CHAPTER – II

AGRA RIAN LAND REFORM

Generally, land reforms have been considered as an important tool of socio-economic changes. No wonder sociologists, economists, political leaders and administrators have all played their due role in evolving appropriate legislation for implementing land reforms as our economy depends on agriculture. The agrarian social structure prevailing in India is related to the land or land structure.¹ The present agrarian property structure, based on exploitation of one section by another, is an obstacle to the development of agrarian society. This structure is not helpful for increasing agricultural production as this leads to inefficient use of land. It is essential to change the present property structure with a view to providing opportunities for growth to all sections of producers as this alone can provide an environment needed for growth.² Changing the present agrarian structure involves breaking up large holdings for re-distributing land amongst landless and appropriate tenurial reform to transfer land from absentee landlords to tillers of the land.³

Definition

There is no agreement on what constitutes land reforms. According to the Encyclopaedia Britannica, land reform means:

A specific integrated action programme has to bring about more effective control and use of land for the direct benefit of the agricultural population and

2. Laxminarayan, S.S. Tyagi, Changes in Agrarian Structure in India, Agricole Publishing Academy, New Delhi, 1982, p.16.
for the direct benefit of the community as a whole. For example, land reform includes, without widespread dissent, the redistribution of agricultural land among existing or new owners, including consolidation or subdivision, development or settlement of holdings; adjustment of rental charges; compulsory reimbursement of costs incurred by the tenant for improvements on the land he cultivates; increase in the security of tenure; adjustment of policy and procedure in the taxation of agricultural land; and the adjudication and registration of land and water titles”.

Land reforms would also include support measures to enable the beneficiaries of the reform to utilize the land properly. When the reforms embrace the entire agrarian structure and include measures for the modernization of agricultural practices and the improvement of the living conditions of the entire agrarian population, it almost becomes ‘Agrarian Transformation’.

2.1. The Agrarian Conditions of Early Period

Indian rulers of ancient times followed the practice of giving grants of land to men of learning, courtiers, officials and men who did some signal service to the crown. What the king gifted away was his share of the produce and not proprietary rights of the soil. The king was not the proprietor of all land in his kingdom and, therefore, he could not gift away the land owned by individuals. The ownership of the village and the fields were not transferred to the conqueror whose right was restricted to the collection of taxes from the landowners. Some holdings were, of course, very large, exceeding thousand acres in area.

Wetlands obviously belonged to Chola Nadu. It was an outpost bordering on the unsettled plains which separated Chola Nadu from Kongu Nadu in the

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high lying plateau around the present city of Coimbatore. During the Chola period, and even earlier, the Brahmins strengthened their position both over the agrarian economy and over many other sections of the imperial society. They were especially dominant in the temples. Many villages in the irrigated heartland of the Chola empire were Brahmadeya.

Scholars of South Indian epigraphy, based on the data analysis thrown up by modern technological aids, have projected a possible dichromatic contrast between different types of ownerships. Some communal holdings were said to be in vogue and Brahmadeyas were another form of communal ownership where a community rather than a village claimed ownership.

Under the feudal Cholas, group of Brahmins were granted villages for their livelihood. This practice gave rise to the restriction of landownership to the Brahmin caste in such Brahmadeya villages, excluding other castes. The ritual ban on Brahmins tilling the land, springing from the historical disdain of a privileged section of society for manual labour, encouraged the growth of multicae villages, where Brahmins held land and other castes worked for them.

**Tenures**

K.A. Nilakanta Sastri brings out the system of tenure that prevailed during the time of Cholas. Communal ownership of land by the villages was the dominant mode of tenurial system at that time. During the Chola period, the private land ownership was limited and obscure. All cultivable land was held under the following three broad classes of tenure.

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7. *Brahmadeya - Villages were donated by the king to the Brahmin community.
8. V.B. Athreya, et.al., *loc.cit.
(i) Peasant Proprietorship

This type of tenure was similar to the *ryotwari* system under which direct relationship was established between the state and the cultivators. This was otherwise known as *vellan-vegai* tenure system during that period.

(ii) Service Tenure

The village artisans were donated lands in recognition of their services rendered to the village community as a whole. They were allowed to hold the land under service tenure on a *Quid Pro Quo* basis, which is otherwise described as *Jivita Bhoga, Kani, Vrilli* and so on in Tamil.

(iii) Eleemosynary (Religious) tenure and Ryotwari Tenure

The lands held for charitable purposes are known as eleemosynary tenure, such as *Brahmadeya, Devadana* and *Salabhoga*. These lands are charitable gifts and governed by the special terms laid down in each case in a separate document drawn up in set terms.

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* Ryotwari – *ryotwari* settlement means the division of all arable land, whether cultivated or not into fields and the occupant pays the revenue so assessed on the area he actually occupies. This area may be constant or may vary from year to year with the relinquishment of old fields and the taking up of new ones. The occupant deals directly with the Government and is responsible only for his own holding. He is given a document called a Patta, which sets out the extent and assessment of each survey field or portion of a field in his occupation. This Patta is liable to revision every year to bring it up-to-date. The occupant thus enjoys all the advantages of proprietorship, subject only to the payment of the revenue due on the lands during the year. The *ryotwari* lands are also known as the taraf lands, the *Arayan sircar, Koru* or Government lands.

* Eleemosynary Tenure – This term is used by K.A. Nilakanta Sastry in his book ‘The Colas’, which means the holding of lands by the tenants belonging to charitable institutions like Temples, Mutts and Trusts.

* Brahmadeyam – Rent free land given to Brahmans.

* Devadanam – Rent free land given to the temples.

* Salabhogam – Resulting from charitable gifts governed by the special terms laid down in a separate document.
The first two were sometimes combined in the same village, a *Devadana Brahmadeya* village. *Devadanam* refers to lands held in absolute ownership by a temple like any other landowner. The tenures were created generally by purchase of land from previous owners and occupants. This implies private property in land.

It is often explained that the *ryotwari* system has established direct contact between the cultivators and the government unlike the *zamindari* system where the presence of intermediaries between the cultivators and the government is significant. Even though the entire state was under the *ryotwari* system, the eleemosynary tenure was not free from intermediaries between the cultivators and the government. Here public institutions like Temples, Mutts, and Trusts are acting as intermediaries between the cultivators and the government. The presence of the intermediaries under eleemosynary tenure is an ulcer in the agrarian structure of Thanjavur district, which poses several problems. The tenants of the public institutions are unnecessarily coming under the supervision of the trustees who play the role of landlords. Secondly, since the lands are held by public institutions, the institution of tenancy is perpetuated. If we are really interested in land reform, there is only one way out, i.e. acquisition of lands held by public institutions like temples, mutts and trusts and their distribution to the landless and actual cultivators in Thanjavur district. If it is not done, the policy of land to the tillers could be nothing but a pipe dream.

**Ekhabhogam**

K.A. Nilakanta Sastri pointed out that the Anbil plates of Sundara Chola record the gift of land given under Ekhabhoga*-Brahmadeya* of 70 acres of land by the King. The adjective *Ekhabhoga* implies unlike the usual *Brahmadeya* shared by a number of beneficiaries, this gift was meant altogether to benefit one

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*Ekabhogam- Rent free land gift given to exclusive enjoyment of individuals.*
individual only, in this case *Aniruddha Brahmadhiraja*. Under this system which seems to have arisen during the Chola period as a result of royal grants of undeveloped land to village communities, land was held and managed jointly by the several households of the dominant caste, usually Brahmins or high Caste Non-Brahmins.\textsuperscript{11}

**Origin of Zamindars**

According to Baden Powell, there probably never was a time when a *Mughal* governor or emperor deliberately conceived the plan of creating an official collector of rents, or invented a title, *zamindar*\textsuperscript{*} and making a decree or regulation defining their rights and duties. But persons and districts were always, from the earliest times of *Mohammaden* rule, spoken of generically as *zamindars*, as if they received a *sanad* from the ruling power. If they were people of minor importance, they would be called *talukdar*.\textsuperscript{12}

**Rise of the East India Company**

The revenue administration of the *Mohammaden* rulers was organized through the *Jahirdars* or *Poligars*. Agreements were entered into with *zamindars* or contractors of the revenue, according to which they agreed to pay a lump sum of revenue for the area over which they exercised control. If the *zamindar* was not satisfactory, another contractor replaced him for more than 20 years. This system continued up to 1789 A.D.\textsuperscript{13}


\textsuperscript{*} Zamindars – The word means ‘Land Holder’. In the literature on Indian land reform the term denotes the holder of an intermediary to interest in land with the obligation to pay land revenue to the government.

\textsuperscript{12} Ram Sharan Sharma, *op.cit.*, p.7.

