CHAPTER VI
Chapter VI

RURAL INDEBTEDNESS OF AGRICULTURAL LABOUR

Rural indebtedness has been one of the most pressing problem of India since long. The burden of this debt has been passing from generation to generation. Most of the debt in India have been unproductive. "The country has been in the grip of Mahajans. It is the bond of debt that has shackled agriculture."¹

1. NATURE AND LIMITATIONS OF INDEBTEDNESS

Estimates of Indian agricultural debts were made from time to time. No scientific and systematic treatment of the disease was attempted till seventies of the last century, when the indebtedness of the Deccan ryots, who had been the victims of great vicissitudes of famine almost since the conquest of the Deccan rose to such magnitude as to demand prompt legislative action.² The Deccan Ryots Commission in 1875, concluded that 1/3 of the occupants of Government land were in debt and that the average debt per occupant was Rs. 371³. According to the Famine Commissions of 1880 and 1901, at least 4/5 of the cultivators were in debt, and were fast losing possession of their lands⁴. In 1911, Edward Maclagan estimated the total agricultural debt of British India at Rs. 300 crores⁵, while in 1923 Mr. Darling estimated it at Rs. 600 crores⁶. On the basis of estimates of the Provincial Banking

Enquiry Committees, the Indian Central Banking Enquiry Committee in 1934 put the figure of total rural indebtedness of India at Rs. 900 crores. During the slump the burden of debt became twice as heavy as the cultivator's income was reduced by half.

The Agricultural Credit Department of Reserve Bank of India (in a survey) noted that "the burden of indebtedness became really much more crushing than could be judged from a comparison of the growth of its volume in rupees owing to the great depression (1929-32) attended with falling prices of agricultural produce. They put it at Rs. 1,800 crores and the annual interest on these was above Rs. 100 crores.

The rural Credit Survey of R.B.I. undertook an enquiry in 1951-52, which provided some interesting data. The highlights of survey are\(^1\)

'The proportion of borrowing families among the rural families was 51.7 per cent. The proportion of borrowing families was larger among cultivators than among the non-cultivators'.

'About 63 per cent of the rural families were in debt, and the average amount of debt per family was Rs. 283.00'

'The burden of debt was much higher on cultivators with smaller holdings as compared to cultivators with larger holdings'.

In U.P., about 65 % to 70 % of small farmers and rural Harijans are in debt and are freely exploited by village money lenders. More than half of the debts of these families is on account of agricultural needs and the rest is due to domestic

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1. Rural Credit Survey Committee Report, Part II.
consumption expenditure.

On the basis of survey, it is found that the average debt of a family varies from Rs. 250 to 500.

2. SURVEY OF RURAL INDEBTEDNESS IN KANPUR DISTRICT

Researcher made a survey of Kanpur district in order to assess indebtedness. Results of this survey are as under:

i) In every village of this district farmers require money for purchase of seed, and fertilizers.

ii) There are some farmers who borrow for the purpose of irrigation charges and land revenue.

iii) There are cases where money has been borrowed for marketing of agricultural produce.

iv) Purchase of agricultural implements and animals has also been done, in many cases, by borrowed money.

v) About 5% of the farmers in rural areas borrow money for performing marriages of their sons and daughters.

vi) About 0.5% farmers borrow money for religious purposes.

It was noted during the period of survey that, if a farmer wants to go to Gaya, from Kanpur for performing 'Shradha' and other related ceremonies for his deceased parents, he borrows money for the same.

viii) If a child in a family falls sick, the parents, instead of seeking the medical facilities, approach village 'Tantrik' for remedial measures. When this 'Tantrik' suggests the performance of a Yagya or giving of a big feast to Brahmins,
the head of the concerned family borrows money for this purpose. Though such cases were very few but the cases were there.

viii) Some farmers are torched by the money lenders for realising their money. In order to save themselves from the torcher of these money lenders, farmers borrow money from some other agency and use this borrowed money for redemption of the debt.

ix) There are some villagers in Kanpur district who have no agricultural land. They support their family by earning daily wages. Sometimes they do not get employment, then they borrow money for meeting their routine expenses.

