

CHAPTER XI

REVENUE ADMINISTRATION

DURING the Muslim rule, the prevalent system of survey and settlement was known as *Shershah*. This was developed by Todarmal, a Minister at Akbar's court. Under the rules laid down then, the unit of measurement was the *Bigha* and the standardised instruments of measurement were the *Gaj* (rod) and the *Tenab* (chain). The unit in the *Bigha* was the *Kathi* or pole, five cubits and five fists in length, *i.e.*, about nine feet and six inches. Twenty *Kathis* in length and one *Kathi* in breadth equalled a *Pand* and twenty *Pands* equalled a *Bigha*. The soils were divided into categories on the basis of average produce. The average produce from the *Bigha* was converted into money on the basis of ten years' average price and assessment was fixed for ten years.

Survey and
Settlement in
early days

Later on, the same Todarmal system was followed by Malik Ambar who was a Minister of the Adilshahi Kings. This system fell into disuse during Aurangzeb's occupation of the Bijapur area due to excessive rack-renting. Then the early Mahratta rulers made annual settlements. Under this system, the village demand was arrived at by the combined efforts of the Mamlatdar (Tahsildar) and the patel on the basis of the crops raised. The total village demand was distributed over the individual holdings by the patel according to local usage. This was effected on the patel's individual discretion. The arbitrary way in which assessment was fixed occasioned disputes. The assessment rates differed from village to village, though the average yield from the soil was the same. There were different classes of cultivators like *Mirasdars* who had a heritable and transferable tenure, practically inalienable, and *Upris* who were called tenants at-will. The *Mirasdars* could retain their land even after several years of absence. The tenure was a permanent one and had a significant social distinction.

In the days of the Mahrattas, besides the settlement and assessment, there were extra levies called *Patties*. The system had an easy acceptance so long as the officers in charge of the revenue administration were minding the local interests. As

the greed and personal gain motive increased, the system met with much opposition. It was in the days of the later Mahrattas (Bajirao II) that a new system called the Farming System, was ushered in. This system postulated the auctioning of the Mamlatdar's job and the highest bidder was made the Taluk Revenue Officer. The Mamlatdar so appointed was free to recover land revenue as he liked. This led to all sorts of fraud and tyranny. The local revenue officers did what they pleased and allowed a reign of terror to prevail in the area.

The Mahratta rulers were followed by the British who took the earliest opportunity of ending the much disliked farming system. The Mamlatdars fixed the village *Jama* and also the revenue payable by each individual cultivator. This system popularly came to be known as the raiyatwari system. After working it for some time, it was seen that for a true raiyatwari system, land survey and assessment under fixed principles were essential. The Government of the day which gave serious thought to this problem, appointed Mr. Pringle, Assistant Collector of Poona, to evolve a suitable system for land revenue and assessment. He was placed on special duty in 1827 to make necessary revisions and alterations. Mr. Pringle measured all cultivable lands in the Bijapur area making the cultivable field as the unit. The basis of assessment arrived at was the net produce from the field calculated by a most complicated process. The system however failed because of the complicated process and the wrong figures given out by the kulkarnis. The Pringle system had three good points: (1) the introduction of the English acre, (2) the disappearance of patties, or extra levies and (3) the abolition of the difference between *Miras* and *Upri* tenures.

As conditions became worse and settlement operations stood at a standstill, Mr. Goldsmid of the Civil Service and Lt. Mingate of the Services were appointed to conduct settlement operations in 1836. These two officers conducted only test survey and accepted Mr. Pringle's measurements when found correct. There were no maps showing the extent of holdings but only the description of the boundaries. The assessment was based on natural fertility. Soils were divided into three classes, black, red and gravel, each of the three being sub-divided into three sub-classes called I, II and III. Each class was given an assessment rate per acre in terms of Reas, a Portuguese coin (25 Reas equalled one anna). The system evolved by Goldsmid and Mingate proved a great success and the general prosperity of the cultivating class increased rapidly. The system was extended to neighbouring areas also. As the settlement operations progressed, efforts were made to have sketch maps showing the relative position of the different fields. The scale map was introduced for the first time in 1839 and official boundary marks were fixed.

In 1840, Lt. Davidson introduced yet another system called the Rupee scale of classification. This was based on the order of the soil, depth and inherent defects. Goldsmid's classification considered only the order of the soil and did not take into consideration the relative fertility of different fields. In the trials and alterations which followed Davidson's method, a new classification called *Tippana* was evolved showing the order of the soil, depth, class of land, and conversational faults. The *Tippana* book enabled check tests by superior revenue officials and necessary corrections were made then and there.

The Poona system visualised classification and assessment as one operation. Later, the two were separated. The Settlement Officer fixed the maximum rates from which the assessment of individual holdings was deduced on the basis of classification. The Poona survey postulated classification of dry crop and garden lands, but as settlement operations extended to other areas another type of land, *viz.*, paddy land had to be classified.

In the year 1847, the Government directed Messrs. Goldsmid, Mingate and Davidson to hold a conference for the purpose of taking into consideration the best means of bringing the somewhat diversified operations of the several revenue surveys of the area to a uniform basis. The result of this conference was a joint report. The fundamental principle laid down was that assessment should be arrived at reasonably, having regard to the relative values of different fields. Davidson's classification system was adopted with certain modifications. The joint report also allowed for certain extraneous circumstances which would affect all lands indirectly like the distance from the village site. One other important principle laid down in fixing the maximum rate of assessment was grouping. The taluk was divided into groups of homogeneous tracts to which a uniform standard rate was applied. The grouping was based on permanent features like climate, markets, communications, standard of husbandry and past revenue history. The aggregate assessment fixed for a taluk had to be distributed over individual survey numbers by fixing a maximum rate for different classes of land. The acre rate was then deduced on the basis of classification values. The two main improvements introduced were the system of survey numbers and the principle of grouping.