\textsuperscript{13} History of Land Revenue Settlement and Abolition of Intermediary Tenures in Tamil Nadu, Govt. of Tamil Nadu, Madras, 1977, p.35.
The British East India Company decided to make direct collections with the objective of extracting as much as possible. On 22nd March 1773, Lord Cornwallis introduced the Permanent Settlement, to be renewed every ten years in Bengal and Bihar. As a result, the owners were deprived of hereditary lands and the ownership of the soil passed into the hands of the zamindars who had been merely agents of the Government for the collection of revenues. They had no knowledge of the various rights of land or of long standing local customs and practices. Hence zamindari system was a failure in many states.

**Ryotwari System**

The second type of land settlement tried by the English was the ryotwari System which was introduced in Southern Madras, Bombay, Bihar, Orissa, Bengal, East Punjab and portions of Assam and Coorg. Under this system, the ryot was directly under the State and the land revenue was assessed on each separate holding and the land revenue was accordingly assessed. The ryot was recognized as the proprietor and his right to sublet, mortgage or transfer by gift or sale was also accepted. He could not be evicted from his land so long as he paid the stipulated assessment. It may be noted that the ryotwari Settlement was temporary in nature and its duration varied from 20 to 40 years in different parts of the country. The credit for introducing this system was given to Captain Read and Thomas Munro, who for the first time introduced this system in the district of Bara Mahal in 1792. Gradually the system was extended to other parts of the country.

Ryotwari system was different from zamindari system in two respects. First, under the zamindari system, the ryot did not enjoy the right to sell or

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transfer the land. On the other hand, under ryotwari system, the bigger peasant proprietors were free from the above limitations. In addition, they possessed an advantage over the occupancy ryots in the zamindari areas, who were less favourably placed than the ryotwari peasants because better irrigation facilities existed in the ryotwari areas than in the zamindari areas. As a result, the ryotwari peasants were able to retain some surplus after discharging their liabilities. Thanjavur was brought under British management in 1799 A.D. by the declared incapacity of the Maratha rulers. Number of revenue systems were practised during the period of Captain Graham. Along with him, three other officers were appointed to practise different modes of settlement in the villages. The Renting System, Asara, Amaniar or Sharing System, Vissabodi System, Joint Renting System, Mukta System in the north, Olungu System, mottafaisal in the south and Tharao or Sarasari Settlement were tried.\(^{18}\)

The Olungu system was prevalent only in Thanjavur district which was based on grain rent converted into money every year at the current selling price. The Mottafaisal system was prevalent only in Thanjavur where it was introduced particularly in the year 1830 and finally in 1859 in the whole district, replacing the olungu system referred to earlier.\(^{19}\) In 1890, G.P. Clark introduced the ryotwari settlement in Thanjavur.

Initially the zamindars were given absolute freedom to deal with their tenants as they pleased. In course of time, it was found that the zamindars were harassing the tenants by resorting to rack-renting and summary evictions. Millions of tenants lost their rights in the lands they had been cultivating for generations. With a view to providing a measure of protection to tenants, Bengal Tenancy Act of 1885 and similar laws were enacted to confer security of tenure on certain categories of superior tenants. The zamindars usually kept a portion of their estates under their own management. Such lands constituted their home

\(^{18}\) G.O.No.1537, (Revenue), Settlement and Resettlement of Tanjore – Scheme Report, 25th August 1922, p.5.

\(^{19}\) B.P., Ms. No. 719, dated on 1st November 1982.
farms which they cultivated through tenants-at-will or farm servants. Though
the *ryotwari* system came to be described as one of peasant-proprietors, right
from the beginning a sizeable percentage of landowners used to lease out their
land to tenants for payment of a fixed rent or sharing the produce. Tenants on the
home - farms of the *zamindars* and all categories of tenants in the *ryotwari* areas
enjoyed no security of tenure. It is estimated that on the eve of independence,
more than one half of the cultivated land was under tenancy and that the bulk of
the tenants enjoyed no security of tenure or fixity of rent.\(^{20}\)

Towards the end of British rule, in spite of the legal measures to protect
the rights of tenants and to provide security to them from eviction, there existed
a social situation characterized by tenants-at-will who were vulnerable to the
whims and fancies of the *zamindars*.\(^{21}\) The term *zamindar* denoted mainly the
landed gentry who were also the ‘local bosses’.\(^{22}\) But during the nineteenth
century, it assumed a different connotation. It stood for the intermediaries who
aided the British in revenue collection for which they received a sizeable
amount. Hence they were also called middlemen.\(^{23}\)

Prior to the British policy of annexation, *Mirasdar* 's control had been less
stable. Cultivators had enjoyed slightly more freedom and upward mobility of
immigrant groups into the *Mirasdar* elite had been easier. But the British
conquest stabilized and froze the power of the *mirasdars* over local society and
ushered in an era that has been described as ‘something of a golden age for
*mirasdars*’.\(^{24}\)


\(^{23}\) D.A. Washbrook, *The Emergence of Provincial Politics*, Vikas Publishing House, New Delhi, 1977,
p.96.

Rent Structure in Early Period

*Mirasdars* could cultivate their lands directly or indirectly. Those who cultivated directly did so by providing the necessary inputs and supervising the work of their labour force. *Mirasdars* who cultivated indirectly left these tasks to intermediaries who were rewarded with a portion of the crop.

One legacy of the *mirasi* System is the title, *Mirasdar*, still commonly used today in Thanjavur to describe someone who owns more than six and two-third acres of irrigated paddy land. Though six and two-third acres of irrigated paddy land is substantial holdings, the relatively low threshold for this honorific designation is a symptom of the high degree of pressure on the land in Thanjavur. *inam* (Gift) land was held by institutions and individual *inamdars* in Thanjavur. Usually the *inamdars* held the land in perpetuity, free of revenue assessment or at concessional rates. The practice of granting *inam* lands, often whole villages, was most widespread during the Maratha period. Grants were made to temples, Mutts (Hindu Monasteries) and charitable facilities to provide

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* The word manyam is vernacular for inam. The word inam literally means a gift. The term inam is an Arabic word. The word inam or manyam denotes land held either at low assessment or altogether free, in consideration of services done to the state or the community as in the case of village servants. Wilson’s Glossary gives the meaning of the term thus: In India, and especially in the south and among the Marathas, inam or manyam was especially applied to the grants of land held rent free and in hereditary and perpetual occupation. The term inam came to be generally applied to all Government grants to denote grant in perpetuity and not resumable. The origin of the inam tenure can be traced to the grants made by the Hindu rulers for the support of the temples and charitable institutions for the maintenance of holy and learned men and as rewards for public service etc., This practice was followed by the Muhammadan rulers and by the British administrators until about a century ago. (From the statement of objects and reasons to Bill, 1934). The inam may be classified (i) Public or private (ii) Individual or collective (iii) Religious or secular (iv) for past services or continuing services, according to their nature, object and aim.
for services and their upkeep. Grants were made to individuals for personal service to the king or as payment to village servants.\textsuperscript{26}

*Inamdari* and *zamindari* lands in Thanjavur were cultivated by tenants under variety of arrangements, most of them rather exploitative.\textsuperscript{27} The intermediaries, known as *ulkudi,* with a hereditary position and as *porakudi* if they could be evicted at the end of each season, could be either estate managers or sharecroppers. Many of them did not engage in manual labour themselves and in return for a share of the crop, they managed the *mirasdar's* estate, employing *adimai* (Slave) labour to do the actual tilling. *Porakudis* differed from *adimai* mainly on the grounds that they owned agricultural implements, could take crucial decisions concerning cultivation themselves, belonged to higher sub castes and were not in bondage.\textsuperscript{28} Till 1918, serfs were bought and sold to cover revenue areas. After 1918, serfs could not be sold. In 1832, the transfer of serfs by sale from one district to another was declared to be a severe offence. During the colonial rule, the practice of barring outsiders from cultivating village lands was stopped.\textsuperscript{29} The British Collectors co-operated with each other in catching and bringing escaped slaves back to their owners. The India Law Commission was established under the Charter Act of 1833 and the Slavery Abolition Law (Act V of 1843) was passed.\textsuperscript{30} This was only effective on paper. In the *ryotwari* land, different kinds of tenants emerged. The *ulkudis* of the traditional village community lost their customary rights of occupancy and were gradually


* Ulkudi – Native cultivating tenants of the village.

* Porakudi – Outsiders, meaning tenants from other villages.


