

**LAND REFORMS IN KARNATAKA :
A STUDY OF LAND TRIBUNALS
IN DAKSHIN KANNAD DISTRICT**

**Dissertation submitted to the Jawaharlal Nehru University
in partial fulfilment of the requirements
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MASTER OF PHILOSOPHY**

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CERTIFICATE

Certified that this dissertation entitled
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in Dakshin Kannad District", submitted by Mr. Sainath,
M., is his own work and has not been previously
submitted for any degree of this or any other University.
We recommend that this dissertation be presented before
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CHAPTER I

CHAPTER I

INTRODUCTION: FOCUS OF STUDY

India presents a considerable amount of existential differences in socio-economic and political spheres. The most important material basis of these inequalities in Indian society is the distribution of land. The pattern of land holding is a major correlate of political structure, social hierarchy and economic relations. Possession of land confer on the possessor the mutually reinforcing attributes of political privilege and social prestige.¹ The variations in agrarian structure and increasing population has perpetuated the inequality and poverty in the country. Since agriculture is the predominant sector and the majority of the population depends upon it, a segment of the population holds ownership of large extent of lands and the majority of the population are either the tenants or the agricultural labourers. Thus, the agrarian structure of our society is marked by 'great inequalities of wealth, power and status.'²

Inequalities in the land system were largely a by-product of British rule in India. This was not the condition of land system

1. Ghosh, Ajit Kumar. (ed), 1983, Agrarian reform in Contemporary Developing Countries (New York: Croom Helm) P.3

2. Beteille, Andre, 1974, Studies in Agrarian Social Structure (Delhi: Oxford University press) p.38.

in ancient India. From the evidence available, it is assumed that in the traditional land system, land was the common property of the village community.³ Thus, the village community was the 'defacto' owner of the village land, distributed this land among the peasant families in the form of holdings. Till recently, these holdings were cultivated by peasant families by means of collective labour. Traditionally, it was a hereditary right over land. This itself indicates that state ownership of land was not there. But, the King or the head of the state had received a share of the produce from the cultivators of village community. This was continued upto the advent of Mughal rule. Thereafter certain modification in the land system in India took place.

The Mughals introduced 'manasabdary' system in land structure. The 'manasabdars' or intermediaries collected revenue on behalf of the Emperor, and also fulfilled the feudal military obligations they owed to the central power.⁴ Such intermediaries were given either tax-free land or a share in the revenues they

3. Desai, A.R, 1984, Social Background of Indian Nationalism (Bombay: Popular) pp.7-8; Sen,Bhowani(1962),Evolution of Agrarian Relations in India (New Delhi:People's Publishing)pp.34-37; Mukherjee,Karuna, 1952, Land Reforms(Calcutta:H.Chatterjee & Co)p.34; Dutt,R.P.1986, India Today(Calcutta: Manisha)pp.223-24; Ojha, Gyaneshwara n.d.Land Problems and Land Reforms in India (New Delhi:S.Chand & Co.)p.34; and also Kotovosky,G.,1964, Agrarian Reforms in India (New Delhi:People's Publishing)p.6

4. Dhanagere,D.N.,1983, Peasant Movements in India: 1920-1950(Delhi:Oxford University Press)p.26

collected. The rise of such a class of intermediaries in the land system with the role of revenue administration in the newly emerging power structure, could be considered the most important development in agrarian relations in rural society under the Mughal rulers.⁵ However, the land belonged to the peasant who enjoyed hereditary occupancy rights under the Mughal rulers.⁶ Thus, the system of village community and its traditional relationship to the land were still in the main focus.

When the decay of the Mughal administration began, the ambitious zamindars and local Chieftains rebelled and took over 'defacto' possession of land and political power.⁷ Thus, the private property of these rent collectors became firmly established. The disintegration and disorder of the Central power coincided with the emergence of British power in India. The emergence of British power led to a revolution in the existing land system.

British intervention in the land system came through the introduction of the Permanent Settlement by Lord Cornwallis in

5. Ibid

6. Moore, Barrington, Jr., 1987, Social Origins of dictatorship and democracy: Lord and peasant in making of Modern India, (Middlesex: Penguin) p.345

7. Ibid; also see Dhanagere, Op.cit., p.27

1793. This marks the beginning of modern land lordism- the new class of zamindars- which became the backbone of British rule in India.

The zamindars were declared as full owners of land with absolute proprietary rights in land and thus the settlement 'superseded the traditional right of the village community over the village land'.⁸ These settlements were devised to create a class of loyal collaborators for building the empire.⁹ By doing so, it totally ignored the peasant occupancy right and reduced the peasants to the position of mere tenants-at-will on their own fields.¹⁰

In some areas, they introduced ryotwari settlement in which a landholder or occupant of land was recognised as its proprietor whose rights being hereditary and transferable by sale, gift or mortgage, but he could not be ejected so long as he paid his revenue.¹¹ Here he was a tenant of the state, responsible for paying revenue directly to the state treasury.

8. Desai, Op.cit., p.38

9. Sen, Op.cit., p.63

10. Dhanagrere, Op.cit., p.31

11. Baden,-Powell,B.H, n.d, The Landsystem of British India (Delhi: Oriental Publishing) p.126

However, in both the cases, either in zamindari or ryotwari the tenants were the main sufferers. The former type zamindars used to extort the peasant cultivators by charging excess of land revenues and in the later, the British government itself charged high rate of taxes. As the revenue demand increased gradually, the ryots cultivators in both the areas became mere tenants and landless labourers. In later course land transfer had been legalised large tracts of land had passed to absentee land lords, money lenders and sahu-kars due to large scale peasant indebtedness.¹² Thus, the inhuman extortion by the state or of the state appointed landlords led to pauperisation of the peasantry.¹³

In other words, the basic land revenue systems introduced in British India served the same ends viz, to conserve for the British colonialists, the feudal exploitation of the Indian peasantry.¹⁴ Thus, "the main change in rural social structure under the British impact is that emergence of huge rural proletariats, about half the rural population, a small class of prosperous peasants, not much more than an eighth of the population; and a tiny elite".¹⁵

12. Bhalla, G.S, 1983, 'Peasant Movement & Agrarian Change in India.' Social Scientist Vol 11, No.8, August, p.39.

13. Dutta, Op.cit., p.229.

14. Kotvosky, Op.cit., p.2

15. Moore, Op.cit., p.368

India achieved independence in 1947, we inherited a system in which the land was highly concentrated in the hands of the zamindar or landlord class and vast majority of peasants had virtually limited or no proprietary rights and were mostly tenant farmers or landless agricultural workers. Thus, the basic structure of the Indian agrarian economy remained uneven.

The concern of free India was to overcome these unevenness of the Indian polity. As a legacy of national movement in which the peasantry also took decisive role, made the government to take certain steps in the form of land reforms and thereby overthrow the land system of alien government. The few peasants movements after independence might have alarmed the government in power to undertake reform programmes. Thus, the government had to intervene in the agrarian structure of the country to achieve equality in every sphere of Indian life.

This direct intervention of the government assume in the form of land legislation and implementation through governmental agencies.¹⁶ Land legislation or land reforms refers to a public programme of the government which seeks changes in the agrarian structure.

16. Joshi, P.C., 1975, Land Reforms in India: Problems and Perspectives (New Delhi:Allied) p.86

This programme involves social, political and economic aspects. As Warriner calls it as a comprehensive programme for transformation of the entire agrarian economy.¹⁷ It encompasses change of ownership, control, usage in order to change the structure of holdings, improve land production etc. As it is known, land represents the main source of wealth and power which determined the social status. A restructuring of land tenure rules and procedures involve changes in the political, social, and power positions of the groups and individuals.¹⁸ To put in short, after independence land reforms legislation has become an imperative to strike the imbalances in agrarian structure.

The process of Land reforms-from initiation to completion- had been brought about primarily by the government, and it plays a decisive role. It has certain political implications. Since land reform programme benefits the largest group of the Society- the peasants-it strikes a stance in favour of the masses. Hence, the government may win the sympathy of the peasantry and there by it might get electoral support for its party in general.

17. Warriner, Doreen, 1969, Land Reform in Principle and Practice (Oxford: Clarendon press) p.xiv.

18. Dorner, Peter, 1972, Land Reform and Economic Development (Middlesex: Penguin) p.18

However, after the independence, the land owners or landed elite, with their land, social prestige and other aspects emerged politically powerful. They could exert strong influence on the government and administration.¹⁹ Any change in agrarian structure will lead to change in political power, property and status of these landed elite.²⁰ Thus, this ruling elite or landed gentry deliberately drafted a defective law to safeguard its interest and hamper its implementation by giving loopholes in it.²¹

To sum up, land represents the main source of wealth and power in agrarian societies and it has been unevenly distributed. Since agriculture is the pivot of our economy and land is the most important source or mode of production in agriculture, the struggle between the various groups of society has mainly revolved round the question of ownership of land. This struggle over the question of land has, infact, provided the main impetus to the political life of the rural society, even in the Contemporary period. The type of land tenure always constituted an important determinant of the pattern of political power and a

19. Tai , Hung-Chao, 1974,Land Reform and Politics: A Comparative Analysis(London: University of California Press)p.14 and 122-139;
Herring Ronald, J.,1983,Land to Tiller: The Political Economy of Agrarian Reform in South Asia(New Delhi: Oxford University Press) p.14

20. Dorner, Peter,Op.cit., p.29

21. Tai, Hung-Chao,Op.cit.,pp.122-39.

specific power pattern always perpetuated a particular type of tenure. A restructuring of land tenure through the land reforms involves changes in the political, social and power position of the groups and individuals.

In the context of its multi-dimensional change in agrarian structure, it is necessary to analyse the land reform legislations and implementations. Such an analysis would help not only in providing an insight into the nature of the land reform problems, but also to identify the forces which were active at various stages of land reforms.

The main objective of this study is to analyse the 1974 Land Reforms Amendment Act in Karnataka and its implementation. An analysis of the working of Land Tribunals under this Act is important as they have been set up in contrary to other states. An attempt has been made to examine the impact of the Land Tribunals on the agrarian structure, more specifically, on tenancy in Karnataka. More important, the study also seeks to show that the passing of the Act had a specific political purpose. In Karnataka, the bigger land owning classes belong largely to the two dominant castes, Lingayats and Vokkaligas while the tenants belong to the lower cultivating castes. By constituting Land Tribunals under the 1974 amendment and giving land to the tenants, Devaraj Urs²² hoped to transfer social and political

power in the rural areas from the dominant upper castes to the backward castes. By this, he also hoped to create for himself and his party a new social base within Karnataka which could effectively counter the traditional position occupied by the Lingayats and Vokkaligas within the congress party.