The raiyatwari system which was prevalent in the district of Bijapur was based on a complete survey, soil classification and settlement of assessment of each holding. The original settlement was effected between 1844-1849. The first revision settlement was completed between the years 1874-1880. The second revision settlement, which was in force until recently, began in 1905. Prior

to 1939, the settlement procedure was prescribed by administrative orders of the Bombay Government under the Bombay Land Revenue Code, 1879. Under the Land Revenue Amendment Act, 1939, a new procedure was ushered in. The various provisions governing the settlement procedure were contained in Chapter VIII-(a) of the Land Revenue Code and Chapter III of the Land Revenue Rules.

In the year 1955, the settlement procedure was simplified by the Bombay Government on the recommendations of the Taxation Enquiry Committee. The settlement under the revised procedure was based on two factors, *viz.*, (1) yield of principal and important crops and (2) prices of agricultural produce. The settlement rates were to be in fraction of the average gross yield per acre of principal and important crops over a period of 10 years or less for which statistics were available in terms of average prices of crops. The unit of settlement was a zone comprising a taluk or contiguous taluks of the same district or more than one district which were homogeneous in respect of soil classification, physical configuration, climate and rainfall and nature of crops grown. The Settlement Officer formulated his proposals of settlement in the form of comprehensive reports which contained (1) various statistics and data collected by him in the prescribed forms, (2) the reasons for his proposals and (3) a statement showing the effect of his proposals as compared to that of the settlement then in force. The report was then submitted to the Collector of the district. The report was published in the regional language in each village in the prescribed manner, together with a notice stating the existing standard rates for each class of land and the extent of increase or decrease proposed by the Settlement Officer. A period of three months from the date of notice was allowed for submitting objections to the settlement proposals. After taking into account all objections, the Collector forwarded the Settlement Officer's Report to the State Government through the Settlement Commissioner. The settlement report together with objections was placed on the table of each chamber of the Legislature for discussion. The orders passed by the Government were final and could not be called in question in any court. A settlement ordinarily remained in force for thirty years.

Land Tenure

In the Bijapur district in the old days the most prevalent form of tenure was the raiyatwari tenure which accounted for 86% of occupied land and only 14% were under the non-raiyatwari *inam* tenure. At present, all *Inams*, *jodis* and *Jahagirs* have been totally abolished and all cultivated lands come under raiyatwari tenure. No land was exempt from paying land revenue except under tenures of contract or agreement or under the terms of any Act of the legislature. In the raiyatwari tenure, the land revenue was fixed not upon an estate as a whole or on a village

as a whole but on individual survey numbers or sub-divisions of those numbers. Under the inam tenure which is not in operation now, the land was held on a reduced assessment which was not liable to revision and in some cases was even free of any assessment. The land revenue assessments were fixed under the provisions of the Land Revenue Code as amended in 1939. Assessment was based not only on advantages arising from rainfall or the kind of crop but also on advantages arising from soil, water resources and location. It is on account of this that agricultural lands were divided into three main classes, namely, dry crop, rice and garden lands; and the classification values of soils of different grades of productivity were fixed in terms of annas.

The assessment fixed under the settlement was not collected in full in all years. In years of distress, suspension of half or full land revenue was given on the basis of the condition of crops. The annual land revenue demand was then fixed on the basis of the *annawari*, which meant an estimate of yield of crops in a particular year relative to the standard normal yield which was equated to sixteen annas. The land revenue thus suspended in one year became due for recovery in the next or subsequent years if the crops were satisfactory. In case there was a succession of bad seasons, suspensions more than four years old were turned into remissions.

The occupant held his lands direct from the Government. He had a right to hold the land in perpetuity so long as he paid the land revenue to the Government as fixed at the settlement. He had full rights to sell, mortgage or otherwise dispose of the land.

Till 1946, the occupant of a land could lease a portion or whole of his holding on annual tenancy at a rent agreed upon with the tenant. But this right was restricted by an amendment to the Bombay Tenancy Act, 1939, under which all tenancies were given a duration of a minimum of ten years. The maximum rent was also fixed.

Survey in
Bijapur Area

A modified form of the raiyatwari tenure, known as the "new tenure", was introduced in 1901. This form of tenure applied only to new occupancies granted. Under this tenure, lands were granted at concessional rates of occupancy price only to *bona fide* cultivators belonging to backward classes, and that too with the permission of the Collector. Of course, the land was subject to the usual land revenue.

Of the two zones of Bijapur, to the north and to the south of the Krishna river, the area north of the Krishna was surveyed and settled by the old Poona survey between 1843 and 1847

