



RYOTWARI SETTLEMENT IN TAMIL NADU AFTER INDEPENDENCE

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Abstract:

Until Independence, then, and well after that in Tamil Nadu, intermediaries and owners were bound to the political authority by two major types of tenure or revenue obligation, the Zamindari and the ryotwari, and between these intervened a series of other variations in tenures. These tenurial systems were self-perpetuating served to impose and maintain a semi-feudal structure that and survived into Independence. After the transfer of power and during the transition, many holders consolidated their lands into large tracts or estates. They made sure that they were not dislodged from the pedestal of high authority which they had long enjoyed in relation to their vassals. Thus, in 1948, there were 5092 estates extending over 11439.28 square miles.⁸ These estates included all Zamins, under-tenure and inams in the State. Apart from these, there were 13,565 minor inamdari villages. Many other intermediary systems also obtained in the State at the time of Independence. These estates resisted the effort of the new Government to correct the inequity of the existing land systems. As the estate-owners disposed of vast tracts of land which they could not themselves cultivate, there was a certain amount of neglect in their function. As they did not have to pay large amounts of revenue, there was no incentive to increase productivity. On the other hand, there was inefficient management of these lands with the result that the production of essential commodities began to decline. In the event, the peasants and tenant cultivators were the real sufferers as they had to pay their share of the produce to their immediate masters irrespective of the size of the harvest. Feudalism had reached the limits of its resilience and the situation was explosive on the eve of Independence.

Key Words: Zamindari, Ryotwari, Pasali, Pattadar, Fasli, Manavari, Jenmies & Inamdari

Introduction:

The Tamil Nadu agrarian situation should be examined first in its historical perspective. In most countries, land ownership and the nature of rights and obligations as between the members of the land-using rural community, are the produce of a long evolution and are determined also by the geographical, economic, social, cultural and political conditions. These are the local circumstances so called which serve to make many common problems unique. Thus the evolution of States and the origin of the proprietary class should be considered at a backdrop to the projected study on land reforms.¹

Historical Origins:

This period may be divided into two parts. The first deals with the evolution of the *zamindari*, *inamdari* and other land systems. The second deals with the co-existence of the ryotwari system with *zamindari* and other types, and with their interaction in a semi-feudal setting resulting in new land tenures evolving as in imitation of western models".²

In the revenue administration of the old Hindu Rajas, the existence of an intermediary class of proprietors between the crown and the common man for revenue collection was unknown; this system had to await the advent of Mughal rule. The Government undertook the responsibility of revenue collection directly, through its village servants. The collection was effected by accepting a share of the produces as tax or by levying a money-rent without the intervention of middlemen, farmers or Zamindars.³ The Muslims occupied the country as a Military Colony and initially at any rate, made no attempt to dismiss the old officers who had served under the Hindu Rajas and to replace them by their own staff. The Muslim rulers, however, found the old revenue system inconvenient, as it necessitated constant and close supervision and considerable local knowledge besides and therefore, set up a class of intermediaries who were just revenue farmers. They found that the Deshmukhs and Deshpandes had considerable experience of revenue collection under the Hindu Rajas and wielded considerable local power and influence. These, they made the new "revenue farmers" who as a result attained a certain "fixity of office and independence". This prepared the ground for their becoming Zamindars and landed proprietors when the British arrived.⁴

Ryotwari System:

These arrangements formed a different type land system, known as the ryotwari. The ryotwari arrangement covered two-thirds of the land system while the non-ryotwari accounted for one-third of tenures. The system involved the division of all arable lands, whether cultivated or waste, into blocks or lots, each block being assessed as a fixed rate for a varying term of years (30 in Madras Province)⁵ and the collection of revenue from each title-holder known as the *pattadar* according to the area of land assessed.

The Ryotwari System has Three Main Features:

- ✓ The ryot had the right to hold land and bequeath it only so long as he paid the land revenue-his position being only that of an occupancy tenant. The reduction in his status is seen as the direct result of foreign occupation.⁶
- ✓ The system re-introduced the assessment of revenue from individual ryots as an obligation to be discharged through the overlord.
- ✓ It necessitated periodic revenue surveys (as a matter of fact every thirty years).