\textsuperscript{29} Willem Van Shandel, *Three Deltas - A Circulation in Rural Burma, Bengal and South India*, Sage publication, New Delhi, pp.14-22

\textsuperscript{30} Dharma Kumar, *op.cit.*, p.68.
converted into tenants-at-will. The tenant paid rent according to two systems, *varam* or share-cropping* and *kuthagai* or fixed rent. *varam* was more common at the beginning of the 19th century. Under the system, the tenant paid a fixed proportion of the gross yield to the landlord.

The displacement of the *mirasi* tenure by *ryotwari*, though gradual, undoubtedly had some disruptive effect on the traditional agrarian system. By making revenue liability an individual responsibility, it may have lessened village solidarity and made the agricultural economy more responsive to market forces. However, as the *mirasi* system left considerable room for independent economic activity in the households, and the change over to *ryotwari* was gradual, the disruption should not be exaggerated.31

**Settlement of Inams**

*Inam* refers to tax free land. When the state gave up its right to land revenue in favour of an individual or an institution for performing certain duties, the grant was termed as *inam* or *manyam*. The British Government in its attempt to regulate the land revenue administration understood the need for assessing the *inam* of dubious origin. The introduction of money economy ushered in an era in

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* Share Cropping – a form of rent (lease for temporary use) of land, under which the landlord is paid a rent in the specific share of the harvest (a half, a third, a tenth, etc)
* Mirasi – mirasi tenure is the division of the village into equal shares, each made up so as to yield an equal amount of produce and each including a proportionate share of all the benefits of common property land tenures. The division is supposed to have been made at the original settlement of the village, the number of shares apparently corresponding to the number of settlers that occupied or of the labourer which each settler brought with him. mirasdars were peasant proprietors and on the establishments of a Tamil village, all the lands therein belonged to them as a collective body who had equal rights as between themselves but formed an exclusive body as regards others. This was originally known as Kaniatchi in Tamil, Swastium in Sanskrit, and mirasi after the Monhamedan conquest. At present in common usage the term indicates ownership of land by a person living on the income from land.

which the payment of salaries replaced the system of assignment of land. No service was accepted by the state on assignment of land in lieu of salaries.

The barter economy receded to the background with the emergence of an agricultural economy based upon cash transactions. In their attempt to provide better living conditions to the ryots and give valid title and real rights over the land and also to increase the revenue of the state, the English rulers wanted to bring the unassessed inam lands under assessment. The value of land had increased after ryotwari settlement and consequently the possession of land on a fixed tenure on par with ryotwari was considered prestigious.  

The grants made by the Maratha rulers consisted almost wholly of endowments to religious and charitable institutions and grants for the benefits of individuals, chiefly the Brahmins in Thanjavur district. The most important grants of several villages were for the upkeep of many chathrams constructed by various Maratha rulers and their consorts. These chathrams were intended for the accommodation of pilgrims. The principal chathrams among these are the Muttambalpuram chathram in Orathanad and the Yamunambalpuram chathram at Nidamangalam. The great bulk of the inams was made by Rajah Pratab Singh and Thulasasji between the years 1740 and 1747.  

Whole villages were granted by Maratha rulers to the zamindars of the district. Several such inams have been granted mainly by the zamindars of Pappanad, Madukkur, Gandarvakottai, Athivetti, and Palayavanam. The inam Commission of 1861 went into the history of all inams in the district which existed on the date of the British assumption. The permanent settlement having followed the inam settlement, the Government could not have not been unaware of the earlier issue of title deeds for all these inam villages. No consolidated list of

Mukhasa lands, which were seized in 1862, was available. Complete record of the lands under Mukhasa villages was not available to the Inam Commissioner.  

**Settlement of Resumed Inams**

1. Palayeevayal Village in Thanjavur Taluk and

2. Meykudipatti Village in Pattukottai Taluk

(i) Palayeevayal village was endowed to a choultry at Thiruvaiyaru which was not properly maintained and hence the inam was taken over by the government.  

(ii) Meykudipatti village was endowed as an inam grant to a Dharma Chatram at Gandarvakottai. Failure to fulfill the conditions of grant resulted in the resumption of this inam by the government.

The inam villages in this district were the subject matter of enquiries under section (9) of the Madras Estates (Abolition and Conversion into ryotwari) Act, 1958 (Act ZXVI of 1948 before it was repealed). The Government then enacted the Madras Estates (Abolition and Conversion into ryotwari) Act, 1948 which provided for the acquisition of estates on payment of equitable compensation. Under this Act, the Government took over all the zamindari and Tenure Estates and Melwaram inam Estates. However with a view to filing application under section 4 of the Madras Estates Supplementary Act of 1956, all orders under section 9, declaring any inam village as not an estate, were re-examined.

35. G.O. No.112 (Political), dated on 25th April 1865.
36. B.P. Ms. 139, dated on 8th February 1954.
Resettlement 1923-24

The period of 30 years was fixed in the year 1893-1894 for the *ryotwari* settlement of the district and it expired in 1922-23. G.H. Jackson I.C.S initiated exercises prior to the re-settlement of *ryotwari*. He ordered resurvey of holdings and passed orders on the basis of the survey. According to this survey, the classification of irrigation sources was made more specific as shown below. Irrigation sources were arranged in five classes according to their capacity and nature of supply as detailed below.

**First Class Sources**

All irrigation sources under the Cauvery Mettur Project, whether they were directly or indirectly supplied, including tanks receiving supply from the project system were brought under this category.

**Second class Sources**

All channels fed by the Pamaniar and the tanks receiving their supply from these channels in the deltaic portion of Pattukottai taluk as well as river-fed tanks affording supply for not less than eight months in a year were included in this category.

**Third Class Sources**

Percolation and spring sources, deriving supply from the Cauvery Mettur Project System, hill streams and tanks of good capacity fed by the mountain streams, spring channels, small river – fed tanks and rain fed tanks affording supply for less than eight months, but more than five months were deemed to be third class sources.
Fourth Class Sources

Rain fed tanks affording supply for less than five months, but not more than three months were brought under this category.

Fifth Class

Small rain fed tanks and all sources affording supply for less than three months were considered fifth class sources.

314 estates with an area of 15,051 sq. miles were settled. Under the 1923-1924 Resettlement, the following were the estates covered by stay orders of the courts.

Table No 2.1

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<th>Taluk</th>
<th>Village</th>
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<tr>
<td>Kumbakonam</td>
<td>Thiruneelakudithottam</td>
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<td></td>
<td>Pududiwanvadathottam</td>
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<td>Thirumallu</td>
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<td>Rendankattlai</td>
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<td>Orathanad</td>
<td>Vedavijayapuram</td>
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<td>Suryanarayanapuram</td>
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<td>Maharajasamudram</td>
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<td>Mannargudi</td>
<td>Navabshaib Thottam</td>
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<td>Thiruthuraipoondi</td>
<td>Chidambara Kothangulam</td>
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Under Act 30/63, 1376 inams covering an area of 108.56 sq. miles were re-possessed by the state from the appointed date of 15th February 1965. Out of this, 898 minor inams with an area of 73.64 sq. miles were settled in Fasli 1379
and 474 minor *inams* covering an area of 34.40 sq. miles were settled in Fasli 1380.\(^{39}\) Four minor *inams* of 0.52 sq. miles-Vadapillali-Keelakattalai in Nannilam taluk and Chidambarakothangulam and Achanur in Thiruthuraipoondi taluk were covered by the stay orders of courts.\(^{40}\)

The re-settlement notification was in force in this district. The settlement notification applied to the estates situated in Pattukottai, Arantangi and Orathanad taluks, including 11 under tenure estates of Ramanathapuram *zamindari* located in Aranthangi taluk. There was a separate settlement notification for the three *inam* estates of Thennamanadu, Kannadangudimelayur and Samipatti which were transferred from Thanjavur taluk to Orathanad taluk on its formation.\(^{41}\)

For the few estates settled in Nannilam taluk, there was no scheme report as the area presented no peculiarities and Government’s orders were received approving the suggestion to dispense with scheme reports.\(^{42}\) The introduction report for this taluk was prepared by G.M. White, I.A.S., Settlement Officer, Thanjavur.\(^{43}\) Similarly an introduction report was prepared for Thiruthuraipoondi taluk by V. Sankaran, I.A.S., Settlement Officer, Thanjavur.\(^{44}\)

At the last resettlement, the district had eleven taluks including Papanasam and Aranthangi formed on 15\(^{th}\) November 1910. The twelfth taluk, Orathanad, was formed in 1954 by transferring 156 villages from Pattukottai and 22 villages from Thanjavur taluks. After transferring Aranthangi taluk and portions of Peravurani sub-taluk and Orathanad taluk to the newly formed Pudukkottai district on 1\(^{st}\) January 1974, Peravurani was constituted into a