and Bijapur south of the Krishna was surveyed and settled by the Bombay Karnatak or Southern Mahratta survey between 1850 and 1858. From the beginning of the British rule in 1818 and up to 1843, no attempt was made to revise the Mahratta assessment. Between 1825 and 1830, as in other parts of the Deccan, much of the land was measured. This measurement proved of comparatively little value, because the want of boundary marks and village maps offered every facility for encroachment and other frauds. As in other parts of the Deccan and Bombay Karnatak, the chief characteristics of the old assessment were a high nominal demand and large annual remissions and outstandings. The occupied area of Government lands was much less than half of the whole arable area and even what was held for cultivation was very imperfectly tilled. In 1843-44, the survey settlement was introduced in 102 villages in India. The survey and settlement went on slowly and were not completed till 1857-58. The work of the Poona Survey in North Bijapur was finished in 1847-48 and, two years later, the Dharwar Survey was begun in South Bijapur. As the settled area increased, the former large remissions and outstandings gradually diminished. In 1862, four years after the settlement was complete, remissions dwindled to a negligible figure. In 1844-45, 94 villages of Muddebihal were surveyed and assessed. In 1845, 57 villages in Hippargi were measured and classified and the settlement was introduced in the same year. These 57 villages were of irregular shape. In the same year the survey settlement was introduced in 18 Mangoli villages. Of the 223 villages in Badami, to the south of Bagalkot, 147 were Government villages and 76 were alienated. The lands of the 147 Government villages were measured in 1847-48, 1848-49 and 1849-50 and settled in 1850-51. Of the 161 Bagalkot villages, 124 were Government villages and 37 alienated. Between 1848 and 1850, the 124 Government villages were surveyed and classed and the settlement was introduced in 1850-51. Of the 169 Hungund villages, 142 were Government villages and 27 alienated. The 142 Government villages were measured and classed between 1848 and 1850. The new rates were introduced in 1851 and sanctioned in 1855. The survey of villages of the Bijapur taluk, of which 82 were Government villages and four alienated, was conducted in 1855-56, and the rates were formally sanctioned in 1860-61. Bijapur, which then formed part of Satara, was bounded on the north by estates of *Jagirs*, on the east by Hippargi or Sindgi and Mangoli or Bagewadi then in Sholapur, on the south by the Krishna river and on the west by the Athani sub-division of Belgaum. The 88 Government villages formed the charge of a Mamlatdar whose headquarters was at Bijapur. The rates of assessment in force up to the time of the survey settlement (1854) were exceedingly high and exceedingly uneven. Both under the Satara Chiefs and under the British it was usual to induce cultivators to keep or to take land by the grant of *Lavami Tota*, i.e., a permanent

reduction on the standard assessment, the amount of the reduction forming the subject of a bargain between the receiver and the district officials. These reductions depended on the caprice of the district officials and were proportionate to the influence of those who applied for them rather than either to their necessities or to the quality of the land. These permanent reductions were therefore both partial and unequal. In some cases they were much greater than was necessary. In other cases they were insufficient and had to be supplemented by yearly remissions.

Under the survey settlement, the 88 villages of the Bijapur taluk were arranged in three classes, the first with 17, the second with 25 and the third with 46 villages. The 17 villages of the first class with the highest dry crop acre rate of 12 annas were in the south and south-west of the sub-division which was best placed in respect of both climate and markets. The 25 villages of the second class with the highest dry crop acre rate of 10 annas were in the centre of the sub-division, and the 46 villages of the third class with the highest dry crop acre rate of 8 annas were in the east and north. On the lands along the Dhone, the dry crop acre rates were raised according to the quality of the soil and the distance from the river. On 953 acres of well-watered garden land yielding vegetables and a little sugar cane, an average acre rate of Rs. 1-15-0 was fixed. Under the two large Mamdapur reservoirs, 512 acres of paddy land paid acre rates varying from Rs. 2 to Rs. 20.

During the ten years ending with 1865-1866, the result of the new survey was increase in the area under tillage from 1,94,663 acres in 1855-56 to 2,37,243 in 1865-66 and in collections from Rs. 66,270 to Rs. 88,080.

The revision survey in the Bijapur area began in 1874 and, except in a few villages, was completed by 1877 in the entire north of the district, where the original settlement had come to an end. During the eighteen years ending with 1873, the area under tillage in 450 villages varied from 7,85,143 acres in 1855-56 to 12,04,043 acres in 1871-72 and averaged 10,95,800 acres. The revenue accrued to Government varied from Rs. 3,56,120 in 1855-56 to Rs. 5,27,960 in 1871-72 and averaged Rs. 4,87,230.

**Revision
Survey**

Between 1874 and 1877, revised settlements were introduced in four survey blocks of 472 villages. In the Indi-Bijapur block of 102 villages, the new settlement caused an increase of Rs. 53,550 in revenue. In the Indi-Bagewadi block of 182 villages, an increase of Rs. 58,470 was noticed. So also in Bagewadi-Muddebihal block of 149 villages, an increase of Rs. 38,760 accrued. In the Muddebihal block of 39 villages, the increase was Rs. 7,850. The total

increase for the 472 villages was Rs. 1,58,620. In 1874-75 at the close of thirty years, the revision of the original survey settlements was begun in 41 villages of Indi, 56 of Sindgi and 5 of Bijapur taluks all of which were settled originally in 1844-55 by Colonel Anderson, the Survey Commissioner. The total area of those 102 villages amounted to 3,93,884 acres of which 18,347 acres were unarable.

**Survey
Results—
1843-1882**

The survey showed that the tillage area had risen from 4,83,673 acres in 1843-44 to 16,70,374 acres in 1881-82. The Government demand also increased from Rs. 5,84,250 to Rs. 10,26,087.

The revision settlements were introduced in the area of the Bijapur district between 1905 and 1916 and in the areas of the then princely states of Mudhol and Jamkhandi between 1929 and 1935. The survey and settlement of the alienated villages were done under post-war reconstruction schemes. (See also Appendix).

On the basis of the plane table survey system, a correct topographical village map was prepared generally on a scale of one inch to 20 chains for all surveyed villages, showing the survey numbers and the boundary marks and other topographical details such as roads, nallas, forests and the like. From these village maps, taluk and district maps were prepared on a scale of 1 inch—2 miles.

Classification of lands was arrived at for the determination of relative values of fields according to their natural productions, capabilities and position. The relative values were estimated in terms of bhag annas (ranging from 16 annas to 1 anna) taking into consideration order, depth and quality of the soil and advantages and disadvantages affecting the fertility of the soil.

