1)

Taluka	Group	No. of villages in the Group	Multiple of assessment equal to rent
Sirai	I	90	4.03
"	II	70	2.8
"	III	95	not given
"	IV	9	4.03
Biddapur	I	81	2.7
"	II	73	4.6
"	III	38	2.2
"	IV	12	2.8

It will be seen that in as many as 173 villages the rent exceeded four times the assessment, while it was more than two-and-a-half times in 163 villages. It is 2.2 times the assessment only in 38 villages. These figures are for the year 1933-34. But they hold equally good even today since rents have remained unaltered under the vulgar lease and since the price of produce has not fluctuated to any appreciable

(1) Compiled from the Enquiry Report on Garden Lands.

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extent. The conclusion is that the garden cultivators are paying more to rent-receivers than to the Government. As pointed out in the last Chapter, gardeners are finding these rents oppressively high. "In most of the villages," says the Enquiry Officer, "I have been requested not to reduce the assessment but to reduce the rents." (1) This remark shows that a reduction in assessment will not improve matters to any appreciable extent unless that reduction is followed by a drastic lowering of rents. The remark, however, should not be interpreted to mean that there is no necessity for reducing the assessment. What the cultivators meant was that rents were a much higher burden on them than the land revenue and that a substantial reduction in rent was a more urgent and greater necessity than a similar reduction in assessment.

(b) Back-rent as basis for Land Revenue

A general discussion of the land revenue policy of the Government and an examination of the incidence of assessment falls outside the scope of this study. What we are concerned with here is only that aspect of the land revenue policy which constitutes a factor in the determination of competitive rents.

It is well known that the basis of assessment in

(1) Enquiry Report on Garden Lands, p. 53

the Bombay Presidency has been the rental value; and rental value is defined as "the rent for which any land would let in open competition." (1) This amounts to saying that if the rent is a rack-rent as in Kanara, the assessment should be calculated on that rack-rent. This policy of determining assessment on the rental value, in the absence of legislation for determining fair rents, is grossly unjust to cultivating tenants. If rack-rent is considered as loot- and it should be considered as such - then the Government's land - revenue forms a share of this loot. It is of great interest to note in this connection that this view was shared by a former Collector of Kanara, namely, Mr. Swift who stated that, "supposing the existence of rack-renting to be admitted, Government by claiming a share of profits based thereon would openly - identify themselves with an impolitic and uneconomic line of action." (2) Unfortunately, the warning of Mr. Swift was ignored and the Government went on claiming a share of the loot.

This rental basis for determining assessment further results in inducing landlords to rack-rent the tenantry. What happens is this. Government - enhances the rates of assessment on the plea that the rental values of lands are high and that the rent-receivers are making undue profits. As soon as the

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(1) See Report of the Bombay Land Revenue Assessment Committee, p. 118

(2) See R.S. Papers, Kanara, p. 37

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increase in assessment is made, landlords raise the level of rents on the ground that their net income has diminished on account of the increased assessment. The matter does not stop there. At the next revision settlement the officer naturally finds that the rental values are again high and therefore proposes a further increase in the rates. This in its turn leads to a further raising of rents on the part of landlords. Thus the vicious circle moves on and on, with the final result that the cultivating tenant is crushed under the burden of rack-rent. It is highly mischievous and grossly unworthy of a Government to think that they are taxing only the "unearned increment" of the landlord when they propose to take a greater share of his rent as land revenue. So long as the landlord is free to transfer the enhancement in land tax to the shoulders of his tenant in the form of increased rent, the Government, by increasing revenue rates, imposes the new taxation on the tenant instead of on the landlord. Thus the parasite escapes the tax, while the producer is penalised for his industry. In other words, absentee landlordism is openly encouraged under the so-called "sound" system of land revenue administration of the Bombay Government.

It is doubtless true that the increasing competition among the peasantry for renting land on account of the ever-growing pressure of population is the main cause of forcing up rents in coastal Kanara.

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But it cannot be denied that the enhancement in assessment is in no small measure responsible for producing the same result. Facts in Kanara lead to this conclusion. Rents in the Karwar Taluka, for instance, are somewhat lower than in other coast talukas. This can be partly explained by the fact that the rates of assessment are considerably lower in Karwar in 1911 and that they were not increased to the same extent as in the remaining talukas. That this is so is evident from the comparative figures showing the rates of assessment for rice land:

Taluka or Petha	Group	Rates under the original settlement (average per acre)	Current Rates (average per acre)	Increase Measure in annas
---	---	Rs. a. p.	Rs. a. p.	---
Karwar	I	3-0-10	3-11-11	3
"	II	3-9-5	3-12-2	3
Ankola	I	4-7-1	5-11-2	20
"	II	4-3-8	4-15-0	12
Kuzta	I	4-10-0	5-12-5	18
"	II	4-8-9	5-2-0	10
Kaavar	I	4-12-1	5-13-8	17
"	II	4-14-9	5-11-7	13
Dhatkal	I	4-13-7	6-5-0	24
"	II	4-9-10	5-4-2	11

The increase in rates varies from ten annas to 24 annas in all the talukas except in Karwar where -

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the increase is only three annas. Similarly, the rates range from Rs.4-15-0 to Rs.6-5-0 all along the coast except in Karwar where they vary between Rs.3-11-11 and Rs.3-12-2. Thus the difference in rates is great. It may, however, be argued that the rates are kept lower in Karwar because of the poorer quality of rice fields in that taluka. It is true that the rice land in Karwar is not so fertile as in Kurta, Nonavar and Bhatkal. But the difference in the productive capacity of the land cannot be so great as to warrant the existing difference in rates. Moreover, the rates for the Ankola Taluka which is not a bit superior to Karwar in point of fertility are much higher. It should, therefore, be concluded that the incidence of land revenue in Karwar is not as heavy as in other coast talukas. The higher rates of assessment in Ankola, Kurta, Nonavar and Bhatkal have in their turn resulted in higher rates of rent. Similarly, the substantial increase in assessment in these talukas has been transferred to tenants in the form of enhanced rents. That this would happen was known to Government. In fact, it was this knowledge on the part of the Government that led them to reject the proposals for an increase in the survey rates for the Karwar Taluka at the time of the revision settlement. To quote the Government Resolution on the point, "There is a ~~distinct~~ distinct danger that, as suggested by the Settlement Commissioner, any material *increase*

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of assessments may fall on the tenants. Indeed, the circumstances of the case seem to suggest to Government the desirability of measures for the moderation of rentals rather than the increase of the revenue demand. The Governor in Council is accordingly unable to accept the proposals made by the local officers for increase in the enhancement of assessments in the taluka." (1) It was this same attitude then adopted by the Government that saved the tenantry of the Karwar Taluka from a rise in rents consequent upon an increase in land revenue. But unfortunately, this attitude was abandoned with regard to other talukas and a heavy increase in assessments was imposed. The result was that rents were immediately raised to a higher level. It is thus perfectly clear that the degraded condition to which the tenantry of Kanara is condemned at present should be partly attributed to the wrong policy of basing the assessment on the rental value.

Although an increase in land revenue is generally followed up by a rise in rents, a reduction in land revenue may not result in lowering rents. In other words, the converse is not true. This is because the landlord once accustomed to receive a certain amount of net income is reluctant to receive less. The argument by a tenant that his landlord should lower

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 (1) Resolution No. 1197 of February 10, 1910.

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rent consequent upon a reduction in land revenue is sure to fall on deaf ears. That the landlord will not give any relief to the tenant of his own accord is evident from the fact that the Government, in granting rebates of assessment in recent years, have thought it necessary to impose a condition on the landlord that he should grant his tenant a proportionate rebate in rent. It is, therefore, clear that a reduction in rent can only be affected by enacting the necessary tenancy legislation and not merely by lowering the assessment. As forcibly expressed by the Burma Land and Agriculture Committee, "There is no reason in theory and little in fact to believe that if the land revenue was abolished to-morrow rents would be materially different from what they are today". (1)

(c) Over-assessment and rack-rent

We have seen that over-assessment may lead to rack-renting. It is important to note that the effect may not necessarily be confined to the area over-assessed. It is quite possible, as has happened in Kanara, that over assessment in one region may lead to rack-renting in another region. Rice land in the interior forest region of Kanara was so heavily assessed at the original survey settlement that vast areas were thrown out of cultivation,

(1) Report of the Burma Land and Agriculture Committee,
p. 17

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with the result that many cultivators migrated to the coast. This migration added to the pressure of population in the coast villages and in consequence ~~excessive~~ competition in renting land became keener. This in its turn forced up rents on the coast and rack-renting assumed a more heinous form. Thus over-assessment in the interior led to rack-renting on the coast.

Anybody who has read the revision settlement reports of the district will realise the extent to which land was lost to the plough in the interior region of the below-ghat talukas, as a result of high rates of assessment introduced at the original survey. To quote a few ~~xxx~~ instances, Mr. Macgregor, referring to the Karwar Taluka, points out that "the introduction of the settlement resulted in the immediate throwing up of over 2,000 acres of land, much of it rice land." (1) In regard to the Ankola Taluka, we are told that the introduction of the settlement resulted in a decrease of 1,042 acres. (2) Mr. Maxwell, writing in the Kurta Taluka report, remarks that "the effect of the settlement was to throw much ^{rice} ~~fill~~-land and garden out of cultivation" and adds that some villages were "greatly overplaced at the settlement with the result that much or all the increase of assessment has been lost through ~~---~~ relinquishment of the lands." (3) He proceeds: "the

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(1) R. S. Papers, Karwar, p. 12
 (2) R. S. Papers, Ankola, p. 19
 (3) R. S. Papers, Kurta, pp. 26 and 27

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"the greatest contraction in occupied area occurred almost without exception in those villages and tracts in which the settlement resulted in the heaviest increase of assessment". (1) Speaking about the fertility of this tract, Mr. Maxwell had to admit that "it certainly contains many villages which for rice, cocoanut and supari cultivation could hardly be surpassed." (2) Commenting on these settlement reports, Mr. Montcath, the Collector of Kanara, remarked that "the enhancement of assessment was so great that together with other factors it resulted with the relinquishment of a good deal of land of good quality" and "much land of inferior quality". (3) The following are a few examples from the Kurta Taluk:(4)

Village	Increase per cent on old assessment	Decrease per cent in occu- pied area
Hebbail	243	- 77
Malmalli	215	- 57
Chimalli	27	- 51
Ullurath	328	- 49
Belange	135	- 41
Kodambale		
Abbolli	40	- 33

It will be seen that the increase in assessment

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- (1) Ibid., pp. 28-29
 (2) Ibid., p. 29
 (3) Ibid., p. 72
 (4) Ibid., pp. 27, 28

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varied from 40 to 242 per cent, while the contraction followed ranged from 33 to 77 per cent.

Thus the heavy incidence of assessment coupled with extensive afforestations inland drove many - cultivators out of their lands. These homeless and landless wanderers swelled the ranks of the tenantry on the coast, thus increasing the competition for renting land and forcing up rents. Government welcomed this migration because it helped them to convert the whole of the interior region into a broad mass of reserved forest. But at the same time, the throwing out of cultivation large areas meant a substantial loss to land revenue. Government was not prepared to suffer this loss for long. They, therefore, determined to make up the deficiency at the time of the revision settlement by enhancing the survey rates on the coast. This enhancement, as already seen, forced up rents to a much higher level; and rents became more oppressive. Government first drove the peasants to the coast. They were not left in peace even there. Government pursued them on the coast and adopted a policy, at the time of the revision settlement, the inevitable effect of which was to enhance land rents. It was as if the Government said to the peasants: "Look here, you brave - peasants ! We expropriated you without compensation from your forest lands. You were wise in migrating to the coast region, thus assisting the Forest --

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Department in its great national task of preserving the magnificent forests of Kanara. Your migration to the coast also fattened the purse of landowning rent-receivers who have always been our best-allies since the conquest of the district by the great East India Company. The Government, in recognition of your meritorious services rendered to the Forest-Department as well as to the landed gentry of Kanara, have determined to reward your services in a fitting manner. After very careful consideration the Governor in Council have come to the conclusion that the best way of rewarding you is to enhance the land revenue demand on the coast region so that you, who have migrated there, may have the honour and privilege of paying your masters greater amount of tribute in the form of increased rents, befitting your appalling poverty and your great devotion to the cause of absentee landlordism, a system propagated and fostered by us."

Further comment is superfluous.

CHAPTER VII

The Evils of Tenancy

Having found that nearly two-thirds of the cultivated land in Kanara is let to tenants and over four-fifths of the cultivators do not own the land they till, it may now be asked what are the effects of the system of tenancy on agricultural production, on the cultivator, and on the community as a whole. It should be understood that by tenancy is meant tenancy under private landlordism, as it obtains today in Kanara, and not State tenancy.

(a) Effects on Agricultural Production

As already seen, most of the tenants in Kanara are tenants-at-will without any security of tenure. It is common knowledge that land cultivated by owners is much better cultivated and yields more, acre by acre, than the land let to chalgani tenants. Facts in Kanara emphatically support Arthur Young's famous saying, "Give a man the secure possession of a bleak rock and he will turn it into a garden; give him a nine years' lease of a garden and he will convert it into a desert." This is exactly what is happening in Kanara, particularly in regard to garden lands leased on annual tenancies. The writer has seen many cocconut gardens in a state of decay obviously due to the fact that they are held by tenants-at-will. Since these tenants have no sense of security, they are only interested in gathering the nuts from year to year and making them over to landlords. Tenants do

not and cannot plant new trees nor improve the gardens from which they are liable to be evicted at any time. On being questioned as to why they did not take the gardens on perpetual lease (mulgeal tenancy), so that they could improve them, the tenants said that the owners were demanding excessively high rents and hence it would not be profitable for them to agree to the demand. The owners of these gardens, being absentee landlords residing in towns or sometimes outside the district, are neither in a position to plant new trees nor undertake any improvement. The inevitable consequence is that the gardens are in ruins; and if this state of affairs is allowed to continue, the whole area will turn into a waste. The cocoanut gardens in Algeri and Harvada in the Ankola Taluka are only two typical instances in point.

What is true of cocoanut gardens on the coast is equally true of spice gardens in Birci and Siddapur. An official report of 1935, referring to spice gardens let out on annual tenancies, contains the following significant remark: "The tenant has nothing at stake and he very often reaps the year's crop and does not carry out any of the usual operations necessary for the future prosperity of the garden. I have met with several cases where the chalgoni tenant has left the land and the Kabjeddar (landlord) is left with a deteriorated garden on his hands. But the Kabjeddar deserves no sympathy as this is the direct result of his rapacity and it is for him to

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improve the garden from the high profits of past rents." (1)

The Kanaran peasant, as a general rule, is hard-working and industrious. Given permanent security of tenure, he is sure to utilize it to his best advantage by turning even a black rock into a garden. The district, in fact, was much better cultivated in the past when peasant proprietorship preponderated. Englishmen, on the occupation of the district in 1799, were so much impressed by the state of efficiency of Kanaran agriculture that they had nothing but praise for it. Mr. Thackeray, for instance, wrote in 1807: "But in Canara and Malabar the small proprietor will pick up every stone, root out every weed which can stand in the way of, or draw nourishment from a plant; he will cut away the sides of hills; he will dig canals, turn the soil, plant a cocconut here, a pepper vine or pumpkin there, as potty convenience may suggest; he will bestow on his little spot, all that minute labour and attention which is so important in Indian husbandry, and especially in Malabar and Canara. Each man lives on his estate; and the enclosures, the neatness of the culture of each small spot, show the attention with which the proprietor improves, I may say embellishes, his little ground." (2) Compare this pleasant picture of the contented peasant proprietor of the past with the heinous picture of the rack-rented

(1) Enquiry Report on Garden Lands, p. 13

(2) Fifth Report, Appendix 31, p. 988.

tenant of the present day. The yield of a garden must have been greater then than at present.