40. G.O. Ms. No. 2219, (Revenue), dated on 12\(^{th}\) December 1922.
42. G.O. Ms. No. 3785, (Revenue), dated on 15\(^{th}\) December 1959.
44. G.O. Ms. No. 2816, (Revenue), dated on 19\(^{th}\) September 1963.
separate taluk and a new taluk was also created at Tiruvarur with effect from 1st April 1975.45

**Distribution of Land**

The 1892 order of the Madras Government enabled the assignment of land acquired by the Government to the Paraiyars and this pioneering legislation served as the guidelines for ensuing policies towards the depressed castes.46 This order directed the Collector of Chingleput to formulate a plan of action, asking the district officers to prepare a list of all the land in each village bought by the Government.47 The extent of land assigned by the Government under this policy was not adequate enough to create any significant change either in the landholding pattern in Tamil Nadu or in the economic status of the depressed castes. But it was a forerunner to subsequent reform acts. By 1918, the Government had made several grants of wasteland to depressed castes for dwelling and cultivation.48 According to the annual reports of the Labour Department, the amount assigned rose to 2,37,000 acres by 1927-28 and to 3,43,000 acres by 1930-31, indicating a rapid progress in the implementation of the policy by 1920.49 However, it should be stated that the 1,80,000 acres assigned by 1926 accounted for only 0.7 percent of the total *patta* land in the Presidency and even the 3,43,000 acres for 1931 accounted for only 1.2 per cent. It seems particularly important to note that the main part of the areas assigned was dry land and it was concentrated in some of the dry districts of the Presidency. Table No-2.2 shows that two districts, North and South Arcot, accounted for more than 60 per cent of the total area assigned. In other districts, especially in wet districts such as Thanjavur, Tiruchirappalli, etc., the percentage

46. G.O. No. 2435, (Revenue), dated on 26th June 1918.
47. G.O. No. 2778, (Public Works and Labour), dated on 5th November 1928.
48. Board Proceedings of Revenue, No.6, dated on 18th March 1918, p.6.
49. G.O. No. 3218L, (Public Work) and (Labour), dated on 10th December 1931.

* Patta –Plot of land registered for ownership and payment of land revenue.
of the assigned area was very low, generally not exceeding 0.6 per cent of the total delta land even by 1930-31.\textsuperscript{50}

The ameliorating effect of the land assignment policy was lessened not only by the poor quality of the land assigned but also the lack of necessary funding for cultivation. Failures of land schemes were in many cases due to the fact that land given to them was so often largely such as others did not want because it was poor in quality. In majority of instances, agricultural labour lost their land because they did not have the capital required to carry out cultivation.\textsuperscript{51}

<table>
<thead>
<tr>
<th>Table No. 2.2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land Assigned to Adi-Dravidas</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>District</th>
<th>Area assigned (Percentage)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Upto 1927-28</td>
</tr>
<tr>
<td>North Arcot</td>
<td>38,696 (3.1%)</td>
</tr>
<tr>
<td>South Arcot</td>
<td>15,202 (0.9%)</td>
</tr>
<tr>
<td>Chingleput</td>
<td>3,575 (0.5%)</td>
</tr>
<tr>
<td>Madras</td>
<td>8,226 (0.7%)</td>
</tr>
<tr>
<td>Thanjavur</td>
<td>965 (0.1%)</td>
</tr>
<tr>
<td>Trichinopoly</td>
<td>4,096 (0.3%)</td>
</tr>
</tbody>
</table>


Thanjavur had a reputation for extreme inequality in the distribution of land ownership. Indeed Dharma Kumar’s Study of Land Ownership in the Districts of Madras Presidency from 1853 to 1946 shows that Thanjavur had the sharpest inequalities over the entire period even though there was no increase in

\textsuperscript{50} G.O.No.2778L, (Public Works and Labour), dated on 5th November 1928.
\textsuperscript{51} Jamabandi Report for Fasli 1335 (1925-26), Madras, 1927, pp. 47-50.
the degree of concentration over time. He concludes that his data probably underestimate the degree of inequality at any point.

The Decline of the Community of Mirasdars

In the second half of the nineteenth century, rural society in the Cauvery Delta lost some of the rigidity which had characterized it in the early colonial period. The community of mirasdars lost much of its raison d'être when land tax collection became an individual responsibility. Labour control was no longer the legal responsibility of the mirasdars and the land market developed as a result of the commercialization of rice production. Individual mirasdari families could now pursue their own interests, even to the point of cutting their ties with the village altogether. Economic and social differentiation within the mirasdari group increased gradually. Traditionally land owners began to lose wealth to new commercial groups. Outsiders began to own village lands and absenteeism emerged as a significant factor for the first time. Some mirasdars took advantage of the new commercial opportunities by becoming rice dealers.

Abolition of zamindari System

In order to help the ryots, the Rent Recovery Act of 1865 was enacted. However, there was no act prescribing the norms to be followed by the landlords in collecting rent from the ryots. Therefore the government drew up a bill in 1905. The bill sought to remove the defects in 1865 Act and clearly define the role of landlords in the revenue administration. The bill was placed before the public for discussion and in 1908 it was passed under the title of The Madras Estate Land Act.

52. Dharmakumar, op.cit., pp.18-19.
53. Ibid., pp.229-231.
By the Madras Estates Land Act, 1908, occupancy right was given to peasants and the Act clearly mentioned that the ryots should not be evicted from the holdings. This Act did prove useful to the ryots of zamin and certain inam villages. The Court of the Revenue Divisional Officer became the regular forum where disputes with their proprietors could be legally adjudicated. The Act of 1908 was the first of its kind in the Presidency that brought on statute the relationship between the landholder and his ryots. The Act was intended to safeguard the ryots. The Act of 1909 was further amended in 1913, 1914, 1928, 1934, 1935 & 1936. The aim was to remove the defects so that both the landholders and ryots would be rendered beneficiaries. In the twentieth century, many political leaders and intellectuals took up the cause of the peasants. Gandhi proposed Satyagraha strategies in favour of peasants. Similarly N.G. Ranga was a champion of the peasant movements. Through his speeches, writings and various associations, he instilled anti-zamindar feelings in the minds of the peasants. In order to educate the peasants, he started peasant institutions in many parts of Tamil Nadu. His motto was to abolish the zamindari system.

In order to establish the anti-zamindari system, various peasant movements were organized. He undertook an extensive tour of Tamil Nadu. In 1935, he visited Thanjavur where he organized thirty peasants to meet the Collector of Thanjavur. He went to Vellore on 21st April 1937 and formed North Arcot Kisan Society. He was the architect, life, spirit and thinker of the modern peasants' movement. He led many peasant movements and he was

56. Ibid., pp. 86-90.
58. Ibid., pp.III.VIII.
60. G.O. No.10, (Legal), dated on 9th January 1908.
arrested many times for his provocative speeches and anti-zamindari activities.\textsuperscript{62} Many peasant marches were organized in different parts of the Madras Presidency. He submitted a memorandum to C.Rajagopalachari, the Premier of Madras, on 27\textsuperscript{th} August 1938.\textsuperscript{63}

The Madras Estates Act of 1948 abolished all zamindari estates and whole village inams (minor inams were abolished by an Act of 1963) in Thanjavur. The Congress Party was very particular about abolishing the zamindari system. In February 1947, the Madras Legislative Council passed a resolution accepting the general principles of the abolition of zamindari system.

In pursuance of this resolution, the Government as a first step passed an Act called the Madras Estates Land (Reduction of Rent) Act XXX of 1947 for reducing the high rents due from the estates. It provided for the reduction of rents payable by the ryots in estates comparable to the rates imposed on ryotwari lands in the neighbourhood.\textsuperscript{64} This Act (Act XXX of 1947) gave considerable relief to the ryots. It reduced the higher tax rate on zamindari estates to the level prevailing in the neighbouring ryotwari areas. As per the Act, Special Officers were appointed to carry out the works like comparing the rents paid by the estate ryots and the neighbouring ryots of the ryotwari areas in various fields.\textsuperscript{65}

The Act of 1948 removed the word 'proprietor' used in the definitions and in its place the word 'principal landholder' was used. In this Act, compensation was given to the pre-settlement estates as if they were zamindars.\textsuperscript{66}

The Congress Government appointed the Agrarian Reforms Committee in 1949. It was implemented with the aim of replacing the existing pattern of land

\textsuperscript{62} A.R. Desai, “Peasant Struggles in India”, \textit{op.cit.}, p.56.


\textsuperscript{64} G.O.No.2, (Legal), dated on 7\textsuperscript{th} January 1948.

\textsuperscript{65} G.O.No. 36, (Legal), dated on 7\textsuperscript{th} January 1948.