The settlements had expired in the district and the Government decided to undertake revision settlement work in the area from 1955. The Bombay Government, which introduced the policy, appointed in all 19 Settlement Officers and staff for the entire State. Of them, three Settlement Officers were allotted for the four districts of Bombay Karnatak, one for Bijapur and Belgaum districts, the second for Dharwar district and the third for the North Kanara district. The revised principles of land revenue were formulated in the Bombay Revenue Department Resolution, dated the 20th March 1956. The two most important factors which provided the basis of settlement under the revised procedure were (1) yields of principal and important crops and (2) prices of agricultural produce. The settlement rates were to be in fraction of the average gross yield per acre of principal and important crops over a period of ten years or less for which statistics were available in terms of the average prices of the crops. As regards the unit of settlement Bijapur district as a whole was divided into two zones. The first zone consisted

of Bijapur, Indi and Sindgi taluks and the second zone, Bagewadi, Muddebihal, Hungund, Badami, Bagalkot, Jamkhandi, Mudhol and Bilgi taluks. The work of the first zone which was entrusted to a Settlement Officer was completed on 31st March 1957. The settlement work in the second zone was completed later. These two zones had been determined by the Settlement Commissioner for Land Records, Poona, with the approval of the Bombay Government. In each zone, representative villages were selected for settlement work and necessary groupings were made. In each group, 25% of the representative villages were selected to determine the principal and money crops. The Settlement Officers appointed for the purpose had undertaken a rapid tour of the area to hold detailed enquiry regarding yields and prices of principal and important crops in each of the representative villages selected in each tentative group in each of the zones formed. The principal crop was the crop grown in not less than 20% of the total cropped area in the group. The important crops included cash crops also. For the purpose of ascertaining the gross yield per acre, the Settlement Officer had to collect data from the Tahsildars and from the Department of Statistics. The Settlement Officer was required to perform as many crop experiments as possible and consult the leading agriculturists. The data so collected of yields and prices were then tabulated and appended to the settlement report.

As soon as Bijapur district formed part of Mysore as a result of States' Reorganisation, the Land Records, Survey and Settlement Department of the State of Mysore undertook a fresh examination. From a perusal of the findings it was seen that the settlement rate proposed, *i.e.*, 1/16th of the gross yield per acre of principal and important crops was nearly double the settlement rates then in existence. There was no scope of discretion left to the Settlement Officer to moderate the proposed settlement. The settlement reports together with the objections received from the public were placed before the State Legislature which discussed the question and reduced the rate to 1/25th of the gross yield per acre.

The following rates were in force in the Bijapur district in the revenue year 1964-65 :—

Taluk	Dry crop (Ordinary)		Garden	Wet
	Rs. p.	Rs. p.		
Bijapur	1.12	1.06	8.00	4.00
Bagewadi	1.12	1.00	4.00	4.00
Muddebihal	1.12	1.06	4.00	4.00
Sindgi	1.12	1.06	4.00	4.00
Indi	1.00	1.00	4.00	4.00
Bagalkot	1.06	1.00	8.00	8.00
Bilgi	1.06	1.00	8.00	8.00
Hungund	1.06	1.00	4.00	4.00
Badami	1.12	1.06	8.00	8.00
Mudhol	1.12	1.06	8.00	8.00
Jamkhandi	1.12	1.06	8.00	8.00

The new settlement rates have come into force after orders were passed by the Government in conformity with the Resolution of the Legislature as required by the provisions contained in Section 121 of the Mysore Land Revenue Act, 1964.

The standard rates, which are levied with effect from 1st July 1965 in the groups in each of the two zones in the district, are as follows :—

STANDARD RATES

Zone No.	Group No.	Dry Land	Wet Land	Garden Land
		Rs. P.	Rs. P.	Rs. P.
K. VII Bijapur (Zone I)	I	1.35	7.52	1.35
	II	0.96	7.52	0.96
K. VIII Bijapur (Zone II)	I	3.28	9.40	9.40
	II	2.55	8.44	8.44
	III	1.84	7.52	7.52

Demand.

Tables showing land revenue demands and collections in the district for 1961-62, 1962-63 and 1963-64 are appended at the end of the chapter.

The Record of Rights was the most important document in old Bombay Land Revenue system. The maintenance of a correct and complete record of all rights is a great bulwark of public peace and of law and order. Without such a record it is impossible to get true statistics of any species of productions or any of the economic facts concerned with the land. The Land Records Office at Bijapur is an adjunct to the Revenue Department and was created in 1884.

Land Reforms

The relationship between the land-lord and the tenant was based on old-time traditional beliefs. But in recent years, attempts have been made to put the relationship on a statutory basis, eliminating altogether the intermediaries. To trace the course of events, it is worthwhile to mention in brief the progress of tenancy reforms. In the raiyatwari areas, the cultivators had an unrestricted right of transfer and sub-letting of the lands. Due to a variety of causes, lands tended to accumulate in the hands of rent-receiving interests and thereby tenancy problems on a considerable scale became prevalent. In former days, the intermediaries enjoyed more or less absolute rights and the cultivators were reduced to the status of tenants-at-will. With the passage

of time and as conditions stabilised, rights of permanent and heritable possession and in many cases also the rights of transfer were conferred on the tenants.

Legislative activity was directed mainly towards protecting the rights of tenants holding land under intermediaries. In the raiyatwari tracts, legislation for tenancy reforms is of comparatively recent growth. The Bombay State gave a good lead in the matter by enacting the first legislation in India for tenancy reforms in the year 1939. Since the country's independence a number of other States have enacted tenancy reforms.