The area of the present study is confined to D.K. district. This is because existing studies show that only in D.K. district the amendment Act of 1974 has been successfully implemented. Since it was found that only in the Puttur taluk of D.K. district old land records and proceedings of Land Tribunals have been kept intact and are available, a special study has been made of this taluk.

The present study is based both on primary as well as secondary data. Government reports such as the General census, Agricultural Census, Gazetteer, Land Reforms Act in Karnataka etc have been used extensively. Books and articles on the subject and other relevant materials have also been consulted. Primary data was collected by means of interviews of Land Tribunal members, tenant beneficiaries, ex-landlords and bureaucrats. The interviews undoubtedly have been most revealing regarding the nature

22. Devaraj Urs was the Chief Minister of Karnataka from 1972 to 1980.

of changes that have taken place due to the land tribunals. Apart from this, visits to the land tribunals and review of old records and proceedings of its working, helped to get more data on the subject.

This chapter first, forms to know the emergence of land problems. Since land continues to be the main source of wealth and power, the necessity for the land reforms have been discussed. Besides, it gives the importance, objectives and method of study.

While in the second chapter, the system of agrarian structure in Karnataka during the period of Indian Independence as well as at the early seventies have been given.

Though the land reforms have become an imperative to strike the imbalances in the agrarian structure, some forces at the various stages of land reforms have manoeuvred and scuttled the implementation process. In Karnataka, the dominant caste with its nexus between land and power bridled the attempt of land reforms. This has been discussed in chapter third of this dissertation.

Fourth chapter deals with the land reforms in Karnataka. Importance has been given for the 1974 amendment act. The Urs's government with its least stake on land amended the land reforms

act. An assessment of land reforms laws and implementation have been made in this chapter.

The 1974 Act has given mandate for the government to constitute the land tribunals in every taluk. The organisation, functions, powers etc have been discussed in the fifth chapter. In the same chapter an attempt has been made to know the working of Land Tribunals in adjudicating Land reforms in Puttur taluk in particular and D.K. district in general.

Lastly, the impact of Land Tribunals in D.K.district on the social structure has been made. This forms the conclusion of this dissertation.

CHAPTER II

CHAPTER II
AGRARIAN STRUCTURE IN KARNATAKA

In this Chapter evolution of land system in Karnataka has been discussed. It also gives the land structure existed in the early seventies when the amendment Act was introduced.

The State of Mysore, renamed as Karnataka with effect from 1973, is a state in South India. At the time of Indian independence in 1947, the erstwhile princely State of Mysore had more or less half of the geographical area of the present state. Karnataka, as it exists now was formed on the basis of linguistic homogeneity in 1956 under the State Reorganisation Act. The Kannada speaking areas of former Bombay and Madras Presidencies and of the princely state of Hyderabad and the whole state of Coorg were added to the Princely State of Mysore.

As a result of this merger, Karnataka has covered 5.83 per cent of the total area of the country with a total area of its own 191791 sq.kms.¹ According to 1981 Census, Karnataka had a population of 37.13 million which amounts for 5.4 percent of the country's population.² Presently it has twenty administrative

1. Census of India 1981 p.62

2. Ibid p.211

districts. Among the districts, Bijapur occupies the largest area and Kodagu has the smallest area.

Karnataka's economy is basically agrarian which provides livelihood for 62.12 percent of the population and contributes 68.4 percent of the State's domestic products.³ Though jowar paddy, cotton, ragi and groundnut are the major crops, it has most diversified cropping pattern with about 60 different agricultural and horticultural crops. The major crops amount for 57 percent of the cropped area. It has large amount of natural resources like minerals, forest etc. Industrially, Central and State governments have set up large number of enterprises in the state. But, despite all these potential factors, the per capita income of the state has been lower than the National per capita income.⁴

As it is said earlier, the present state of Karnataka is Conglomeration of different Kannada speaking areas. Though Kannada has been the same language in these areas, the land systems were different. Hence, it is worth seeing the land system in these areas for a better understanding of the implementation of land reforms.

3. Thimmaiah, G. and Aziz, Abdul, 1984, 'The political Economy of Land Reforms,' (New Delhi :Ashish Publishing), p.14

4. Ibid

Old Mysore Area:

The evolution of land system and agrarian structure of Mysore can be traced back to the Vijayanagar empire. The Vijayanagar empire held sway over whole of old Mysore and generally land was said to have belonged to the Monarch. They appointed 'Palegars' in civil administration and asked to bring almost all waste lands under cultivation⁵. Besides these pel-lagras there were twelve officials called 'ayagar' who were in the villages to look after the civil administration. Among them, Shanbhog and Gauda, the village accountant and the village head-man respectively were in charge of revenue matters, and law and order. The administration was done according to the 'rayareka' which fixed the settlement of the revenue, the boundaries, duties, customs and ordinance on all other matters. The ryots enjoyed power over land and paid land revenue to the king.

The land system was unaffected till the Chika Deveraya's reign (1672-1704). The ownership of the property was taken by the state and it had become state's property and cultivators held the lands as tenants of the state. There were 'batai' system, where the cultivator paid a share of the produce to the state.⁶

5. George, P.T., 1970, 'Land systems and laws in Mysore State,'
ArthaVijnana vol.12, nos. 1 & 2 March - June p.17

6. Ibid. p.120

During the time of Hyder Ali and Tippu Sultan this type of land system was continued with some modifications. Hindu 'Palegars' lands were sequestrated and leased out to peasants.' Purnaiya's regency (1799-1810) retained old Palegar system and conferred ownership of the land on the owners. Thus, this class, in later stage emerged as landed aristocracy. The general tenure of land may be described to be "the hereditary right of cultivation" or the right of the tenant and his heirs to occupy a certain ground so long as they continue to pay the customary rent.*

However, on the eve of British taking over the administration of the then Mysore State in 1831, there existed different types of land tenure'. They were Kandayaum¹⁰, Batai,¹¹ Sharaya¹² Kayamguttu¹³ and Jodi¹⁴ land tenures.

7. Gazetteer, Mysore p.162

8. Ibid p.602

9. See George, *op.cit*, pp. 124-25

10. Kandayam lands held directly by the ryots from generation to generations paying a fixed money rent.

11. Batai lands held by the persons who cultivated them and shared the produce with government. They were practically hired labourers or tenants at-will of the govt.

12. The 'Sharaya' tenure system where by lands were held by the ryots for reduced Kandayam for three or four years, and from the last year to pay the full amount.

13. There were ryots who held entire village for a fixed rent in which they received regular grants without any period being specified.

Apart from this, Inamdari¹⁴ system (a similar type of Zamin-dari) existed in the erstwhile state of Mysore. The Inamdars largely came from the upper caste and they never cultivated their land. It was cultivated by the ryots of the village. The British rule in Mysore did not add new dimensions to the land systems except taking up measures to regulate the prevailing system. As part of controlling the officials, the British introduced a ryotwari tenure system as land which was either a Kan-dayam or batal system under which fixed rent, cash or kind was remitted to the government¹⁴. They made an attempt to regulate the Inam tenure.

The Coorg area:

Situated at the South-West of old Mysore State in the hilly traits this small state developed its land systems rather independently of rest of Mysore provinces. In fact, there were similarities in the land system of Coorg and those of Mysore, South Kanara (D.K) and Malabar to some extent.

14. These lands were imams forfeited by Tippu Sultan but now after being given back to 'inamdars' or jodidars paying a favourable rent.

15. Inam is a grant by the King for personal benefit of an individual or individuals or for religious, charitable and such other purposes; or for service rendered to the state or the village community; these lands granted were held free of assessment. The owner of such lands were called inamdar.

16. Thimmaiah & Aziz, op. cit, p.37

In this area, there existed four kinds of land tenure besides rent free and inam holdings. They were 'Jamma'¹⁷, 'Sagu'¹⁸, 'Ambali'¹⁹ and 'Jodi'²⁰ tenures. The 'Jamma' tenure was prevailed in Malabar areas. This type of land neither could be alienated without the consent of the Government, nor could be sold or mortgaged. Each 'Jamma' land had its apportioned number of slaves, called 'holayas'. British rule later on liberated these slaves and it caused serious problem for the 'Jamma' ryots in getting land cultivated. Hence, ryots demanded to lease out their lands. Seeing the predicaments of the ryots, the government laid down that subletting could be done²¹. The 'Sagu' land could be transferable but they had no proprietary rights over the lands²².

17. A system where by privileged classes were held the land. This was feudal type of system in which holder had to pay light assessment and had to render military and civil service to the state.

18. Under which ryots paid rent but were not bound to render feudal services to the state. They could claim remission for those fields of their farm which they could not cultivate.

19. This referred to lands held free of rent and enjoyed in return for certain services rendered by such holders.

20. In this tenure lands were alienated for maintenance of religious establishment in all parts of state.

21. George, op.cit. p.137

22. Gazeteer Coorg p.404

Thus, the land system in Coorg was based partly as the feudal system and partly on the basis of holding directly from the government on payment of land tax. The cultivation carried mostly on hired labour or slaves and that the leasing out of land was not a common practice.

(Contd..20)

Hyderabad and Bombay Karnataka Area:

Hyderabad -Karnataka area comprised of Bidar, Raichur and Gulbarga districts where original assessment was based on Thodar Mal's (Revenue Minister of Akbar) revenue system in which quality of grain sown or its produce was the determining factor for revenue assessment. In due course, 'Kowl' (agreement) was granted to the land holders for a fixed period. At the same time, the inamlands held by the Patels and Patwaris existed.

The 'Zilla Bandi' system introduced by Nawab sir Salar Jung I, the then Prime Minister of Hyderabad state, in which land was individually assessed and rent was fixed on the basis of the average payment of revenue made during the previous ten years.²³

When the British rule introduced ryotwari system, it had its impact on Hyderabad state too. It gave impetus to the emergence of intermediaries and sub-tenureial practices. The forms in which land was actually held under ryotwari can be classified as Pattadari,²⁴Pot Pattadari²⁵ Shikmidars²⁶ and Asmishikenis²⁷

23. Mysore State Gazetteer,

24. Pottadari was a registered occupant of land and he cultivated the land personally or through hired labour. His occupancy depended upon the regular payment of assessment.