Rice fields also are suffering from the same defect. If the tenant takes greater care and produces more, his rent is liable to be raised on the ground that the yield has increased. Thus the surplus may go to the pockets of the landlord, leaving the tenant without any additional income for his extra labour and special diligence. He has, therefore, no incentive to increase production. When the writer was in the district last year, certain curious cases were brought to his notice. It was stated that if a tenant had manured his field heavily, a neighbouring cultivator would approach the landlord with a request to let the field to him for the coming year on an increased rent. The reason is obvious. The yield would be greater for the next year or two as a result of the heavy manuring. Very often the landlord in such cases threatens his tenant with eviction unless he would agree to an enhancement in rent. The tenant is thus forced either to agree to pay an increased rent or to give up the land. In other words, the tenant is penalised for putting more manure, with the result that he is reluctant to repeat the process in future. Let it not be supposed that such cases are rare. At least they are so common as to attract the notice of a settlement Officer who writes: "The tenant for the year dare not spend money on manure and improve-

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ments as he is liable to be dispossessed next year or else have to pay exorbitantly for continuing." (1)

Such cases are bound to occur in any system of tenancy wherein the cultivator has no security of tenure. Of Belgium, for instance, it was said that "a farm tenant cannot permanently better his condition to any great extent by improving his methods of cultivation or by taking advantage of co-operation, for no sooner does he do this than his improved position tempts more men to seek for land, thus forcing land values up still further. Indeed, it may be said that farmers are in the long run penalised for improving their methods of cultivation." (2) Coming nearer home, the Director of Agriculture of Burma informed the Royal Commission on Agriculture that the year to year tenant sees no reason why he should conserve his manure and will even throw it away rather than put it on the land. (3) The absence of security of tenure is thus resulting in waste.

The mere granting of security of tenure, however, will not improve matters to any appreciable extent so long as the tenant has to pay excessive rent. In Kanara what is left with the cultivator after the payment of rent is so little that it is impossible for him either to undertake improvements or to adopt a more efficient type of husbandry. The tenant has no capital for all this. His implements of agriculture are primitive. The

(1) R.S. Papers, Kanwar, p.11

(2) Remtree: Land and Labour - Lessons from Belgium, p.153

(3) Royal Commission on Agriculture in India, Evidence, Vol. XII, p.

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wooden plough, with emaciated oxen as short as goats, does little more than ^{scratch} ~~stretch~~ the soil. Out of 70,035 iron ploughs in the Bombay Province, Kanara has only 125! (1) Again, the fields are not manured sufficiently. The poorer the tenant, the lesser the quantity of manure used and the more inferior the quality employed. The tenants due to their poverty are not in a position to keep sufficient number of cattle for manuring their fields. As a Settlement Report admits, "looking to the number and physical condition of the whole stock, the stock does not appear to be quite sufficient for manurial purposes". (2) Another Settlement Report says that "the cultivator has not yet outlived his primitive devotion to crude leaves, which are incorporated in the soil in a dry and almost unassimilable state and receive the credit which is properly due to the scanty cowdung mixed with them. Artificial manures, with which the sea and river as a means of transport could be obtained here as economically as elsewhere, are practically unknown; fish manure of which this coast would yield an unlimited supply at a nominal cost is almost untried." (3) The reason why this is so is obvious. How can it be possible for the starving tenant to employ more than the scanty cowdung or to buy artificial or fish manures? Even granting that fish manure can be obtained at a

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(1) Season and Crop Report, 1934-35, p.126

(2) R.S. Papers, Ankola, p. 15

(3) R.S. Papers, Kunta, p. 12.

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'nominal cost', as the Settlement Officer seems to think, can the starvelings be reasonably expected to pay even the 'nominal cost'?

It is true that for the last twenty-five years the Government Experimental Farm at Kunta has been demonstrating to the cultivators of Kanara the fact that better yields can be obtained by their using artificial manures and fertilisers. But the greater fact is that the cultivators are not in a position to use artificial manures on account of their appalling poverty, which in its turn should be attributed in no small measure to the system of tenancy. So long as the existing mode of land tenure continues, the Government Agricultural Farms are of little value. Sir Henry Cotton was perfectly right when he wrote: "Our attempts to teach the natives of India are based upon a forgetfulness of the essential elements of the case. The native cultivators of India are too poor to be able to adopt the scientific improvements which English experience suggests. They are told to plough deeper, to do more than scratch the soil. But it is forgotten that the cattle with which they plough are incapable of deep ploughing. We tell them to enrich their fields with manure, and that the produce of the land would be augmented by its use. No doubt it would but they can no more afford to procure the expensive manures with which we are so familiar than they can afford to plough with elephants." (1) These

(1) Henry Cotton: New India, p. 65.

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statements of fact entirely accord with the realities of the situation in Kanara.

There is no wonder, then, that the type of husbandry practised by tenants is far inferior to that adopted by peasant proprietors. One will have to see the fields cultivated by both in order to be convinced of the difference. Mr. Czanne, referring to the Haliyal Taluka, stated that the cultivators would "undoubtedly cultivate better as occupants than they do as tenants."

(1) Rao Bahadur Yennanadi, writing about the Ankola Taluka, has remarked that the Nadars are the best growers of rice because they own the lands they cultivate. (2) There seems little doubt that a tenant ploughs less often than an owner, manures less and gets a smaller outturn. The owner - cultivator puts more valuable crops such as sugarcane on his holding whereas the tenant has no capital to do so. Again, the cultivating owner in Kanara would spend the profits of agriculture in improving his land. "Whatever savings they can secure, says a Settlement Report, "are invested in lands, i.e., in improving the lands which they already hold." (3) But the case is quite different with the rent-receiver who spends the amount of rent on himself. On the whole, the best cultivation is done by the peasant proprietor.

It is often argued that the obstacle of poverty to

(1) R.S. Papers, Haliyal, p. 5
 (2) R.S. Papers, Ankola, p. 9
 (3) Ibid., p. 20.

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agricultural progress can be broken to some extent by making credit available to cultivators through cooperative societies. True, Co-operative credit can certainly play a prominent part in effecting agricultural improvement. But for a Co-operative credit movement to be successful, the cultivator should have credit-worthiness. Before credit can become freely available to him he must be made credit-worthy. It would hardly be necessary to point out that the tenant-at-will cannot have any credit-worthiness. No Co-operative Society would advance a loan to a landless peasant. Even moneylenders do not advance credit to tenants in Kanara. Of the Ankola Taluka, the Settlement Officer states that "if they (tenants) are not generally indebted it is because they have nothing valuable for money-lenders to take." (1) The obvious conclusion is that the cooperative credit movement among the peasants is bound to fail in a district like Kanara where most of the tillers of the soil are tenants-at-will, without having any security to offer.

The evil effect of tenancy on agriculture, is, no doubt, mitigated if the rent-receivers take an active interest in the process of tillage, by carrying on improvements from time to time, and by introducing scientific methods of farming. The keen interest and initiative of the English landowners had made England, at the opening of the 19th Century, one of the leading agricultural

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(1) R.S. Inyars, Ankola, p. 8.

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states. The English landlords were zealous students of agriculture and bold experimenters in the new methods of farming. They made themselves acquainted with their estates, and became the financiers and practical teachers of the yeomanry and the tenant farmers. But in India even their warmest advocates can scarcely venture ~~hate~~ to affirm that Indian landlords perform any of the useful functions which were carried on by the corresponding class in England. The landholders in India are largely town dwellers and those who reside in villages are not at all interested in agriculture. In fact, they are not functioning landlords but merely rent-receivers. That is true of India as a whole is equally true of India ~~as a whole~~ Kanara. As far back as 1830, the Government of Bombay stated before the Famine Commission that in Kanara landholders did little in the way of improvements. (1) This is particularly so in the case of Saraswat and Navayat landholders who, "owing to their ignorance of and lack of interest in agriculture make bad and exacting landlords." (2)

The success of agriculture in a system of tenancy depends to some extent on the interest shown by the landlord in the process of tillage. If the tenant contemplates any new enterprise and meets with any considerable difficulty, the landlord should come to his aid

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(1) Famine Commission, Appendix Vol III, p. 358
 (2) R.S. Papers, Bombay, p. 8.

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and support. He must be prepared to invest capital in order to maintain the estate in an efficient condition. The landlord must support his tenant as far as may be consistent with sound economic management, and should exert his influence to secure from the tenant a high standard of cultivation. Unless the landlord rises to a full sense of his responsibilities and duties agriculture is bound to remain stagnant. The experience of more than a century has clearly demonstrated that the landlord-tenant system has miserably failed in Kanara as also in other parts of India. The landlord from the very beginning has been a rent-receiver while the tenant has sunk to the position of a serf, with the inevitable result that agriculture has become decadent. In this connection we can do no better than quote the authoritative words of Justice Cunningham, a member of the Indian Famine Commission of 1880. Of Indian landlords he wrote: "the zamindars have, with rare exceptions, never been improving landlords: the hope that they would reclaim, embank, drain, irrigate, introduce new staples, and at any rate promote the welfare of the peasantry, have never been realised; they, and those to whom their rights have passed, have seldom done more than lease out the uncultivated portions of their estates to reclaiming tenants; in the majority of instances the landlords are now purely rent-receivers doing nothing for the land, and spending none of the rental on the improvement of the soil. On

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the other hand, by the invasion of the occupants' rights and the reduction of large classes to the level of poverty-stricken and rack-rented tenants-at-will, the landowners have presented a formidable obstacle to the gradual improvements which cultivators with secure tenure and an interest in the soil would have been certain to effect."

(1) Every word that occurs in this extract entirely accords with facts in Kanara.

Turning next to the system of share-tenancy which prevails in Kanara, though not to a great extent, the evidence sufficiently indicates that the system makes for bad agriculture. The metayage system on the continent of Europe, which is a form of share-tenancy, is said to have its uses. The system is defended on the ground that both landlord and tenant are mutually interested in the process of cultivation and that the landlord provides most of the capital such as seed, manure, buildings, etc., the tenant providing little more than his labour and skill. We are told that the metayage in France possesses undoubted advantages and that both the partners are satisfied with its results. (2) Whatever advantages it has conferred in France, share-tenancy has miserably failed in Kanara because the system calls for a close partnership between landlord and tenant - a partnership that is uncongenial to the type of landowner found in Kanara,

(1) Cunningham: British India and its Rulers, p. 237

(2) Venn: Foundations of Agricultural Economics, pp. 83, 91.

having no interest in agriculture. The system does not, lead to real partnership on account of the fact that, generally speaking, the landowner does not provide the share-tenant with any capital in the form of bullocks, seed or manure. On the other hand, the share of the produce demanded by the owner is often so great that inferior lands or lands in the interior region cannot be cultivated. Such lands can be brought under the plough only if the cultivator is furnished with the necessary capital or if he is allowed to enjoy a greater portion of the yield. As stated in a Settlement Report, there are lands, particularly in the interior portion of the district, the cultivation of which cannot be remunerative when the produce is to be divided between landlord and tenant. (1)

The peculiar feature of the mulgani tenure or perpetual tenancy has also resulted in retarding the progress of agriculture. Under the mulgani tenure, the tenant cannot relinquish the leasehold without the consent of the landlord. Sometimes it so happens that the tenant finds it impossible to pay the stipulated rent which is generally fixed in cash due to a fall in prices. Since the tenant cannot relinquish the garden he is called upon to pay the rent from the profits of another garden which he may own. In consequence the tenant is short of capital

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 (1) R. S. Papers, Kurta, p. 29.

necessary for carrying on the usual agricultural operations. The result is that both the gardens, the rented as well as the owned, deteriorate. The extent to which spice gardens are deteriorating in this way is clearly brought out by the Enquiry Officer in his report made in 1935. "About half the lands," says the report, "are held by tenants; most of these lands are held on mulgani lease. The leasehold consists of rice, garden and khuski lands. The tenancies are in most cases very old. A common feature of these tenancies is that the tenant is to pay a net rent (Ainmanafe) after paying the land revenue. If any of the leasehold lands have gone out of cultivation due to shortage of labour and other causes, the mulgani tenant cannot relinquish them to Government while the landlord has no interest in relinquishing the land as the mulgani tenant has to pay the land revenue on the entire leasehold. The mulgani tenant has either to relinquish the entire leasehold to the landlord or to continue to pay the land revenue on all the lands, good and bad, and pay net rent to the landlord. In some cases the mulgani tenant cannot surrender even the entire leasehold to the kabjedar as one of the conditions of the original contract is that the tenancy can only be terminated by the consent of both the parties to the contract, and the landlord will naturally never give consent when the lands are not worth the rent fixed upon them. The permanent tenancy and its peculiar features prevent the free play of economic forces

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and contribute to swell the area of occupied follow."

(1) The same Officer remarks in another place: " I have met with cases where a man holds an acre or two of a land in his own right as occupant and also holds a similar area on vulgar lease and is now paying high rents on the leased lands from the profits of the lands he holds as occupant. The tenants who cultivate 50 per cent of the gardens in this tract are thus economically ruined and the gardens are deteriorating in consequence the fact remains that if prices continue at the present level for a decade, the majority of the tenant gardeners will have to quit their lands. And the situation is more serious because the gardens can only prosper in the hands of those who have specialised in this form of cultivation."(2) Since this was written in 1935 many gardens have gone out of cultivation as the prices of betelnut have not risen.

The ~~man~~ writer during the course of his stay in Kanara in 1940 saw a number of spice gardens in the Cirsi Taluka quitted by tenants. The seriousness of the situation and the immensity of waste can only be ^{gauged} gauged by those who have actually seen the gardens in their state of ruin. It is a distressing sight to witness extensive areas, once cultivated with great devotion, hard labour and unrivalled skill, being lost to

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(1) Enquiry Report on Garden Lands, pp. 7-8.
 (2) Ibid., pp. 57-58.

the surrounding forests. There cannot be a greater loss than this to the agricultural wealth of the district which has been known for its famous spice gardens from times immemorial.

The system of tenancy is also hindering the progress of agriculture in another way. At present the rent-receivers own many acres of fallow lands, a considerable portion of which can be converted into rice fields, if given out to reclaiming cultivators. But the owners would rather keep the lands fallow than resign their ownership. The motive behind this retention is to prevent cultivators from obtaining the fallow lands from Government. If the rent-receivers resign their ownership the lands in all probability would be taken up by the cultivating classes. This would naturally reduce the land hunger of the peasantry and in consequence would lower rents on the lands which are at present tenanted. The ultimate result would be a loss to rent-receivers. Moreover, on account of the fact that the occupied fallow lands do not generally bear heavy assessment, the owners can afford to keep them so, in order to safeguard their income from the lands leased out to tenants. This attitude on the part of the landholders forms no small obstacle to the extension of cultivation. The landlords themselves would not bring the land under the plough nor would they allow the peasants to do so. As a Settlement Report states, "one great reason why they (landlords) cling to their land which they cannot

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got tilled, is that they know it would at once be taken up by the new tenants." (1) Another report remarks that they "have preferred to let their older and less favourable fields lie fallow, trusting to get tenants later on, rather than relinquish them." (2) A third report, giving out the reasons for the retention of fallow lands by the occupants, says: "The practical and most important reason, that, if the holder resigns them, they may be taken up by men of the tenant class. The strict division between the landlord and the tenant class is the chief element in the economic balance in this forest tract, and the former have good reason to fear that if the latter take up waste lands they will then throw up the lands they cultivate as tenants. They thus retain the waste lands to protect their other investments".(3) A fourth report admits that "the tenacity with which they (landlords) retain ownership even of lands long untenanted seems a considerable obstacle to much extension of cultivation by occupants in the interior tracts." (4)

Thus the continued retention of fallow lands under private ownership is bad for agriculture in more ways than one. In the first place, it puts an obstacle to the extension of area under tillage. Secondly, the peasants as owners would certainly cultivate the occupied fallow lands much better than they are cultivating as tenants

(1) R.S. Papers, Haliyal, p. 51

(2) End R.S. Papers, Haliyal, p. 7

(3) Mr. Collins quoted in the Enquiry Report on Garden Lands, p. 7

(4) R.S. Papers, Honavar, p.8.

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the rented lands at present. It may, ~~thereof~~ however, be argued that the occupation of fallow lands by peasants will not extend the area under cultivation to any appreciable extent because the lands which they now cultivate as tenants may be thrown up by them on their securing the fallow lands. Thus what is reclaimed in one area may be lost in another. But this cannot and will not happen so long as the pressure of population on the soil is great; and we have seen that the present area under tillage is quite inadequate to satisfy the human needs of the peasant population of the district. It is, therefore, obvious that the allocation of fallow lands to peasants will go a long way in extending the area under cultivation.

