CHAPTER IV

COWLE (Kaul) SYSTEM
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COWLE OR KAUL SYSTEM

The disastrous results that followed the introduction of permanent settlement warranted remedial measures. The attempts were made in the following phases (1) Reduction of assessment (2) Kaul (3) Good and bad and (4) Taram Kammi Assessment.

1. Reduction of Assessment in 1816 and 1818

After careful enquiry and consideration of the condition of the district, the Board authorized the Collector to reduce the assessment fixed by Read for the lower division of the district. An average of ten percent reduction was ordered. The reductions were to be implemented only in those estates which the Collector had already been ordered to buy for government and retain under his direct management.

Again in 1818 the Collector was permitted discretion to reduce further the assessment up to 30 percent in deserving cases. In 1820 Mr. Hargrave
handed over charge to Mr. Cockburn. It was noticed that the reduction amounting 1.33 lakhs had been granted, not where most needed, but to those who could afford to pay for the boon. The Board declared averse to any revision of Read's work or any reduction of the existing rates. ¹

There was a rise in the revenue after 1820. This rise was due to a heavy reduction which had been already effected under the cloak of kaul. There was a considerable change for the better in the condition of those estates which had early reverted to Government. They were retained under ryotwari system. The revenue from those lands had rapidly increased. Also the surviving landlords paid their peshkush with comparative regularity. Another factor was also at work. Legislative alterations had done much to improve the condition of the labouring classes, and as a consequence, of their landlords. The summary judicial powers entrusted to the Collector increased his chances of managing Salem satisfactorily. The speedy adjustment of their private disputes gave the ryots more attention to agriculture. Kaul had been working since 1822 and to this the ryots owed much of their prosperity. There was an average balance of a
lakh and a half of rupees. But for the Kaul, things would have been worse.

2. Cockburn’s Kaul system, 1822

Kaul (Cowle) was an Indian term for any agreement usually applied to the favourable tenure of land, at the same rates for a long period. Also it meant an ascending scale which closed the engagement within a few years. It corresponded with the meaning of lease. It was an essential portion of the agricultural system under Native Governments.2

The Kaul rules published in Salem in 1822 had the following stipulations. If a ryot took up the land that had not been cultivated for three years, only half the land rent was to be paid the first, and three quarters the second year. From the third year the full assessment was to be paid. On the contrary there was no condition for keeping such lands in future at the regular rate. Provision was made for a permanent remission, if the ryot felt it necessary to abandon the holding. In such cases a permanent reduction of 25 percent was allowed on lands left waste for over 10 years.3
Abuse of Kaul

With freedom of cultivation, such a system was open to grave abuse. A ryot resigning his highly assessed land for three years might take it up again on a reduced rate. When the kaul reached maturity he threw up his holdings. In fact this was done. This was less to be regretted. The reduction of assessment was imperatively needed.

In 1826 the collector was warned against encouraging the occupation of waste on kaul. It interfered prejudicially with the cultivation of the regularly assessed land already occupied. Further grants of lands on kaul were forbidden. There was an exception. The substantial ryots, who could give security that kaul cultivation would never interfere with that of the land already occupied by them, might get kaul tenure. 4

This attempt to restrict the freedom of cultivation became a dead letter. Kaul tenure increased rapidly. In 1830, the area so held was 65,000 acres. In 1835 this rose to 1,21,000 acres, of which nearly 2,000 free of any assessment for two years and 16,000 enjoyed similar immunity for one year. As a result the survey rate on the whole
cultivated area of the district was reduced by a lakh of rupees. The extension of kaul tenure was partly due to the mistaken zeal of the Tahsildars to show such an extensive cultivation. The unrestricted tillage of waste lands was encouraged. When a ryot had once engaged for any land, he was even afterwards saddled with it, though he had no means at all. It was made a condition of kaul that the favourable tenure should be soon null and void if any portion of the other lands held by ryots were relinquished. The kaul tempted the cultivators to take up more fields. The bait succeeded. The revenue increased and the total was kept up artificial means by kaul and by restraints on the freedom of cultivation.