\textsuperscript{66} A. Chandrasekaran, “Land Laws of Tamil Nadu”, \textit{op.cit.}, p.27.
ownership either by transforming the actual tillers into owner-cultivators by a large scale and radical redistribution or by persuading the landlords themselves to take up actual cultivation by hired labourers.⁶⁷

The Sixth Session of the Land Revenue Reforms Committee was held on 18th September 1950. At that time, G. Sankaran Nair enquired whether the creation of protected tenancy in the sense contemplated by the Congress Agrarian Reforms Committee would affect the land values.⁶⁸

2.2. Evolution of Land Revenue Policy under Popular Governments

The Administrative Reforms Commission, after broadly analyzing the various features of Land Revenue Administration and the recent trends referred to above, mentioned the following alternative choices. Receiving periodical settlements is one option. The Second option is for the Government to give up basic land revenue, extend this policy to its local limits and introduce a rational water rate structure.⁶⁹ The second alternative proposal was in conformity with the recommendation of the One Man Commission headed by S.R. Kaiwar, I.C.S in 1967. It suggested to the Government to waive dry assessment and impose water charge at a uniform rate all over the state on all lands irrigated by the same class of irrigation sources.

Non Official Agencies after Independence - Bhoodhan Movement in Tamil Nadu

Instead of acquiring excess land from landlords through legislation, the Bhoodhan Movement, started by Vinoba, proposed to bring about change of heart in the landlords and to persuade them to donate the land voluntarily for allotment to the landless poor. Vinoba Bhave undertook a pilgrimage to Tamil

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Nadu for nearly 12 months from 13th May 1956 to 18th April 1957. During that
time, he induced big landlords to gift a part of their land for Bhooohan* and
Gramdhan Movement. From 1952-54, more than 3 million acres of land were
received in Bihar and Orissa. By May 1955, the total land collected was 3.75
million acres, out of which only 0.2 million acres had been distributed. This
movement was effective throughout Tamil Nadu and 48,000 acres of land were
secured as Bhooohan and it was distributed to landless labourers throughout
Tamil Nadu. Since the cultivating masses were economically poor, most of the
lands so distributed remained fallow indefinitely. Considering the peculiar
circumstances in which the beneficiaries were placed, the Government desired to
bring all such land under cultivation. Accordingly, the Tamil Nadu Bhooohan
Board, a statutory body was constituted under the Tamil Nadu Bhooohan Yagna
Act 1958 to administer these lands and also to promote Gramdhan ideology.
The head quarters of the Gramdhan Yagna Board (Bhooohan Board) is at
Madurai and it is under the administrative control of the special officers in the
cadre of Deputy Collectors who are having jurisdiction over the entire state. Bhooohan Movement was not practised in Thanjavur and, Nagapattinam district.
But it was practised in Thiruvarur where 879.1037 lakhs of acres were
distributed out of the total of 886.0691 lakhs of acres received as Bhooohan.

* Bhooohan – (land donation) name of Movement, organized by Acharya Vinoba Bhave, aimed at
persuading land owners to donate excess or unused land to the landless.
2.3. Fixation of Ceilings on Land Holdings

Legislations regarding fixation of ceilings also have not been able to achieve the desired objectives. The provision of large number of exemptions from ceilings and many loopholes in legislations rendered them ineffective in practice. Most of the states had exempted the following categories of land from ceilings. Tea, Coffee, Rubber and other plantations, sugarcane farms and efficiently managed farms. Land held by religious trusts, charitable and educational institutions and cooperative farming societies.

The main features of the New Policy were:

1. Lowering of ceilings to 18 acres of wet land and 54 acres of unirrigated land.
2. The change over to family rather than individual as the unit for determining land holding and lowered the ceiling for a family of five.
3. Fewer exemptions from ceiling.
4. Retrospective application of the law for declaring *binami* transactions null and void.

The Asian Development Bank’s study found that during the 1960s, land reform programmes in India were not adequately implemented and this partially explains why the distribution of holdings has not changed much since the early 1960s. In the 16 Indian states which implemented land ceiling legislation between 1958 and 1971, only 0.99 million hectares had been declared surplus by 1971, representing only 0.7 percent of the net cropped area. Less than 0.49 million hectares had been redistributed to poor farm householders and landless

workers.\textsuperscript{78} In 1950, at least half the cultivated land in Thanjavur lay in large
estates. Many of these estates comprised one or more villages and several
hundred to several thousand acres. One third of the area under large estates was
owned by temples or monasteries and two thirds by wealthy families of middle
to upper Hindu castes. The other half of land in Thanjavur was owned in small
lots by village temples and by small landowning families who lived in kinship
communities in the villages. Each of these families usually owned less than 10
acres and most of them less than five acres. Thus more than one-sixth of the
district’s total cultivable area was owned by temples and monasteries, chiefly in
large estates, while about one-third consisted of relatively large private estates
from 10 to more than 6,000 acres, which together comprised about 11.2 percent
of all private holdings.\textsuperscript{79}

\textbf{Land Holding Pattern in Thanjavur}

This pattern of landholding in West Thanjavur is significantly different
from that in East Thanjavur. There are more persons with large holdings in East
Thanjavur than in West Thanjavur. In arriving at this assessment, the number of
persons paying agricultural income tax, has been taken into consideration. (Table
No.2.3)

\textsuperscript{78} A.R. Rajaprohit (ed.), “Land Reforms in India”, \textit{op.cit.}, p.19
\textsuperscript{79} Kathleen Gough, \textit{Rural Change in South East India - 1950s to 1980s}, Oxford University Press,
New Delhi, 1989, p.23.
### Table No. 2.3

**Holding Assessed under the Agricultural Income Tax Act in Thanjavur District**

<table>
<thead>
<tr>
<th>Taluks</th>
<th>7 1/2 to 12 Standard Acres</th>
<th>12-20 Standard Acres</th>
<th>20 and More Standard Acres</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>West Thanjavur</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Thanjavur</td>
<td>881</td>
<td>313</td>
<td>247</td>
</tr>
<tr>
<td>Papanasam</td>
<td>984</td>
<td>531</td>
<td>416</td>
</tr>
<tr>
<td>Kumbakonam</td>
<td>619</td>
<td>563</td>
<td>517</td>
</tr>
<tr>
<td>Orathanad</td>
<td>345</td>
<td>150</td>
<td>45</td>
</tr>
<tr>
<td>Pattukottai</td>
<td>364</td>
<td>401</td>
<td>208</td>
</tr>
<tr>
<td>Arantangi</td>
<td>155</td>
<td>142</td>
<td>95</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>3,348</strong></td>
<td><strong>2,100</strong></td>
<td><strong>1,528</strong></td>
</tr>
<tr>
<td><strong>East Thanjavur</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mayavaram</td>
<td>940</td>
<td>750</td>
<td>548</td>
</tr>
<tr>
<td>Sirkali</td>
<td>297</td>
<td>315</td>
<td>277</td>
</tr>
<tr>
<td>Mannargudi</td>
<td>590</td>
<td>584</td>
<td>567</td>
</tr>
<tr>
<td>Thiruthuraipooni</td>
<td>481</td>
<td>527</td>
<td>334</td>
</tr>
<tr>
<td>Nagapattinam</td>
<td>859</td>
<td>703</td>
<td>585</td>
</tr>
<tr>
<td>Nannilam</td>
<td>983</td>
<td>1,110</td>
<td>1,141</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>4,150</strong></td>
<td><strong>3,989</strong></td>
<td><strong>3,452</strong></td>
</tr>
</tbody>
</table>


As could be observed from Table No. 2.3, the number of assesses owning 20 and more standard acres in East Thanjavur was 3,452 as against 1,528 in West Thanjavur in 1969. Similar disparity in numbers is also found in respect of those who held 7 1/2 to 12 and 12 to 20 standard acres. In this connection, it was pointed out that the significance of these figures should be viewed keeping in mind the fact that the temples and mutts which owned large extents of wet lands...
were not liable to assessment under the Agricultural Income Tax Act. If these were to be included, the number of big landowners in East Thanjavur would be much more than the number given in the above statement. Big temples and mutts are more numerous in East Thanjavur than in West Thanjavur. It is worth noting, however, that most of these temple and trust lands are actually under the possession of rich and influential persons. It was found in one investigation that in Thanjavur district, 1,98,271 acres of land were held by 2,862 trusts, out of which 804 trusts held 65,639 acres of land in West Thanjavur and as much as 1,32,632 acres of land were held by as many as 2,058 trusts in East Thanjavur.