(b) The effect on the Cultivator

The improvement of the condition of the cultivator is essential to the improvement of cultivation. So long as the peasant is condemned to a life of dire poverty, agriculture is bound to suffer. The inertia of the peasant that comes of malnutrition is a formidable obstacle in the path of agricultural progress. We have seen that the daily income of a tenant in Kanara amounts to half an anna. What energy and enthusiasm can the tenant have to work in the fields? As stated by Calvert, a member of the Royal Commission on Agriculture in India, "The personality of the cultivator is the most important

factor in agricultural prosperity."(1) What kind of personality can the Kanaran peasant be expected to possess with his continued struggle against starvation? His daily anxiety to obtain food for his starving family must be a constant nightmare to the suffering wretch. His inability to procure even the barest necessities of life makes him a fatalist. He always feels that the peasant is born to struggle and toil, so that the landlord may rest in peace. He rightly scorns at those who would advise him to improve tillage. He would at once say: "Whatever extra I produce, my friend, is taken away by my master; if I produce more, the rent will be raised." So long as the tenantry continues to drag on at the lowest level compatible with existence, it would be absurd to expect any improvement in agriculture. On the contrary, production is bound to go down if this state of affairs is allowed to continue. One of the root-causes of our agricultural decay must be found in the faulty system of land tenure. Tenancy breeds poverty; poverty leads to inefficient cultivation which in its turn lowers production and further aggravates poverty and misery. The whole process moves in a vicious circle. The only way to break the circle is to abolish tenancy.

That rack-renting hinders agricultural production and that there is greater likelihood of this phenomenon-

(1) Calvert: The Wealth and Welfare of the Punjab, pp. 54-55.

on occurring in a subject country like India was realised by Karl Marx long ago. "This rent," he wrote, "may assume dimensions which seriously threaten the production of the conditions of labour, of the means of production. It may render an expansion of production more or less impossible, and grind the direct producers down to the physical minimum of means of subsistence. This is particularly the case, when this form is met and exploited by a conquering industrial nation, as India is by the English." (1) This prophecy of Marx has come true, as the condition of the tenantry in Kanara clearly demonstrates.

(c) Effect on the Community

The poverty of the tenantry, besides retarding agricultural progress, results in grave political and social dangers to which an impoverished, degraded and rack-rented peasantry gives rise. These are assuming a more menacing aspect every year. The relations between landlords and tenants are getting more and more embittered. Unless the human needs of the toilers are fully satisfied by ensuring them at least a living wage, agrarian revolts are bound to occur sooner or later. This is what the history of human civilization demonstrates. Once the desperate peasantry becomes conscious of its potential force and human rights, it may go to any length in the process of achieving its demands. The Government of

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 (1) Karl Marx: Capital, Vol III, p. 925.

India are perfectly right when they state that the Indian peasantry "may be immediately and profoundly affected by anything which touches the land, in particular land revenue and land tenures. Agrarian problems are seldom for below the surface." (1)

Life is so miserable to the vast mass of Kanara peasants that the prospects of a still lower stage possess but few terrors. The fact is that they are already so low that they can fall no lower. The absence of any such terror coupled with the intolerable state of abject poverty may embolden the peasantry to adopt any measures in its fierce struggle for existence. We are not indulging in exaggeration when we say this. Let us, for example, see what an eminent High Court Judge, who, of course, cannot be deemed as ^{an} agitator accustomed to extreme language, has to say in the matter. "Official evidence of the weightiest character, and tendered from the most vaticous quarters," declares Justice Cunningham, "makes it impossible to doubt that the condition of the tenantry in several parts of India is a peril to society, and a disgrace to any civilized administration." (2) Indeed, Kanara must have been included in the "several parts of India" referred to here by his Lordship. As we have seen, the only way of warding off this 'peril to Society' is to ensure at least a living wage to the toiling peasantry,

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(1) Government of India's Dispatch, dated 20th September 1930, p. 6.

(2) Cunningham: British India and its Rulers, p. 185.

which, at any rate, in Kanara cannot be granted without eliminating the system of landlordism, lock, stock and barrel.

Another evil effect of rack-renting is that the wages of agricultural labourers who may be occasionally employed by tenants tend to be very low - even below the physical minimum. This is because a portion of the normal wages is deducted by tenants in order to pay rack-rents. In other words, a part of the wages is paid over to landlords under the disguise of land rent.

One more symptom accompanying absentee landlordism in Kanara is the intrusion between landlord and tenant of a class of middlemen known as 'wairatdars'. A considerable number of landowners live outside the district, particularly in Bombay, where they are employed as officers, accountants, clerks, etc. Generally speaking, these owners do not come under the category of big landlords. But their continued absence from the district compels them to engage local men as their agents for the purpose of collecting rents and paying the land revenue in time. Similarly, the maths (monasteries) whose Swamis stay outside the district or away from their lands require agents. These agents receive a certain percentage of the rent they collect.

The existence of these middlemen has aggravated some of the evils of the tenancy system. In the first place, it is extremely difficult, if not impossible, for

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the tenantry to appeal directly to landowners. Secondly, the waiwadar swindles both the landholder and the tenant. The tricks he can play are many. He would, for instance, falsely represent to the owner that he could not collect full rents, although he had recovered them in full, and would pocket the difference. The general practice of not giving receipts to tenants facilitates this sort of dupery. Since the landowner is an absolute stranger to the tenant he has no means of knowing the truth. Again, it so happens that the waiwadar would write to the owner saying that his fields are deteriorating and in consequence they are in need of urgent improvement. He would, therefore, advise the owner to spend a certain amount of money on improvement, say, for constructing a waterway to supply sufficient water to the fields during the seasons. The waiwadar would even hold out false hopes to the owner to the effect that the construction of the waterway would fetch him a substantial increase in rent. Supposing the owner approves of the scheme and remits the amount, the agent would spend only a portion of it towards the improvement; and the difference would be swallowed. He, being a past master in the art of manipulating accounts, the fraud cannot be detected. The writer actually knows the occurrence of such cases. In view of the fact that the improvement that was carried on was either superfluous or inadequate, the productive capacity of the land remains the same. But the agent

being interested in showing to the owner that the improvement has resulted at least in a slight increase in his income, he recommends an enhancement in rent. Thus the net result of the whole scheme is that the poor tenant has to pay more rent and the absentee landowner fails to get adequate return on the money invested by him, while the waiwatdar makes a profitable bargain.

Another common method of making money is to take the fullest advantage of the fluctuations in the rice market. The agent receives the rent in rice while the owner in Bombay or elsewhere wants it in cash. Taking advantage of this situation, the agent manages to make money for himself during the process of converting rice into money. The landowner is not in a position to know the fluctuations in the local markets from time to time. The agent generally represents to have disposed of the produce at a price lower than what he had actually secured, and thus quietly pockets the difference. The fact is that the rent-collector, the contractor and the merchant are all rolled into the grand waiwatdar. The waiwatdar is a rent-collector because he collects rents for the owner. He is also a contractor because he undertakes on behalf of the landowner to carry on 'improvement' works. He is a merchant because he makes a profit in the process of converting rice into cash. The only difference between the ordinary merchant and the waiwatdar is that the former requires capital to run his business while the

waiwatdar does not require even that.

Furthermore, the waiwatdar plays a mischievous and dangerous role in determining the relationship between the landowner and the tenant. He is always interested in representing the one to the other in dark colours. To the landlord he would say that tenants are all rogues and rascals whose one fixed principle is to represent themselves as always starving with the intention of withholding a portion of rent. To the tenant he would say that landowners, having no knowledge of local conditions, are always intent upon exacting as much rent as possible from tenants. He would even go to the length of pretending that his own position is unenviable and awkward in the extreme, standing as he does between two conflicting interests. As a result of this s^utle propaganda many absentee landowners sincerely believe that tenants are all rogues and rascals and hence they do not deserve their sympathy and support. On the other hand, it is not possible for tenants to acquaint their landlords with their real difficulties, needs and desires. The inevitable consequence of all this is that the landlord-tenant relationship gets more and more embittered.

The system of tenancy has also created a class of landlords in the district, who are in no way useful to the community. These landlords hardly follow any profitable or beneficent pursuit and in no way enrich the

country. They idle away most of their time and often become positively harmful to their neighbours. Sir Reginald Maxwell, who by no stretch of imagination can be called an opponent of the landlord class, has certified that the landlords in Kanara have reached "an incredible degree of litigiousness." (1) The Kanara Gazetteer goes much further and asserts that "Forgery and the fabricating of false documents are the characteristic crimes of the higher classes," who, it is needless to state, are generally landlords. (2) It is really a great loss to the country and a harm to the people that our landowning rent-receivers, who generally belong to a class forming the brain of the community, should become drones to the society and should prostitute their intelligence for committing all sorts of wicked deeds. Nothing can be more disastrous for the nation than this terrible waste of human intellect. Prof. Carver utters only the truth when he declares that "next to war, pestilence, and famine, the worst thing that can happen to a rural community is absentee landlordism." Or to use the words of Karl Kautsky, "the private landlord, divorced from farming, is the most superfluous member of society. But as this superfluous person holds a monopoly of the sources of life of society, he may also be the most dangerous member of society at the same time." Anybody who

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(1) R. S. Papers, Kanta, p. 8
 (2) Kanara Gazetteer, Part II, p. 199.

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has gone through these pages will agree that the Kanaran landlord is the most harmful element in the agricultural economy of the district.

To sum up, the system of tenancy as existing in Kanara diminishes production and impoverishes the peasant. Land and labour are inescapably linked. Like a parasitic germ, landlordism lives on tenancy, sapping the vitality of the peasant and driving him to undertake agricultural production under more and more pathetic and pathological conditions.

CHAPTER VIIITenancy Legislation(a) Introductory

In spite of the continuous growth of tenancy during the last hundred years and more with all its attendant evils persisting in their worst form, no attempt was made either to check the development of the system or to remedy its ill-effects. It is, however, interesting to notice that the desirability of protecting the Kanaran tenantry against rack-renting was recognised as early as 1879 by so eminent an authority as Sir Richard Temple, the then Governor of Bombay. His Excellency, in his minutes dated August 8, 1879, wrote that the growth of tenant-right was to be greatly desired in Kanara, especially on the coast region. (1) But unfortunately, no remedial measures were proposed. Again, in 1910 the Government of Bombay, in reviewing the revision settlement proposals for the Karwar Taluka, stated in unmistakable terms their opinion that legislation for the protection of tenants was necessary. "Indeed," so runs the Government Resolution, "the circumstances of the case seem to suggest to Government the desirability of measures for the moderation of rentals rather than the increase of the revenue demand." (2)

(1) Minutes of His Excellency, 1879-80, V, p. 42.
 (2) Resolution No. 1197 dated February 10, 1910.

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But nothing was done and the desire of the Government remained a pious intention.

It was only in 1938 when the Congress Party was in office that a Tenancy Bill purporting to provide for the protection of tenants of agricultural lands in the province of Bombay was introduced. The statement of objects and reasons appended to the Bill stated that "tenants-at-will have no incentive to improve the land, and if they venture to make improvements, are liable to be charged increased rent or to be evicted in consequence of their enterprise." Thus after more than a century's experience Government decided to deal with the tenancy problem. The aim of this Chapter is to examine the important features of the tenancy legislation and to indicate the extent to which the measure can remedy the evils of a too-long ^{post-poned} proposed reform.

The Bill, having passed in both the houses of the legislature in October 1939 and having received the assent of the Governor General, became an Act in April, 1940. However, the present Government, which took the reins of administration in November 1939 consequent upon the resignation of the Congress Ministry, appear to have decided effectively to sabotage the provisions of the Act. In their Press Note issued in March, 1941, the Government expressed its decision not to enforce the Tenancy Act in as many as sixteen out of the twenty districts in the province. The Press Note, in giving

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out the reasons that had prompted the Government to arrive at this decision, says that the Act will "involve substantial changes in the economic structure of the province" and that its enforcement throughout the province "might well result in a state of chaos, both economic and administrative which would present very grave problems." It is, indeed, a matter of shame that a Government should put forward such childish arguments in order to defend its indefensible inaction. One has a right to expect from a civilized Government that the language it employs should be such that it fits in with the idea it wants to convey. It passes one's comprehension how the enforcement of an extremely moderate piece of legislation like the Bombay Tenancy Act can substantially alter the "economic structure" of the province, or can result in a "state of chaos." Such irresponsible expression of language on the part of a Government is open to severest condemnation. Tenancy measures more radical in character than the Bombay Act have been enforced in other provinces of India without producing the effect of altering the economic structure of those provinces or without resulting in a state of chaos giving rise to "grave problems." The truth is that the Government do not wish to touch the vested interests of the landlords so that it may not incur the displeasure of that privileged class.

The Tenancy Act, according to the Press Note, is

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to be enforced only in the districts of Surat, West Khandesh, Thana and Dharwar in the first instance. One does not know when it will be extended to the remaining districts. It cannot be a mere coincidence that each of the above four districts selected by the Government - one in each different geographical and linguistic region of the province - for the purpose of enforcing the Act happens to be one where the problem of tenancy is not so acute as in other districts in each of the respective regions. The question of tenancy, for instance, is not certainly so acute in Dharwar as in Kanara or in Belgaum in the Karnatak. Similarly, the proportion of tenant population to peasant proprietors is not so large in Thana as in Kolaba or in Ratnagiri in the Konkan. Again, the percentage of land under tenancy is smaller in West Khandesh than in any other district in the Deccan. Similar is the case with Surat in Gujarat. It is thus evident that the policy of the present Government towards the tenancy legislation is practically to deny the tenantry the benefits that are expected to accrue from its enforcement.

(b) The Protected Tenants

The Bombay Tenancy Act contains two main chapters. Chapter II deals with the rights of a class of tenants called "protected tenants," and Chapter III deals with the rights of tenants generally. The protected tenant

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is one who has held land continuously for a period of not less than six years immediately preceding the 1st day of January 1933 and has cultivated such land personally during the aforesaid period. All other tenants are unprotected ones. Thus there is no scope in the Act for the future growth in the number of protected tenants. The class may diminish in the course of years owing to the power of re-entry allowed to the landlords under the Act, but it cannot possibly increase. The provision makes it clear that the size of the protected tenant class is determined once for all and therefore cannot hereafter be expanded on any account. This is a very arbitrary way of defining the term 'the protected tenant.' Why should those who may hold the land continuously for six years in future be prevented from continuing ~~under~~ under the category of protected tenants? There is really no justification for this discrimination. Supposing that the Act would have conferred the status of a protected tenant on those who had remained on the same land for six years hereafter, the landlords would have defeated the purpose of the clause by moving their tenants from the land before the expiry of six years. The Act should, therefore, have contained a provision analogous to Section 40 ^{of} the Central Provinces Tenancy Act, laying down that whenever a tenant can prove to the satisfaction of the Revenue Officer that his landlord is a mere rent-receiver, he will be entitled to the status of a protected tenant

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irrespective of his being on the same land for any specified period. No tenant, outside the ranks of a protected tenant, under the existing provision, has any protection against rack-renting or against arbitrary ejection after the expiration of the lease. And no tenant who remains unprotected will ever attain the status of a protected tenant. This is the first defect in the Act. The defect is so serious that it amounts to the denial of any protection to a very considerable number of tenants.

(c) The Security of Tenure

Under section 5 of the Act the protected tenants are given security of tenure of the land they hold subject to regular payment of rent and also subject to the following conditions: (1) that the tenant should not commit any act which is destructive or permanently injurious to the land; (2) that he should not sublet the land or fail to cultivate it personally; (3) and that he should not use the land for a purpose other than agriculture. Notwithstanding the fulfilment of these conditions, the security of tenure is not absolute. For, under the provisions of Section 7 of the Act, it is open to the landlord to terminate the tenancy of any protected tenant and to abolish all the tenant's rights in land by giving him one year's notice, if the landlord requires the land for personally cultivating it or using

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it for any other agricultural or non-agricultural purpose. This right of the landlord is absolute and persists for all time. Not only the present landlord but any of his successors a generation or more hence can also exercise the right. This right reserved to the landlord is sure to tend in a large measure to defeat the intention of the law. There is the chance in the first instance that the present landlord or any of his descendants may require the land for any personal agricultural or non-agricultural use. Even if the landlord may not actually want the use of the land he can vexatiously evict the tenant for short periods. It is true that a provision has been made to the effect that after eviction, in case the landlord does not use the land personally on the ~~complete~~ completion of one year after resuming possession or ceases to use it at any time for the aforesaid purposes within twelve years, the tenant may re-obtain possession. It can, however, be imagined how difficult would be the position of the tenant thus evicted even temporarily. As rightly pointed out by Mr. Jannadas M. Mehta in his minute of dissent to the Report of the Select Committee on the Bill, "A tenant who has been wrongfully kept out of his tenancy for twelve years under the pretence of personal cultivation cannot possibly be expected to be prowling about the village for that long period intent on re-entering the land." A landlord who can afford to suffer some loss

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for twelve years can permanently destroy the newly accrued right of the protected tenant. "A tenant who has fancied himself a protected tenant~~d~~ for any number of years may thus find himself evicted with merely a year's notice." (1)

The way in which the term 'personal cultivation' by the landlord is defined makes the accrual of occu-pancy right still more illusory. The landlord is debarred to use the land personally for any agricultural purpose if he gets the land cultivated by servants or hired labour under his personal supervision or under the supervision of any member of his family. This means that an arrangement by which some members of the landlord's family supervise holdings cultivated by some sort of share-tenants, who may be called farm servants, will be sufficient to evade the law successfully. There is thus enough scope for unscrupulous and clever landlords to drive protected tenants out of their rights, and thus to reduce them to the position of share-croppers. Even a threat to take up personal cultivation, as the 'Servant of India' pointed out, would prove a powerful weapon in the hands of the landlords. Again, the Act allows the landlords to take land from protected tenants not only for personal cultivation, but for any other agricultural purpose in which the question of the landlord's personal toil does not arise, and for non-agricultural purposes. This is a very/strange provision indeed.