Two evils in the working of the kaul system had come prominently into view viz. (1) the evil resulting from the working of the kaus by the heads of villages and (2) the difficulty experienced by the ryots in trying to get rid of their over-assessed lands when they wished to take up land on kau'. This obstacle was surmounted only by "great efforts or by bribery".
Mr. Orr’s Kaulnama (1833)

John Orr (1829 - 1838) joined the District as Collector. One of his first actions was to remedy the evils caused by the restrictions on relinquishment. They prevented the ryots from getting rid of their over assessed lands when they wanted to take up land on kaul. He issued in 1833 a general kaulnama. The ryots must not be compelled but should be left voluntarily to engage for any quantity of punja, (dry) nanja (wet) or bhagayat (garden) lands they might wish to cultivate. The same should be entered in the dittam accounts.

If any ryot wanted to relinquish part of his patkat, he should be allowed to do so, provided it should be a whole field and so situated that could be conveniently cultivable by another who might choose to take it up. The ryots should not be forced to cultivate more than he might voluntarily engaged for. A ryot might be the best judge of his own interests. If he was forced to cultivate at a loss, he would give up cultivation altogether or migrate. In both cases it was a greater loss to government than allowing him to relinquish those fields from which he sustained loss.
Revision of Kaul rules (1833)

Simultaneously with this the kaul rules were revised with the aim of discouraging the grant of lands on kaul tenure. The year 1833 was a year of famine and thousands of ryots were ruined. As a relief measure, a liberal use of kaul was provided in the ensuing year. Every effort was devoted to restrict its operation. The revised rules laid down that, no land was to be given on kaul to any ryot who was unable to cultivate it in addition to his usual patkat lands. In 1835, the Board declared that the ryot had no right to pickout the best fields of his holding and to leave the remaining waste. This was diametrically opposed to the very concept of the ryotwari management of 1796. The Board’s principle was the corner-stone of fifteen years’ mistaken policy. In an attempt to stop the changes in the extent of the holdings, the Board prevented freedom of cultivation. Without freedom of cultivation, kaul did not exist. The remedy was worse than the evil.

In the same year, the Board decided to prevent a ryot who relinquished part of his holding in one year, from taking land on kaul in the next. Also it seemed that it might be done by a substitution of
names. When the land taken on kaul was not 'a waste land' the relation between the former cultivator and the new occupant must be found out. The plans of each applicant for kaul in another two or three years must be ascertained.

Emigrants

The ryots became restless and much worried. The principal cause was their inability to pay the land-rent. Another cause was the unfavourable situation. Generally the ryots had not any particular passion to migrate. They rarely thought of quitting their native village. They had the confidence to live in it amidst all difficulties rather than moving to another village or foreign territory. But there were instances, such as high assessment or continued misfortune compelled them to migrate relinquishing their lands.

The ryots migrated to a nearby village where they found favourable situation to cultivate according to their ability. Such ryots were entered in the village records as emigrants. Actually they were not. Again the ryots held two farms and took a large one in exchange in the same village. He was still written
down as an emigrant from one farm. By way of this, there was often a long list of emigration. The authorities calculated these instances that took place within the taluk or district as a loss of revenue. This was an error on the part of the authorities. It gave a wrong picture to higher officials about the situation in the country.

Real emigration took place when the ryots vacated the village with their entire stock and belongings to a foreign country. That meant a loss of revenue. That was very rare. Even a farmer left with his stock from one village to another, it made little or no difference of revenue. He paid more or less the same land rent as before in the newly settled village.

Parakudi tenants

In the pre-monsoon period the cultivators moved from one district to another. Especially during the months of March and April the ryots migrated. They were with motives of caprice and superstition. At that time they received their 'kaul' for the year from the renters. Such people were 'Parakudi' tenants. Some of them moved considerable distances in search of lands for that year's cultivation. According to their
ability, they moved from village to village, from taluk to taluk and even between districts.