25. This tenure resembles the share cropping where two or more cultivators hold joint Patta record of rights.

26. This tenerial practice in which the tenants enter into an agreement with the actual holder of land for cultivation on

Besides, there were 'Jagirs'(just like Inam) given for the service rendered to the state was quite different from that of Zamindars or permanently settled areas elsewhere. They had no right over the soil and were entitled to taxation.

Bombay-Karnataka area consists of Dharwar, Belgaum, Bijapur and North Kanara²⁸ The land system prevailed in this area except North Kanara, was that of Vijayanagar empire. Rayareka as explained elsewhere became the basis of settlement of subsequent rulers. When the British acquired these areas in 1818 they introduced ryotwari system.

Dakhshin Kannad District

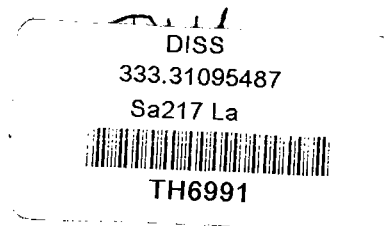
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Dakshin Kannad district is the Southern most of the two coastal districts of Karnataka state. It is about 117 kms in length and about 40 to 80 kms wide. The total geographical area of 8441 sq.kms. with 4.40 percent of the total area of the

specified terms and were not be evicted as long as they pay the rent.

27. In this tenure tenants could be thrown out from their land at landlords will. They were later on protected by a law against the onslaught of landlords.

28. Initially this part was under the Madras Presidency but for the administrative convenience it was attached to Bombay presidency.



state²⁹. The population of the district as per 1981 census was 23.73 lakh with a density of 282 per sq.kms³⁰. The Head Quarters of this district is Mangalore. Agriculture is the predominant occupation on which the majority of the population dependent for their livelihood.

It was the part of Madras Presidency before the reorganisation of the states. The 'Warg' tenure was the major land tenure of the D.K. district. It was also prevailed in North Kanara district. There were mulawarg lands which means original property rights held by the families who paid annual rents³¹. The proprietors of this land were called as 'mulawargadharas' or 'mulawargagars'. There were two types of commonly found tenancies existed. These were 'mulageni' and 'chalageni' tenants. The former was a permanent tenancy in which a specified and invariable rent was paid to the landlords. They were proprietary tenants with written lease agreements and their rights on land were perpetual. This tenancy could not be altered or evicted except for the non-payment of rent, even not until they were fully compensated by the landlords for the permanent improvement they might have made on the lands. However, they were at liberty to alienate holdings

29. Census of India op.cit. p.62

30. Ibid

31. George P.T., op. cit., 140

by way of sub-let or mortgage. They could improve land, alter the crop of cultivation as they like without any change in the rate of rent paid to the landlord.

The later type of tenancy i.e. Chalageni, means tenants at will. It is just temporary tenancy. There were no written records for this tenancy and it was almost an oral contracts between land lords and tenants. It was liable to be terminated at the will of the landlords. Since the landlords in this area were absentee landlords, the lands were leased out to the tenants.

Apart from this, there existed 'waidegeni' under which land was leased out for specified number of years. Besides, there were Inam tenure also existed in this area especially religious Inams.

However, the agrarian structure in these different areas were much similar interms of pre existing legislation and their implementation. The land revenue system was predominantly ryotwari, wherein, the relationship between the cultivator and the government was directly established through the payment of periodically assessed land revenue³². Further, there was a small group of privileged class owning the large proportion of land. Historically, the lands they secured were mainly gifts, from the

32. Rajapurohit, A.R., (ed), 1984, Land Reform in India (New Delhi: Ashish) p. 189.

rulers especially pre-British rulers in view of their service rendered to them, were ^{regarded} as Inamdars or Inam holders.

Most of these Inam holders in course of time leased out their lands to the tenant cultivators as they themselves could not manage to cultivate their land. Because, these inamdars mostly were Brahmins or belonged to socially prestigious caste those who were exposed to the English education and moved in search of jobs to the urban areas. Hence, they leased out their land to the tenants and they themselves became absentee landlords. These landlords, as elsewhere in India, became the oppressor class in Karnataka. Thus, the agrarian economy was marked with unequal distribution of wealth and land.

This was the agrarian structure when the States were reorganised. Later on, the act of unified Karnataka led to certain changes in this structure. Since this study is confined to the land legislation of 1974, it is worth mentioning the agrarian situation in early seventies.

In the beginning of 1971, as the Agricultural census shows the extent of tenancy was 11.2 percent of the total holdings as the state constituting 7.4 percent of the total cultivated area, while the corresponding figures for India as a whole were 7.9 percent and 8.5 percent respectively³³. Lands in Karnataka were

slightly less subject to the incidence of tenancy and the tenanted land holdings were more numerous than in India as a whole. This tendency of tenancy were not uniform all over the state. Among the districts, Dakshin Kannad, Uttar Kannad and Shimoga, the incidence of tenancy was relatively high. Apart from these districts, other districts marked very low tenancy covering 3 percent of the total land holding area.

Table 2.1 gives district-wise data for the state as a whole on the proportions of owner cultivation mixed tenancy and pure tenancy across different size groups. This shows the concentration of tenants through out the state, in which the largest tenanted area and number being the Uttar Kannada district with 43.8 per cent and 68.2 per cent respectively. Dakshin Kannad (D.K) district shows 43.6 per cent of the area and 54.4 per cent of the number of tenants.

In absolute terms, the number of tenants were 397042 in 1971 out of whom 233176 pure tenants and 163866 were mixed tenants i.e. land lords who had leased in extra land. The total tenants in D.K. district were 70591 in 1971. The number of pure tenants and mixed tenants were 60,305 and 10286 respectively.

TABLE 2.1

Tenanted Land in Karnataka (Area in Hectares)

| Districts | Total No. and Holdings | | Wholly owned and Self-operated | | Partly owned and partly rented | | Area rented | Wholly rented from others | | Total tenanted land | | Percentage of tenanted land to total | |
|------------------|------------------------|----------|--------------------------------|---------|--------------------------------|--------|-------------|---------------------------|-------|---------------------|------------|--------------------------------------|------|
| | No. | Area | No. | Area | No. | Area | | No. | Area | No. | Area | No. | Area |
| | A | B | C | D | E | D | E | F | G | H (E+F) | I (D+G) | J | K |
| Bangalore | 240708 | 448679 | 228524 | 416661 | 8754 | 19262 | 8305 | 3430 | 4337 | 12184 | 12642 | 5.1 | 2.8 |
| Belgaum | 298345 | 971532 | 250834 | 787104 | 22338 | 69454 | 53902 | 15173 | 60164 | 47511 | 114068 | 15.9 | 11.8 |
| Bellary | 127834 | 553151 | 120330 | 504471 | 5022 | 24653 | 16311 | 2482 | 7550 | 7504 | 23861 | 5.9 | 4.3 |
| Bidar | 87644 | 479356 | 85198 | 459971 | 1660 | 10362 | 5902 | 786 | 3107 | 2446 | 9909 | 2.8 | 1.9 |
| Bijapur | 247440 | 1454578 | 223087 | 1208547 | 9970 | 67245 | 46678 | 14383 | 72136 | 24353 | 118802 | 9.8 | 8.2 |
| Chikmaga -lur | 91967 | 248781 | 84452 | 228152 | 3858 | 10177 | 5036 | 3657 | 5346 | 7515 | 10382 | 8.2 | 4.2 |
| Chitra -durga | 177348 | 705808 | 174728 | 694039 | 1279 | 5048 | 2692 | 1341 | 4023 | 2620 | 6715 | 1.5 | 1.0 |
| Dakhina -kann | 129881 | 205915 | 59290 | 102565 | 10286 | 13135 | 10480 | 60305 | 79314 | 70591 | 89784 | 54.4 | 43.6 |
| Dharwad | 268577 | 1128661 | 219556 | 861883 | 22695 | 104444 | 79419 | 26326 | 82674 | 49021 | 162093 | 18.2 | 14.4 |
| Gulbarg | 212682 | 1263243 | 190090 | 1060458 | 13614 | 92506 | 65502 | 8978 | 45031 | 22592 | 110533 | 10.6 | 8.7 |
| Hassan | 166658 | 259933 | 160889 | 343469 | 4370 | 11260 | 3638 | 1399 | 1415 | 5769 | 5053 | 3.5 | 1.4 |
| Kodagu | 36786 | 136258 | 36256 | 133811 | 390 | 1613 | 587 | 140 | 304 | 530 | 891 | 1.4 | 0.6 |
| Kolar | 209342 | 394044 | 196264 | 358501 | 10164 | 25005 | 7885 | 2914 | 2625 | 13708 | 10510 | 6.2 | 2.7 |
| Mandya | 215805 | 294636 | 211587 | 286849 | 2355 | 3941 | 1865 | 1663 | 1964 | 4218 | 3829 | 2.0 | 1.3 |
| Mysore | 271912 | 513001 | 262192 | 493393 | 5225 | 10233 | 5088 | 4495 | 5014 | 9720 | 10102 | 3.6 | 2.0 |
| Raichur | 229520 | 1121528 | 221043 | 1061496 | 5167 | 28855 | 19208 | 3310 | 11815 | 8477 | 31023 | 3.7 | 2.8 |
| Shimoga | 147234 | 326614 | 115546 | 257546 | 10926 | 24002 | 14520 | 26762 | 26907 | 31668 | 43727 | 21.5 | 13.4 |
| Tumkur | 285330 | 613522 | 280561 | 599577 | 2586 | 6880 | 3182 | 2183 | 3888 | 4769 | 7070 | 1.7 | 1.2 |
| Uttara -kanna | 106217 | 147785 | 33761 | 53208 | 23207 | 30207 | 24166 | 49249 | 39491 | 72456 | 64057 | 68.2 | 43.3 |
| Karna- taka | 3551230 | 11367825 | 3154188 | 9971456 | 23207 | 30207 | 24166 | 49249 | 39491 | 72456 | 64057 | 68.2 | 43.3 |

Source: Agricultural Census, 1970-71 (1974).

In terms of concentration of land ownership, although Karnataka shared the broad pattern of concentrations found all over India, large holdings were proportionately less in Karnataka. The average area of holdings 10 hectares and above was 16.43 hectares in Karnataka while it was 18.10 hectares for India as a whole³⁴. Table 2.2 shows the comparative figures of concentration of land ownership in Karnataka with that of all-India figures.