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(1) The Servant of India, August 18, 1933, p. 399.

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Secondly, big landlords possessing hundreds of acres may start capitalist agriculture on a large scale under the guise of personal cultivation and thus evade the law. If that is done, many protected tenants will lose all protection and will be reduced to the position of labourers, divested of the land they have been holding for many years. Of course, the Revenue Minister met this argument by stating: "I do not see why an industrial enterprise in the field of agriculture should be prevented. If agriculture is to advance, and if we want to have the maximum output from land, agricultural industrial enterprise ought to be fostered and encouraged." (1) It is perfectly true that unless modern science is applied to agriculture on a large scale, it would be impossible to secure maximum production from land. We go even a step further and assert that unless production in agriculture is organised on a large scale, it would be impossible to industrialise the country beyond a very limited extent. All those who stand for modern progress must support large-scale agriculture. But the point to be noted here is that the avowed purpose of the Bombay Tenancy Act is not to encourage the introduction of capitalist agriculture in future but to protect the interests of tenants. If it was the real intention of the Government to foster large-scale agriculture in the province, the right thing ^{for} them to do was

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(1) Bombay Assembly Debates, September, 27, 1939, p.247.

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to bring forward independent legislation to carry out their intention. But to argue that the Tenancy Act will incidentally encourage large-scale agriculture, without at the same time giving protection to the present body of tenants, who will be turned into labourers in future, is to adopt a naive device for the purpose of covering nicely the ugly features of the tenancy legislation.

If the Revenue Minister had expected that the Tenancy Act would give rise to capitalist agriculture, it was his bounden duty to bring forward another piece of legislation along with the Tenancy Bill with the object of regulating the conditions of agricultural labour. Indeed, it cannot be said that the Revenue Minister wanted capitalist agriculture to come into existence without any legislation to protect the interests of agricultural labourers. In fact he himself said: "Of course, it does not mean that the labourers who will work on such large-scale farms will be paid in the manner in which the honourable member is afraid they will be paid. If that happens, that can also be regulated."⁽¹⁾ Thus the Minister admitted the possibility of the present tenants being turned into labourers as a result of the defective provisions in the Tenancy legislation which he had introduced, and also admitted the probable desirability of enacting another piece of legislation in future in order to regulate the working conditions of

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(1) Ibid.,

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agricultural labourers. But strangely enough the Minister forgot that the future might not be always in his hands. He might not be there as a minister to introduce the Agricultural Labourers' Bill. In that case the Minister and his Government become responsible for all the ills arising out of the Tenancy legislation which he had fathered because he would have no power then to remedy the evils which his Act had propagated. This, we think, is not the way for a responsible Minister to act. The Minister in behaving in this manner has acted like an irresponsible father giving birth to a number of children without at the same time being sure whether he would be able to maintain that number. Perhaps the Minister was cock-sure that he would be able to carry the Government with him till the eternity or at least the system of capitalist agriculture had begun to oppress agricultural labourers. The truth of the matter is that the Minister was conscious of the loophole in the Bill.

But since he was neither in a mood nor in a position to remove the defect he had to defend himself by importing all sorts ^{of} loose arguments. Fortunately for him capitalist agriculture came to his rescue. Whatever may be the advantages of large-scale capitalist agriculture that may in future be undertaken in the province, the fact cannot be denied that under the existing provisions of the Tenancy Act the hope of the tenantry that it would secure an absolute right of occupancy has proved

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to be illusory.

Defending the right of the landlord or his descendant to evict the tenant whenever he would desire to cultivate the land personally, the Minister said: "I think it is perfectly sound principle that is mentioned in the clause, that the landlord should have the right to cultivate his land personally if he wants to cultivate it in a bona fide manner. I do not see why a landlord should be deprived of the right of cultivating his own land if he wants to cultivate it himself." (1) This argument would have been plausible if the right of resumption of land by the landlord was kept open only for a strictly limited period of time. We can very well appreciate the necessity for having a provision for resumption of land for personal cultivation, which would be in the nature of a strictly transitional provision. But such a provision, as the 'Servant of India' pointed out, should have been such as to "bring out clearly the distinction between rent-receivers on the one hand and actual cultivators, who had ceased temporarily to cultivate for one reason or another, on the other. A transitional provision need not be operative for more than five or in extreme cases more than ten years. It should again be operative only in favour of present holders and not in favour of any subsequent purchasers.

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 (1) *Ibid.*, Feb. 9, 1939, p. 353.

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What we are logically prepared to concede is thus the right of present holders to be given a choice between receiving rent permanently on existing terms from a class of protected tenants and personally cultivating these lands themselves. And they should be asked to make up their minds as between the two alternatives within a fairly short period of time." (1) Obviously the right of the landholder to resume the land for ~~his~~ personal cultivation should not be kept open indefinitely for all times and generations. The present rent-receivers must make a choice now and once for all. If not, danger capable of destroying at any time the security of tenure will be lurking eternally. The tenant will never feel the sense of real security. On the other hand, the rent-receiver will always feel that he can at any time threaten his tenant with eviction. Such a state of things, besides being grossly unfair to the cultivator, is bad for agriculture.

It is important to note in this connection that absolute occupancy right, which the Bombay legislation fails to confer on the tenant, is granted in the Central Provinces under provisions of section 40 of the Tenancy Act of 1920. For however short a period a tenant might be in occupation, he is given occupancy^e right if it is proved that the man from whom he holds is a mere rent-receiver. The Official note on Section 40 of the C.P.

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(1) Servant of India, AUG., 18, 1938, p. 400.

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Act says: "The primary object of the Section is to prevent a proprietor from depriving the real cultivators of the land of the protection which the law gives to the occupancy tenants, by interposing between them and himself a middleman as tenant." (1) Again, absolute right of occupancy is conferred upon the cultivators in Travancore State. Clause 5 of the Travancore Jami Kudiun Amended Regulation reads like this: "From and after the commencement of the amended regulation, the jami (landlord) shall have no right, claim or interest in any land in a holding except the right to receive rent thereon and the Kudiun (tenant) shall be deemed to be owner of the land." Thus an Indian state under the personal rule of the Maharaja could confer on the tenantry the right of complete security of tenure, while the same was refused by a Congress Ministry which claimed to represent the masses.

To sum up, the total effect of the provisions purporting to secure occupancy right to protected tenants is that almost all that is sought to be conferred with one hand is taken away by the other. And even that little benefit is conferred upon is confined only to the 'protected' tenants!

Turning next to tenants other than the protected ones, the extent and nature of security obtained by this

(1) Quoted from the Servant of India, July 28, 1933, p.365.

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class of cultivators is governed by section 23 which provides that no lease of any land made after the coming into force of the Act shall be for a period of less than ten years and no such lease shall be terminated before such period. This provision, without conferring permanent occupancy right on tenants, only provides that the contract cannot be dissolved at least for ten years. It is an improvement on the present position inasmuch as it gives security to the tenant for a minimum period of ten years at a time. In the case of these tenants, the landlord cannot resume the land even for personal cultivation before the term expires.

But it cannot be said that these tenants are given real security of tenure. The landlord is not prevented from enhancing the rent or evicting the tenant after the expiration of the term of the lease. The tenant is not even entitled to compensation for improvements made by him. The tenant will, therefore, have no incentive to carry on lasting improvements the benefits of which are expected to extend over more than ten years. The tenant, for example, cannot sink a well, nor plant coconut or betelnut trees. The statement of objects and reasons appended to the Bill states that "Tenants-at-will have no incentive to improve the land, and if they venture to make improvements, are liable to be charged increased rent or to be evicted in consequence of their enterprise." In spite of this admission the law fails

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to entitle the 'unprotected' tenant to receive compensation for improvements on eviction after the expiration of the ten-year lease. Thus what is happening today in the case of tenants-at-will will also happen in the case of the ten-year tenants of the future. The only difference is that in future the tenant will be entitled to undertake only temporary improvements the full benefits of which are expected to be reaped by him during the period of the tenancy, whereas at present he is not entitled even to this limited right. So long as the cultivator is not free to embark upon schemes for the permanent improvement of land such as sinking of wells, constructing dams or even planting trees, without exposing himself to the risk of heavy financial loss, no substantial progress in agriculture is possible. The desirability of enacting legislation securing this freedom to the tenant was recognised as early as more than half a century ago by no less an authority than a member of the Indian Famine Commission of 1880. "The landowner," declared Mr. Justice Cunningham, "should be obliged to learn that he cannot be allowed to go on receiving rents from tenants, who live in yearly danger of starvation by famine, when his land might be efficiently protected by wells from this terrible contingency. If he has not spirit or resources for the necessary expenditure, the State will incur it on his behalf, and add the interest of the expenditure to the revenue for which his land is

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already responsible: the tenant should be encouraged in every way to insist on his holding being thus improved and protected, and where the tenant himself contracts he should be secure against any enhancement of rent on account of the increased value of the land, or against ejection without compensation." (1) Thus what was recognised to be the legitimate right of the tenant and the duty of the State by a European member of the Indian bureaucracy more than fifty years ago was not considered to be so by a popular ministry in 1939! For, the ^{the} 'improtected' tenant under the provisions of the Bombay Tenancy Act is not granted the right to undertake lasting improvements in his holding.

The ten-year tenancy to be created under the Act has another vital defect. From the wording of section 23 it appears that the lease once entered into is binding on both the parties till the period agreed upon expires. A perusal of the debates in the Legislative Assembly further confirms this interpretation of the section. Now it may so happen that the terms of a tenancy after a couple of years of their execution may prove disastrous to the tenant on account of a sudden fall in the prices of agricultural commodities. The tenant, not coming under the class of the 'protected' tenants under the wonderful scheme of the Act, cannot approach the court with an application for a reduction

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(1) Cunningham: Op. Cit., p. 242.

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in rent under section 13 of the Act. He is, therefore, bound down to pay the rent originally agreed upon. The result of such a state of affairs is sure to ruin the tenant. The tenant will have to pay the stipulated amount of rent from some other source. It may be that the tenant holds another piece of land as owner, in addition to the rented land. In such cases the tenant will have to pay a portion of the rent from the income of the land he owns. If that also is not possible, the land he owns may be sold in execution of a decree against him for default in the payment of full rent. Thus the operation of section 23, instead of protecting the tenant, may result in expropriating him. This fact was brought to the notice of the Government during the course of the debate on the Bill in the Legislature. But unfortunately the Revenue Minister did not pay any attention to it and went on his own way. "At present", he said, "there are leases of 10 years, 15 years, 20 years and so on, and what happens to them will also happen to these leases." (1) It is absolutely true that what is happening to these long-term leases at present will also happen to the new leases that will be created as a result of the tenancy legislation. Perhaps the Revenue Minister was not aware of the fact that quite a good number of the existing long-term or even permanent leases which cannot be terminated by the tenant

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 (1) Bombay Assembly Debates, October 2, 1939, p.545.

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before the expiration of the period agreed upon are bringing disaster upon the tenants and also ruining agriculture. The Minister should have known that even a permanent tenancy is not an unmixed blessing to the tenant when it does not allow him freedom to terminate the lease at his will.

In this connection we can do no better than draw the attention of the Revenue Minister to what an I.C.S. officer in the Revenue Department itself recently wrote regarding the operation of the mulgeni tenancy of Kinara. He stated: "as the tenancy is in most cases not terminable except with the consent of both the parties to the contract, the tenant gardeners are now faced with complete ruin. I have met with cases where a man holds an acre or two of land in his own right as occupant and also holds a similar area on mulgeni lease and is now paying high rents on the leased land from the profits of the lands he holds as occupant. Thus even in cases of genuine rents, mulgeni tenancy is not an unmixed blessing and I see no hope for the tenant, unless prices go to the old level of the date of the leases. The tenants who cultivate 50 per cent. of the gardens in this tract are thus economically mined and the gardens are deteriorating in consequence." (1) This is what is happening at present in the case of these permanent tenancies because the tenants cannot terminate them at

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 (1) Enquiry Report on Garden Lands, pp. 57-53.

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their will. The same thing is bound to happen on a much larger scale after the Act comes into operation. What is more, the ten-year tenancy is forced upon the unprotected tenant even against his will under the provisions of the Act ! It is really strange that a law purporting to protect tenants may produce quite an opposite effect.

The original Bill did not contain section 23. It was a fresh provision introduced by the Select Committee. We do not know whether the provision, strange as it is, originated from the brain of the Select Committee or whether it was borrowed by them from the tenancy laws of some other country. It is, however, interesting to note that a new law on tenancies which is in force in the Netherlands from November 1938 provides that a lease contract once entered into cannot be dissolved until after ten years, and only at one and a half years' notice. (1) This means that the minimum period of the lease must be ten years. So far the Dutch law resembles the provision in the Bombay Act. But what is striking is that the defect existing in the Bombay provision does not appear in the Dutch law. As we have seen, the tenant in Bombay cannot approach the court for getting the reasonable rent determined. Neither can he get out of the lease for a minimum period of ten years. But the Dutch law is quite different in both these respects.

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(1) See the Servant of India, March 23, 1939, p.145.

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Under its provisions "the landlord is required to deliver to the competent magistrate a signed copy of the lease. If the magistrate considers that the rent is too high to ensure a reasonable standard of living for the tenant and if he does not succeed in obtaining the consent of both the parties to a reduction, he can annul the lease." (1) It is thus clear that the Dutch law, besides determining fair rent, ensures a reasonable standard of living to the tenant. Moreover, it gives the tenant an opportunity to get the lease annulled through the magistrate, if he finds the rent unreasonable. Unless the provision in the Bombay Act is accompanied by the provision similar to that contained in the Dutch legislation, Section 23, as it stands at present, may bring disaster upon tenants, particularly when the rent is payable in cash. The promised security of tenure may, in fact, become a more evil variant of the existing insecurity.

(d) Determination of Fair Rent

Under the scheme of the Act, the current rents determined by competition are assumed to be fair or reasonable until it is proved that they are unfair. The Mamlatdar in the first instance and the Subordinate Judge in the second will examine the rent in any particular case on application by the tenant or landlord.

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(1) Ibid.

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The examination in accordance with Section 12 of the Act should depend on the following factors: (1) the rental values of lands used for similar purposes in the locality; (2) the profits of agriculture of similar lands in the locality; (3) the prices of crops and commodities in the locality; (4) the improvement made in the land by the landlord; (5) the assessment payable in respect of the land; and (6) such other factors as may be prescribed.

Under the first factor the rent-fixing authority has to ascertain whether the rent of a particular piece of land corresponds to rents for similar lands in the surrounding area. If he finds that the rent is not higher for the land under consideration, he will declare that the existing rent is the fair rent. We have seen in Chapter V that rents are excessively high all over the coastal region of Kanara. That is to say, if the tenant makes an application for a reduction in rent, the Mamlatdar in accordance with the first factor may very well say to him: "The law asks me to examine whether the rent paid by you at present is higher than that is paid for similar lands in the locality. Since I find on an examination that the rent on your land is not higher than what other tenants pay for similar lands in your village, I regret that the rent cannot be reduced." It is thus clear that the level of rents may not be lowered in a region like Kanara where every tenant pays a rack-rent.

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The provision will help only that tenant who alone pays a higher rent than what is paid by his neighbours. But it is obvious that there can be no room for such tenants in a district like Kanara where rents are determined only by competition. Thus what will happen is that the existing rents will be stabilised under the new legislation. The rack-rent will be termed a reasonable rent; or as the 'Servant of India' rightly remarked, the fixation of fair rents under the Act would mean the perpetuation of foul rents.