x) Sometimes difficulties are faced for meeting the domestic requirements by the farmers on account of shortage of money. These requirements may be purchase of clothes, spices, kerosine oil, sugar etc. Money is then borrowed for such domestic purposes also.

xi) Following are the agencies from whom money is borrowed by the people of rural area of Kanpur.

a) Village Mahajans
b) Cooperative Societies
c) Regional Rural Banks
d) Commercial Banks
e) Friends and Relations

Although cooperative societies and banks in Kanpur district are there for providing financial help to the persons of rural area,
yet their norms are so stiff that it becomes very difficult for a person to fulfil them. Hence, Mahajans are even today playing a very important role in rural finance in Kanpur district.

3. CAUSES OF INDEBTEDNESS

i) The Ancestral debt

The most important and the chief cause of the existing indebtedness is the ancestral debt, which is handed-over from the father to the son, generation after generation, without any equitable restrictions. Children born in debt are found making very feasible efforts to pay the debt of their fathers and fore-fathers. They are probably ignorant of the law that the debt of the deceased passes on to the heir, only to the extent of the property inherited by the latter, and if no property is inherited, there is no liability to pay the debt, but a pious obligation. In Kanpur district many agriculturists start their career with a heavy burden of ancestral debt, and drag the loan for the whole of their lives, taking it to be a religious and social obligation, with the result that the burden goes on increasing and becomes hereditary. The Royal Commission on Agriculture remarked, "The Indian peasant is born in debt, lives in debt, dies in debt and bequeaths debt;"¹ Thus, an Indian cultivator takes birth as a debtor, lives as a debtor and dies as a debtor.

ii) Sub-division and fragmentation of holdings

When the holdings are small, the cultivation ceases to be economical even in the best of years, and the yield from land becomes

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insufficient for the maintenance of the agricultural labourer and his family. On account of this reason either the labourer must go in debt or must be very industrious, or must have any other source of income.

The holdings are so small and the margin of safety so narrow that many misfortunes may plunge the peasant into debt, from which he can never extricate himself. A series of bad years, the death of cattle, or mere carelessness may lead to debt, while in best years the surplus produce is so small that the interest is paid with difficulty, and for the principal there is no scope. Indeed, life is hard and bitter to the cultivator who has to depend upon his few acres to support himself and his family.

iii) **Low income of the cultivators**

Poverty and lack of capital are the twin evils from which the entire rural economy suffers. In Kanpur district the net income of the cultivator is very low. With this low income the cultivator finds it difficult to meet his consumption and production needs. He is underfed, under-clad, under-nurtured and leads from hand to mouth existence. The physical deficiencies, resulting from such conditions, make him an easy victim of epidemic diseases which sap his vitality and stamina, and this enforced illness and weakness compels him to borrow money from others.

iv) **Vagaries of the climatic conditions and other calamities**

India is subject to frequent failure of rains and the resultant famines. The vagaries of monsoon are proverbial. This
makes agriculture extremely precarious industry and makes the budget of the Government a virtual gamble in rains. The frequency of failure of crops due to drought, floods, hailstorms, conflagration, the uncontrollable swarms of locust, damage agriculture and show poor results, which cause endless miseries to the cultivator, having no reserve to fall back upon in times of distress, and hence, he becomes the prey of money lenders who exploit him according to their own will. It is only in good year that the ordinary small holder can possibly keep himself out of debt. To the farmer there is no calamity greater or more severe than the total or partial failure of crops. When the rain fails there is nothing but complete bankruptcy in store. In bad years, he will borrow for nearly everything he wants, for seed, for cattle, for clothing, and even for his food.

v) **Ignorance and illiteracy of the cultivators**

To make the matter worse, ignorance and illiteracy easily give way to the multiplication of procreative processes and thus the population goes on increasing without a corresponding increase in the means of subsistence. Hence, to secure a minimum subsistence for himself and his family, the cultivator borrows. "Having no additional source of income the ryot continues to borrow in and out of the season thinking to mitigate the heavy load of indebtedness. As a consequence, the increase in rural indebtedness has been parallel to the growing loss of economic equilibrium brought about by the pressure of population on the land and decline of subsidiary occupation".