TABLE 2.2
Concentration of Land Ownership in Karnataka

| <u>Holding Size</u> (In hectare) | <u>Karnataka</u> | | <u>India</u> | |
|-------------------------------------|-------------------|---------------|-------------------|---------------|
| | Holdings (%) | Area (%) | Holdings (%) | Area (%) |
| Below 1 | 30 | 5 | 51 | 9 |
| 1 - 5 | 52 | 38 | 38 | 38 |
| 5 - 10 | 12 | 25 | 7 | 22 |
| 10 - 20 | 5 | 21 | 3 | 18 |
| 20 and above | 1 | 11 | 1 | 13 |

Source : Census of Agricultural holdings in Karnataka 1970-71 (1974).

34. Rodrigues, Valerian, Politics of land Reforms in Karnataka' unpublished article p.24.

The pattern of ownership that prevailed around 1971 is shown in Table 2.3 It gives district-wise distribution of holdings in five size groups viz., less than one hectare, one to five hectares, 5 to 10 hectares, 10 to 20 hectares and 20 and above. This table reveals that in the coastal districts the overwhelming concentration of holdings was in the size group of 0-5 hectares, that is, over 95% by numbers and 88 to 78% by area. Correspondingly, the proportion of large (20 & above) land holdings in the district were very small. The area accounted for only 1.9 to 2.3% in the maidan districts, the holdings in the middle range show a marked north to south variations. The Northern maidan districts had relatively greater proportions of holdings in the higher size ranges, and a markedly lesser number of small holdings.

However, the pattern of distribution of land within the state would not be an accurate measure of the prevailing pattern of distribution of wealth or income or the socio-economic conditions. This is due to the high degree of variations in the regional and inter regional income per hectare³⁵.

In terms of surplus land, Bandhopadhyaya in his paper, based on the Agricultural census data estimates the surplus in Kar-

35. Rajan M.A.S. ¹⁹⁶⁴ Land Reforms in Karnataka: An account by participant observer (New Delhi : Hindustan Publishing) p.65

TABLE 2.3

DISTRIBUTION OF HOLDINGS BY SIZE AND AREA (IN PERCENTAGE)

| District | Below 1 ha | | 1-5 ha | | 5-10 ha | | 10-20 ha | | 20 hectares and above | |
|----------------|------------|------|---------|------|---------|------|----------|------|-----------------------|------|
| | Holding | Area | Holding | Area | Holding | Area | Holding | Area | Holding | Area |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |
| Uttar Kannada | 61.3 | 13.8 | 34.0 | 54.8 | 3.8 | 21.0 | 0.9 | 8.5 | - | 1.9 |
| Dakshin Kannad | 6.9 | 14.4 | 48.5 | 62.1 | 3.8 | 15.0 | 0.8 | 6.2 | - | 2.3 |
| Shimoga | 33.3 | 9.0 | 57.8 | 56.6 | 5.8 | 20.4 | 1.4 | 9.6 | 0.7 | 4.4 |
| Chickmaglore | 30.4 | 6.7 | 57.6 | 47.5 | 8.7 | 20.5 | 2.2 | 12.3 | 1.1 | 13.0 |
| Hassan | 35.9 | 8.7 | 55.7 | 56.8 | 6.6 | 19.7 | 1.2 | 9.4 | 0.6 | 5.4 |
| Kodagu | 25.0 | 3.9 | 55.6 | 34.8 | 13.9 | 23.6 | 2.8 | 16.9 | 2.7 | 20.8 |
| Belgaum | 30.2 | 4.5 | 50.4 | 37.5 | 13.1 | 27.8 | 5.2 | 20.8 | 1.1 | 9.4 |
| Bijapur | 9.7 | 0.9 | 49.4 | 22.9 | 24.3 | 29.0 | 13.0 | 30.2 | 3.6 | 17.0 |
| Dharwar | 14.2 | 1.9 | 59.3 | 35.2 | 17.5 | 29.4 | 7.5 | 24.2 | 1.5 | 9.3 |
| Bidar | 12.5 | 1.4 | 50.0 | 24.0 | 21.6 | 28.2 | 12.5 | 29.9 | 3.4 | 16.5 |
| Gulbarga | 11.7 | 1.1 | 47.4 | 21.9 | 23.9 | 28.3 | 13.1 | 30.2 | 3.9 | 18.5 |
| Raichur | 11.7 | 1.5 | 54.8 | 30.1 | 21.7 | 31.0 | 9.6 | 25.5 | 2.2 | 11.9 |
| Bellary | 15.6 | 2.1 | 57.8 | 34.4 | 17.3 | 27.8 | 7.0 | 21.7 | 2.3 | 14.0 |
| Chitradurga | 18.1 | 2.6 | 58.4 | 38.4 | 14.6 | 26.0 | 6.7 | 21.8 | 2.2 | 13.2 |
| Tumkur | 42.4 | 9.5 | 48.4 | 49.6 | 8.7 | 21.3 | 2.1 | 12.9 | 0.4 | 6.7 |
| Mandya | 55.1 | 17.9 | 41.2 | 62.8 | 3.2 | 14.0 | 0.5 | 4.1 | - | 1.2 |
| Mysore | 38.2 | 10.8 | 55.6 | 62.4 | 5.1 | 17.7 | 1.1 | 7.0 | - | 2.1 |
| Kolar | 43.5 | 12.2 | 49.8 | 56.7 | 5.3 | 18.1 | 1.4 | 8.5 | - | 4.5 |
| Bangalore | 44.4 | 12.4 | 49.0 | 56.2 | 5.0 | 18.0 | 1.2 | 8.8 | 0.4 | 4.6 |
| Karnataka | 30.5 | 4.8 | 51.5 | 38.0 | 11.8 | 25.5 | 4.9 | 20.6 | 1.3 | 11.1 |

Source: Census of Agricultural Holdings 1970-71 (1974), cited in Rajan, M.A.S.,
"Land Reforms in Karnataka", (New Delhi: Hindustan) pp.60-61.

nataka on the basis of the criteria employed by the Land Reforms Act. 1974 should have been 7.03 lakh hectares in 1970-71³⁶.

Thus, Karnataka state, which is predominantly agricultural state, has remained to be uneven in distribution of land. The Government from time to time advocated certain measures to strike out this imbalance in the land system. But the forces like caste with its nexus between land and power played to disturb the reform measures in Karnataka. The role played by land, caste and political power with its interaction have been discussed in the next chapter.

36. Bandhopadya D. 1986, 'Land Reforms in India : An analysis,' Economic & Political Weekly vol. XXI, Nos. 25 & 26, 21 June, pp. A.50

CHAPTER III

CHAPTER III
LAND, CASTE AND POWER: BACKGROUND TO
LAND LEGISLATION IN KARNATAKA

This Chapter intends to present a very brief account of the socio-political conditions of Karnataka. This serves as a backdrop for our discussion. Therefore, what is intended here is a brief description in order to locate the problematic of Land Reforms.

The desire to bring about an egalitarian social order in Indian society has become an unyielding slogan today. The forces of caste, with its nexus between land and political power play negative role in Indian polity.

Caste has always been an important factor in determining the course of social, political and economic life in Karnataka. In the erstwhile Mysore State, the Brahmins were at the top of the social hierarchy followed by the Lingayats, the Vokkaligas, Kshatriyas, Vysyas among others. The Brahmins whose numerical strength has been insignificant, were not only major absentee inam holders but also western educated elites. In short, they dominated practically every field of socio-political life. But the social structure in Mysore underwent certain changes in

1930's and 40's. These changes took place due to the political awareness created by the Non-Brahmin movement.

The 'Non-Brahmin movement' was the reaction of the middle caste against the hegemony of Brahmins in socio-political sphere. This began in the state of Madras in the early 1920's towards effecting more participation of the middle caste in the spheres of the state's administration.¹ This movement spread to the State of Mysore in 1930's. The Non-Brahmins were mobilised in terms of their cast affiliations and interests. The castes most fit to replace the Brahmin power monopoly were the Lingayats and the Vokkaligas - the dominant castes.² Traditionally, the Vokkaligas and the Lingayats were agrarian castes with high concentration of land holdings.³ The other castes like Scheduled Castes and Schedules Tribes comprised largely agricultural labourers and tenants. They have not only low social status, but also they are largely unorganised. Moreover, the erstwhile King, being a non-

1. Irschick, E.F., 1969, Politics and Social Conflict in South India: The non-Brahmin Movement and Tamil Seperatism, 1916-29, (Bombay: Oxford University); Washbrook, David, 1975, 'The Development of of Caste Organisation in South India 1880-1925' in Washbrook, David & Baker(ed), South India: Political Change in an Indian State: Mysore 1917-1955 (New Delhi: Manohar)

2. Srinivas, M.N., 1987, The Dominant Caste and Other Essays, (Delhi: Oxford University Press) pp.96-115.

3. The Lingayats came under not only agricultural group, but also under professional and commercial groups. But the agriculture is the main occupation.

Brahmin himself, granted concessions on their demand. This paved the way for effective mobilisation of the movement.

According to Hettne, this 'mobilisation' which 'challenged the old brahmin power monopoly' was directed 'against the power centre with the purpose to influence the Government policies or replace the Government'⁴. Since then, the middle castes or the dominant castes have been playing a prominent role in the political life of the state.

It is argued that caste is largely used for mobilising political support. Caste mobilisation has played a crucial role in determining the course of politics at the local and the state level. David Washbrook rightly observes in his essay on the development of caste organisation in south India that:

One of the features of political mobilisation in south India has been the emergence of the politics of caste organisation... from 1910 the provincial political arena became crowded with organisations claiming to present the interests of caste groups and appeals to caste solidarity⁵.

Anil Bhatt elucidates the same point in his paper, Dominant caste and political process that a shift in locus of power and

4. Hettne, Bjorn, 1978, The Political Economy of Indirut rule :Mysore 1881-1947 (New Delhi:Ambica Publishing)p.131.;also see Srinivas,Op.cit,p.12.

5. Washbrook,Op.cit.,p.

influence from the ritually high ranking castes to numerically strong castes has occurred⁶.

The table given below gives the picture of the numerical strength of the various castes and communities in Karnataka.