Coming to the second factor in the determination of the reasonable rent, it is provided that the profits of agriculture for similar lands in the locality should be taken into consideration. This again means to say, if the profits for similar lands in the locality are the same as for the land under consideration, there will be no reduction in rent. Moreover, as we have seen, there are no profits of agriculture for the average tenant's holding in coastal Kanara. The tenant is ill-remunerated for the labour of himself and his family. Was it the intention of the framers of the law that the rent should be reduced to such a scale as to leave a clear profit to the cultivator? If so, one must admit that the intention is not carried out in practice. What the law as it stands seeks to provide is that the tenant should be entitled to the same measure of profits as accrue to his neighbour on similar land, without at the same time

ensuring that every tenant should have a profit. In other words, where there are no profits of agriculture, the provision becomes a dead letter. That this is so is admitted by the mover of the Bill himself who, during the course of the debate in the Legislative Assembly, said: "In some cases, the profits of agriculture may show an absurd figure or they may lead to an absurd conclusion; in such cases they (rents) will have to be decided by the rental values." (1) From this it is perfectly clear that where the profits of agriculture show an 'absurd' figure, that is to say, where profits do not exist as in Kanara, the rents will have to be determined only on the rental values. To put it in another way, the provision to take profits into consideration becomes a dead letter.

The third factor in the determination of reasonable rent is the prices of crops and commodities. This consideration may enable the tenant in securing a reduction when the prices of agricultural commodities go down. But in those cases where the rent is paid in kind this consideration does not arise. The clause is, therefore, of little use to the vast majority of Kanaran tenants paying rent in kind. The fourth factor to be taken into account is the improvements made in the land by the landlord. The intention of inserting this clause is to enable the landlord to apply for an enhancement in

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(1) Bombay Assembly Debates, September 29, 1939, p.435.

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rent on the ground that he has carried on improvements. Hence the provision is in the interest of the landlord.

The fifth factor which is also the last is the assessment payable by the landlord. This factor might have been helpful to some extent in securing a reduction in rent, provided the assessment was based on the productive capacity of the land. When the Select Committee newly inserted this provision in the Bill, the reason given for its insertion was that "the assessment on the land is an important determinant of the productive value of the land." But anybody who has gone through the revision settlement reports will easily be convinced that the only factor on which the assessment in the province of Bombay is based is the rental value and not the productive capacity of the land as the Select Committee would have us believe. At least so far as the district of Kanara is concerned the existing rates of assessment are based on rents which, as we have already seen, are rack-rents. Thus no reliance can be placed on land assessment as a factor in lowering rents. The whole line of argument adopted by the Government is moving in a vicious circle. The assessment itself is based on rack-rent, and now we are told that the reasonable rent in its turn should be based on the assessment.

Furthermore, what ratio the assessment should bear to the rent is not mentioned in the provision. This makes the clause delightfully vague and liable to be

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interpreted in any way. A landlord may argue, for instance, that the rent is far from excessive in relation to the assessment on account of the fact that the former is only four or five times the latter, while he can cite many instances wherein the rent amounts to 12 to 15 times the assessment and has even gone to 100 times the assessment in a few cases, a fact revealed by the Revenue Minister himself on the floor of the Bombay Legislative Assembly. (1) Such an argument by the landlord may appeal to the Court and in the absence of any fixed ratio in the provision, the rent-fixing authority *it* may uphold the contention of the landlord and declare that the reasonable rent may be equal to four or five times the assessment. Supposing that this ratio is fixed by the Court, it is hardly necessary to point out that the rents in Kanara will not be reduced to any appreciable extent.

We have now examined all the factors one by one, and have shown that none of them may be useful in lowering the level of rents. It may, however, be argued, as the Revenue Minister actually did, that "the total effect of all these clauses should be taken into account in fixing the reasonable rent All these things will test each other and a satisfactory figure will be arrived at. That is the hope, and that is also a reasonable

(1) Bombay Assembly Debates, Feb. 9, 1939, p. 351.

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hope."(1) But after all the fact must be recognised that the total effect of all the clauses must depend on the separate effect of each clause. In order that the total effect should be satisfactory the effect of some of the clauses at least should also be satisfactory. But when none of the clauses may lead to lowering the level of rents as is the case, how can all the clauses put together effect any reduction? If the reduction in rent will be a zero as a result of each clause, the total reduction resulting from all the five clauses can be only five big zeros. It is a pity and also a tragedy that the hope of the framer of the Bill - and that is "a reasonable hope" indeed - may not be realized at all and in consequence rents may not be lowered. The truth of the matter is that the rent-fixing officer will be guided only by the actual provisions of the Act and not by the 'reasonable' hopes of the Revenue Minister, however, sincere those hopes may be. As it is, Section 12 of the Act is almost valueless for the vast majority of the rack-rented tenantry whose rents may not be lowered to any appreciable extent.

A fair or reasonable rent can only be regarded as that part of the crop which remains, as the Land and Agriculture Committee of Duma says in its recent report on tenancy, "after the cultivator of an economic holding has met the normal cost of cultivation and maintained

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 (1) Ibid., Sept. 29, 1939, p. 435.

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himself and his family in reasonable comfort as that is understood by this class of cultivator in the district in which he lives." "We go further," says the Committee, "and consider that the cultivator should retain for his own use some part of the crop over and above the minimum required to maintain himself and his family in reasonable comfort." (1) The authors of the Agrarian Inquiry Committee appointed by the U. P. Congress Committee also hold the same view when they state that "the elementary needs of the tenant and his family should be the first charge on the produce of his holding and all other claims including rent should be considered after such needs have been provided for." (2) The conception of a fair rent as defined by the Bengal Rent Law Commission of 1879 goes still further. They defined fair rent as "such a share as shall leave enough to the cultivator of the soil to enable him to carry on the cultivation, to live in reasonable comfort, and to participate to a reasonable extent in the progress and improving prosperity of his native land." (3) This ^{is} even a little more than to say that the cultivator should at least be entitled to a living wage. So long as living wage is not assured to the tenant-cultivator, the fixation of any rent means the perpetuation of rack-rent. As the 'Servant of India' observed, "the living wage is not merely a production device, nor an obliga-

(1) Report of the Committee, p.9.

(2) Report of the Committee, p. 15.

(3) Quoted by the Flood Commission in their Report, Vol. I, p.132.

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tion in charity. It is a strict duty in justice."(1)

The Bombay Tenancy Act does not even seek to do this justice to the tenantry. Its objective only seems to be to secure ^{only} a reduction in the existing rent-rates irrespective of the consideration whether the cultivator will be enabled to earn a living wage even after the reduction is effected. So far as Kanara is concerned, it has already been proved to demonstration that the living wage cannot be secured to the tenant unless the whole rent (minus assessment) is abolished. It, therefore, follows that the Tenancy Act under these circumstances can neither establish fair rents nor abolish rack-renting in Kanara. Even granting that a reduction in the existing rents will be effected under the provisions of the Tenancy Act, it would only mean the continuance of rack-renting though on a lower level.

When it is clear that the objective of the Bombay Tenancy Act can only be a reduction in rent instead of the elimination of rack-renting, one has a right to expect that the provisions of this very moderate piece of legislation should not have been so vague and uncertain as to leave one in doubt whether an appreciable reduction in rents can really be effected. The provisions should have been such as to indicate the exact reduction in the existing rates of rent. The Government, for instance, should have undertaken a general

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(1) The Servant of India, September 8, 1933, p.446.

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survey of rents all over the province from the Record-of-Rights and after determining the existing relation of rents either to the gross produce or net produce or assessment, should have settled the maximum rates of rents in each area. If it was found, for instance, that rents are generally 60 to 75 per cent. of the gross produce or four or five times the assessment as in Kanara, the Government should have brought down this proportion to a definitely stated lower level by prohibiting the landlords from demanding more than this fixed proportion. Such a provision would have given a definiteness to the reduction of rents, instead of keeping the tenancy law too vague and uncertain as at present.

This would have also removed another serious defect in the existing legislation. Under the scheme of the Tenancy Act, the rents are assumed to be fair until it is proved that they are unfair. The procedure is that a tenant seeking a reduction in rent should apply to the *Kamatdar* in the first instance and to the Subordinate Judge in the second. In the ordinary course it is by no means easy for an ignorant and poor tenant to apply to the court. And we have seen that the vast majority of the tenantry of Kanara is steeped in ignorance and condemned to dire poverty. Is it right on our part to expect that a tenant of this class can successfully manage to secure a reduction in rent by observing all the formalities of a civil suit? The odds against him are

tremendous. The landlord will certainly engage a pleader to represent his point of view while the poor tenant will have none to plead for him. The tenant will have to approach someone in order to get the application drafted for him, and there is little doubt that the draftsman will charge a substantial fee. The poor fellow will be surrounded by all sorts of exploiters in the precincts of the court and also outside. Further, the vagueness of the various factors to be taken into account by the court in the determination of rent will encourage litigation as a result of which the weaker party is bound to suffer most; or in the alternative the tenant, whose chances of success are so uncertain, may not at all embark upon the costly venture of approaching a civil court. As truly observed in the Bombay Census Report of 1921, "in this country more probably than in others - the rich have a better chance in the courts than the poor." (1) On the whole it may be said that the procedure is extremely cumbersome from the tenant's point of view and it places him in a grossly disadvantageous position. In the light of all these considerations it is extremely doubtful whether the Tenancy Act will be able to fulfil its objective to any appreciable extent.

It must, however, be noted that under Section 15 of the Act the Government have the right to fix by

(1) Bombay Census Report, 1921, p. 220.

notification the maximum rate of rent in any area, more than which no landlord will be permitted to receive from his tenants. The use of this section will overcome the defects of the procedure laid down under Section 12 in so far as the notified areas are concerned. In such areas there is no necessity for the tenant to approach the Court with an application for a reduction in rent. The reduction comes to him automatically on the Government notification coming into force. But there is every reason to believe that the Government may not make use of this Section with regard to most parts of the province. "There is absolutely no intention", declared the Revenue Minister on the floor of the Legislative Assembly, "of making use of this clause in all the districts or in all the areas. It is meant only for areas like the partially excluded areas which are inhabited by the aborigines or very backward tribes. And the reason for it is so obvious. In these tracts like the Ehil tracts in the Khandesh district or the Thana District, or some other areas which are not partially excluded areas but which are also similar to the Mandvi Taluka in the Surat District, or parts of Bulsar and Pardi Talukas in the Surat district, which are inhabited by Ehils or Chodhras or Kayaks, or such other very backward classes."(1)

This declaration made by the Minister belonging to the Congress Party expects us to believe that at least as

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(1) Bombay Assembly Debates, Sept. 1939, p. 429.

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long as that Party is in power Section 15 of the Act may not be used in areas other than those inhabited by the aborigines or other very backward tribes. We must point out in this connection that the district of North Kanara is really a very backward tract although it may not have been considered to be such by the Government. The Halakdi Vakhals of Kanara, who form a substantial proportion of the tenantry of the district, are in no respect better than the most backward jungle tribes. It is really surprising that these people are not included among the aboriginal tribes of the province.

Explaining the justification for using section 15 of the Act in the backward tracts mentioned by him, the Minister said: "some years back all the lands were held by these people. But in bad times, during famine or scarcity times, the lands passed from their hands into the hands of the forecars and other people for trifling amounts. There are instances in which land has been parted - some acres of land - for 5 lbs. of grain, and in some cases at the rate of Rs.5 per acre or Rs.1 per acre, or even Rs.8 per acre. Lands have passed out of these people's hands like this, and today the land value there for these people is not very high because they are in a very backward condition, and it is not right that these people should be made to pay every high rents, or it should not be expected that they will be able to take care of themselves as against the forecars in courts of

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law. It is therefore necessary to fix the maximum rent in all these cases, and the power is taken for this specified purpose." (1)

What the Minister said boils down to this: That Section 15 should be made use of in those areas where the lands once owned by the present tenants have gone out of their hands for trifling amounts and where the state of backwardness of the tenantry is such that they are not in a position to take care of themselves, as against the ~~the~~ sowars or landlords in courts of law. We entirely agree with what the Minister said. But at the same time we would like to point out that both these conditions obtain not only in the few areas mentioned by the Minister but also in many other parts of the province. It is now generally agreed that in the Konkan where the Khoti system prevails and in parts of the Gujrat where talukdari exists, khots and talukdars who were only revenue farmers were exalted to the position of landlords by the British Government. Similarly, we have seen that in Kanara a great portion of the land which is at present owned by non-agricultural classes was obtained by them as a result of frauds committed by them on the peasantry. If the moneylenders in the backward tracts had secured the lands at the trifling rate of Rs 1 or Rs. 8 per acre, the Khots of the Konkan, the

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(1) Ibid., p. 429.

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Talukdars of Gujrat and the landed gentry of Kanara had secured the lands without even paying this trifling amount. Again the tenantry in any of these districts is not in a position to hold their own as against the sowcars or landlords. It may be that conditions in the backward tracts are worse; but the fact that they are sufficiently bad in other parts of the province cannot be denied. We, therefore, think that Section 15 of the Tenancy Act should be used in all these districts. Really speaking, the Section should be made use of all over the province. Once it is admitted that rents are generally excessive in the province and that they should be lowered, it is only reasonable that the Government should fix the maximum rates under Section 15, instead of leaving it to individual tenants to make applications to the courts, and instead of driving them to adopt a procedure which as we have explained will lead them into difficulties. Why should the operation of Section 15 be governed by the consideration as to how and at what price the landlords secured the ownership of their lands? Granting that certain lands came into the possession of the landlords at high prices, there is no reason why the tenants should be deprived of the benefit accruing under Section 15.

To sum up, the factors to be taken into account in determining the 'reasonable' rent under the Act are so vague that one is not certain whether rents can be

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lowered at all. Secondly, the procedure which calls upon every aggrieved tenant to apply to a court puts him in a very disadvantageous position. Under these circumstances, the only hope for the tenantry is the provision under Section 15 of the Act the use of which will give them a much needed relief.

The proper and cardinal principle to follow in determining fair rent is that rent should be so adjusted as to ensure a reasonable standard of living or at least a living wage to the tenant. The fixation of fair rent on this basis will of course entail a survey of the whole province, which may extend over a couple of years or even more. But this will have to be done; and no time should be lost in making a beginning in that direction. In those areas where a living wage cannot be ensured to the cultivator without abolishing the whole rent as in Kanara, the only proper remedy would be for the state to buy out the landlords and then to parcel out the land among the peasantry. In the absence of such a programme the fixation of 'fair' rents would only mean the perpetuation of foul rents.

The amount of rent once fixed under section 13 of the Tenancy Act cannot be altered for a period of five years. This provision is likely to be attended by drawbacks unless the rent is payable in kind or unless conditions are fairly stable in the produce markets. If the prices of agricultural commodities go down, the fact that

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the amount of cash-rent cannot be altered for a period of five years will injure the tenant. It is common knowledge that prices may decline sharply for various reasons. Adequate provision should, therefore, be made to get the rents altered within the period of five years in case such a need arises. Tenants wishing to have their rents reviewed by the court should be allowed to do so on the plea that prices have fallen. It will not be difficult for the court to review the rents in such cases if a general coefficient by which rents are to be reduced is prescribed. To illustrate the point, Granting that prices have fallen by 10 per cent., the amount of rent should be reduced in the same proportion. We are told that similar provisions for altering the amount of rents are made in many countries in Europe.

(c) Other Provisions of the Act

Although the provisions of the Bombay Tenancy Act are very defective in regard to determination of fair rent and the accrual of occupancy right, the fact must be admitted that ^{the} Act contains other provisions which are of some use to the tenant class.

A 'protected' tenant, under Section 8, on eviction is entitled to compensation for improvements made by him on the land. The amount of compensation he is entitled to receive is equal to the estimated value of the improvement at the time of eviction. The Section lays down

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that in estimating this value regard should be paid to the amount by which the value of the land is increased by improvement, the probable duration of the effects of improvement, the labour and capital provided by the tenant in making improvement, and any advantage allowed to the tenant by the landlord in consideration of the improvement.

The provision under Section 14 makes it illegal for any landlord to levy any cess, rate, tax or service of any description or denomination on any tenant other than the rent lawfully due in respect of such land. A breach of this provision is made punishable with fine which may extend to Rs.1,000. This provision, if strictly enforced, will certainly check the existing practice of exacting illegal or extra dues as well as of obtaining free or forced labour from tenants.