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1. Prof. Wadia.
Illiteracy forms one of the principal obstacles to his progress. He easily falls into the clutches of the shrewd and intelligent money lenders. It has been said, "The money lender tempts him to borrow, the lawyer to quarrel and trader to waste".

vi) **High rates of interest**

The high rates of interest also compel the cultivators to borrow. The rates vary from State to State and on account of the weakness of the peasants' economic position, the interest accumulates every year. According to U.P. Committee the rates for secured loans vary from 6 to 18 per cent (12 per cent being the most common figure) and for unsecured loans vary from 18 to 31½ per cent (the most common rate being 24 per cent). Frequently the loans advanced are, either for food or for seed, usually on Sawai or deorha rates, and if unfortunately the crop fails to give the normal yield, then the cultivator has to face starvation because he has to satisfy the Mahajan's claim in full, as pre-arranged. But if he does not do that, then the loan shall go on accumulating on compound interest and become hereditary, for the interest is 25 to 50 per cent or even 100 per cent sometimes.

vii) **Litigation**

In places where there are great fluctuations of harvest, every lawyer knows that his income will contract or expand in relation to the quality of the harvest, which is the sign that the villager is quick to go off to the courts when he has spare cash in his pocket. Mr. Calvert estimated that 2 million persons attended the courts every year, either as parties or as witnesses and that three or four crores were wasted in the process.¹
In these connections not only have the pleaders to be engaged and stamp duty and process fees to be paid, but petty officials have also to be propitiated, witnesses to be hired to prove what is true and what is false, and perhaps the support of an influential neighbour has also to be gained. All of them consume time and money both. Really speaking, the passion for litigation is another undesirable trait of an Indian peasant which adds to his poverty and unproductive debt. 'It is not uncommon to hear about suits dealing with the minutest fraction of an acre being fought up to the High Court, and about the criminal cases involving the expenditure of thousands of rupees.\(^1\)

viii) Extravagant and Improvident Borrowing

The improvident borrowing is another fruitful cause of his indebtedness. Although the Indian peasant lives normally a most frugal absentious life, he is undoubtedly apt to carry on his expenditure to extravagant limits. The methods in which the peasant spends his money are extremely unmethodical and baneful. He squanders his money extravagantly in unproductive consumption like social ceremonies, marriages, ornaments, funeral rites, Sradh ceremonies of ancestors, etc. which is often beyond the means of the cultivators. The long series of seasonal feasts religious observances as 'Kathas as well as caste dinners on auspicious occasions have stimulated family extravagance. The absence of self-help and thrift, and abundant harvests have produced the habit of wasting long periods in gossips, and encourage thriftlessness. All these have played an important part in fostering improvement in the

\(^1\) Darling, The Punjab Peasant in Prosperity and debt.
amount of debt.

ix) Failure to provide for deficiency

Agriculture is subject to the law of diminishing return and in the absence of modern inputs the produce of land goes on decreasing. The extreme poverty of the cultivator and low yield of his tiny plot prevents him from providing against depreciation because it is difficult to put aside funds for depreciation of cattle and improved seeds when such desirable things are lacking in the household. In fact, taking into account uncertainties of weather, the frequency of cattle mortality, and the fickleness of prices, agriculture, especially cereal growing, is not a paying business, and if the Indian ryot sticks to it, it is not because it is profitable but because it is a mode of life with him.

x) Heavy burden of land and irrigation taxes

The land revenue policy of Government has also been responsible for the indebtedness. In this connection the famine commission of 1901 reported "The rigidity of the revenue system forced the cultivators to borrow while the valuable property which they hold made it easy to borrow. Mr. R.C. Gupta, in his famous open letters in 1901 pointed out that "land in India is generally assessed very high, and since India is greatly an agricultural country, if the soil be so heavily taxed the people would be impoverished. Therefore, unless provision for suspense and remission of revenue be made, the cultivators will be forced to borrow under conditions beyond control". According to Darling, land revenue demand was lowered with the advent of the British rule but it was not lowered enough to suit the less elastic system
of collection. This increased indebtedness. Thus "the heavy
land assessment with its rigid procedure of collection is largely
responsible for the aggravation of the indebtedness."¹

xi) Absence of Adequate Marketing Facilities

The money economy and higher prices ruling in the market
tempts the peasant to dispose of all his produce without any
reserve at a cheaper price and in a restricted market, and the
poor fellow has to borrow or to buy his food in times of need at a
very high price. The untimely revenue demand and constant harass-
ing of the Mahajan for payment of interest just at the time of
harvest when above the cultivator is in a position to pay, compel
the peasant to bring his produce for sale to an already glutted
or flooded market at the end of harvest.