Prior to 1939, there was no law in the State of Bombay regulating the relations between land-lords and tenants except Section 83 of the Bombay Land Revenue Code. In order to provide security of tenure to the tenants, the Bombay Tenancy Act of 1939 was incorporated in the Statute Book. The Act gave to the tenants fixity of tenure, protection from rack-renting and from eviction and rights to house-sites and trees. The law envisaged a new concept, *viz.*, "protected tenant". The appropriate sections in the Statute defined who a tenant is. A tenant who had held land continuously for a period of not less than six years immediately preceding 1st January 1938 became a protected tenant. According to the Act, no lease could be made for less than 10 years. Rent was limited to the agreed rent or rent payable according to usage or to "reasonable" rent as determined by the Mamlatdar in case of dispute. A protected tenant's tenancy could be determined by the landlord only when the tenant failed to pay rent, sublet or sub-divided the land, used it for non-agricultural purposes or did any act injurious to the land. In case of a protected tenant's death his tenancy continued to his heirs if the latter so desired. The landlord had, however, a right to resume the land from a protected tenant for personal cultivation. By the time the Act came into force, the popular Ministry which piloted the measures resigned office and the Act was not applied all over the State including Bijapur. In 1946, the Act was amended to include the following items: (1) the rate of rent was not to exceed in the case of irrigated land 1/4th of the crop or its value and in the case of other lands 1/3rd and (2) every lease subsisting on the appointed day was to be deemed to be for 10 years. The Act so amended was applied to the whole of the Bombay State from 11th April 1946. Some defects however were noticed in the administration of the Act. In order to remedy them and also further to improve the position of the tenants, a comprehensive legislation called the Bombay Tenancy and Agricultural Land Act, 1948, was enacted.

**Bombay
Tenancy
Act, 1939**

1948 Act

The new Act of 1948 retained all the beneficial provisions of the Act of 1939 and added other details in keeping with the trend of times. The relationship between the landlords and tenants was sought to be settled by (1) giving to tenants security of tenure, reasonable rent and rights to trees and house-sites, (2) providing for commutation of crop share into cash and (3) abolition of various cesses, haks and the like which were of an obnoxious nature. In addition to these rights, certain safeguards were introduced for efficient cultivation of land. These were prohibition of sub-letting or sub-division, encouragement to join co-operatives, assumption of management by Government of landholder's estates in case of dispute between the landholders and tenants, prohibiting the transfer of agricultural land to non-agriculturists and right of protected tenant to purchase land from the landholder at a reasonable price payable in instalments, assuming management of land lying uncultivated for any two cultivating seasons and restricting resumption of land held by a protected tenant by a landholder for personal cultivation.

The new Act recognized three categories of tenants, namely, (1) permanent tenants, (2) protected tenants and (3) ordinary tenants for ten years. Certain tenants cultivating the land continuously for a period of not less than six years immediately before the dates specified in the Act were recognized as protected tenants and the protected tenants were given special rights to purchase lands at a reasonable price to be determined by the tribunal. The price was generally to be the market price and payable in a lumpsum or in 10 instalments within 15 years. A protected tenant had also a right to exchange his tenancy. His tenancy right was made heritable. The landlord's right to terminate the tenancy of a protected tenant for personal cultivation was further circumscribed. He could not resume land for personal cultivation if he had been cultivating personally other land measuring 50 acres or more, but if land so cultivated by him was less than 50 acres, he could resume so as to make up the holding of 50 acres. If a protected tenant had become a member of a co-operative farming society, the landlord could not claim resumption. The law further stipulated that if the landlord failed to cultivate the land personally within one year, it was to be restored to the evicted tenant. The tenant was entitled to compensation for the improvements effected by him on the termination of his tenancy. The maximum rate of rent was fixed statutorily by the Act of 1948 also at 1/3rd and 1/4th of the produce for non-irrigated and irrigated lands respectively. The Government retained the power to fix a lower rate of the maximum rent. By a Government Notification, dated 17th October 1952, the maximum rate of rent was reduced to 1/6th of the crop or its value irrespective of the fact whether the lands were irrigated or not. The Act of 1948 was amended in 1952 and the important

clauses introduced by the Amending Act were (1) provision for the purchase of land by the tenant on payment of the price in instalments and (2) restriction of the right of the landlord to evict the protected tenant only to cases where the income from the land to be resumed was the main source of income of the landlord for his maintenance. The Act also laid down that only persons in whose name the land stood on 1st January 1952 could evict a protected tenant. In addition, the Amending Act introduced for the first time a new concept of agricultural holding. It meant 16 acres of jirayat land or 4 acres of irrigated or paddy land. As regards the extent of land which could thus be resumed for personal cultivation, he could resume the entire area leased in case he held an agricultural holding or less as defined, but if his holding was larger in size, he could resume not more than half the area leased to the tenant.

The 1948 Act had some defects and difficulties in its implementation. The Act was found inadequate to put into effect the idea of economic holding and ceiling, the principles of which were ushered in as most important to solve the many-sided agrarian problems of the country. The Central Planning Commission had made recommendations regarding the absolute limit of the extent of land which any individual may hold. Major changes in the tenancy law were therefore made by the Bombay Tenancy and Agricultural Lands (Amendment) Act, 1955.

The Amending Act defined the ceiling area and economic holding. An economic holding was defined as sixteen acres of jirayat land or eight acres of seasonally irrigated or paddy land or four acres of perennially irrigated land. The ceiling area was fixed at three times this. The distinction between protected and ordinary tenant was removed putting the latter on the same footing as the former. It was stipulated that no person in future whether as owner or tenant or both would be able to hold land in excess of the ceiling area. This restriction did not, however, apply to the land personally cultivated immediately before the appointed day. The maximum and minimum rents were also fixed as twice or not to exceed 5 times the assessment or Rs. 20 per acre whichever was less, the tenant paying the land revenue and other Government dues. The total payment by the tenant was limited to 1/6th of the gross produce.