Another advantage that has accrued to the tenant is that he is entitled, under Section 16, to a proportionate reduction in rent in case the revenue payable to Government is remitted. This does not, however, apply to produce rents. Again, under Section 18, a tenant in any alienated village or village held on khoti or talukdari tenure cannot be evicted from his dwelling house built at his own expense as long as he pays the rent which he has been paying at the time of the enforcement of the Act. But this Section does not apply to the tenants in rayatwari areas. This exclusion

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of the vast majority of the tenantry from the benefits of this Section cannot be justified on any account.

One more advantage which the Act confers on tenants is secured under Section 19 according to which the tenant is entitled to the produce and wood of the ~~land~~ planted trees planted by him on the leasehold and to compensation for the trees on eviction.

Section 22 lays down that in the absence of an express intimation in writing to the contrary, every payment made by the tenant to the landlord should be presumed to be a payment on account of rent for the year. Thus it will not be possible hereafter for a landlord to contend that what he had received was intended by the tenant to be debited to some other account and not towards the payment of rent. Under the same Section, a land-lord who fails to give a written receipt for the amount of rent received by him is liable to be punished with a fine which may extend to Rs.100.

These smaller advantages which the Act confers on the tenantry, however, pale into insignificance on account of the failure of its provisions to ensure a living wage to the cultivator and to grant him adequate security of tenure. In fact, the Tenancy Act does not more than deal with a mere fringe of the problem. As already shown, many provisions are quite unsatisfactory while some may prove even harmful to the interests of tenants. The landlord's right to determine ^{the} tenancy

of a protected tenant is especially anxious. The factors on which the reasonable rent is to be determined are so defective that it is quite possible that the existing rack-rents may continue under the legal disguise of 'fair' rents.

We have indicated important modifications that are absolutely necessary in order to make the legislation of some real use to the tenant class. Unless the suggested modifications are incorporated the Act will be almost valueless to the protection of tenant-right.

CHAPTER IXA Land Policy for the Future

We have now considered in detail the characteristics of tenancy under private landlordism as obtaining in Kanara, and pointed out the evils of the system ultimately resulting in hindering agricultural progress and in keeping the cultivators in a state of starvation. It is true that the various amendments suggested by us in the Tenancy Act, if accepted, will go some way to improve the present position. But since our ideal should be to secure at least a living wage to the producers, it logically follows that this ideal should always be kept in view. And we have seen that agrarian conditions in Kanara are such that unless tenancy under private landlordism is abolished altogether, the tiller of the soil will not be able to procure a living wage. This leads us to the inevitable conclusion that an effective land policy would mean the elimination of private landlordism and the establishment of a system of land tenure under which it would be possible to organise maximum output in agriculture and to secure the highest possible benefit to the cultivators who by far form the largest majority of our population. Agricultural production must be planned for community consumption and not for private profit. In other words, the production of food stuffs should be transferred from the domain of profit to the domain of communal service.

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The aim of this Chapter is to formulate a land policy to secure this end in view. In doing so, only the broad principles on which such a policy should be based will be outlined without entering into details. The principles that will be set forth should be considered as applicable not only to Kanara but to the entire province, nay, the country as a whole. We are fully aware of the fact that an improvement in land tenure will not in itself be sufficient, but it forms an essential foundation to any policy designed to make agriculture servicable to the community.

(a) Nationalization of Land

Tenancy under private landlordism can be eliminated in one of the two ways, either by raising tenants to the status of owners or by turning them into tenants of the State. In case it is desired to follow the first method of establishing the system of peasant proprietorship, the land belonging to rent-receivers will have to be purchased from owners by occupying tenants either directly or through the State. Since it is beyond the capacity of the poor tenantry of Kanara to purchase land directly from rent-receivers, the State will have to buy out the landlords in the first instance. On the other hand, if it is found desirable to establish the system of tenancy under public ownership, the State as landlord will have to purchase all the lands now privately owned.

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Thus in either case the State will have to buy out all private landlords or, in other-words, embark upon a programme of nationalisation of land.

It is noteworthy that the idea of nationalising land has found favour not only among the ranks of socialists and communists in India but also among certain nationalists, rightists, conservatives and even Government officials. The Land Revenue Commission appointed by the Government of Bengal and presided over by Sir Francis Floud have recommended a scheme of land nationalisation in their report presented in 1940. It is important to note that among the members who have signed this report are two I. C. S. Officials. Again, Dr. Syed Mahmud, as Minister to the Government of Bihar when the Congress Party was in office, had put forward a plan of provincial reconstruction, in which he includes land nationalisation. (1) Similarly, Mr. Jannadas M. Mehta, President of the Democratic Swaraj Party, has suggested a scheme of buying out the landlord by the State as an alternative to the Bombay Tenancy Act. (2) Again, the National Trades Union Federation of India, representing the moderate section of organised labour in the country, had always stood for socialisation and nationalisation of the means of production, including land. Moreover, there is no constitutional difficulty in the path of a

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(1) Syed Mahmud: A Plan for Provincial Reconstruction,

p. 114.

(2) Bombay Assembly Debates, Vol. VI, p. 1343.

Provincial Government desirous of embarking upon a scheme of land nationalisation. Section 299 of the Government of India Act, 1935, allows this, provided that compensation is paid for the transference of public ownership of any land, and says that the amount of compensation or the principles on which it is to be determined must be laid down.

The amount of compensation may be fixed on various basis and by various methods. The criteria used in some countries of central and eastern Europe have been as follows: income from land or land tax paid; price of the land at some previous date with adjustments; the current price of land under certain conditions or with a reduction; prices of products of the estate. The Floud Commission have recommended that the compensation should be based on the first criterion that is, income from land in the form of rent. Dr. Syed Mahmud also recommends the same basis for Bihar. This method has, however, one defect. It will be difficult to apply this criterion to lands which are not tenanted if it is desired that all land should be nationalised irrespective of their being cultivated by tenants or peasant proprietors. Our aim being to nationalise all land, the most convenient basis for compensation seems to be land tax and not land rent.

Coming to the amount of compensation to be paid, we find that various suggestions have been put forward.

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The Flood Commission have recommended that compensation should be paid at a flat rate of ten times the net rent; and that the net rent should be calculated by deducting from the gross rent the land revenue, the share of the cess paid by the landlord and 18 per cent. on account of management, collection, and litigation expenses. (1)

This roughly amounts to seven times the gross rent. Dr. Eyed Mahmud is more generous to landlords than the Flood Commission when he thinks that the amount of compensation should be equal to fifteen times the net rent which, he says, is "most reasonable and equitable". (2) This may work out at about ten times the gross rent. Again, as long ago as in 1872 the Government of Burma (which was then a province of the Indian Empire) had drafted, at the instance of the Government of India, a Bill providing for the purchase by tenants of the land they cultivated from landlords, the purchase price being fixed at three years' gross rent. (3) Thus we find that the amount of compensation so far suggested by competent authorities in this country varies from three to ten years' gross rent.

We, however, do not wish to dogmatise on the amount of compensation. This question will have to be considered in detail by an expert committee when once it is

(1) Flood Commission Report, Vol. I, p. 174

(2) Eyed Mahmud: Op. Cit., p. 114

(3) See Report of the Burma Land and Agriculture Committee, p. 3.

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decided to embark upon a scheme of nationalisation. But certain important factors should be borne in mind before arriving at a conclusion in fixing the amount of compensation. In the first place, the amount of compensation should not be too high. If it is high the Government will have to resort to heavy taxation in order to pay the compensation, with the result that the additional tax may fall on the common people who are unable to bear the extra burden. In case the new tax falls upon the tenantry and other poorer classes, the very purpose of nationalisation will be defeated in as much as what is sought to be given to the cultivators with one hand will be taken away from them with the other. In other words, the benefits that will accrue to them as a result of nationalisation will be set off against the incidence of the new π taxation.

Secondly, it is important to remember that the existing rents on which the amount of compensation is sought to be based are not fair rents in most cases but rack-rents. It will be argued by landlords that the amount of compensation should be such that it should bring them a 'fair' return which should be equal to their present income in the form of rent. But equity and justice demand that a fair compensation should be based only on a fair rent. We have seen that the present price of land means the capitalization of rack-rent. Hence to fix the amount of compensation on rack-rent

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amounts to entitling the landlord to receive compensation for his right to rack-rent the tenant. In fact, what the landlord will receive is not the fair price of the land but a price offered to him in order to compensate him for his right to rack-rent the tenant. But no State should recognise the landlords' right to rack-rent the tenant. This leads us to the logical conclusion that where any rent is rack-rent and no rent is fair rent as in coastal Kanara, morally speaking, the landlord has no right to demand any compensation. It is necessary that our landlords should know this. Whatever will be offered to them by way of compensation in such cases will be given to them not because they are morally entitled to it but because of other considerations. What we want to point out is that it is wrong on the part of landlords to demand compensation on the basis of existing rents.

Another important question that arises is the form of compensation. If the whole amount of compensation has to be paid at once in cash enormous sums will have to be made available. It must also be remembered that after expropriation the State has to meet other necessary items of expenditure resulting from the distribution of land among the peasantry such as provision for rural credit. A means of spreading the payment of compensation over a long period must, therefore, be sought. The method chosen in certain European countries has been

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that of paying part in cash and part in securities redeemable over a period of years and bearing interest at a fair rate. In other cases compensation is paid in securities only. (1) The Flood Commission have suggested that compensation should be paid in cash if possible; otherwise in bonds redeemable after 60 years. Compensation amounting to less than Rs.500 should be paid in cash in order to avoid the expenses to Government of keeping accounts and making annual payments of petty sums. (2) This, we think, is a reasonable proposal.

The lands that have been kept fallow continuously for a number of years should not be compensated for. The reason is obvious. As explained elsewhere, the intention of the owner in keeping the lands fallow without resigning them for such a long period is to prevent the tenants from securing them for cultivation. Such a ^hbehaviour on the part of the owners amounts to a breach of public duty and is injurious to agriculture. However, if it can be proved that the land has been kept fallow for some valid reason, the owner should be entitled to compensation.

(b) Land Tenure after Nationalisation

Public ownership or nationalisation of land is not an end in itself. It is a means to the better utilisation of the wealth of the ~~oil~~ ^{oil}, and to the prosperity of

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(1) See Memorandum on Land Reform prepared by I.L.O.

(Typewritten Copy), p. 32

(2) Flood Commission Report, Vol I, pp. 174-175.

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those who work upon it for the nation. Hence the question of land tenure which forms an essential foundation to any policy designed to improve agriculture is of great importance. What should be the land tenure after nationalisation ?

Either one of the following three systems of land tenure will have to be established after the programme of buying out all the present landholders by the State has been completed. These are: (1) peasant proprietorship; (2) State tenancy; and (3) a system of large-scale State farms to be operated by wage earners. It is, therefore, necessary to consider the relative merits of each of these systems.

Turning first to peasant proprietorship and State tenancy, we find that the latter is to be preferred to the former. Provided that the State tenants are given permanent security of tenure and also provided that the tenancies are made hereditary under clearly defined conditions, the status of the tenant would be satisfactory. On the death of the tenant, the State should be free to appoint one of his descendants to occupy the tenancy, while others should be given land elsewhere. This will prevent fragmentation of holdings and will ensure the preservation of self-supporting 'family farms' into which the State lands should be divided. It will be much more difficult to prevent the fragmentation and

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sub-division of land under a system of absolute ownership. Again, State tenancy has another great advantage over ownership in that it eliminates the risk of a recurrence of the present state of affairs for whose evils India is now crying to find a solution. We mean the possibility of the small peasant proprietor being once again expropriated as a result of indebtedness and other similar causes. As pointed out by the Burma Land and Agriculture Committee, when the present dispossessed have again acquired landholders' rights, they will then be free to tread once more the old path of debt, default and dispossession." (1) But such a state of affairs will not be possible under a system of State tenancy. Furthermore, it will be much easier to organise the economic life of the peasantry in the directions of credit, marketing, milling and the like under a system of State tenancy than under peasant proprietorship.

The only argument that may be brought forward against State tenancy is the sentiment in favour of ownership. But a leasehold wherein the cultivator enjoys permanent and heritable right of occupancy with a moderate rent, as ought to be the case under State tenancy, is as good as a freehold for the purpose of satisfying the sentiment of ownership in the peasant mind. The truth of this is (will) demonstrated by what we see in the

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(1) Report of the Committee, p. 151.

Punjab. "Crown tenants in the Punjab Colonies," says Calvert, "cannot be induced to acquire proprietary rights when they already enjoy hereditary rights of occupancy."

(1) Thus the Punjabi cultivator prefers State tenancy to a system of peasant proprietorship. The experience in Burma also points to the same conclusion." It may, however, be noted," observe the Burma Land and Agriculture Committee, "that the cultivators in the Sittang Colonies seem to live contentedly as tenants and do not aspire to the status of landholders." (2) Be it noted that the cultivator in the Sittang Colonies enjoys the status of a State tenant through a cooperative society. It is thus obvious that the advantages of State tenancy over peasant proprietorship are indisputable.

Now turning to the relative merits of State-operated farms and the system of State-tenancy, we find that the latter has certain advantages over the former. But on the other hand, the former is preferable to the latter in certain other respects. In case the system of State tenancy is to be established, the tenant should be given permanent security of tenure and a moderate rate of rent which may be almost equal to the current amount of assessment. Even if the rent be more than the present assessment, the tenant may be in a position to bear the burden because the cultivator is bound to produce more under a system of State tenancy than as a tenant-at-will

 (1) Calvert: The Wealth and Welfare of the Punjab, p. 191.
 (2) Report of the Committee, p. 151.

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under private landlordism. Moreover, the extra portion of the produce that may be demanded by the State in the form of rent will be returned to the cultivator in the form of increased Social Services which the State will be in a position to undertake. It is, however, necessary that the State tenant should have no right to sublet his occupancy.

A system of State tenancy implies that every holding is of a small size. Experience has shown that it is extremely difficult, if not impossible, to apply new advances of agricultural science to small holdings, with the result that the maximum possible outturn is not obtained. Enquiries made in Germany some years ago have demonstrated that the "large estates feed on an average five persons per hectare, while the small and medium holdings only feed two. The difference is even greater when we consider the intensively cultivated large estates, which produce per hectare food for about nine persons." (1) We are also told that the breaking up of large estates in the countries of central and eastern Europe during the post-war period has resulted in lowering agricultural production in those countries. The report published by the League of Nations admits this when it says that the agrarian reforms in those countries "have had unfortunate effects on agricultural production as a result of the breaking up of the large

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 (1) Kautsky: The Labour Revolution, p. 235.

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(1) Kautsky: The Labour Revolution, p. 235.

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estates."(1) It is thus clear that large-scale agriculture has an undoubted advantage over small scale peasant farming.

But on the other hand, the agricultural labourer employed on the farm, even if it is owned and managed by the State, has less incentive to work than an independent peasant working on his family holding. It makes little difference whether he occupies the holding as a proprietor having an absolute right in the soil or as a tenant of the State with permanent security of tenure and possessing the right of bequeathing the holding to his children. Self-employment in agriculture is undoubtedly preferable to the wage system, as the former gives full incentive to the cultivator to produce more, provided he is allowed to retain all that results from his additional labour and extra diligence. Considered from this point of view, the system of State tenancy has an advantage over the system of State operated farms.

Our aim should be to organise agricultural production on a system which would combine the advantages of both, that is to say, a system that would combine the multiplication of small holdings with all the technical advantages of large-scale agriculture. Such a system is only possible if agricultural production is carried on through Co-operative Societies or collective farms.

(1) Report on the Agricultural Crises, Vol I, p.18.

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(a) Cooperative or Collective Agriculture

It would be greatly advantageous for the peasants of a village jointly to plough their fields and form a cooperative association for their common cultivation. Unless this is done all the benefits that are expected to flow from nationalisation of land will not be reaped in full. The family holdings after nationalisation will be even smaller in size than they are at present because land will have to be distributed not only among the present cultivating tenants and peasant proprietors but also among agricultural labourers. On account of the tiny size of their holdings, cultivators will not be able to make adequate use of their live stock. Similarly, it will be almost impossible for them to take the fullest advantage of modern scientific methods. Furthermore, experience has demonstrated that the cooperative movement among Indian cultivators will not show appreciable results unless it touches every important aspect of peasant life. The opinion which was expressed by one of the foreign experts who visited India to assist the banking enquiry and which was cited by Sir George Schuster, the ex-Finance Member of the Government of India during the Assembly Debates may be repeated here. "We were profoundly impressed," said the expert, "by the character of the cultivators whom we met. No country possesses better material on which to build a

great civilization. But we were also profoundly impressed by what there is still to be done to improve their economic position and by the extent of the failure of the cooperative movement in that direction in spite of good work that has been done by cooperators. That failure in our view has been due to failure that credit organisations alone can never provide an effective remedy for the indebtedness of the cultivator. His position can only be improved if the full force of the cooperative movement is brought to bear on him at every point in the sphere of education, of better living, of better farming and of marketing." (1) This extract emphasises in unmistakable terms the fact that an extension of the cooperative principle to farming is indispensable for improving the economic condition of the Indian cultivator. It is true, as the expert says, that a new civilization can be developed in this country if the whole life of the peasant is organised on the great principle of cooperation.