4. EFFECT OF INDEBTENESS

Following are the effects of indebtedness -

i) When an agricultural labourer becomes indebted, it becomes
very difficult for him to do his normal work because there
remains a tension in the brain regarding payment of debt.

ii) The indebted labourer is harassed by the money lender to a
very great extent, on account of which he becomes too weak
and nervous.

iii) Some money lenders try to take away the property of indebt-
ed labourers in redemption of debt. This causes a lot of
inconvenience to the indebted labourer.

iv) Many indebted labourers have to work as a bonded labourer at the house of the money lenders. Their mental aptitude and health is adversely affected by this type of work.

v) In society the position of indebted labourer becomes very low. It becomes very difficult for him to maintain his prestige.

vi) It becomes very difficult for an indebted labourer to get his sons married, because no father of the girl likes to give his daughter to such a person who is highly indebted.

vii) Indebted labourer cannot get further loan which is very necessary for purchasing the articles of necessity.

viii) The increase in the indebtedness of the agricultural labourer results nonpayment of debts. Thus the money lender also suffers, because he does not get back his money in time. This makes his financial position weak.

ix) Indebtedness creates enmity among the labourer and the money lender and also in the society. On account of this type of enmity progress of rural area is hindered.

5. METHODS OF TAKING LOANS

Loan in Uttar Pradesh is taken by agricultural labourers on the security of various types of commodities and from various parties. The important areas are as under:

i) **Mortgage of land**

There are very few labourers in Uttar Pradesh who own agricultural lands. Whenever these labourers need money for long
period, they mortgage their land to Mahajans for taking loan. In Kanpur district mortgaging of land by agricultural labourers is rare, because on the basis of survey, it was found that, except in three cases, not a single agricultural labourer had mortgaged his land for the purpose of loan. Out of these three cases one was from Ghatampur tehsil and two cases from Bilhaur tehsil of Kanpur district.

ii) Mortgage of gold and silver ornaments

Using of ornaments by ladies is very common in U.P. There are many agricultural labourers whose ladies have ornaments made of silver and there are few agricultural labourers whose ladies have ornaments of gold as well as silver. Whenever these labourers require money, they borrow it from indigenous bankers on the basis of their ornaments. These ornaments are mostly given to such indigenous bankers who perform the work of 'Girahganth'. This term is very commonly used in the rural area of Kanpur district. When on the due date agricultural labourers do not pay back the loan taken by them, the ornaments become the property of the money lenders.

iii) Mortgage of crops

There are cases in Kanpur district where loan has been taken by agricultural farmers on the basis of mortgage of crops, but this facility has been utilized only by those agricultural labourers who are owners of land. Mostly crops are not accepted as security by the money lenders because of uncertainty regarding the yield of crops. This is due to many reasons, for instance,

a) If there is heavy rain a few days before harvesting the
crop, the crop yield will be poor.

b) Standing crop may be stolen away by thieves.

c) The crop may be burnt by fire, either accidentally or by a person who has jealousy either with the money lender or with the agricultural labour.

d) Standing crop might have been mortgaged as security with more than one money lenders, etc.

iv) Mortgaging self labour

Agricultural labourers, at the time of taking loan from a money lender, assures him that if he gives loan to him, he will work for him at his discretion without taking any wage from him. When work is carried on by the labourer for the sake of money lender free of charge, the estimated amount of charges is adjusted in the repayment of loan taken by the labourer. This is known as mortgaging self labour.