The early ryotwari settlements suffered from innumerable defects. Highly differentiated criteria, designed naturally so as to benefit the overlord, were employed to individual revenue assessments. Heavy obligations were imposed on garden lands and there planted with special crop. Restrictions were placed on the same of lands and re-assessments in subsequent surveys largely followed the first valuation. From this beginning, the ryotwari became ramified into the system as we know it today.⁷

Until Independence, then, and well after that in Tamil Nadu, intermediaries and owners were bound to the political authority by two major types of tenure or revenue obligation, the Zamindari and the ryotwari, and between these intervened a series of other variations in tenures. These tenurial systems were self-perpetuating served to impose and maintain a semi-feudal structure that and survived into Independence. After the transfer of power and during the transition, many holders consolidated their lands into large tracts or estates. They made sure that they were not dislodged from the pedestal of high authority which they had long enjoyed in relation to their vassals. Thus, in 1948, there were 5092 estates extending over 11439.28 square miles.⁸ These estates included all Zamins, under-tenure and *inams* in the State. Apart from these, there were 13,565 minor *inamdari* villages. Many other intermediary systems also obtained in the State at the time of Independence. These estates resisted the effort of the new Government to correct the inequity of the existing land systems.⁹ As the estate-owners disposed of vast tracts of land which they could not themselves cultivate, there was a certain amount of neglect in their function. As they did not have to pay large amounts of revenue, there was no incentive to increase productivity. On the other hand, there was inefficient management of these lands with the result that the production of essential commodities began to decline. In the event, the peasants and tenant cultivators were the real sufferers as they had to pay their share of the produce to their immediate masters irrespective of the size of the harvest. Feudalism had reached the limits of its resilience and the situation was explosive on the eve of Independence.

All through alien rule and for some years after the national Government took over, the case of agricultural labourers was either not surveyed or taken cognizance of or it was ignored. The land systems were such that they helped the rich to become richer. The remnants of the systems survived into Independence, with the result that the labourers had to work harder with little increase in their wages. They even had to fight to be paid their wages. Agricultural labour had no interest in increasing production at the ruling levels of wages.¹⁰

Rent and Rent-Paying Classes:

The relation between land-lords and tenants is governed by the Madras Estates Lands Act in respect of estates and *inams* coming within the purview of that Act any by Malabar Tenancy Act in the case of Malabar.

Estates Land Act:

The number of suits and applications under the Act received during the *Fasli* was 84,776 (85,760). Of the total number of proceedings instituted during the *Fasli*, that for recovery of rent was 5,894 or 7 per cent and of these only 2,005 or 2 per cent were for recovery by restraint and sale of moveable and holdings. Only very few landholders preferred to recover their rents by means of filing suits and applications. In 2,005 cases involving an area of 2,768.52 acres of ryots holdings lands were brought to sale for arrears, totaling Rs. 1,28,778-8-11 of which a sum of Rs. 1,09,177-14-4 was realized, there was slight increase in the number of suits during the *Fasli* compared with that received in the previous *Fasli*. This increase was due to the anxiety of the landholders to realize their rents before the impending Zamindari Legislation.

After the formation of the District the question of survey and the maintenance of the survey of records arose. The Government deputed an Assistant Director of the Survey and Land Records Department for investigation. Based on his recommendation, the Government ordered a survey of the whole District especially in view of the fact that the previous survey was done some sixty years back.

In the ryotwari area of Tamil Nadu, the land revenue assessment was fixed and levied with reference to the intrinsic fertility of soil, *taram*, sort and location of the land. A flat rate of Rs.2/- was being charged by the erstwhile Travancore Government in the transferred territory of Kanya Kumari District. In order to replace the flat levy of assessment by different rates of assessment with reference to the nature of the soil, *taram*, sort and location of the land, the Tamil Nadu Transferred Territory.¹¹ (Ryotwari Settlement) Act, 1964 (Act 30/64) was passed.