Table No.2.4

Lands held by Public Trust in Thanjavur District

<table>
<thead>
<tr>
<th>Taluk</th>
<th>No. of Trust</th>
<th>Extent of Land in Acres</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>West Thanjavur</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kumbakonam</td>
<td>296</td>
<td>22,761.97</td>
</tr>
<tr>
<td>Papanasam</td>
<td>207</td>
<td>9,025.97</td>
</tr>
<tr>
<td>Thanjavur</td>
<td>176</td>
<td>5,055.26</td>
</tr>
<tr>
<td>Orthanad</td>
<td>32</td>
<td>1,494.29</td>
</tr>
<tr>
<td>Pattukottai</td>
<td>48</td>
<td>2,766.90</td>
</tr>
<tr>
<td>Arantangi</td>
<td>45</td>
<td>24,534.55</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>804</td>
<td>65,638.94</td>
</tr>
<tr>
<td><strong>East Thanjavur</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sirkali</td>
<td>99</td>
<td>15,925.16</td>
</tr>
<tr>
<td>Mayavaram</td>
<td>285</td>
<td>29,311.64</td>
</tr>
<tr>
<td>Nannilam</td>
<td>242</td>
<td>14,531.80</td>
</tr>
<tr>
<td>Mannargudi</td>
<td>208</td>
<td>16,204.37</td>
</tr>
<tr>
<td>Nagapattinam</td>
<td>407</td>
<td>19,056.81</td>
</tr>
<tr>
<td>Thiruthurai poondi</td>
<td>917</td>
<td>37,601.87</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>2,058</td>
<td>1,32,631.65</td>
</tr>
<tr>
<td><strong>Grand Total</strong></td>
<td>2,862</td>
<td>1,98,270.59</td>
</tr>
</tbody>
</table>

The failure of land reforms can also be looked at from another angle. How far have these measures brought about changes in the Land Holding Pattern? For example, the proportion of households owning below 1.00 hectare (excluding the landless) has increased from 54.22 per cent in 1961 – 62 to 62.72 percent in 1981-82. The area owned by the landlords has increased from 19.99 percent to 23.57 per cent during the same period.  

The reduction in landless households has not been very substantial. Compared to 24.20 per cent in 1961-62, it was 19.13 per cent in 1981-82. Tamil Nadu’s percentage of landless households is very high when compared with the all-India level (11.23 per cent). It may be true that the same might have received land through redistribution, but it has not in any way improved their position. This is because of the fact that most of the lands were government waste lands.

### Table No. 2.5

**Percentage Distribution of Agricultural Holdings among owners by size of holdings, Thanjavur and Tamil Nadu, 1951**

<table>
<thead>
<tr>
<th></th>
<th>Below 5 Acres</th>
<th>5-10 Acres</th>
<th>Above 10 Acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tamil Nadu</td>
<td>68.7</td>
<td>16.7</td>
<td>14.6</td>
</tr>
<tr>
<td>Thanjavur</td>
<td>74.7</td>
<td>14.1</td>
<td>11.2</td>
</tr>
</tbody>
</table>

### Table No. 2.6

**Approximate Percentage of Distribution of Agricultural Holdings among owners by size of holdings, Thanjavur and Tamil Nadu, 1961**

<table>
<thead>
<tr>
<th></th>
<th>Below 5 Acres</th>
<th>5-10 Acres</th>
<th>Above 10 Acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tamil Nadu</td>
<td>71.5</td>
<td>17.9</td>
<td>10.6</td>
</tr>
<tr>
<td>Thanjavur</td>
<td>74.5</td>
<td>16.6</td>
<td>08.9</td>
</tr>
</tbody>
</table>

81. Ibid.
Table No. 2.7

Approximate Percentage of Distribution of Agricultural Holdings among owners by size of holdings, Thanjavur and Tamil Nadu, 1971

<table>
<thead>
<tr>
<th></th>
<th>Below 5 Acres</th>
<th>5-10 Acres</th>
<th>Above 10 Acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tamil Nadu</td>
<td>79.1</td>
<td>13.3</td>
<td>7.6</td>
</tr>
<tr>
<td>Thanjavur</td>
<td>84.4</td>
<td>10.0</td>
<td>5.6</td>
</tr>
</tbody>
</table>


Table No. 2.5, 2.6 and 2.7, provide simplified percentage for the three decades, using the three classes of less than 5 acres, 5-10 acres, and more than 10 acres. In the state as a whole, the percentage of holdings under 5 acres increased between 1951 and 1961 but in Thanjavur it did not materialize. According to the Land Ceiling Act of 1961, many of the large owners subdivided their holdings and registered them in the names of various relatives, tenants or servants. The 1971 figures, therefore, cannot be taken as a completely accurate reflection of the real distribution of land holdings.

**Tenancy Problem**

The Land Tenure System refers to the relationship between the Government and the land-owner and if the land owner himself cultivates the land, there is no further problem except that of the relationship between the capitalistic land owner and the agricultural labourer. The problem of tenancy arises when the land owner or zamindar lets out the land to someone else who then becomes the tenant on terms defined by contract or by custom. In this country, zamindari as well as in many cases in the ryotwari system, the owner did not cultivate the land himself and so the problem of tenancy assumed critical importance.

The evolution of tenancy in the Old Delta area of Thanjavur can be generally described as taking place in two phases - varam and kuthagai. There
was a gradual transition from pannai cultivation (through pannaiyals or attached labour) to tenancy cultivation (both varam, or Share Cropping, and kuthagai, or Fixed Rent) in many areas. There are two forces behind this change: (i) increasing pressure on the land; and (2) market penetration of agriculture. The second phase, beginning in the late 1940’s and continuing to the present, witnessed the almost total disappearance of varam to be replaced by kuthagai tenancy as well as cultivation with the help of casual labour (daily wage). The main impetus to this change was the threat, and later the actual implementation of tenancy reform. Under both systems, the landowner mirasdhar by tradition enjoys the right to evict the tenants at will, to bargain for higher rents or to allot land to persons of his choice. Thus, obtaining a piece of land for cultivation even after agreeing to pay high rents is often considered as a favour bestowed by the landowner on the tenant. Tenants on the Brahmin lands were usually non-Brahmins. Absentee landlordism led to increase in kuthagai tenancy. Thanjavur Brahmin landowners, because of their privileged social and economic status and traditional literacy, were enlisted early for service in the British administration. Few non-brahmin families in many villages had significantly improved their status, usually by acquiring land. As Brahmin landlords left the villages, they often selected these non-brahmins as tenants because they had the resources to cultivate successfully. Under the relatively favourable conditions of kuthagai tenancy, many non-brahmins were able to improve their economic status further. The owner-cultivators and tenants usually cultivate the fields with the help of agricultural labourers who are mostly Harijans. In the past, many Harijan labourers entered into a special kind of contract with the cultivators. A

84. K.C. Alexander, op.cit., p.15.
86. Ibid., p.245.
labourer’s family entering into such a relationship was known as the cultivator’s pannaiyal. A Pannaiyal and members of his family obtained more or less regular work from the cultivator. They also received certain gifts from him on festive and ceremonial occasions. But the wages that one paid to Pannaiyals were lower than the market rate.\(^88\) *varam* was nothing but a device to pay a tenant no more than the wage of a pannaiyal with the advantage (to the landlord) of reducing it in proportion to the yield. In these areas *varam* tenancy fell almost exclusively on the Harijans, because their low economic and social status left them with no alternative.\(^89\)

**Tenancy Reform after Independence**

After India’s Independence, Congress President Rajendra Prasad appointed the Agrarian Reforms Committee with J.C. Kumarappa as its Chairman. The Committee submitted its report in 1951.\(^90\) This report is considered to be an important and authoritative document on land reforms. The Committee laid down certain principles regarding the pattern of land tenures, size of holdings, mode of farming, rights on land, land management and discussed certain other allied matters, i.e. rural indebtedness, conditions of work of agricultural labour and stabilisation of agricultural prices.\(^91\)

In 1952, out of fear of land reforms, the relationship between the landowners and their agents on one hand and the tenants and farm labourers on the other became strained. This was very noticeable in Thanjavur district. Several *mirasdars* in that district refused to renew lease agreements with their

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usual tenants and displaced them either by bringing in new tenants or taking the land under pannai system.\textsuperscript{92}

Towards the middle of 1952, the unrest among the agricultural class reached a high pitch resulting in breach of peace. Madras Government passed the Thanjavur Tenants and Pannaiyals Protection Act in 1952.\textsuperscript{93} This Act was an emergency measure to relieve rural misery and reduce the agrarian unrest. This Act aimed at limiting tenants’ rents to not more than 60 per cent of the gross crop, granting security of tenure for a five year period, and raising the wages regularly. Land Legislation Act in Tamil Nadu was never fully implemented because of the local power of landlords. However, they slightly improved the conditions of tenants and labourers. These Acts, in fact, helped stave off famine. Which followed a major cyclone in late November 1952. The Tenants and Pannaiyals Act was followed by a long series of acts regulating the ownership and tenure of land in Tamil Nadu as a whole. In theory, these acts gradually increased its severity towards landlords and liberalized the conditions of tenants.\textsuperscript{94}

**Tenancy Laws**

**(i) The Thanjavur Pannaiyal Protection Act 1952**

This Act provides for the regulation of wages payable to pannaiyals in Thanjavur district. Conciliation Officers were appointed. Under this Act, provision was made to take remedial measures in case a pannaiyal was dismissed by the landowner. With the passing of the Thanjavur Act, representations were made to the Government that in anticipation of land reforms legislation, owners of lands in other districts were evicting cultivating tenants with a view to bringing the lands under their personal cultivation. They


\textsuperscript{93} Kathleen Gough, “Rural Change in South East India, 1950s to 1980s”, *op.cit.*, pp.22-24.