v) On the guarantee of other person

In U.P. and especially in Kanpur district, loans are mostly taken by the agricultural labourers on the guarantee of third person. Suppose, an agricultural labourer 'A' wants to take loan from 'M', the money lender, 'B' may guarantee 'M' to pay the amount advanced by him to 'A', when the default is made by 'A' in making payment on the due date. In all these cases, guarantor is always a person of repute.

vi) On the basis of personal credit

There are many agricultural labourers in U.P. who have
established their own credit in the rural area. Such labourers take loan from the money lender on the basis of personal credit. Personal credit here means the reputation which a labourer establishes in the concerned area on the basis of his honesty, hard work and sincerity. Such labourers make it a point to pay back the loans on the due date. If they do so they establish their reputation as honest person, and in future it becomes easy for them to take loans.

vii) With the cooperation of friends and relations

There are a number of farmers in U.P. who take loan either from their friends or from their relations. But this facility can be utilized only by those agricultural labourers whose friends and relations are rich people and they are eager to render their help to them. On the basis of survey, it was found that many agricultural labourers have rich relations, but due to family enmity the relations between them are not good. For the purpose of loans from a relative, it is necessary that there must be cordial relations between the agricultural labourer and the relatives.

6. METHODS OF REALIZATION OF LOAN

If no payment is made on the due date, or part payment on the due date and the remaining amount soon after the due date is neither paid nor there is any possibility of its payment in future, then any one or more of the following methods are adopted for realization of loans:

1) Through crop

If a labourer does not pay the loan back on the due date,
efforts are made to realize the amount of loan from him. If he is a owner of a plot of land and carries on agriculture, and the crop is there in the plot, then the money lender may approach him for realizing his money through crops, i.e., he will take as much portion of the crop as is sufficient to redeem the loan that was given by him.

This method is not very common in Kanpur district because there are very few agricultural labourers who are the owners of the crops.

ii) Through land

If an agricultural labourer is the owner of a land and he is indebted, the money lender may realize the amount of the debt by asking the borrower to sacrifice as much portion of the land as may be sufficient to redeem the debt. If the agricultural labourer agrees for the same, he parts with the required portion of the land in favour of the money lender, and thus the debt is discharged.

If the loan has been taken by mortgaging the land, the money lender, after completing the required formalities, sells the land and realizes money out of which the debt is redeemed. If the sale proceeds are more than the amount of debt, the excess money is given to the borrower to whom the land belongs.

iii) By purchasing labour of the worker

If an agricultural labourer does not make payment of the debt on due date, and he has no property of his own, then the money lender asks the labourer to work in his house for such a period
whose remuneration may be sufficient to redeem the debt. In such cases if a labourer works under the money lenders control for a period of 30 days, the money lender will pay him only a part of the remuneration which may be sufficient for his ordinary living and the remaining amount of remuneration will be appropriated in the redemption of debt. This method of redemption of debt is called 'redemption by purchase of the labour of the worker'. This is a common phenomenon in Kanpur district.

iv) Realization by force

If an agricultural labour does not make payments on the due date, he is persuaded by the money lender to make payments. If he does not pay even by persuasion, then in some cases, a fear is created in him about the direct consequences if the loan is not redeemed soon. Force is used to terrorise or punish the borrower.

This method is used to some extent in Kanpur district.

v) Realization through Panchayat

Since 'Panchayat' has come into existence, some money lenders approach the members of Panchayat with a request that they should assist in getting the loan amount realized from the agricultural labourer. When the case is put up before the Panchayat, it provides reasonable opportunity to both the parties, i.e., the borrower and the money lender. After hearing them, if the members feel satisfied that the payment of money is overdue, and it should be paid, they exercise their influence in getting the payment made.

This method of realization of loan is not common in Kanpur district.
realization through court

When all the efforts for realization of loan from agricultural labourer fail, then the money lenders or bankers may go to the court of law. Court takes a lot of time in deciding the cases. Therefore, money lender and bankers try to avoid going to the court of law, and make efforts to realize the money by other means.

This method of realization has been used by bankers and not by money lenders in Kanpur district.