For the purpose of effecting ryotwari settlement, re-survey was conducted in the area and it was completed in 1967. A settlement notification, incorporating the principles set out in the settlement notification for Tirunelveli District, was issued.¹² Under this notification, the lands were classified as dry, wet and *manavari* and the soils were divided into different classes and further into sorts. The rate of assessment was set out for

each sort of soil. The soil classification work was done by the Settlement Inspectors on inspection of each land and over-checked by the Settlement Deputy Tahsildar and thereafter by the Assistant Settlement Officer. The wet lands were delimited with reference to the commandability of the irrigation sources. Appropriate assessment rates were fixed taking into account the *taram*, sort and classification of the soil.¹³ Ryotwari rates of assessment have been brought into force in the transferred territory from *Fasli* 1380 onwards, after due publicity, by means of notifications.

The villages in Kanya Kumari District were found to be un widely and large and much difficulty was experienced in administering them. Seventeen villages which were very large were split up into two villages in Kanya Kumari District is now 81 as against 64 that existed previously.

In this area, there is a separate village service establishment comprising of Village Officers in the cadre of Assistants and Junior Assistants. They maintain the accounts in a separate office for each village. They are also liable to be transferred to other villages.

In the transferred territory of Kanya Kumari District, there were some special features of revenue payable by the ryots to the intermediaries mainly connected with the temples and the family of Rajah of Travancore on certain items of work connected with the religious services. In order to stop such payments, the following enactments were passed and implemented in Kanya Kumari District and Shencottah Taluk of Tirunelveli District.

The Tamil Nadu Transferred Territory Tiruppuvaram Payment (Abolition) Act 32/64: Tiruppuvaram is an assignment of revenue or rent payable in money or kind or in both in respect of any land or a portion of revenue made in favour of religious, educational or charitable institutions or individuals.¹⁴ This Act sought to abolish this right with effect from the appointed date viz., 1 March 1965 on payment of tasdic allowance or compensation as the case may be. The work has been completed.

The Tamil Nadu Transferred Territory *Janmikanam* Payment (Abolition Act) 39/64: The traditional land owners by name *Jenmies* were collecting certain amount called *Jenmaikanam* from *Kudiyans*. This Act was passed to extinguish this right with effect from the appointed date viz. 16 March 1965 on payment of compensation collectable from the *Kudiyans*. In all the 265 cases, compensation and the tasdic allowance have been determined.

An appalling low standard of living and chronic deficit in food supply are the two ugly repellent features of the economy of the Province of Tamil Nadu.¹⁵ This is how B.S. Natarajan, Economic Adviser to the Government of Madras, described the situation in the State. For an estimated population of 53:91 millions, the national income of the State in 1949 was calculated at Rs. 1,370 crores, that is, a per capita income of Rs. 254, which might well be an overestimate. Even this per capita income may be compared with Rs. 4,668 in U.S.A., Rs. 2,355 in U.K., Rs. 2,868 in Canada, and Rs. 1,799 in Australia, i.e., 1/18 of U.S.A., 1/9 of U.K., less than 1/11 of Canada and 1/7 of Australia.¹⁶

With an area of 1,27,768 sq. miles, Madras State before the formation of Andhra was one and one-third as big as England and Wales put together. The total population according to the 1951 Census was 5,70,16,002 of which 4,48,32,268 or 80.4 per cent were rural.¹⁷ The total population in 1941 was 4,93,41,810 of which 4,14,76,927 were rural.¹⁷ The population thus increased by 14.4 per cent during the last decade. During the three preceding decades between 1911 to 1941, the population had increased by 18.96 per cent.

As elsewhere, so in Madras, the worst type of peasant exploitation prevailed in the zamindari areas. The overwhelming amount of the income from the permanently settled estates was used for the luxuries and wasteful pursuits of the land-lords-foreign travel, building palaces, and the like. Zamindars and their agents drew the poorest peasants into expensive litigation for recovery of rents. No records are available regarding the amounts appropriated by the Zamindars from the tenants. A peep into the matter can, however, be had from the records maintained about estates managed by the Court of Wards. Members of the family of the estates of Vizianagaram,¹⁸ for example, got in one year about Rs.4,3 8,720, which was about four times the annual wages of the staff for the collection of revenue, and two times the cost of the maintenance of irrigation work in the State in a year. This was apart from Rs.30,000 given for expenditures on ceremonies and entertainment of guests. And such extraordinary expenses as illness of the late Maharaja, expenses on his funeral ceremonies and on the marriage to the eldest daughter etc., were, of course, not included in the above amount.