\textsuperscript{94} *Ibid.*, p.24
considered that large-scale eviction would, if allowed to continue, lead to agrarian trouble, disturbance and breach of peace.\(^\text{95}\) To protect the tenants from unjust eviction, the Tamil Nadu Cultivating Tenants Protection Act, 1955, was passed. This Act was an improvement upon the Thanjavur Tenants and Pannaiyals Protection Act, 1952.\(^\text{96}\) The 1955 Act sought to give protection to cultivating tenants from eviction and provides for the security of tenancy without time limit. Compulsory execution of fresh lease deeds (if the ryot or the owner demands it after the Act came into force), resumption of land for personal cultivation by landowners under certain conditions and eviction of tenants under certain circumstances were permitted. But Revenue Divisional Officers or Special Deputy Collector were appointed to deal with cases under this Act.

(ii) The Tamil Nadu Cultivating Tenants Protection Act, 1955 (Act XXV of 1955)

Several mirasdars in Thanjavur district refused to renew lease agreements with their usual tenants and displaced them either by bringing in new tenants or taking the lands under home (Pannai) farm.\(^\text{97}\)

The scope of the Tamil Nadu Cultivating Tenants Protection Act of 1955 was to protect the cultivating tenants from improper eviction by landowners. Section 3 of the Tamil Nadu Cultivating Tenants Protection Act 1955 deals with protection of cultivating tenants against eviction by landlords. Section 1 consists of four classes. The sub-section 1 offers protection to the cultivating tenants. The sub-section 2 speaks about exceptions, sub-section 3 is related to the deposit of rent by the cultivating tenants and sub-section 4 is related to the eviction procedure to be initiated by the landlord. Sub-section 1 of Section 3 says, "no cultivating tenant shall be evicted from his holding or any part thereof, by or at


the instance of his landlord, whether in execution of a decree of order of a court or otherwise.”

(iii) The Tamil Nadu Cultivating Tenants (Payment of Fair Rent) Act 1956

This Act provided for fixation of fair rent that may be paid by tenants, the mode and time of sharing the produce and disposal of disputes arising between landlords and tenants. In this Act, “Fair Rent” is defined as follows. In the case of wetland, 40 percent of the normal gross produce or its value in money, or in the case of wetland where the irrigation is supplemented by lifting water, 35 percent of the normal gross produce or its value in money or in the case of any other class of land, 33 ½ percent of the normal gross produce or its value in money and in every harvest, the landowners shall be entitled to one-fifth of the straw or stalk of all the crops. This Act has put both the tenant and the landlord wise about their respective legal rights with regard to crop sharing and a sizeable number of disputes have been settled under this Act in Thanjavur and Tiruchirappalli districts. However, instances of crop sharing on a 50:50 basis based on mutual understanding and oral agreement are still not uncommon in many parts of the state.

(iv) The Tiruchirappalli Kaiyeruvaram and Mattuwaram Act 1956

The relationship between the landlords and tenants of Tiruchirappalli district is defined and protected by the Tiruchirappalli Kaiyeruvaram and Mattuwaram Act 1956. The customary rights and obligations of Kaieru and Mattuvaramdar in the specified villages of Tiruchirappalli district have been legally recognized and protected. The above Act reflects the broad objectives of the First Five Year Plan, namely.


1. To augment agricultural production by a better system of land management, provide for security of tenants, including opportunities for them to become owners of the land they cultivated.

2. Reduction of inequalities in opportunities of income

3. Improvement of the life of agricultural labourers

4. Raising the standard of living in rural areas.

5. Allotment of house sites for the landless. Sustained employment for agricultural workers and small cultivators.

(v) The Tamil Nadu Cultivating Tenants (Protection from Eviction) Act, 1966

There was an unprecedented drought during 1965 and the cultivating tenants were not able to pay the rent due to landowners. Therefore, The Tamil Nadu Cultivating Tenants (Protection from Eviction) Act 1966 (Tamil Nadu Act 11/1966) was enacted to provide for protection from eviction of cultivating tenants who were in arrears of rent payable to the landlords on account of failure of crops due to the unprecedented drought in 1965. This Act was in force for a period of two years from 20th April 1966 to 19th April 1968.

(vi) The Tamil Nadu Cultivating Tenants (Special Provisions) Act 1968

This Act made provisions for the tenants to pay the arrears of rent in easy installments. This enactment safeguarded the tenants from eviction if they were in arrears of rent.

(vii) The Tamil Nadu Agricultural Lands (Record of Tenancy Rights) Act 1969

In the absence of authentic record of tenancy rights, the implementation of tenancy law could not be made effective. This gap in documentation enabled the landowners to evict the tenants without any legal consequences. This Act was passed in order to give protection and ensure tenancy rights to the exploited tenants who were at the mercy of the landowners in the matter of acknowledging
their tenancy rights. It provided for a list to be drawn up in each village with
the field numbers and names and addresses of owners and cultivating tenants.
The list for Thanjavur was published in the District Gazetteer and for Tamil
Nadu in the Fort St. George Gazetteer. Each tenant received a document
confirming his tenancy. Tenants holding documents were thus in theory enabled
to uphold their claims in courts and continue to cultivate and to pay the rent.

The preparation of a complete and reliable record of tenancy rights was
therefore considered to be essential to safeguard the interests of the tenants. The
Government accordingly enacted the Tamil Nadu Agricultural Lands Record of
Tenancy Rights Act, 1969 (Tamil Nadu Act 10 of 1969). This Act was initially
brought into force in the districts of Thanjavur, Tiruchirappalli and Madurai with
effect from 10th December 1969. It was extended to rest of the state with effect
from 8th September 1971.

General Survey of the Existing Facts Relevant to the Tenancy Problem

In Thanjavur district, there were very few cases of sales to non-
agriculturists in recent years. Most of the transactions of sales related to one
cultivator to another. There were, however, some stray cases of sales of large
tracts of land to non-agriculturists. In Arantangi taluk, in several villages
adjoining Pudukkottai state, small holders who had borrowed money from
money lenders in Pudukkottai state, sold away their lands to their creditors in
discharging their debts. In most of these cases, however, the purchasers were not
able to get sufficient income from their lands. The money lending classes of
these places have come to realize that it is not desirable to purchase lands in
those places. The special Tahsildar for this district was specially instructed to
study this aspect carefully. He visited several villages and made careful
enquiries. In spite of such investigation, he was not able to get sufficient

statistics to show that the lands have been passing into the hands of non-agriculturists.\textsuperscript{102}

**Tenancy Law and Their Implementation**

However, they reversed this position when the D.M.K Government came to power in Tamil Nadu. The D.M.K. Government introduced a Bill in 1968, seeking to prepare a reliable record of tenancy. They acknowledged that there was a problem and legislation was needed to put it on the right track. It was clear that tenancy laws were not seriously or systematically implemented. One may cite the following reasons for the failure of implementation.\textsuperscript{103}

These laws were formally in the books, but not meant to be taken seriously. They were unrealistic. Most of the laws were at best regulatory and did not alter materially the structure of economic relationships.

In Tenancy Laws, only a limited number of applications were filed for redressal of grievances under the various Acts (Appendix - II).\textsuperscript{104} Under the Tamil Nadu Cultivating Tenants Protection Act 1955, only 6 percent of the total numbers of applications were registered. This may be attributed to the tenants' unwillingness to come forward to file their cases for fear of reprisal from the powerful landlords and the existing socio-economic order. Even in those cases where the applications were filed, the Acts could not be implemented due to many loopholes and cumbersome bureaucratic procedures to be followed in dealing with each application. The number of tenants registered and the area covered was much below the actual number of tenants and area. This may be attributed to concealed tenancy and other measures adopted by the landholders.

\textsuperscript{102} Report of the Special Officer on Land Tenures in the Ryotwari areas of the Madras Province, Chapter V, Government Press, Madras, 1947, p.27.