The emergence of the dominant castes in the political life was also due to the changes brought about in the agrarian structure both by British rule in introducing ryotwari system and by the Mysore government through the Inam abolition. That made it clear that most of the agriculturist castes were direct cultivators of the land.⁷ Even the Western educated Brahmins who owned the land left for the cities in search of jobs. The land which they owned passed into the hands of the locally dominant castes. Thus, given the stage of development and structure of property ownership, such relations embody certain elements of domination of certain castes, rich or capitalist peasants and

6. Bhatt, Anil, 1977, 'Dominant Caste and Political Process', in Srinivas, M.N. (et.al) Dimensions of Social Change (New Delhi: Allied Publishing) pp. 297-319.

7. Omvedt, Gail (ed), 1982, Land Caste and Politics in Indian State (Delhi: Teaching Politics) p. 21

Table 3.1
Selected Caste and Communities of Karnataka

| Caste/Communities | Percent of State's Population |
|-------------------|----------------------------------|
| Brahmins | 4.23 |
| Vokkaligas | 11.82 |
| Lingayats | 14.64 |
| Kurubas | 6.77 |
| Beda | 5.06 |
| Arasu | 0.07 |
| Scheduled Castes | 13.14 |
| Scheduled Tribes | 0.79 |
| Idigas | 2.25 |
| Muslims | 10.63 |
| Christians | 2.09 |

Source: Karnataka Backward classes commissions, 1975. Volume II cited in Lalitha, Nataraj and Nataraj V.K.,1982,'Limits of populism: Devaraj Urs and Karnataka Politics',Economic & Political Weekly vol.XVII No.37, p.1504

rural elites in production and distribution.⁸ As a result, the prevailing rural power structure corresponds to, or arises from, such social relations.⁹

With the ushering in of democracy based on adult suffrage in independent India, it is obvious that dominant castes in Karnataka with their numerical and land owning significance had secured considerable political power¹⁰. Meenakshi Jain points it as:

By the time of independence, dominant agricultural castes had displaced the Brahmins in the Congress party there (in south India). Because of their overwhelming superiority over the twice born castes, both in terms of numbers and economic power the Lingayats and Vokkaligas in Mysore, ...had emerged as new political elites.¹¹

8. Mishra,G.P.,1981,'Caste, Land and Development in Karnataka Villages',State and Society,Vol2.No.4,October-December,p.6.

9. Ibid.

10. Manor, James, 1977,'The Evolution of Political Arena and Units Social Organisations: The Lingayats and Vokkalingas of Princely Mysore'.in Srinivas,^{ed}Op.cit,n.6, p.169-189;Kohli Atul,1987, State & Poverty in India:The Politics of Reforms(Bombay:Orient Longman)p.152;Lalita Nataraj & Nataraj,V.K,1982,'Limits of Populism:Devraj Urs and Karnataka Politics',Economic and Political Weekly,Vol.XVII,No.37, 11 September,pp.1503-06.

11. Jain,Meenakshi,1988.'Congress after 1967:Strategies of Mobilisation'in Low,D.A,(ed),The Indian National Congress:Centenary Hindsight(New Delhi:Oxford University Press)p.254.

The land and Caste relations in rural India are inextricably intermeshed. In this situation the rural power structure presents a nexus, between oligarchy and poor in which later depends on the former. As a result, the polity of rural India is to a great extent controlled or influenced by few people who influence the process of policy formulation by making all manners of adjustments with the poor on the basis of caste or creed.¹²

As discussed earlier, the dominant middle castes - the Lingayats and the Vokkaligas - own large land holdings while castes like Scheduled castes or scheduled Tribes are merely land labourers and tenants. Thimmaiah and Aziz pointed that "among the land owning castes, not only the Vokkaligas and the Lingayats communities dominated the rural scene, but also these communities stand out prominently among those households which own lands over and above ten acres."¹³

Table 3.2 given below shows this position very well. Thus there has been a clear relationship with Caste, land ownership and power. This position has not changed substantially over the years.

12. Mishra Op.cit,p.6.

13. Thimmaiah and Aziz Abdul,1984,'The Political Economy of Land Reforms,'(New Delhi:Ashish)p.28.

Table 3.2
Distribution of Households by Size of Operational Holdings and
Caste-Membership of Households by Size of Operational Holdings in 1961

(In Acres)

| Caste/Community | Less than 1.00 | 1.00 to 2.50 | 2.50 to 5.00 | 5.00 to 10.00 | 10.00 and above | Total | % to Total |
|------------------|-------------------|-----------------|-----------------|------------------|--------------------|-------------|---------------|
| Vokkaligas | 9 (1.18) | 87 (11.68) | 178 (23.26) | 244 (32.06) | 243 (31.94) | 761 | 14.73 |
| Lingayats | 10 (0.80) | 87 (6.88) | 176 (3.94) | 263 (20.82) | 727 (57.54) | 1263 | 24.43 |
| Kurubas | 8 (1.50) | 72 (13.44) | 145 (27.05) | 161 (30.00) | 150 (27.98) | 536 | 10.38 |
| Scheduled Castes | 41 (7.26) | 201 (35.64) | 184 (32.64) | 102 (18.08) | 36 (6.38) | 564 | 10.94 |
| Scheduled tribes | - | 1 (16.67) | 4 (66.67) | - | 1 (16.67) | 6 | 0.11 |
| Brahmins | 19 (6.80) | 25 (8.92) | 40 (14.28) | 63 (22.50) | 133 (47.50) | 280 | 5.42 |
| Other Hindus | 82 (7.21) | 209 (23.60) | 251 (22.01) | 247 (21.68) | 211 (24.52) | 1140 | 22.10 |
| Muslims | 50 (9.16) | 105 (19.24) | 121 (22.16) | 119 (21.79) | 151 (27.65) | 546 | 10.57 |
| Christians | 4 | 7 | 8 | 9 | 2 | 40 | 0.77 |
| Jains | - | 4 | 3 | 10 | 10 | 27 | 0.52 |
| Total | 223 | 858 | 1120 | 1218 | 1744 | 5163 | 100.00 |

Source: S.Seshiah, Levels of Living in Karnataka :As Seen Through Village Survey Monographs of 1961 Census (mimeo), ISEC, Bangalore, 1976, cited in Thimmaiah and Aziz (1984), 'The Political Economy of Land Reforms in India', in Rajapurhit (ed), Land Reform in India, (New Delhi: Ashish), p.30.

The influence of caste in power politics in Karnataka on the basis of their numerical strength could be seen since independence upto the emergence of Devaraj Urs in 1972. All through, the members of dominant castes were able to head the government in Karnataka. until 1956, when the states were reorganized on the basis of language, the Chief Ministers of Mysore were invariably vokkaligas.¹⁴ This is because in former Mysore area the vokkaligas dominated in number than the Lingayats. But after the states reorganization, by the inclusion of Bombay-Karnataka as well as Hyderabad-Karnataka, where the Lingayats constituted larger in number captured political power since then.¹⁵

It is worth remembering here that ever since political independence, the Karnataka situation is characterised by what Okaly Patil calls 'one party domination'¹⁶ The congress party happens to be the single most important party which controlled political power all through the 1950's, the 60's and the 70's. Therefore, the politics of power in Karnataka is that of the Congress Party.

14. From 1948 to 1956 there were three Chief Ministers - K.C.Reddy,K.Hanumanthiah and Kadidal Manjappa--all Vokkaligas. Srinivas,M.N and Panini,M.N, 1984,'Politics and Society in Karnataka',Economic and Political Weekly,Vol.XIX, No.2, 14 January, pp.69-75;also see Lalita Nataraj and Nataraj,V.K.,Op.cit,p.1504

15. From 1956 to 1972 there were four Lingayats Chief Ministers viz.,S.Nijalingappa, B.D.Jatti, S.R.Kanthi and Veerendra Patil.

16. Okaly, Patil,B.B,1976,'Karnataka:Politics of One Party Dominance'in Iqbal Narain(ed)State Politics in India(New Delhi:Concept Publishing)p.135.

It is known that the dominant castes in Karnataka dominated and operated as the two power group within the congress Party. So, the party relied upon the leverage which vokkaligas and Lingayats derived from land control and key positions in the villages.¹⁷

Therefore, the democratic rule would be the same as Vokkaliga and Lingayat rule over the other communities.

The major break through came in Karnataka's political scene when the Indian National Congress split into two groups the congress (o) and Congress (R)-in 1969. It had its repercussions in Karnataka too. The majority of the congress members in Karnataka chose to remain in the congress (o) headed by Nijalingappa rather than in the Indira Gandhi group. But, quite contrary to the majority decision, Devraj Urs, one of the few Karnataka leaders 'broke away from his political mentor' to cast his lot with Mrs. Indira Gandhi.¹⁸

At this time, Mrs. Gandhi with her slogan of 'garibi hatao' and her championing cause of the weaker section (e.g. 20 point programmes) of the society made a strong impact in the country in general and state in particular. She made an attempt to restructure the congress with a specific intention of 'eroding the

17. Manor, James, 1977, 'Structural Change in Karnataka Politics', EPW, Vol. XII, No. 44, 29 October, p. 1867.

18. Srinivas & Panini, Op.cit, p. 71

powers of dominant caste' and 'broaden her party's socio-economic base by including the people from outside the dominant landed caste in state politics'. Mrs. Gandhi tried to raise the representation of the lower castes in order to supplement the traditional congress support base among the minorities, scheduled castes and Tribes²⁰. Devaraj Urs, then emerged as a leader of Congress (R) in Karnataka and he obviously made 'an attempt to organise a grand alliance of all the minority castes against the Lingayats and the Vokkaligas'²¹. While doing so, though the importance was given to minority castes he did not alienate the dominant castes completely. However, Urs managed to break the Vokkaligas and Lingayats hold on power through a skillful exploitation of conflicts among and within the groups. Thus, the new era of non-dominant caste in the power politics of the state emerged.

Devaraj Urs came from a small non-brahmin Arasu (royal) community, as we have seen in Table 3.1 which indicates 0.07 percent of the state's population. This caste group is almost exclusively concentrated in the district of Mysore. Being a member of such a small community, Urs had to mobilise support from and

19. Manor James, 1978, 'Where Congress Survived: Five States in Indian Election of 1977', Asian Survey, No. 8 August, p. 792

20. Jain Meenakshi Op.cit, p. 257

21. Hettne, Op.cit, p. 337

among the less powerful sections of the society who formed well over 60 percent of the state's population who were not organised under one leadership. He discovered the poor when he needed an alternative power resource in his competition with old guards.²² But, to prevent a backlash he also provided some patronage to sections of the old dominant castes.²³

The far reaching strategy of political vision used for wooing the weaker sections and tenants of the society came through the introduction of an amendment in 1973 to the Land Reforms Act of 1961. Since the 1961 Act was not able to fill the vacuum of the tenancy problem, the new government which was not being headed by the dominant caste wanted to bring about changes in the agrarian structure as well as in politics. It wanted to get grassroot support for its party after the split in 1969. Until 1972, the government headed by the dominant caste, more or less tried to maintain its class nature in politics because of its alienment on land. Since the land holdings were mainly concentrated with few large land owners and were largely operated by the tenants, Urs wanted to bring so called radical edge to the old existing land laws. It was not only the political strategy used by him to undermine the domination of dominate caste, but

22. Kohli,Op.cit,p.157

23. Jain Meenakshi,Op.cit,p.257.

also a populist measure by which he could widen his political base in the state.