At the time of the introduction of the Permanent Settlement in Madras certain Complimentary Regulations were also passed to ensure that the rents which the ryots had to pay to the zamindar should not be increased beyond the customary rates. These, however, remained a dead letter. Rack-renting by the Zamindars reached alarming proportions. The British rulers enacted the Madras Estates Land Act of 1908 which accorded occupancy right to every zamindari ryot subject to the payment of lawful rent. The Act, however, did nothing to reduce the enhanced rents. Existing rents were presumed to be fair and equitable till the contrary was proved. The illiterate and the backward tenants made no use of this provision of the Act and the rents continued high. In the same year *inam* villages were also placed on the same footing as zamindari estates and Estates Land Act was extended over them.¹⁹

Now we shall deal with the question of reforms in the ryotwari areas of Madras. The total extent of ryotwari holdings during 1361 *Fasli* (revenue year 1951-52) was 2,86,66,333 acres as against 2,82,40,408 acres in the previous year, thus showing an increase of 4,25,925 acres".²⁰ The total assessment on ryotwari holdings in 1361 *Fasli* was Rs.628.96 lakhs as against Rs. 617.04 lakhs in the previous year. The total area cultivated in ryotwari holdings was 21.54 million acres as against 21.02 million acres in the previous *Fasli*, showing a net increase of 5,22,015 acres.

The concentration of land into the hands of an upper stratum of the rural classes would be apparent if it is borne in mind that landholders owning more than 18 to 20 acres (dry and wet together), corresponding to Rs. 100 of assessment, constitute just 0.9 per cent of the total number (72.04 lakhs) of ryotwari landholders and they have 12.8 per cent of the total extent of land (282 lakhs acres) under ryotwari tenure.²¹

The Ryotwari System, as originally received, sought to establish direct links between the tiller or the ryot and the State without the interpolation of intermediaries. But in course of time ryot actually came to mean the Registered not cultivate or may not cultivate.

Report of the Land Revenue and Land Tenure Committee:

In short, the Ryotwari System as it had developed in Madras required urgent reforms in order to arrest agricultural deterioration and to provide for a healthy progressive rural society. And the problem was no. easy one and needed careful handling. Accordingly, the Government of Madras set up in May 1950 a Land Revenue Reforms Committee to go into the question and make recommendations. It was asked to report, among other things, on the question whether and in what manner the Government should interfere to fix maximum holdings to form economic units of cultivation, eliminate non-cultivating and non-195 resident *pattadars*, confer occupancy rights on the tenants and secure for them fair rents and fixity of tenure. The Committee was asked particularly to take into consideration the recommendation of the Congress Agrarian Reforms Committee.²²

On the question of the rights of tenants in the ryotwari areas, the Committee was of the opinion that the land-lord and Tenant system may be allowed to continue, subject to the regulation of the system in respect of fair rents, security of tenure, compensation for improvements, grounds for eviction and other related matters. There is no need to confer occupancy right on tenant in ryotwari areas. In future all leases should be for a minimum period of five years. In the case of virgin land which is to be reclaimed, or which has been newly reclaimed, however, the first lease should be for a minimum period of ten years. The tenant should always have the option of terminating the lease by three months' notice expiring with a year of tenancy.²³

"There is no need to fix any maximum limit, parse, in the case of existing holdings, and expropriate the extents in excess of such maximum. In future no person should be allowed to acquire agricultural lands if he already has a holding carrying an assessment of Rs. 250, or so as to constitute, a holding carrying more than Rs. 250 as assessment. In the case of joint families, separate allowance should be made for such branch of the joint family subject, however, to an over-all limit of holding, the assessment on which does not exceed Rs. 1,000."²⁴

Pending a final and comprehensive legislation, the Madras Government has already passed the Bill.²⁵ The Bill provides that subject to payment of current rent within a month of the commencement of the enactment, no cultivating tenant in South Kanara District will be evicted from his holding for a period of one year from the date on which the law comes into force. On January 9, 1954, the Madras Assembly passed into law the Malabar Tenancy (Amendment) Bill as reported by the Joint Select Committee of the State Legislature with some modifications.

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