The superior land holders and their ‘Ulkudi’ (Permanent tenants) cultivated permanent fields. They settled once for all under annual or multi-cropping system. At propitious times, these ryots cultivated short fallow lands. This land was used for livestock grazing, mainly by parakudi tenants. The mobility of this group bothered the British. They were not small in number. Taking into account the size of population and habitat conditions in Salem, these parakudi tenants could not be ignored. They played an important and well-defined role in the agrarian system of this district. The size of the group which utilised the short fallow lands was a matter of concern. Their relationship as the more sedentary social groups with permanent field agriculture was the key to understand the functioning of the agrarian system in the district at that time. If any ryot offered to cultivate a puramboke or a waste field in addition to his usual patkat lands, the Tashildar should without delay make it over to him for cultivation. He should grant a ‘tuluchitu’ in his name. He should specify distinctly in it that in the event of any part of his usual patkat land being given
up or left waste without sufficient cause before the kaul expired, the kaul rate would be discontinued. The full survey assessment would be levied on the land taken up under his 'tuluchitu'.

Mr. Gleig's collectorate (1838 - 1845)

A long discussion between the Collector and the Board resulted in many orders stiffening the kaul rules. It meant the curtailment of the concessions hitherto enjoyed by the ryots. the Board maintained that the assessment in Salem was just and moderate. The increase of cultivation under kaul was a great abuse by ryots of the liberal intentions of the government. By placing restrictions on kauls and the freedom of cultivation, the cultivation of highly assessed lands would be secured. Board succeeded in getting the sanction of Government to restrict kauls. The grant of kaul was forbidden in the case of dry lands kept waste for less than five years. Also the kaul was prohibited in the case of lands less in area than what could be cultivated by a single plough. Also the lands whose land tax did not exceed Rs.2/- were forbidden on kaul. The grant of kaul was refused to immigrants from other villages. No land should be
given on kaul which was not overgrown with jungle trees. A ryot already having patkat and kaul lands was disqualified from getting fresh lands on kaul, if it was an assessed land. If it was an immemorial waste or puramboke, the full assessment of the adjoining land of a similar description under cultivation would be levied, from the time of occupation. 9

Good and bad (1844)

The climax reached with a further revision of the rules. It was ordered that the ryots should not be permitted to relinquish such land only as they chose to abandon. Instead they should always relinquish 'good and bad' lands together in equal portions. 10

The village authorities should on no account grant kaul. The kaul lands might be given at once at the full assessment. That assessment on kaul lands must be collected, whether the land was cultivated or not. The kaul patta could be transferred only in the event of the kaul-holder's death. That might be transferred to his heirs on the kaul terms, if they were willing to hold it. 11
Mr. Gleig reported that there were numerous applications for the kaul system. It could neither eventually be profitable to the ryots nor the Government. It prevented the gradual improvement of the land by the withdrawal of the necessary labour after two or three year's cultivation. There were only two alternatives: One was to allow kaul with all its faults, to work hand in hand with freedom of cultivation to alleviate the errors of Fead's assessment. The other was to revise the whole settlement, which was the best way out of the dilemma. Those highly assessed lands were profitable at the full assessment. They would not be relinquished. It was also in vain to expect that any rules would induce a ryot to waste his time and labour on lands which could not remunerate him. The consequence anticipated from placing any material hindrance to the cultivation of these lands on kaul would be their being thrown out of cultivation altogether. An effect of over taxation was already in operation. It was proposed to make the ryots take a portion of the higher assessed lands with those of the lower rated then on hand. This meant an interference with the freedom of cultivation enjoyed by Salem ryots. It would also have the effect of driving many ryots from their present holdings to take
lands under the Zamindars, who were ready enough to give reductions in order to increase the number of their people.12