Further to remove the control of the dominant castes, Urs sought to channel the reward of public policy to the hitherto excluded and deprived social groups. He sought to tackle the poverty and social problem viz. inequality, oppression and exploitation. The poverty problem was quite serious with about 50 percent of the rural population of the state.²⁴ Social Welfare programme for the benefit of the Scheduled Castes were launched since these were less likely to antagonise the cultivating Lingayats of the northern districts than an attempt to tackle the problem of landlessness.²⁵ He had initiated a number of measures which intended to improve the living conditions of the weaker sections such as liquidation of debts of those who earn less than Rs.4800/- per annum, pension scheme for those above the age of 60 years, housing sites for the poor etc. Besides, he tried to implement the centre sponsored programmes like IRDP, SFDP etc more or less seriously.

Apart from these, the programme enunciated to lessen the caste alignment in politics and thereby giving chance to other

24. Kohli, Op.cit, p.157.

25. Manor, James, 1980, 'Pragmatic Progression in Regional Politics: The Case of Devraj Urs,' EPW Annual No.15, 5-6, February, pp.210-13.

castes or minority communities was the appointment of the Karnataka Backward classes commission in 1972. The appointment of Karnataka Backward classes Commission with Sri L.G. Havanur as its head, was a historic act in many respects. In the first place it was the logical implication and a political culmination of the kind of strategy and tactics adopted by Urs. Secondly, it was a major attempt in Karnataka politics to destroy or erode the hegemony of the dominant middle caste in the Socio-political domain. Thirdly, it was an attempt by Urs to broaden and consolidate the social foundation of his power politics.

In its report the commission listed 15 backward communities, 128 backward castes and 62 backward tribes and recommended a reservation of 16 percent, 10 percent and 6 percent respectively.²⁶ One of the significant points was that Lingayats, Bunts and Brahmins were declared as Forward Groups and contrarily included vokkaligas among the backward communities.²⁷ Though Vokkaligas were dominant, they were included among the backward castes, partly because they were not as advanced in

26. The KBC took note of the economic education and social standing of caste, community, tribe or group but considered economic and education as far more relevant for determining as far as backwardness was concerned than the social. See Lalita Nataraj & nataraj,V.K., 1984,'Backward classes, Minorities and the Karnataka Elections', in Mathew George(ed)Shift in Indian Politics: 1983 Elections in Andhra Pradesh and Karnataka.(New Delhi:Concept Publishing, pp.35-60.

27. Ibid

respect of education as the lingayats and partly because it would have been unwise to alienate both the the dominant groups at the same time.²⁸ It is also argued that Devaraj Urs hails from the Vokkaligas dominated old Mysore area thus this inclusion was made possible.

While adopting the report Urs made certain modifications in it. He included Muslims, as we have seen in the table (3.1) who constitute well over 10.63 percent of the state population, to the backward communities. And he created a 'special group' -economically weaker section irrespective of caste - with a reservation of 15 percent in jobs and educational institutions.²⁹ This can be seen as an awakening of consciousness among the minorities and weaker sections for their claim for greater voice in the state's politics. Thus, Urs championed the cause of the backward classes.

Thus, political developments in Karnataka show a nexus between land and caste.

Devaraj Urs with his least stake on land and caste made an attempt to break the inter-connections through certain

28. Jain, Meenakshi Op.cit., p.258.

29. Lalita, Nataraj and Nataraj, Op.cit., p.49.

programmes. Among them, amendment to land laws was one such programme. This has been discussed in the following chapter.

CHAPTER IV

CHAPTER IV
LAND REFORMS IN KARNATAKA: AN ANALYSIS

When India got independence the National government wanted to abolish intermediaries in the rural areas and change the agrarian structure. These intermediaries were created by the British government by the introduction of the zamindari and ryotwari system. On the one hand it helped the alien government in terms of consolidating and appropriating its power and on the other, it resulted in the exploitation and repression of the peasants and tenants who actually tilled the land. Thus, as a legacy of the national movement, the government had committed itself to overthrow the zamindari or intermediary systems.

The Inamdari was also a similar system which existed in the erstwhile Mysore state. Though the Inam was earlier granted by the erstwhile Kings, it was regularised by British rule. As a national policy, the government of Mysore had to abolish the Inamdary system. Thus, the first act of the new government was the enactment of the Inam Abolition Act of 1954.

But unfortunately, this act was never fully implemented through formal administrative channels. It is argued that these administrative channels were being controlled by the absentee

land lords which consisted of a large section benefiting from the inam holdings¹. Consequently, they were not enthusiastic over the reform act. Thus, the government agencies in Mysore did not try to implement this act. This was only implemented by the courts when ever the cases went up to them². Another major reason for the poor implementation was said to be the lack of proper land records.

The Act of Inam abolition was enacted by the govt of erstwhile Mysore state. Karnataka became a single unit after the inclusion of several parts of other states and in these parts different land revenue systems were in operation.³ The state of coorg was the only state that did not pass any tenancy laws.⁴ After the reorganization, there was need for a uniform land reform legislation which could codify and consolidate the differing agrarian structures prevalent in these regions. Besides, the peasant movement also made the government to come out with a

1. Thimmaiah, G., and Aziz, Abdul, 1984, The political economy of Land Reforms. (New Delhi: Abolishing) p.51

2. Ibid. p.54.

3. It was the Bomobay Tenancy and Agricultural Land Act of 1948 amended upto 31.10.56 in Bombay-Karnataka area. In the Hyderabad area, the Hyderabad Tenancy and Agricultural Lands Act of 1950 as amended upto 30.10.1956. The madras Cultivating Tenants (Payment of fair rent) Act of 1956 was in force in Madras presidency area of Karnataka.

4. George,P.T., 'Land systems and laws in Mysore state' Artha Vijnana, vol.12, Nos 1 & 2, March June, p.179

reform of agrarian relations. For instance, the 'Kagodu Sathyagraha' was one of the peasant movement that broke out in the early 1950's.⁵

This movement was basically against the compulsory procurement in "Kolega"⁶ system of measurement. The Kagodu Sathyagraha was led by the tenants of Kagodu village of Shimoga district with support of the Socialist party. This kind of peasant movements and the tendency of left parties to win over the electorate by promising radical reform⁷ posed substantial threat to the ruling party. So, it had to contend with socio-economic reforms. In other words, there emerged a necessity for a agrarian reform of a very progressive kind.

Hence, in 1957, the Mysore Tenancy and Agricultural Lands law committee, widely known as Jatti committee under the Chairmanship of Shri B.D.Jatti was appointed to look into the problems and recommend to the government changes in the agrarian system. The report of the committee became the basis of a bill and it was

5. Rajashekhar, G, 1980, 'Kagodu Sathyagraha', (Sagar: Akshara Prakashana); also see Pani, Narendra, 1983, The reforms to preempt change. (New Delhi: Concept Publishing) pp.24-30.

6. The procurement were being measured in Landlords "Kolega". That was bigger than that of the tenants. The tenants objected for this sort of procurement.

7. Thimmaiah, G & Aziz, Abdul Op.cit., p.18.

passed by the legislature in 1961. It became a law after getting President's assent in 1962. However, the Act was put into effect only from 1965 onwards.

The Act dealt not only with the elements of a system of controlling and regulating leases, including regulation of resumption of tenanted land by the owners and supervision of transfer of ownership from owners to tenants but also provided a framework and guidelines for imposing distribution of surplus lands to deserving persons⁸.

Though the land reforms Act of 1961 abolished the tenancy system, there were some exemptions to those who were serving in Defence & Merchant Navy, legal minors, unmarried women, widows etc⁹. All further leases were banned. It controlled the resumption and permanency of tenancy with exception to soldiers and merchants Navymen. Further, it conferred ownership right to tenants and it standardised rent by reducing it¹⁰. Besides, this

8. Rajapurohit, A.R., (ed) 1984; land Reforms in India (New Delhi: Ashish Publishing) p.191

9. Rajan, M.A.S., 1986 Land Reforms in Karnataka (New Delhi: Hindustan Publishing) p.16

10. It fixed the rent of 1/4 of the gross product-in the case of irrigated land and 1/5 of the gross produce in the case of other lands. see Pani, Narendra,Op. cit., pp 60-61.

act for the first time, imposed a ceiling limit on land holdings with the surplus land to be distributed¹¹.

Though it was a typical land legislation of the period, a closer examination of it brings to light its loopholes and defects. If we see the tenancy matters, land could be resumed for personal cultivation even for non-agricultural purpose. The word "personal cultivation" was so loosely defined that the person who supervises the cultivation was considered to be the personal cultivator of the land¹². A landlord could easily use this weapon to evict any tenant at his own discretion. Besides, a land lord could evict tenants not only if he wanted back his land for his own cultivation, but also he could evict if a tenant defaulted with his rent or if he sublets the land. Thus, this tendency led to the eviction of large number of tenants from the land, who were reduced to paupers. Further, the leases were being continued in the names of exempted category.

As far as ceiling legislation was concerned, it was too liberal. The term "standard acres" referred to one acre of first class irrigated land which was adjudged as equivalent to about 8

11. The ceiling limit was 27 standard acres per family of five members.

12. Pani, Narendra, Op. cit., p.61.

acres of dry land in areas with rainfall less than 25" per year or an equivalent acreage of other land¹³. The law itself gives scope for owning more dry land. It is also argued that surplus lands were being held in the names of exempted categories and thus escaped from the ceiling. The ceiling limit also too high, as it could go as high as 432 acres of dry land for a family of 10 persons¹⁴. This act also allowed a farmer to retain 2500 acres of sugarcane land. This gave opportunities to large land owners to transfer land to such holders.