7. EFFORTS MADE BY THE GOVERNMENT FOR REMOVING INDEBTEDNESS

Since earliest times, State Govt. has taken measures to relieve the distressed debtors. It was provided that the amount of interest to be paid should not exceed double the principal. During the Muslim period, loans were advanced from the State exchequer to the agriculturists in the time of drought and pestilence. Many money lenders also came forward to advance money with the sole purpose of appropriating land of the borrower. The Government had, therefore, to come forward to give protection to the agriculturists, and also efforts were made for removing indebtedness.

I) Efforts to reduce old loan

Under the Deccan Agricultural Act of 1879, subsequent amendments in the Act were made in 1882, 1886, 1895, 1907, 1910, 1911, and 1912; the courts were allowed to go behind the contract to debt and to modify it in favour of the borrower so as to reduce an oppressive rate of interest, to prevent the sale of land, unless specifically pledged, and to restore the land to the cultivator even when there was a sale deed between the two parties. To reduce
the excessive rates of interest, maximum rate of interest chargeable were fixed through the Punjab Relief of Indebtedness Act of 1934. This act drew a distinction between secured and unsecured loans for purposes of rates of interest, fixing a maximum rate of interest for each category.

a) According to Indian Limitation Act 1963, any act, which has become three year old, is time past, therefore all those agricultural labourers who were indebted for the period of more than three years, got the benefit of this act. According to law they have not to pay the debt alongwith the interest if it is for a period of more than three years.

II) Restrictions on fresh loans

Besides reducing and repaying the old debt, it is equally important that agricultural labourers are restricted from getting into the same position by contracting similar fresh loans.

These days, there are restrictions for giving loan to agricultural labourers for consumption purposes. Commercial banks have opened their branches in the rural areas. These branches do not advance loan to the agricultural labourers for consumption purposes. Regional Rural Banks and Cooperative Banks are working in the rural areas. These Banks also advance loan mainly for production purposes.

Restriction is also there regarding period of loan. Commercial Banks, Regional Rural Banks and Cooperative Societies mostly advance loan for a short period only.
III) **Restrictions on money-lenders**

Following are some of the measures which have been adopted in connection with the rural indebtedness.

i) **Usurious Loan Act of 1918 (amended in 1946)** tried to improve the legal position of the borrower. Unfortunately this Act did not prove very successful, as observed by the Congress Agrarian Reforms Committee in 1948. It said, "Laws for restricting the operations of money lenders have completely failed". As late as 1957, even the follow-up Rural Survey reported that quite large borrowings were made at the rates even higher than 50 per cent.

ii) **Licensing and registration of money lenders**

Various acts, like the C.P. Money Lender's Amendment Act of 1956, the Punjab Registration of Money Lenders Act, 1938, the Bengal Money Lenders' Bill of 1938, the Bihar Money Lenders' Bill of 1931, the U.P. Money Lenders' Bill of 1939, and the Bombay Money Lenders' Bill of 1938 provided for the registration and licensing of money lenders. Money lending without licence was made an offence.

iii) To reduce the excessive rates of interest, maximum rates of interest chargeable were fixed through the Punjab Relief of Indebtedness Act of 1934. The Act drew the distinction between secured and unsecured loans for purposes of rates of interest, fixing a maximum rate of interest for each category.¹

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**Table 6.1 - Area, production and average yield of oilseeds and cash crops in Kanpur district.**

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<tr>
<th>Crop</th>
<th>Year</th>
<th>Area (hectares)</th>
<th>Production (M. tonnes)</th>
<th>Average yield (g/ha)</th>
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<td>Linseed</td>
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<td>179</td>
<td>65</td>
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<tr>
<td></td>
<td>1985-86</td>
<td>167</td>
<td>61</td>
<td>3.65</td>
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<tr>
<td></td>
<td>1986-87</td>
<td>80</td>
<td>30</td>
<td>3.80</td>
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<tr>
<td>Til</td>
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<td>540</td>
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*Source: Agricultural Statistics, 1988, CSA University of Agriculture & Technology, Kanpur*
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<thead>
<tr>
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<th>Average yield (g/hectare)</th>
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**Source:** Agricultural Statistics, 1988
CSA University of Agriculture and Technology, Kanpur.