\textsuperscript{103} Collector’s Demi-Official Letter, R.C.16697/63k.10, Badrinath Report, Madras, 1953.

2.4. Land Reform Acts and their Progress and Implementation

The main purpose of land reform proposals was to reduce the concentration of landholding by big farmers and redistributing land to small farmers. Land reform acts were enacted for four general objectives: (a). Elimination of exploitation (b). Increasing productive efficiency (c). Economic growth, equality in resource ownership and income-distribution, and (d). Security and employment opportunities. Land reform laws, enacted in India since 1947, constitute the largest body of agrarian legislation to have been passed in so brief a span of time in any country whose history has been recorded. In 1948, the Communist Party of India adopted a new political thesis at its Second Congress at Calcutta which was summed up in the slogan, ‘Land to the Tiller’ and promoted the strategy of militant mobilization of peasants for an agrarian revolution. In 1949, the Congress Agrarian Reforms Committee, a high-level body appointed by the President of the Indian National Congress, presented an analysis of the agrarian problems in India and also submitted a programme of land reforms within the parliamentary-democratic framework. This report was a major policy document which provided the guiding principles for agrarian policy to be followed by all Congress governments in the country. In the Indian Constitution of 1950, land reform is not a union subject but a state subject.

The Tamil Nadu Public Trust Act, 1961 (The Ceiling Act of 1961)

The Ceiling Act of 1961 left a great deal of land in the form of public trusts held by temples, monasteries, mosques and churches, and allowed private landlords to set aside land for religious, educational or charitable trusts which

they themselves managed, rather than having it confiscated. The Madras Public
Trusts (Regulation of Administration of Agricultural Lands) Act of 1961 was
passed to regulate such trusts.\textsuperscript{108}

After the implementation of the Land Ceiling Bill of 1961, concentration
of land continued. For example, in 1959, it was calculated that 138 landlords
among themselves owned 48,924 acres in Thanjavur, Mayuram and
Nagapattinam taluks. It was rightly pointed out that even after the land ceiling
bill fixing the limit at 30 standard acres, Government could secure only 6,624
acres as surplus. The reason was that most of the big landlords sold out or
parceled out their lands in 1959 to escape the law. For example, it was originally
estimated that the Government would get a surplus of 1,983 acres from the 2,028
acres possessed by Kapistalam Moopanar, but the Government ultimately got
only five acres. Similarly, in the case of Poondi Vandayar family, only 48, or 49
acres were rendered surplus out of a holding of 4,000 acres. Thus the
government could get only very little of the surplus land. It appears that most of
the landlords got very advance information of the ceiling law.\textsuperscript{109}

It is very significant to note that the committee set up by the Government
of Tamil Nadu to go into the question of fixing a ceiling on urban property has
fixed a ceiling of five grounds for a family of five members. Applying the same
standard of ceiling of 5 acres of wetland or 7 acres of dryland may be prescribed
for a family. House sites may be compulsorily allotted to all families both in the
urban and rural areas with provision for housing for all families, whether these
are in the city or the village. To look into the problems of the agricultural
labourers, a separate department may be started.

According to Ganapatia Pillai Commission Report on Thanjavur district,
time was not adequate enough to study this problem with reference to

\textsuperscript{108} Ibid., pp.20-23.
\textsuperscript{109} S. Singarajan, “Compendium on Agriculture-Technological and other Improvements”, \textit{op.cit.},
pp.410-417.
administration of Madras Public Trusts Act 57 of 1961, except in the case of one Devasthanam by name Velur Devasthanam, Vaidheeswaran Koil, Sirkali taluk. There are about 600 public trusts under religious and charitable endowment, owning about 17,000 acres of land in the taluks of Mayavaram, Sirkali, Nannilam and Thiruthuraipoondi and Nagapattinam. The Commission was able to ascertain from the information provided by the authorized officer of this area that nearly 635 tenants of these charitable institutions possessed bogus leases. Such leases were taken in the names of absentee relatives like sons and sons-in-law. These tenants, who have taken on lease more than five standard acres, sub-leased excess land to their nominees for a higher rent. The Act seeks to remedy this evil by empowering the authorities under section 6, 7, 8, 9 and 11. The excess land to be distributed to landless labourers as a result of action taken could not be estimated accurately in the absence of a proper survey. A few hundreds of landless labourers would get land for cultivation if such an inquiry was undertaken to check these illegal tenants. If proper survey is done, it will help to some extent rehabilitation of most of the landless agricultural labourers. No one could cultivate lands in excess of 20 standard acres under pannai cultivation. Lands in excess of 20 standard acres, held by the public trusts under pannai cultivation were liable for leasing out to bona fide tenants.110

Apart from regulating and administering the lands held by the public trusts, this Act also deals with the protection of cultivating tenants under the public trusts from eviction and with matters relating to the determination of rent payable by the cultivating tenants for their tenanted lands under the public trusts.111, 112 (Appendix - III)

111. History of Land Revenue Settlement and Abolition of Intermediary Tenures in Tamil Nadu, p.211.
Failure of Agrarian Land Reforms

The first and foremost factor responsible for the failure of land reforms is lack of political will and motivation on the part of persons and institutions responsible for implementing various land reform programmes. Implementation of land reform programmes required Government support and existing power structure should be in favour of the rural poor. 113

Ceiling Act of 1961 was imperfectly implemented. For example, it was estimated that even allowing for all the legal loopholes and exemptions, 1,10,683 acres ought to have been registered as surplus in Thanjavur district, that is about 7.3 per cent of the net cropped area. In fact, six years later, when all the court cases and claims for exemptions had been considered, only 7,495.71 acres had been declared surplus, of which 248.70 had been temporarily leased by the Government to cultivating tenants, and only 25.38 acres had actually been assigned to needy families. 114

Landlords Adopted Various Ingenious Methods of Evasion 115

(i) Having the land classified for values lower than its real revenue, thereby increasing the size of the standard acre.

(ii) Putting land into public trusts for schools, hospitals, hostel, poor feeding centres, temples and colleges.

(iii) Registering upto 15 standard acres in the name of each member of a given nuclear family, including minor children.

(iv) Registering land in the names of absentee married sisters, distant relatives, friends, tenants or labourers with or without their knowledge or even dead relatives or imaginary persons.

(v) Recording the land as sold to former tenants.

(vi) Managing as trustees of estates already belonging to temples or monasteries.

(vii) Holding plots in the same village under different patta (land ownership) numbers, sometimes with slight variations in the owner’s name.

(viii) Holding land in different villages because comparison of records by Government servants is difficult.

(ix) Leasing land from charitable estates in the guise of a cultivating tenant or in the names of actual cultivating tenants.

A series of land reform Acts between 1951 and 1978 have in theory, regulated crop shares between tenants and landlords, increased the daily wages of agricultural labourers, given permanent tenure to cultivating tenants, and limited the size of owner holdings to about 15 acres per family of five persons. In fact, however, the bigger landlords were able to retain most of their land through various subterfuges and there were reported to be still at least three estates totaling more than 3,000 acres each, and many of them are more than 100 acres. Only a small minority of the better off tenants who could afford legal help have received documents limiting their rents and fixing their tenures. A much larger number have been evicted while some continue to cultivate on the old terms without documentary leases. On the whole, the proportion of arable land leased to tenants has declined from about one half to one quarter or less of the holdings and most of the remaining tenants have been curtailed.\textsuperscript{116} Landlords

\textsuperscript{116} Kathleen Gough, "Modes of Production in Southern India", \textit{Economic and Political Weekly}, Vol. XV, No.5&6, 7\textsuperscript{th} February 1980, p.358.
have evicted their tenants for two reasons. One is to prevent them from obtaining occupancy rights and a higher share of the product, and secondly, to take advantage of the ‘Green Revolution’ by hiring labour. At the same time, many small holders have been obliged to sell their land because of the high prices of agricultural inputs combined with inflation.¹¹⁷

By 1970-71, the Government of Tamil Nadu reduced the ceiling from 30 standard acres to 15 standard acres¹¹⁸ and again reduced it in 1972-73. Government reduced the ceiling of 60 standard acres allowed for a family to 40 standard acres. Announcing the budget for 1972-73, the Chief Minister pointed out, ‘in its march to socialism, the State Government has constantly tried to weed out the system of landlordism in order to enable the real benefits of land ceiling legislation to be reaped by the people’.

Land reform, gradually introduced by the Government changed the economic structure of the Tamil society. Despite the drawbacks in the implementation of the Land Ceiling Act, land reform transformed the impoverished country into a socialist pattern of society. It was indeed the right move towards prosperity.

¹¹⁷. Ibid.