Moreover, cooperative farming would be no new thing to the Indian peasant. We find the institution of common fields flourishing in most parts of India till as late as the British conquest. It is common knowledge that the ancient Indian Communities were joint bodies

(1) Quoted from the Report of the Agricultural Credit Department of the Reserve Bank of India, 1937, p.18.

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or close self-managing associations. The fields formed the joint possession of the village commune. The land was tilled in common and the produce was divided among the members. In these communities the spirit of co-operation pervaded every sphere of peasant life.

The village cooperative which would have to be formed should be an association the members of which should combine their labour force for joint tillage, for working in company in ploughing, sowing and harvesting a particular crop upon their several holdings and should share the proceeds among themselves. The live stock, agricultural implements and the working capital, including seed, should belong to the cooperative society. But each member should be allowed to manage individually the garden ground containing the dwelling house, the poultry and the domestic cow for the particular care and profit of the family.

It is this type of cooperative agricultural societies that are at present said to be working successfully throughout the length and breadth of the U.S.S.R. These societies have achieved such tremendous success that we are told by as eminent an authority as the International Labour Office that "During the last two years extensive areas have been taken away from the State farms and handed over to the neighbouring collective farms." (1) The improvement that has come

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 (1) International Labour Review, Feb. 1940, p. 184.

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about in the economic condition of the collective peasant is perceived even by those who are unaffected by communist propaganda. It was Mr. and Mrs. Sidney Webb of the Fabian Society wearing the pink, who, referring to the achievements of the collective farms in the Soviet Union asserted that the peasants "have much more to their individual shares than they have ever in their lives made out of their tiny holdings." (1)

Criticism is often made that the system of collective farming as organised in the Soviet Union leaves no sufficient incentive to the peasant. It is erroneous to hold this view. The system is so organised that it affords full incentive to increased effort to the members of the collective farm. That this is so will be evident from the following description of the system as given by the Webbs. "All the members of the Kolkhos," they write, "collectively determine the conditions of their common self-employment; and they dispose, at their will, of the whole of the crop that they combine to produce, after defraying expenses and making the stipulated payments to the government. These governmental dues are now all definitely fixed by regulation and agreement at the beginning of each agricultural year; so much for the agricultural tax; so much for hire of the tractors; so much for any other agricultural

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(1) Webbs: Soviet Communism, Vol I, p. 272.

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machinery supplied; so much in payment for the seed, for fertilisers and for anything else provided by the authorities beyond their advice, encouragement and special help in trouble. Thus, the collective farms, in their self-employment, now enjoy the full incentive of retaining for themselves all that results from their additional labour and care. If they can bring more land under cultivation than in the previous year, or sow more hectares than had been arranged for, or do more weeding, or put more skill into gathering all the grain, or more care into the threshing or the storage of it, the payments exacted by the government will not thereby be raised. It is at any rate the fixed intention of the government that the kolkhos members shall themselves jointly enjoy the whole advantage of the increase that they have effected.(1)

Thus the irresponsible criticism that is often directed against collective agriculture to the effect that it kills incentive has no foundation in fact. The advantages of collectivisation as a method of farming are indisputable. It is collectivisation alone that can convert India from a backward to a progressive agricultural country. Individual tillage with its inevitable small acreage can never hope to achieve this end. What has been made possible in Russia can certainly be made a practical reality in this country. Fortunately for us, the peasantry of India, besides having

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 (1) Webbs: Op.Cit., Vol.II, p. 726.

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a tradition of cooperative spirit rooted in her village communities, is intelligent, industrious and quite efficient to be turned into collective farmers. Even foreigners have paid glowing tributes to these fine qualities of the Indian peasant. For instance, Mr. Thackeray, the Member of the Board of Revenue, Madras, writing in 1806, said: "The husbandman in India is the most industrious, parsimonious creature in the world; a stranger to vice, thinking of nothing but cultivating his field."

(1) Again, writing in 1832, Mr. Justice Cunningham observed: "The eager observation and assiduous industry of generations of peasant-cultivators has, indeed, resulted in many valuable discoveries and many ingenious contrivances; but the invention and ingenuity of the people have been buried more with making the most of very slender means, than with the costly contrivances in which capital and science combine to turn natural advantages to the best account, and to secure a remunerative return even from sterile soils and an ungenial climate. The native cultivator, guided by traditional rules and methods, no doubt gets a better crop with his ill-constructed implements and half-stayed^{ed} cattle than an European would obtain under similar conditions." (2) Similarly, the following observations made by no less an authority than Dr. Voelcker in 1892 is worth quoting.

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(1) Fifth Report, Appendix 31, p. 914.

(2) Cunningham: Op. Cit., p. 224.

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It is important to remember that Dr. Voelcker was the consulting Chemist of the Royal Agricultural Society of England and was deputed to India by the Secretary of State for the purpose of enquiring into the condition and advising upon the improvement of Indian agriculture. "At his best," says he, "the Indian raiyat or cultivator is quite as good as, and, in some respects, the superior of, the average British farmer, whilst at his worst it can only be said that this state is brought about largely by an absence of facilities for improvement which is probably unequalled in any other country, and that the raiyat will struggle on patiently and uncomplainingly in the face of difficulties in a way that no one else would."

(1) He further says: "That does, however, prevent them (Indian peasants) from growing larger crops is the limited facilities to which they have access, such as the supply of water and manure. But, to take the ordinary acts of husbandry, nowhere would one find better instances of keeping land scrupulously clean from weeds, of ingenuity in device of water-raising appliances, of knowledge of soils and their capabilities, as well as of the exact time to sow and to reap, as one would in Indian agriculture, and this not at its best alone, but at its ordinary level. It is wonderful, too, how much is known of rotation, the system of "mixed crops," and of fallowing. Certain it is that I, at least, have never seen a

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 (1) Report on the Improvement of Indian Agriculture by
 Voelcker, p. 11.

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more perfect picture of careful cultivation, combined with hard labour, perseverance, and fertility of resource, than I have seen at many of the halting places in my tour." (1) He also adds: "The Native, though he may be slow in taking up an improvement, will not hesitate to adopt if he is convinced that it constitutes a better plan, and one to his advantage." (2) Nearly 50 years after this was written, Sir John Russel who was asked to report on the work of the Imperial Council of Agricultural Research in applying science to crop production in India, remarks in his report made in 1937 that "The Indian ryot compares favourably with any of the peasant populations I have met in different parts of the world." (3) It is easy to multiply similar tributes paid to the high efficiency of Indian cultivators. But these are sufficient to demonstrate the fact that the Indian peasant, given the necessary facilities and resources, is sure to turn them to his best advantage.

If modern science and adequate capital are applied to Indian agriculture, organising it on the system of cooperative farming which would give the peasant full incentive to increased output, India, with her efficient peasantry, will certainly show even better results than the Soviet Union. Furthermore, India possesses an additional advantage which the Soviet Union had lacked.

(1) Ibid., p. 9
 (2) Ibid.
 (3) Ibid., p. 9.

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The advent of the collective farm in the Soviet Union was accompanied by widespread sullen resentment among a very considerable section of the richer and more influential peasantry. This was due to the fact that the Russian peasant of the post-revolutionary days was not a tenant-at-will having no permanent interest in the land he occupied. He possessed a sort of proprietary right in his holding although this right was not absolute. He, therefore, naturally resented the novel idea of converting his holding in which he had an individual right into a common field belonging to the cooperative society. But in India the vast majority of its peasantry consists of landless tenants having no proprietary rights in ~~their~~ their holdings. Tenants as a class, would doubtless welcome the establishment of cooperative farms for the purpose of common tillage, if the advantages of the system will be clearly explained to them. Those areas where the system of tenancy preponderates over peasant proprietorship should be tackled first as it would be much easier to induce tenants to take up to collective agriculture. It is also important that a long period should not be allowed to intervene between the time when the nationalisation of land is completed and the time when collective farming is introduced. Collectivisation, in fact, should be undertaken immediately after nationalisation. If not, the peasants, after having accustomed to enjoy certain well-defined rights in their holdings

as State tenants, will be rather reluctant to lose them in favour of the village cooperative. The introduction of collective farms should be based on a carefully chalked out plan spreading over a considerable period, so that the mistakes that are inevitable in the beginning may not be repeated. The membership of the cooperative should be made voluntary in the beginning. Again, to begin with, the association, if the members so wish, should be confined merely to the extent of combining their labour forces for joint tillage, without owning the landholdings, the implements, the farm buildings and other equipment. But gradually efforts should be made to bring these under the ownership of the village cooperative.

To make the collective farms produce the maximum output there must be an adequate supply of the aids of modern agriculture. In order to utilize these to the purpose, a sufficient number of scientifically trained managers is necessary, involving many agricultural schools and biological and chemical research stations. The existing Government Experimental Farms will serve the purpose to some extent. It is also important that the rural population should be made literate with a view to attaining a decent standard of education. All this will require the services of a large army of educated persons. Thus the landlord class of the present day

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which has already reached a tolerably good standard of education will be able to secure employment in collective farms as managers, accountants, clerks, agricultural experts and so on, thus relieving unemployment amongst the educated. It is thus evident that not only the peasants but also the middle class, in fact, almost the whole community will be greatly benefitted by the advent of cooperative agriculture on a large scale.

A wrong notion has been entertained by not a few people that since rice needs more intensive cultivation than wheat, it is advantageous to organize rice cultivation on a small scale. They hold that an economy of small holdings is ideal for that crop. They argue that the introduction of large scale agriculture is out of the question in a rice-growing district like Kanara. There is, however, scientific evidence to prove that the cultivation of rice on a large scale is much superior to small scale farming. We are told that in California the sowing of rice is done by airplane over large areas, and with production on a scale which no one would think of attempting in India. (1) An investigation carried on in Japan has shown that the larger the area of cultivation under rice, the less expensive is the cost of producing a bushel. Explaining the reasons why the costs are lower for large scale production, it is stated:

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 (1) Chen Han-Seng: Landlord and Peasant in China, pp.12-13.

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"some costs - that of tools, for example, of sheds, threshing floor, and the like - are simply spread over more units of cultivated area; others are diminished by substitution, such as that of animal for human labour power. In case the area of cultivation is larger, than the number of labour animals per unit is greater, and hence the quantity of home-made fertilizers available is also proportionately greater. The Japanese state that among families each cultivating less than five tan, only 43 per cent. use home-made fertilizers; but among families each cultivating more than 5 cho (50 tans) as many as 56 per cent. make their own fertilizers." (1) Proceeding further the writer says that "The point to be observed is, rather, that under identical conditions of soil, climate, and irrigation, the cost of rice production in Japan rises so steeply per land unit with the ~~the~~ diminishing size of the holding that any expected advantages from small-scale cultivation disappear." (2) Statistics published by the Japanese Imperial Agricultural Association also lead to similar conclusions. It is thus clear that large scale agriculture is to be preferred to small-scale farming even with regard to the cultivation of rice.

"The chemical and botanical and the commercial revolutions," says H. F. Pearce with regard to Japan,

(1) Ibid., pp. 13-14
 (2) Ibid., p. 14.

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"have been superimposed on a medieval and feudal social structure, and there has been no parallel revolution in the land system and in the size of the productive units in agriculture The size of the productive unit, however appropriate it may have been to an earlier technique, now limits the scope of the practical measures of improvement." (1) We thus see that even in Japan, where the yield of rice per acre is generally three times higher than in India, it is demonstrated that the yield can be increased still further with lower costs by organising agriculture on a large scale. This clearly brings out the tremendous advantages that India, with its every low production, will reap by adopting large-scale agriculture even to rice cultivation. And as explained above, large-scale agriculture conducted on a cooperative basis, providing the fullest incentive to every producer to increased output, is to be preferred to large-scale production by wage-earners. The conclusion is, therefore, irresistible that only a revolution in the land system of the type that has been accomplished in the Soviet Union will enable mankind to reap the fullest benefits that are expected to flow from the modern scientific revolution that has been achieved.

It is comforting to know that even a cooperater

.....
 (1) Quoted by Chen Han. Seng in Op. Cit, p. 16.

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of the orthodox type like Mr. Ramesh Pantulu advocates the introduction of the system of collective farming in India and says that such a system should be based on the model obtaining in Russia. To quote his words, "the vast bulk of the 25 million peasant families in Russia, who consisted of the poor grade (bedniaki) and the middle grade (sredniaki) peasants were brought largely, if not wholly, into the kolkhozi (collective farms) by persuasion and demonstration of the success of the kolkhozi, which offered them prospects of larger share than their tiny holdings had ever yielded. If the provincial Governments and co-operators in India put forth strenuous endeavours to persuade our peasantry similarly, we can achieve some success." (1)

To conclude. No tinkering with the land system suggesting trivial changes in its structure will improve the conditions appreciably. As we have seen, the existing land system is a great hindrance to production, distribution and large-scale operations. "Only a radical change in it," as rightly observed by Pandit Jawaharlal Nehru, "putting an end to the little holdings and introducing organised collective and co-operative enterprises, and thus increasing the yield greatly with much less effort, will meet modern conditions." (2)

(1) R. Pantulu: 'Cooperation' in Economic Problems in Modern India, Vol I, p. 201.
 (2) Nehru: An Autobiography, pp. 524-25.

The Appendix - Tables

TABLE I

Cultivated Acres in Government Rayatwari area according to land tenures

(For the year 1936-37)

District.	Cultivated by owners with their hands with or without hired - labour.	Cultivated by labourers or farm servants under super- -vision.	Cultivated by Tenants.	Total area.
Kanara	114,541 (35.30)	2,553 (0.79)	207,363 (63.91)	324,457
Bombay Suburban	3,562 (32.02)	534 (4.80)	7,029 (63.18)	11,125
Kolaba	164,022 (33.52)	14,424 (3.39)	247,383 (58.09)	425,834
Thana	4,03,057 (44.84)	83,532 (9.30)	412,160 (45.85)	898,799
Balgaon	853,591 (53.93)	39,802 (2.51)	637,470 (43.56)	1,532,863

(continued)

Ahmedabad	452,113	9,801	322,527	794,431
	(53.17)	(1.23)	(40.60)	
Dharwar	1,199,931	150,244	852,369	2,212,544
	(54.23)	(6.79)	(33.93)	
Bijapur	1,642,534	140,051	1,054,327	2,846,962
	(57.70)	(4.92)	(57.33)	
Kaira	400,858	9,413	291,343	731,614
	(61.52)	(1.21)	(37.27)	
Ratanagiri	269,720	3,716	143,823	420,274
	(64.13)	(0.83)	(34.94)	
Sholapur	1,423,324	22,676	775,239	2,341,239
	(63.36)	(3.53)	(33.11)	
Surat	4,65,704	54,035	221,635	7,41,424
	(62.81)	(7.29)	(29.90)	
Droach & Panch Mahals	651,305	41,249	273,403	976,052
	(67.76)	(4.23)	(23.01)	

(continued)

Nasik	1,574,533 (70.14)	83,863 (3.74)	586,332 (26.12)	2,244,733
Natara	1,300,667 (74.83)	17,076 (0.93)	420,590 (24.19)	1,733,333
Ahmednagar	2,056,142 (75.15)	76,312 (2.78)	606,867 (22.07)	2,749,321
Poona	1,657,250 (76.82)	31,296 (1.45)	466,867 (21.66)	2,155,413
East-Khandesh	1,289,713 (66.63)	243,013 (12.53)	401,471 (20.76)	1,934,197
West-Khandesh	1,078,353 (72.35)	167,343 (11.23)	244,757 (16.42)	1,490,453
Bombay Province	17,205,073 (64.25)	1,257,167 (4.69)	8,318,543 (31.06)	25,780,783

Note:- Area of plural holdings extending beyond the respective districts is excluded, as it is not classified. The total under this category in the province is only 24,011 acres.

TABLE II

Showing holdings according to their size and tenure in North Kanara.