In short, these liberal provisions enabled the landlords to retain their land and consequently the legislation was ineffective. It is for this reason, Prof. Pani opined that "it (land legislation) had stated objectives of change accompanied by stated loopholes to avoid change¹⁵.

Apart from these, long delay in legislative process to enact the Jatti committee report of 1958 also helped the landlords escape from the sharp edge of the land legislation¹⁶. This delay could be viewed as the lack of political will. Since the politi-

13. Rajan, M.A.S., Op.cit., p.12.

14. Ibid.

15. Pani, Op. cit., p.60.

16. In 1958 this land legislation was presented in the State legislature. But it was passed in 1961 and got President's assent in 1962. Even the enforcement took place in 1965.

cal power was held and exercised by the dominant caste-the Vokkaligas and the Lingayats-who happen to be the land holding classes, any radical measure would imply a substantial reduction of their socio-economic status. Thus, the legislative process of this Bill took seven years (introduction & enforcement) to complete. By this time, it is said that the large number of tenants had been evicted and large number of lands transferred to "benami holders".

Besides, the foot dragging policies of the bureaucracy must be recognized in terms of its affiliations to dominant caste or class and such other inclinations¹⁷. This delayed effective application of the legislation. The legal or constitutional constraints also made it very difficult for its early implementation. Thus, the spirit of tenancy and ceiling were being subverted.

1974 amendment:

The new government introduced an amendment to the present law. The Act of 1961 did not affect the tenancy system. Hence, in 1974 an amendment to 1961 Act was introduced. It avoided much of the vagueness and consequent loopholes that were generally found in the earlier land legislation.

17. Thimmaiah, G, and Aziz, Abdul, Op.cit., p.36.

The most progressive claim for this amendment act came through the abolition of all types of tenancy with the only exception being to soldiers and seamen on specific terms and conditions¹⁸. As it is known, large number of holdings were being held in the names of exempted class i.e., minors, widows, unmarried daughters. The abolition of exemption to these class gave a radical turn to the old law.

Persons who give out land on lease in contravention to the law, now stood to loose the land. The previous law had stipulated that the lease concerned was null and void and that the land involved in it reverted to the "status quo ante", i.e, continued as the owners holding with out a tenant¹⁹. According to the new law, all the leased land would vest with government. The leaser will get compensation for it from the government. The lease will be entitled to get ownership of the land. He has to make an application to the Land Tribunals for the occupancy right over the land. If the illegal lease has taken place contrary to the Act, the same land will be sequestrated and leaser will be punished. No compensation will be paid for such confiscated land²⁰.

18. See Section 5 and Subsection 1,2 and 3 of the Karnataka Land Reforms Act 1961 as amended from time to time. Nagarajan, T.S.1989. The Karnataka Land Reforms Act, 1961, Land Reforms Rule 1974, and Lan Reforms, Appellate Authority Rule 1986.(Bombay: Vijaya Publications) p.14

19. Rajan, M.A.S.,Op.cit.,p. 22; Pani, Narendra,Op.cit., p.64.

20. Ibid.

To support further, the interests of the tenants, the right to resumption of tenanted land was abolished²¹. There has been only exception to soldiers and seamen. Earlier, it could be done so, for personal cultivation. Now, the term "personal cultivation" has been strictly defined as cultivation of land on one's own account, by one's own labour, or by the labour of any member of one's family or by servants or hired labour²². To put it straight, the eviction of tenants has been banned altogether.

The land has been classified into four types²³ on the basis of quality of land and available irrigation. In the 1961 Act, one acre of first class irrigated land was called standard acres and this was equal to a minimum of eight acres of dry land. This classification of standard acre was dropped in 1974 and replaced with "unit of land"²⁴. A unit has been defined as "a land with a

21. Section 15 of the Karnataka Land Reforms Act.

22. Section 11 of the Karnataka Land Reforms Act.

23. Four type of land classified as: A. Land with assured government canal or tahle irrigation and two paddy crops (or sugarcane crop) per year.

B.1. Land with assured Public canal or tank irrigation for one paddy crop.

B.2. Land with public lift irrigation for two paddy crops.

C.1. Land irrigated otherwise.

C.2. Rainfed land for paddy or arecaunuts.

C.3. Land irrigated from Public sources with privately owned pumpsets.

D. All other lands

24. One units is equal to: 1 acre of 'A' class land with high soil classification;

1.3 acres of 'A' class land with low soil classification;

soil classification of above 8 annas and having the facilities for assured irrigation from govt canals and tanks as are notified by the state govt to be capable of supplying water for growing two crops of paddy in one year²⁵.

The compensation and price for different types of land has been fixed. The compensation in the case of 'A', 'B' and 'C' types of lands has been fixed at fifteen times of the net annual income and in case of 'D' class lands it has been twenty times, the net annual income²⁶.

Since the 1974 law abrogated all leases it may appear prima facie that any statutory provisions regarding fixation of rent on leased land would be of greater importance. The fixation of rent would apply only to exempted category of leases viz. soldiers and seamen and government lands. The new rent has been equal to ten times of the land revenue plus the water charges if any, payable on land²⁷.

1.5 acres of 'B' class land with high soil classification;
2.0 acres of 'B' class land with low soil classification.
2.5 acres of 'c' class land with high soil classification;
3.0 acres of 'c' class land with low soil classifications
5.4 acres of 'd' class land.

25. Pani, Narendra, Op. cit., p.65.

26. Bergmann, Theodar 1988, Agrarian Reforms in India: with special reference to Kerala, Karnataka, Andhra Pradesh and West Bengal (New Delhi: Aglicole) p.

27. Rajan, M.A.S., Op.cit., p.

In addition to these, this act reduced ceiling limit from 27 standard acres to just 10 units per family of five members²⁸. Additional members are entitled for additional two units subject to maximum holding of 20 units per family. The ceiling for sugar factories, though still liberal, has been reduced to a fixed 50 units. The term 'family' has been defined as 'parents' minor children and unmarried daughters²⁹.

The surplus land to be distributed to the SCs/STs, dispossessed tenants, displaced tenants, lend-lease agricultural labourers,³⁰ etc. All had to make an application to statutory organisations. Land Tribunals, constituted for this purpose.

The remarkable aspects of the act has been the provision to constitute special land Tribunals³¹. The provision gave authority to the Government to constitute atleast one Tribunal for each taluk. But later, it was amended to increase the tribunals according to the work load. Each tribunal had five members with the Assistant Commissioner being the Chairman. The

28. Section 63 (2) of the Karnataka Land Reforms Act.

29. Section 2 (12) of Karnataka Land Reforms Act.

30. This has been added in 1979 through an amendment.

31. Section 48 and 48A of the Karnataka Land Reforms Act. The detailed descriptions have been given in chapter V of this dissertation.

other four members are political appointees including a member of scheduled caste or Tribe. The decision of the tribunal is final and can not be appealed against in any legal courts except in the High court under Article 226 and 227 of the Indian constitution³². The professional lawyers were not allowed to appear before the Tribunals.

AN ASSESSMENT OF THE AMENDMENT ACT

It can be seen that the amendment act had a radical edge over its earlier law. The amendment law gave more importance to tenancy matters than ceiling problems. This can be seen in the abolition of all the right to tenants and decision regarding conferment of ownership has been made available at the taluk levels through land Tribunals.

However it still suffers from loopholes. It removed the exemptions to the small holders from the leasing process, without giving any developmental facilities such as credit or financial assistance. The small holders do not have the financial ability to cultivate their land³³. Without financial help, they are caught

32. Article 226 of the Indian Constitution deals with power of High court to issue certain writs. Article 227 deals with the power of superintendence over all courts by the High Court.

33. Pani, Narendra, Op. cit., p.62.

in a debt trap. To pay off their debts they often have to lose their land.

Moreover, for small holders the law did not make any provisions for resuming their leased out land. Studies have shown that large number of weak tenants or small holders had leased out or surrendered their operational control over land - if not ownership itself - in favour of the big land lords³⁴. The motivations of small holders in leasing out were lack of access to capital, non-viability of the holding, inability to develop supplementary enterprises like animal husbandry and greater sensitivity to risks of crop failure etc³⁵. As per the definition of 'tenants' the law gives the status of tenants to those big land lords who leased in lands from small holders also. Thus the chances of small holders loosing land to big landlords are quite high.

It is true that , law bars further leasing out one's property. But much has been taking place. this has been kept secret by both tenants and landlords. It is very difficult to find these kind of leasing by the Revenue officials.

34. Nadkarni, M.V., 1976 'Tenants from the dominant class: a developing contradiction in Land Reforms, Economic and political Weekly vol.11 No.2 December 25 p. A 137.

35. Ibid p.A.139

As far as ceiling is concerned, it had reduced the ceiling limit of 27 standard acres per family of ten persons to mere ten units per family of five members, additional members are allowed only two units upto maximum of twenty units. But in redefining the term 'family' in terms of the husband, the wife, unmarried daughters and minor sons³⁶. Thus, the major sons could not only claim as separate family, but also more land upto the ceiling limits. In connection with this Prof. Pani makes the following observations:

By the original legislation, a family of ten members could own 54 acres of best quality of land irrigated through private sources. In 1974, legislation on the other hand the same family often if it had fine adult sons could own 150 acres of the best quality of fully private irrigated land³⁷.

However, the amendment act also stated the objectives of radical change accompanied by stated loopholes. This we could see in terms of the caste politics in Karnataka. though the party leadership in Karnataka in 1974 was with the minority castemen

36. Section 2(1) of the Karnataka Land Reforms Act. In the earlier Act, it was the husband, the wife, the dependent children and grand children. This means adult sons were also included in the family.

37. Pani, Narendra, Op. cit., p.75.

still it can be understood that the bargaining power of landed dominant cast in power politics. As Rajan, a retired Land Reforms Commissioner in Karnataka puts it, "a law is a product of Compromises made in the political area, between pressures for change, and strives for an equilibrium between political desires and administrative and legal feasibilities."³⁸

Land Reforms implementation : Tenancy matters:

As far as extent of tenancy abolition is concerned, the 60% of the tenants who submitted their declarations were successful in getting their rights under the amendment Act. This can be seen by analyzing the tenancy applications and their disposal as shown in the Table (4.1). This is compared with the figures provided by the Agriculture census of 1971. The figures of applications favourably considered by the tribunals in relation to the total number, the proportion of successful applicants for each districts, the area of land over which the successful applicants were given occupancy right in each district etc. are given in Table 4.1.