In the implementation of the 1955 Act, a day was fixed known as the Tiller's Day (1st April 1957) when every tenant whether permanent, protected or otherwise was deemed to have purchased from the land-lord land held by him as tenant free of all encumbrances subject to the condition that he cultivated the land personally. But this was not applied to the lands leased by a person who did not hold more than an economic

holding and whose annual income from all sources including the rent of the land did not exceed Rs. 1,500. The lands purchased by tenants had a purchase price between 20 and 200 times the assessment and payable in either a lumpsum or in instalments within a maximum period of 12 years with simple interest at 4½ per cent.

The Bombay Tenancy and Agricultural Lands (Amendment) Act, 1955 continued in the statute book even after States' Re-organization in November 1956 when the district of Bijapur along with other three districts of the Bombay Karnatak formed a part of new Mysore State. On 11th March 1957, an ordinance was issued by the Government of Mysore suspending the operation of the provisions of the Bombay Act relating to resumption by landlords and purchase by tenants and also requiring that all surrenders should be registered in the Tahsildar's Office. The Ordinance was subsequently replaced by Act XIII of 1957. By virtue of this suspension, the right of a landlord to resume land for personal cultivation as well as the provisions whereby the tenant became the owner of the holding under certain circumstances were kept in abeyance.

Objectives of Reform

The land reform programme is based on the capacity of Indian agriculture to provide the surplus needed to support the country's industrial development. The Second Five-Year Plan envisaged a clear-cut objective leading to the conclusion that a substantive increase in agricultural production, diversification of the agricultural economy and the building up of an efficient and progressive system of agricultural production are among the most urgent tasks to be accomplished.

The objectives arising against this background are summed up as follows :—

“Firstly to remove such impediments upon agricultural production as arise from the character of the agrarian structure and secondly to create conditions for evolving as speedily as may be possible an agrarian economy with high levels of efficiency and productivity. These aspects are inter-related, some measures of land reform bearing more directly on the first aim, others to a greater extent on the second. Thus, the abolition of intermediaries and the protection given to tenants are intended to give the tiller of the soil his rightful place in the agrarian system and by reducing or eliminating burdens he has borne in the past, to provide him with fuller incentives for increasing agricultural production. Similarly, to bring tenants into direct relation with the State and to put an end to the tenant-landlord nexus are essential steps in the establishment of a stable rural economy. In the conditions of India large disparities in the

distribution of wealth and income are inconsistent with economic progress in any sector. This consideration applies with even greater force to land. The area of land available for cultivation is necessarily limited. In the past, rights in land were the principal factor which determined both social status and economic opportunity for different groups in the rural population. For building up a progressive rural economy it is essential that disparities in the ownership of land should be greatly reduced. In view of the existing pattern of distribution and size of agricultural holdings, redistribution of land in excess of a ceiling may yield relatively limited results. Nevertheless, it is important that some effective steps should be taken in this direction during the Second Five-Year Plan so as to afford opportunities to landless sections of the rural population to gain in social status and to feel a sense of opportunity equally with other sections of the community. Reduction of disparities in the ownership of land is also essential for developing a co-operative rural economy, for co-operation thrives best in homogeneous groups in which there are no large inequalities. Thus, programmes for abolishing intermediary tenures, giving security to tenants and bringing tenants into direct relationship with the State with a view to conferring ownership upon them are steps which lead to the establishment of an agrarian economy based predominantly on peasant ownership."

Ideas of tenancy legislation are fast changing in the country with new principles and concepts. This is amply borne out by the frequency with which tenancy laws are being recast. The anxiety to balance meticulously the respective interests of the landlord and the tenant resulted in the laws becoming complicated. The only remedy to safeguard the position of the tenants appeared to be largely to end the tenant-landlord relationship.

In order to examine the existing Tenancy and Agricultural Land Laws and to make recommendations for a comprehensive legislation in the matter, the Mysore Government appointed a committee on 10th May 1957 under the Chairmanship of Shri B. D. Jatti, to go into the question of fixity of rent, security of tenure, rights of resumption of land by landlords for personal cultivation, right of purchase by tenants and payment of compensation to landlords, ceiling extent of land holdings, fixing the extent of basic or economic and family holdings and specifying the areas to which they apply, prohibition of land ownership as a source of income by persons who are not themselves peasants or by those who do not reside either in the village in which the land is situated or on the farm, matters relating to the assumption and management or acquisition of lands by Government, acquisition of land from persons who own the land in a village but who are neither agriculturists nor residents of the village and restraint on alienation of land in favour of non-agriculturists.

**Mysore
Tenancy
Agricultural
Land Laws
Committee,
1957**

The Committee after going into several questions in great detail submitted a detailed report to the Government on 10th September 1957 recommending among other things, a ceiling on land-holdings up to 4½ family holdings (a family holding being a holding which would give a net income of Rs. 1,200 per annum to its owner-cultivator) and compensation payable to the owner at 15 times the fair rent less land revenue. The Committee was not in favour of leases of land except in certain special circumstances. The Committee also recommended that orchards, specialised farms and efficiently managed estates should be exempted from ceiling; coffee, tea and sugarcane estates were also exempted. The Committee's recommendations helped in formulating proposals for land reforms.

**Mysore Land
Reforms Act**

The Mysore Land Reforms Act, 1961 (Mysore Act 10 of 1962) as amended in 1965, which came into force throughout the State with effect from the 2nd October 1965, the Gandhi Jayanthi day, is a highly important step. The enactment has made comprehensive provisions in respect of tenants' rights, ceiling limits of present holdings and future acquisitions, payment of compensation for surplus lands to be taken over from landlords and other connected matters.

No tenancy can be terminated merely on the ground that its duration whether by agreement or otherwise, has expired. Tenants, who were cultivating lands prior to 10th September 1957, but who had been dispossessed either by surrender or eviction, are entitled for restoration of possession. Eviction of tenants can only be done in accordance with Section 22 of the Act.