Details of holdings.	Cultivated by owners			Cultivated by hired labour			Cultivated by tenants		
	Number of persons	Area held		Number of persons	Area held		Number of persons	Area held	
		Khalisa	Inam		Khalisa	Inam		Khalisa	Inam
1	2	3	4	5	6	7	8	9	10
		Acres	Acres		Acres	Acres		Acres	/acre
Kanara.									
1. Up to 5 acres	21,914	26,566	17	214	563	4	12,953	20,714	36
2. Over 5 and up to 15 acres.	4,720	33,579	3	73	669	...	3,838	33,661	99
3. " 15 and up to 25 acres.	1,073	19,442	...	24	461	...	1,337	23,367	63
4. " 25 and up to 100 acres.	679	26,742	...	20	1,056	...	1,379	62,604	315
5. " 100 and up to 500 acres.	27	3,192	...	..	...	...	253	51,939	195
6. " 500 acres. ...	...	...	...	..	...	...	11	7,491	1,874
Total...	23,413	114,521	20	331	2,549	4	19,775	204,775	2,557

(continued)

Cultivated by owners ...	23,413	114,521	20
Cultivated by hired labour..	331	2,549	4
Cultivated by tenants ...	19,776	204,776	2,587
	<u>43,520</u>	<u>321,846</u>	<u>2,611</u>
Add area within the district of plural holdings extending beyond the district.	...	7,150	19
Grand total for the District	...	328,996	2,630

T A B L E III

Abstract of Crop Experiments on Rice in Coastal Areas

Serial No.	Taluka	Village	Date of Experiment	Local Estimate of yield in annas	Actual yield obtained (Paddy) per acre	Actual yield converted into 12 annas as normal yield per acre	Assessment per acre on the land experimented upon			Average assess-ment per acre on rice land in the village in which the experiment was conducted.			Incidence of assess-ment on yield as shown in col. 6.	Remarks.
1	2	3	4	5	6	7	8	9	10	11				
					lbs.	lbs.	A.	S.	P.	A.	S.	P.		
1	Kumta	Kumta	23-10-1879	not given	2,115	2,115	3	5	0	4	7	6	0.5	
2	Kumta	Manki	27-10-1879	"	1,295	1,295	6	4	0	4	12	2	23.7	
3	Kumta	Kumta	30-10-1879	"	1,996	1,996	5	10	0	4	7	6	15.1	
4	Ankola	Ankola	21-10-1879	"	3,970	3,970	5	12	10	5	1	11	6.2	
5	Karwar	Bad	23-10-1879	"	2,440	2,440	5	4	0	3	11	9	7.2	
6	Karwar	Chirvad	29- 9-1879	"	3,100	3,100	5	8	0	3	15	5	9.0	
7	Karwar	Hadhe-wada	12-10-1880	"	2,160	2,160	4	1	0	3	2	8	9.25	
8	Ankola	Delekeri	22-10-1880	"	1,200	1,200	6	0	0	4	10	6	19.54	
9	Ankola	Avarsa	23-10-1880	"	2,840	2,840	5	0	0	4	7	10	7.5	
10	Karwar	Kone	19-10-1891	"	2,355	2,355	2	9	0	4	2	3	5.6	
11	Karwar	Chirvad	3-10-1892	12	1,303	1,303	5	0	0	3	15	5	16.96	
12	Karwar	Bad	2-10-1892	16	2,233	1,675	4	15	0	3	11	9	10.24	
13	Kumta	Kujalli	13- 4-1893	16	2,640	1,980	5	2	11	5	0	8	8.92	
14	Karwar	Kone	21-10-1893	15	2,328	1,062	5	5	1	4	2	3	6.59	
15	Ankola	Delekeri	3- 5-1894	10-12	977	977	5	3	11	4	16	6	16.23	
16	Honavar	Hulegar	26- 3-1895	16	960	720	5	5	11	4	9	8	30.07	
17	Honavar	Hulegar	27- 3-1895	14	520	446	5	0	0	4	9	8	20.21	
18	Karwar	Bad	14-10-1895	16	3,013	2,260	4	1	10	3	11	9	7.03	
19	Kumta	Alkod	31- 5-1896	16	1,124	643	5	3	2	4	12	0	17.63	
20	Karwar	Kone	9-10-1896	10	2,012	2,414	4	13	0	4	2	3	11.33	
21	Karwar	Bad	7-10-1896	12	2,096	2,096	4	8	2	3	11	9	9.96	
22	Honavar	Hulegar	12- 3-1897	12	704	704	3	12	9	4	9	8	15.49	
23	Karwar	Chirvad	19-10-1897	14	2,365	2,030	5	5	4	3	15	5	5.53	
24	Karwar	Bad	6-10-1897	12	2,932	2,932	4	10	3	3	11	9	3.67	
25	Honavar	Aroli	20- 4-1898	16	1,606	1,204	5	11	5	6	2	1	13.03	
26	Karwar	Chirvad	10-10-1898	12	2,320	2,320	5	8	8	3	15	5	10.07	
27	Karwar	Bad	24-10-1899	8	1,351	2,023	5	3	10	3	11	9	14.20	
28	Karwar	Binge	25-10-1900	12	2,353	2,353	3	12	0	3	12	19	5.80	
29	Karwar	Bad	5-10-1900	10	2,213	2,656	4	1	11	3	11	9	7.03	
30	Honavar	Duggur	12- 4-1901	12	2,656	2,656	5	0	0	5	3	2	7.22	
31	Karwar	Chirvad	12-10-1901	10	1,427	1,712	5	6	11	3	15	5	14.21	
32	Karwar	Makheri	13-10-1902	13	1,985	1,805	5	4	10	4	1	11	11.24	
33	Kumta	Chakra-Kurve	2-11-1904	14	2,077	2,225	6	6	4	5	2	6	11.16	
34	Karwar	Kone	23-10-1904	12	3,111	3,111	4	13	11	4	2	3	6.32	
35	Kumta	Alkod	22-11-1907	12	1,578	1,578	3	14	6	4	12	0	8.74	

TABLE IV.

Leases of Rice Lands in the Coast villages in the
Talukas of Kumta and Honavar

Section I - Kumta Taluka

No.	Village	Average Rent per acre	
		Khandis	Kolgas
1	Nadumaskeri	17	7½
2	Hammaskeri	15	10
3	Dankikodla	15	15
4	Dhavikodla	10	10
5	Hanahalli	15	17½
6	Hoskeri	12	7½
7	Kadme	9	15
8	Bilargeri	10	15
9	Gonehalli	14	7½
10	Cokarn	14	15
11	Torke	17	10
12	Aghanashini	12	0
13	Kagal	10	2½
14	Eubangeri	10	10
15	Dad	9	12½
16	Gudeangdi	14	5
17	Holangsde	11	12½
18	Iukkeri	12	0
19	Padvani	9	5
20	Kodkani	12	15

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21	Chakracurve	8	12½
22	Kirjan, S.W.	10	15
23	Hegde	11	10
24	Divgi	12	5
25	Kanki	9	15
26	Falkar	10	0
27	Chitrugi	8	10
28	Vannali	12	10
29	Kumta	7	15
30	Kalbag	9	0
31	Kosaheravatta	12	5
32	Fabheravatta	8	12½
33	Baggon	14	2½
34	Valgalli	11	7½
35	Harodi	14	7½
36	Kalkari	9	15
37	Chikholli	3	0
38	Handigon	7	0
39	Kadekodi	11	17½
40	Katha	13	0
41	Dovgiri	13	10
42	Kolegaddo	10	10
43	Korbag	9	5
44	Talgod	14	5
45	Harnir	5	15

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Group II

46	Hittalmakki	11	12½
47	Kadangeri	11	0
48	Yennemadi	13	15
49	Kiregutti	10	7½
50	Korba	8	5
51	Bethkuli	7	0
52	Bargi	7	0
53	Tannirkonda	9	0
54	Aigalkurva	6	17½
55	Karkimakki	11	7½
56	Hegle	12	10
57	Kujalli	10	10
58	Konalli	11	15
59	Urkeri	8	10

Section II - Nonavar TalukaGroup I

1	Cunvante	13	17½
2	Haldipur	13	15
3	Hosad	12	2½
4	Karki	13	10
5	Kolagnur	11	12½
6	Kelgin - Idgunji	13	15
7	Malgod	12	7½
8	Manki (part)	13	2½

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9	Mavinkurve	13	15
10	Molkod	11	15
11	Mugve (part)	8	2½
12	Pavinkurve	5	10
13	Belni	13	12½
14	Deagro (part)	9	15
15	Hadabin	13	10
16	Heble	10	12½
17	Jali	11	15
18	Kalkini (part)	11	7½
19	Mavali (part)	13	5
20	Mudbhatkal	14	10
21	Mundoli	22	7½
22	Muttali	14	5
23	Purvarg	10	12½

Group II

24	Anilgod	10	15
25	Balkur	11	17½
26	Beranki	11	0
27	Hadinbal	13	5
28	Hoggar	11	17½
29	Jalvalli	13	0
30	Jalavahi-Karki	10	17½
31	Kadle	12	2½
32	Kadtoka	11	7½

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33	Karva	14	15
34	Kekkar	15	15
35	Kolgin-Mud-kani	12	5
36	Kervalli	11	17½
37	Kuila	14	0
38	Madgeri	11	0
39	Kanai (part)	4	12½
40	Kalin-Idgunji	15	12½
41	Navilgon	13	10

Ithakal Potha

42	Bailure (part)	8	10
43	Belke (part)	7	12½
44	Bangro (part)	7	17½
45	Bilalkhand	9	5
46	Hadil	12	10
47	Kaikini (part)	6	10
48	Shirali (part)	11	5
49	Talan	14	2½
50	Venktapur (part)	9	2½
51	Yelavadikovur	8	5

TABLE V

The following typical examples show the details of cost of cultivation and gross yield per acre of spice garden. These are taken from the Enquiry Report on Garden Lands:

Example I - Siddapur Taluka

1st Class garden in Bilgi (Group I).

Income per acre.	Rs. a.p.	Expenditure per acre.	Rs. a.p.
Betelnuts 36 maunds at Rs.4 per maund	144-0-0	Feeding and planting seedlings ..	14- 4-0
Cardamom 1½ maunds at Rs.24 per maund ..	30-0-0	Coppu and manure	33- 6-0
Pepper 2½ maunds at Rs.7 per maund ..	17-8-0	Earthing (Agate-mannu) ..	23- 0-0
----- Total..	191-3-0	Kotte-tying with kottes...	17- 1-0
		Plucking the bunches. ..	33-14-0
		Collecting and storing palm sheaths ..	4- 0-0
		Clearing drains etc. ..	3- 0-0
		Tying peppervines etc. ..	6- 8-0
		Storing "soges"	2- 0-0
		Assessment. ..	14- 0-0
		----- Total.	158- 1-0

Net profit ... 33-7-0.

Example II - Siddapur Taluka

2nd Class garden in the Rice tract (Group II).

(Balikop village.)

Income per acre.		Expenditure per acre.	
	Rs. a.p.		Rs. p.p.
30 maunds of Supari at Rs.4 per maund	120- 0-0	Turning soil (Agats) and supplying fresh earth once in 6 years(120/6)	20- 0-0
3 maunds of "Gotu" at Rs.2 per maund	6- 0-0	Turning soil once in 6 years	3- 0-0
2 maunds of pepper at Rs.8 per maund	16- 0-0	Kotte-tying at Rs. 10 per thousand for 1,200 ..	12- 0-0
Plantains 3,000 at annas 3 per hundred	5-10-0	Plucking at Rs. 4 per 6,000	4- 0-0
Palm leaves 2,500 at Rs. 4 per thousand	10- 0-0	Conveying and spreading ma- nure, 18 coolies per year at Rs.0-5-4 per coolie ..	6- 0-0
		Cutting and conveying to the garden green leaves ..	10- 0-0
		Covering the garden with plantain lea- ves to prevent the earth being washed away and clearing drains.	3- 0-0
		Weeding twice in a year, 21 coolies at annas 3 per coolie ..	4- 0-0
		Laying and train- ing peppervines, 9 coolies at Rs. 0-5-4.	3- 0-0

(continued)

	Rs. a.p.
Preparing kotte 1,200.	3- 0-0
Kate charges for kotte-tying.	2- 0-0
Pins and strings	1-10-0
Peeling supari ..	6- 0-0
Charges for boiling and dry- ing etc.	5- 0-0
Harvesting pepper and tying odd jobs such as collecting palm leaves, bringing soppu dry leaves and karad	15- 0-0
Preparing the fence including cost of material for fastening ..	3- 0-00
Charges of watchman	3- 0-0
Purchase of and repairs to tools and plants ..	2- 0-0
Assessment ..	12-12-0
Total .. 157-10-0	Total..124- 6-0
Net profit ..	33- 4-0

Example III - Siddapur Taluka

2nd Class garden in the rice tract.

Income per acre.		Expenditure per acre.	
	Rs. a.p.		Rs. a.p.
Unsorted betel- nut 25 maunds at Rs.4 per maund ..	140- 0-0	Agate Higate ..	26- 0-0
"Gotu" 3 maunds at Rs.2 per maund ..	6- 0-0	Manuring and covering with soppu ..	15- 0-0
"Chali" 2 maunds at Rs.2-8-0 per maund ..	5- 0-0	Cost of manure	7- 0-0
Pepper 2 maunds at Rs.8 per maund ..	16- 0-0	Cost of seed including nur- sery charges ..	2- 0-0
Plantains and palm leaves ..	12- 0-0	Feeding ..	4- 0-0
		Clearing drains and layering pepper vines ..	2- 0-0
		Planting seed- lings ..	5- 0-0
		Tying pepper vines ..	1- 8-0
		Kotte-tying ..	24- 0-0
		Harvesting pepper.	1- 8-0
		Harvesting supari.	20- 0-0
		Miscellaneous ..	9- 0-0
Total.	179- 0-0	Total.	117- 0-0
		Interest..	10- 0-0
		Assessment..	12- 0-0
		Grand Total	...139- 0-0

Net profit.40- 0-0.

Example IV - Sirsi Taluka

For one acre of Spice garden.

Income per acre.	Rs. a.p.	Expenditure per acre.	Rs. a.p.
Chikni Betel-nuts 28 maunds at Rs.4 per maund ..	112- 0-0	Loosening the soil(Agate-Wigate) done once in 6 years -per year ..	25- 0-0
Betto, 12 maunds at Rs.3 per maund ..	36- 0-0	Manuring and covering with doppu (done once in 2 years) per year ..	22- 0-0
Cotu, 4 maunds at Rs.2 per maund ..	8- 0-0	Cost of manure per year. ..	7- 8-0
Chali, 3 maunds at Rs.2-8-0 per maund ..	7- 8-0	Feeding twice in a year ..	5- 0-0
Pepper, 4 maunds at Rs. 7 per maund ..	28- 0-0	Cost of seed (including nursery charges) ..	3- 0-0
Cardamon, $\frac{1}{2}$ maund at Rs.30 per maund ..	7- 8-0	Clearing drains and layering peppervines ..	3- 0-0
Plantains, etc..	5- 0-0	Planting seedlings per year ..	3- 0-0
		Tying peppervines ..	3- 0-0
		Kotte-tying ..	25- 8-0
		Harvesting pepper	3- 0-0
		Harvesting cardamon	1- 0-0
		Harvesting supari ..	24- 0-0
		Marketing charges	5- 0-0
Total ..	204- 0-0	Total ..	130- 0-0
		Interest at 9-6-0 per cent.	12- 0-0
		Assessment ..	14- 0-0
		Total.	156-0-0
Net Profit..	48- 0-0.		

Example V - Yellapur Taluk

For one acre of spice garden.

Income per acre.	Rs. a.p.	Expenditure per acre.	Rs. a.p.
1. Betelnut 25 maunds at Rs. 3-8-0 per maund ..	87- 8-0	Agate and fresh earth ..	10- 0-0
2. Cotu 3 maunds at Rs. 2 per maund ..	6- 0-0	Covering with Soppu ..	12- 0-0
3. Chali 2 maunds at Rs. 2-8-0 per maund ..	5- 0-0	Weeding ..	4- 0-0
4. Miscellaneous Income ..	10- 0-0	Planting and seedlings ..	3- 0-0
		Watering, etc. ..	4- 0-0
		Kotte-tying ..	18- 0-0
		Harvesting Supari ..	15- 0-0
		Fencing, etc. ..	4- 0-0
		Interest ..	6- 8-0
		Assessment ..	12- 0-0
	-----		-----
Total ..	108- 8-0	Total..	83- 8-0

Net income.	20- 0-0		

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