No object was gained by the imposition of such restrictions. If a ryot could not resign his land under duress, it did not mean that he would be able to cultivate it. Perhaps his insufficient means could not allow him to do so. If good and bad lands were resigned, there was no guarantee that a new applicant should take up both together. The Collector and the Talsildars were not well versed with the goodness or badness of the lands in a patta of a village. There was no classification of soil and ‘taram’ except in the Balaghat. The decision practically devolved on village officers, whose favour could be purchased. The rate of assessment was not a safe guide to classify the lands as good for bad. Because it was supposed that even lightly assessed lands, might be good. Such restrictions merely harassed the ryots and gained no corresponding benefit to Government. Nevertheless these restrictions were retained.13
Mr. Lockhart - (1845 - 50)

Mr. Lockhart followed up his predecessor's policy of relaxing as far as possible the severity of the 'good-and-bad' code. However, the Board refused to believe that the land tax was high or that the restrictions on relinquishments inflicted hardships on the ryots. There was a decrease of revenue in past years below the level of the permanent peshkush of reverted zamins. The Board attributed the same to adverse seasons, rather than to high assessment. In 1847, Government differed from the views of the Board. The records showed that in Fasli 1240 (1830 - 31) an area of 47,672 acres assessed at Rs.73,381 were held on kaul at a kaul assessment of Rs. 53,966. Of these some 40,885 acres assessed at Rs.61,432 but with a kaul assessment of only Rs.45,286 had reverted by 1847 to government. This was due to relinquishments and transfers. Only one-third of this had been subsequently taken up for cultivation. When land, on which nearly one-third of the original assessment had been remitted, was not worth keeping, it was clear that the said assessment was crushing. Government concluded that the assessment, especially in the Talaghat Division was high. This point was not afterwards disputed by the Board of Revenue.
Mr. Philips (1850 - 53)

Government accepted the proposal that the ryots, should in future be allowed to throw up at pleasure all such fields as they might have taken at one time. This was some relief against the doctrines of Good-and-bad. The doctrine was left untouched. According to this rule the 'good-and-bad' could not be resigned in part. But the whole, both good and bad, had to be either resigned or retained in their entirety. 15

Mr. Brett's Taram Kammi

The great event of the Brett's administration was the 'Taram kammi' or reduction in the rates of the old survey assessment of lands. In 1812 Mr. Orr stood out for the principle that ryots should have the full benefit of improvements to their 'Nanja bagayat' (Wet garden) effected at their own cost. In 1852 the Board directed that the ryots should not be subject to any extra assessment on account of wells sunk at their own expense. This concession would tend to lower the value of the old well-garden lands. They were charged heavily. The assessments should be lowered so as to
put them on equal footing with those gardens under new wells, which paid the original dry rates only.

Four descriptions of arable land were recognised.

1. Punja Baghayat (Dry Garden)
2. Punja (Dry)
3. Nanja (Wet)
4. Nanja Bagayat (Wet Garden)

The charges sanctioned were:

1. All rates above Rs. 11 an acre to be reduced to Rs. 7
2. All rates above Rs. 9 and upto Rs. 11 to be reduced to Rs. 6.
3. All rates above Rs. 7 and upto Rs. 9 to be reduced to Rs. 5.40.
4. All other rates to be reduced by 25 percent. 16

The reductions were carried out in Fasli 1269. The loss on this account amounted to Rs. 1,96,378. It was really no loss, as the revenue rose by nearly 4 lakhs. The effect of the reductions was immediately seen. The anticipations then expressed that both
cultivation and assessment would go on steadily increasing, had been fully realized.

The final blow was given to the 'good and bad' theory in Fasli 1270 (1860 - 61). With the 'ta-am kammi' reductions, the Collector ordered in 1859, that the ryots were at liberty to give up what lands they liked (Read's policy). This order annihilated the last remnant of the meddlesome and illiberal rule insisting good and-bad lands to be given up in equal portions.¹⁷
CHAPTER V

ECONOMIC CONDITION