The existing tenancies would, however, continue till the resumable and non-resumable lands are determined and resumable lands are resumed by the landlords under Section 14. A landlord, desiring to resume land from his tenant for personal cultivation or non-agricultural purposes, should file a statement in Form I before the Tribunal appointed for the purpose. Lands leased to permanent tenants or those leased by a company, association or other body of individuals (not being a joint family), whether incorporated or not or by a religious, charitable or other institutions, capable of holding property cannot be resumed. The Munsiffs' courts in the districts are to function as Land Tribunals also, for the present, and the District Judges are the appellate authorities. From the date of vesting, all non-resumable lands leased to tenants would stand transferred to the State Government. Lands in excess of 27 standard acres in the case of existing holdings would be treated as surplus land, which would be vested in the State Government. The ceiling area for future holdings is limited to 18 standard acres. A standard acre means one acre of first class land or an extent

equivalent thereto as laid down in the Schedule to the Act. The future ceiling would be, therefore, as below :

<i>Class of Land</i>	<i>Ceiling area in acres</i>
Class I	18
Class II	24
Class III	30
Class IV	36
Class V	72
Class VI	108
Class VII	144

The ceiling provisions do not apply to regimental farm lands or to plantations as defined in the Act. Compensation would be paid for all lands vested in the State Government at the rates prescribed in the Act. The Act does not apply to lands belonging to or held on lease from the Government or from religious or charitable institutions managed by or under the control of the State Government or from a public trust or a society established for public educational purpose created or formed before the 18th November 1961 and which was in existence on the 18th July 1965.

There have been no large-scale agrarian movements or disorders worthy of note. Peasants' organisations are set up by certain political parties inculcating in them the view that land truly belongs to the tiller. The non-violent Bhoodan Yajna sponsored by Vinoba Bhave is slowly gaining ground. A local committee for Bhoodan is functioning in Bijapur. **Agrarian movement**

The condition of agricultural labour is considerably low. This category of labour is not organised. Favourable conditions of work or benefits of service are no where to be seen, though attempts have been made to bring agricultural labour under the Minimum Wages Act. The State Government fixed in 1959 minimum wages for agricultural labour. (See also Chapter IV): **Agricultural Labour**

When a new district known as Kaladgi district (which was later called as Bijapur district) was formed in 1864, its administration in revenue matters was entrusted to an officer styled Collector. This officer, who was also the Chief Magistrate District Registrar and executive head of the district, was helped in his work of general supervision by a staff of four assistants, of whom two were covenanted and two uncovenanted servants of Government. For fiscal and other administrative purposes, the lands under the Collector's charge were distributed over eight subdivisions (taluks). Of these, six were generally entrusted to the covenanted assistants or Assistant Collectors and two to one of the uncovenanted assistants, called the District Deputy Collector. **Organisational set-up at the district level**

As a rule, no sub-division was kept by the Collector under his own direct supervision. The other uncovenanted assistant who was styled the head-quarters or Huzur Deputy Collector was entrusted with the charge of the treasury. These officers were also Magistrates, and those, who held revenue charges, had under the presidency of the Collector, the chief management of the different administrative bodies, local fund and municipal committees, within the limits of their revenue charges.

Under the supervision of the Collector and his assistants, the revenue charge of each fiscal sub-division (taluk) was placed in the hands of an officer styled Mamlatdar. These officers were also invested with magisterial powers. One of the fiscal sub-divisions (taluks), Bagalkot, contained a subordinate division called petha or mahal (sub-taluk) placed under the charge of an officer styled Mahalkari, who, except that he had no treasury to superintend, exercised the revenue and magisterial powers generally entrusted to a Mamlatdar.

The charge of the Government villages was entrusted to headmen or patels, most of whom were hereditary and a few stipendiary. Most of them had both revenue and police duties. The kulkarni or village accountant kept the village accounts, drew up statistics and helped the headmen in performing their duties. Most of them were also hereditary. The patel's or kulkarni's yearly pay, which was proportionate to the village revenue, consisted partly of cash payment and partly of remission of assessment on land.

**Present
set-up**

The head of the revenue administration of the district of Bijapur, who was formerly designated as the Collector, is now called the Deputy Commissioner. He is also the District Magistrate of Bijapur by virtue of which he controls the work of other executive Magistrates in the district. The Deputy Commissioner is responsible to the Divisional Commissioner of Belgaum Division and to the Government.

The Deputy Commissioner is not only the head of the Revenue Department in the district, but in so far as the needs and exigencies of the district administration are concerned, he is expected to supervise the working of the officers of other departments also. The Deputy Commissioner has to keep himself informed of everything that passes in the district. As the executive head of the district, he has to maintain co-ordination with the district officers of other departments in the district by holding periodical meetings.

The district is divided into four sub-divisions, *viz.*, Indi, Bijapur, Bagalkot and Jamkhandi sub-divisions, each in charge of an Assistant Commissioner. Formerly, the Personal Assistant to the Deputy Commissioner was also the Assistant Commissioner

for Bijapur sub-division which consisted of Bijapur and Bagewadi taluks. The designation of the Personal Assistant to the Deputy Commissioner has since been changed to Headquarters Assistant to the Deputy Commissioner with effect from August 1, 1962 and the Assistant Commissioner, Bijapur sub-division, was placed in charge of Bijapur, Bagewadi and Muddebihal taluks. Consequently, the Headquarters Assistant to the Deputy Commissioner was relieved of the duties of the Assistant Commissioner, Bijapur sub-division. In this new Bijapur sub-division, Muddebihal taluk was included transferring it from the Bagalkot sub-division.

There are eleven taluks in the district each in charge of a Tahsildar. There are talatis (village accountants) for groups of villages and a patel for each village. The talati receives monthly salary in a time-scale of pay. His main duties are: (1) to maintain the village accounts relating to demand, collection and arrears of land revenue, etc., the record of rights and all other village forms prescribed by Government, (2) to inspect crops and boundary marks and prepare agricultural statistics, (3) to help the patel in the collection of land revenue and (4) write combined day and receipt books and other accounts and do other clerical work.

Demand, Collection and Balance of Land Revenue of Bijapur District for the revenue year ending with
30th June 1962, i.e., for 1961-62

Sl. No.	Taluk	Gross Demand	Remission	Suspensions including previous suspension	Collection	Unauthorised arrears	Remarks
1	2	3	4	5	6	7	8
		Rs.	Rs.	Rs.	Rs.	Rs.	
1	Bijapur ..	4,42,025.79	12,172.01	3,21,823.90	1,07,992.02	37.86	The amount of unauthorised arrears shown in column 7 was recovered in the revenue year 1962-63
2	Indi ..	3,68,747.80	..	1,09,780.26	2,43,380.21	15,587.33	
3	Sindgi ..	3,95,105.37	1,113.24	1,24,458.34	2,60,283.46	9,250.33	
4	Bagewadi ..	4,07,254.67	..	1,52,098.54	2,43,625.29	11,530.84	
5	Bagalkot ..	2,31,704.87	510.64	82,781.39	1,40,827.82	7,585.02	
6	Badami ..	2,38,060.23	576.40	1,60,553.46	76,526.24	404.13	
7	Hungund ..	3,59,555.31	..	2,01,642.97	1,57,912.34	..	
8	Muddebihal ..	3,20,086.96	..	1,61,034.10	1,58,996.64	56.22	
9	Jamkhandi ..	4,54,014.19	80,524.23	1,33,411.21	2,89,937.46	141.29	
10	Mudhol ..	2,75,915.13	49.27	1,47,526.88	1,18,415.15	9,923.83	
11	Bilgi ..	1,90,832.64	30.36	68,553.94	1,21,305.71	952.72	
	Total ..	36,83,302.95	94,966.05	16,63,665.00	18,69,202.33	55,469.57	

Demand, Collection and Balance of Land Revenue of Bijapur District for the revenue year ending with
30th June 1963, that is, for 1962-63.

Sl. No.	Taluk	Gross Demand	Remission	Suspensions including previous suspension	Collection	Unauthorised arrears	Remarks
1	2	3	4	5	6	7	8
		Rs.	Rs.	Rs.	Rs.	Rs.	
1.	Bijapur ..	9,90,606.09	86,252.02	5,31,013.02	3,73,055.57	242.77	
2.	Indi ..	4,99,416.23	13,547.60	1,65,929.16	3,18,725.28	1,214.19	The un- authorised arrears shown in column 7 were reco- vered in subsequent years.
3.	Sindgi ..	5,11,892.23	51,201.59	1,67,895.44	2,92,334.76	460.44	
4.	Bagewadi ..	7,40,744.79	1,23,121.91	2,68,047.47	3,47,417.44	2,157.97	
5.	Bagalkot ..	3,95,121.78	21,363.33	1,74,454.38	1,99,147.94	156.13	
6.	Badami ..	5,71,085.58	576.40	3,68,940.46	2,01,431.56	337.16	
7.	Hungund ..	6,26,086.53	22,827.48	3,28,626.40	2,74,482.34	150.31	
8.	Muddebihal ..	5,27,729.62	52,546.70	2,19,885.33	2,54,881.98	415.61	
9.	Jamkhandi ..	6,87,411.65	1,71,228.29	1,95,113.67	3,19,530.57	1,539.12	
10.	Mudhol ..	5,76,030.81	68,228.28	2,51,223.20	2,49,141.60	7,437.73	
11.	Bilgi ..	3,69,167.29	18,007.48	1,93,352.29	1,57,656.74	150.78	
	Total ..	64,95,559.86	6,28,901.36	28,64,280.82	29,87,605.78	14,262.21	

Demand, Collection and Balance of Land Revenue of Bijapur District for the revenue year ending with
30th June 1964, that is, for 1963-64.

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Sl. No.	Taluk	Gross Demand	Remission	Suspensions including previous suspension	Collection	Unauthorised arrears	Remarks
1	2	3	4	5	6	7	8
		Rs.	Rs.	Rs.	Rs.	Rs.	
1.	Bijapur ..	9,46,634.20	1,85,385.84	5,31,016.59	2,29,896.74	335.03	
2.	Indi ..	4,78,442.78	20,500.40	1,55,763.44	3,00,225.61	1,953.33	All the
3.	Sindgi ..	4,85,843.59	16,893.30	1,73,103.40	2,94,393.82	1,453.07	amount of
4.	Bagewadi ..	6,39,637.01	1,02,664.23	2,09,381.74	3,25,872.59	1,718.45	unauthorised
5.	Bagalkot ..	3,71,999.35	87,794.80	1,71,442.44	1,12,590.47	171.64	arrears of
6.	Badami ..	5,84,482.60	83,194.52	3,06,881.75	1,94,182.83	223.50	land
7.	Hungund ..	6,17,324.96	1,08,225.74	3,05,263.78	2,03,816.48	18.96	revenue
8.	Muddebihal ..	4,79,767.65	79,678.80	1,54,182.85	2,45,795.70	110.30	shown in
9.	Jamkhandi ..	5,99,108.44	1,31,445.01	1,77,568.74	2,89,973.25	111.44	column 7
10.	Mudhol ..	4,82,694.80	1,03,724.10	1,47,526.68	2,23,445.68	7,998.21	was later
11.	Bilgi ..	2,84,789.94	43,799.10	79,608.19	1,61,317.94	64.71	recovered.
	Total ..	59,70,725.32	9,69,315.84	24,11,739.80	25,81,511.04	14,158.64	

MYSORE STATE GAZETTEER