A study of this table shows wide variations, in the number of tenants and area under tenancy in different districts as

38. Rajan, M.A.S., Op.cit., p.75.

Table A.1

Analysis of Tenancy Applications and Their Disposal

| District | No. of Appli- cations | No. of Appli- cations decid- ed in favour of ex-tenant upto 1988 | Propor- tion of success- ful appli- cations. | Area over which occupancy rights granted | No. of tenanted holding in 1971 | Area of tenanted land |
|------------------|--------------------------|--|--|--|--|-----------------------------|
| | A | B | C | D | E | F |
| Uttara Kannada | 98978 | 80947 | 81.83 | 170309 | 72458 | 160742 |
| Dakshina Kannada | 178235 | 136868 | 77.72 | 357551 | 70591 | 224485 |
| Shimoga | 59588 | 33149 | 55.65 | 117568 | 31888 | 109317 |
| Chickmagalore | 19533 | 11132 | 57.14 | 30849 | 7515 | 25955 |
| Hassan | 29326 | 13875 | 47.32 | 20991 | 5769 | 12632 |
| Kodagu | 3780 | 1043 | 27.95 | 4299 | 530 | 2702 |
| Belgaum | 70300 | 51042 | 72.80 | 340038 | 47511 | 285165 |
| Bijapur | 41429 | 24199 | 58.41 | 390243 | 24353 | 497005 |
| Dharwar | 60733 | 37371 | 61.60 | 313846 | 49021 | 405232 |
| Bidar | 6091 | 1647 | 27.08 | 18183 | 2446 | 22522 |
| Gulbarga | 61623 | 10967 | 17.90 | 102603 | 22592 | 276332 |
| Raichur | 21754 | 4796 | 22.05 | 43813 | 8477 | 77557 |
| Bellary | 18051 | 6622 | 36.98 | 36012 | 7504 | 59652 |
| Chitradurga | 7452 | 2544 | 34.43 | 17510 | 2620 | 18787 |
| Tumkur | 14310 | 5699 | 40.43 | 14671 | 4769 | 17675 |
| Mandya | 14833 | 8283 | 55.89 | 13836 | 4218 | 9572 |
| Mysore | 36768 | 20737 | 57.00 | 39816 | 9720 | 25255 |
| Kolar | 24869 | 12769 | 51.86 | 23795 | 13078 | 26275 |
| Bangalore | 48202 | 21756 | 42.97 | 52260 | 12184 | 31805 |
| Total | 813251 | 485446 | 59.60 | 2108181 | 397042 | 2087772 |

Sources: 1. Revenue Secretariat, Govt. of Karnataka: Land Reform Progress Statistics.

2. Census of Agricultural Holdings, 1970-71 (1974)

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decided by the tribunals and that arrived at by the Agricultural census in 1970-71. It is said that one of the important reasons for this variations is the differing definitions of tenancy adopted by the Census and the Land Reforms Act³⁹. In the districts such as Uttara Kannada, Dakshina Kannada, Belgaum, Bijapur, Mysore and Bangalore, there was a large addition both to the number of tenants and area under tenancy in the decision of Tribunals as compared to that of the census. It is reverse in districts like Dharwad, Gulbarga, Raichur and Bellary. such difference can not be easily accounted for by the variations in the conception of tenancy. it is possible that the census figures are quite wide of the mark of the incidence of tenancy⁴⁰.

However, what is significant is a close coincidence between the number of tenants declared successful by the tribunals and area of their holdings and the figures for the same advanced by Agricultural Census. The number of tenants and area of tenancy in Karnataka according to Agricultural Census 1971 was 397042 and 2087772 acres respectively. But the number of applications disposed in favour of tenants by the tribunal was 485446 and the area 2108181 acres.

39. Rodrigues, Valerian, n.d. Politics of Land Reforms in Karnataka Unpublished Reasearch paper, p.27.

40. Ibid.

If we analyse the extent of success of the act in terms of districts, D. K. and U.K. districts provides the largest number of successful tenant applicants with 77.72 and 81.83 percent respectively. Thus, the largest incidence of tenancy according to the Tribunals occurred in the coastal region. To examine the district-wise variations columns 9 & 10 tell us that in two of the regions- coastal and malwad regions - the number of persons securing occupancy rights was more than the number of holdings with tenanted land in the Agricultural census. The total area of these holdings was also larger in the remaining regions, the proportion varied a great deal.

As it can be seen northern region with the exception of Belgaum and Bijapur, all other districts show negative figures. The picture in the southern region was mixed; some districts shows higher figures than those shown by the census, not only by Mysore and Bangalore and others had lower figures. In Gulbarga, the success is as low as 17.90 per cent. Here the number of applicants granted occupancy rights was half as small as the census figures of tenanted holdings.

(b) Ceiling Implementation:

It has already been mentioned that estimated surplus land in Karnataka should have been 7.03 lakh hectares in 1971. But, Table

4.2 which shows the extent of the surplus land as on 31.12.1986 was about 2.96 lakh acres. That is only 16.8% of the available surplus. Such a poor outcome in terms of obtaining surplus land may be accounted for as due to several reasons. The law required declarations to be filed by any land owner who had 40 acres of dry land, or 10 acres of irrigated land. This acreage was substantially less than the ceiling for a 5 member family, i.e. 54 acres of dry land or its equivalent. Moreover, the law allowed adult males of joint families a separate notional share by placing them outside the definition of family, and thereby the number of potential surplus holders among the declarants got reduced⁴¹.

However, inspite of the stringent punishment prescribed by law towards the defaulters, a lot of landlords possessing surplus land may not have filed declarations at all. Then it rested upon the bureaucracy to discover such defaulters which traditionally has proved to be a wild goose chase. Since the upper caste large land owners had very good representation in the legislative Assembly as well as in the bureaucracy they tried to nullify the law. Sometimes, an obligings bureaucracy especially at lower levels may have certified that the family is entitled for more units. Benami holdings may have been maintained; there might have been under-assessment of land.

41. Rajan, M.A.S,Op. cit., p.106.

TABLE 4.2

Distribution of Surplus Land (Extent in Acres)

| District | Extent determined as Surplus | | Extent taken possession | Extent distributed upto 31-12-1988 | | Extent distributed as % of extent determined |
|------------------|------------------------------|--------|-------------------------|------------------------------------|--------|--|
| | No. | Extent | | No. | Extent | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| Uttara Kannada | 41 | 370 | 235 | 88 | 169 | 45.7 |
| Dakshina Kannada | 26 | 3248 | 2588 | 226 | 1014 | 31.2 |
| Shimoga | 216 | 5079 | 1878 | 409 | 1878 | 36.9 |
| Chickmaglore | 85 | 996 | 504 | 133 | 448 | 44.8 |
| Hassan | 31 | 1234 | 1083 | 261 | 1078 | 87.4 |
| Kodagu | 7 | 482 | 2 | 1 | 2 | 0.4 |
| Belgaum | 465 | 28884 | 18828 | 2448 | 16271 | 56.4 |
| Bijapur | 1799 | 52395 | 30451 | 5133 | 23862 | 45.5 |
| Dharwar | 715 | 22728 | 13189 | 2162 | 10012 | 44.1 |
| Bidar | 310 | 7441 | 3504 | 4501 | 1888 | 25.4 |
| Gulbarga | 1741 | 46424 | 36520 | 4126 | 18890 | 40.7 |
| Raichur | 2910 | 86420 | 34727 | 5163 | 20696 | 23.9 |
| Bellary | 1085 | 24851 | 15444 | 3787 | 13198 | 53.1 |
| Chitradurga | 300 | 7811 | 2382 | 783 | 2375 | 30.4 |
| Tumkur | 105 | 3371 | 1285 | 458 | 1050 | 31.1 |
| Mandya | 64 | 883 | 555 | 249 | 505 | 57.2 |
| Mysore | 46 | 1653 | 801 | 330 | 801 | 48.5 |
| Kolar | 45 | 1498 | 447 | 189 | 433 | 28.9 |
| Bangalore | 11 | 650 | 335 | - | - | - |
| KARNATAKA | 9982 | 296386 | 152814 | 26381 | 114586 | 38.65 |

Sources: 1. Revenue Secretariat, Govt. of Karnataka

2. Census of Agricultural Holdings, 1970-71 (1974)

--contd--

TABLE 4.2 (Contd...2)

Distribution of Surplus Land (Extent in Acres)

| District | Number of Recipients | | | | | | | | No. of Agricultural Workers in 1971 | |
|------------------|----------------------|--------------|------------|-------------|---------------------------|--------------|--------------|--------------|-------------------------------------|----------------|
| | SC | Extent | ST | Extent | Govt Dept or Instns | Extent | Others | Extent | | |
| | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 1 | 8 |
| Uttara Kannada | 44 | 105 | - | - | 2 | 25 | 20 | 39 | | 49995 |
| Dakshina Kannada | 79 | 205 | 71 | 248 | 5 | 378 | 71 | 183 | | 185591 |
| Shimoga | 255 | 772 | 24 | 77 | 1 | 573 | 129 | 454 | | 132519 |
| Chickmaglore | 78 | 275 | 5 | 22 | - | - | 50 | 149 | | 47832 |
| Hassan | 182 | 492 | - | - | - | 237 | 99 | 349 | | 40549 |
| Kodagu | - | - | 1 | 2 | - | - | - | - | | 30053 |
| Belgaum | 1404 | 5828 | 44 | 312 | 22 | 5410 | 976 | 4721 | | 222812 |
| Bijapur | 2780 | 12337 | 23 | 143 | 18 | 1278 | 2314 | 10106 | | 275507 |
| Dharwar | 1214 | 4845 | 20 | 88 | 17 | 1713 | 911 | 3588 | | 320187 |
| Bidar | 283 | 1081 | 3 | 12 | 2 | 218 | 151 | 599 | | 102539 |
| Gulbarga | 2278 | 10383 | 286 | 1459 | 6 | 213 | 1558 | 6835 | | 222107 |
| Raichur | 3301 | 12774 | 236 | 894 | 4 | 843 | 1622 | 6185 | | 193736 |
| Bellary | 2194 | 7788 | - | - | 8 | 358 | 1567 | 5054 | | 171188 |
| Chitradurga | 487 | 1428 | 76 | 277 | - | 3 | 220 | 667 | | 156528 |
| Tumkur | 315 | 718 | 51 | 126 | 1 | 19 | 89 | 187 | | 109990 |
| Mandya | 99 | 72 | 9 | 8 | 8 | 315 | 135 | 110 | | 81724 |
| Mysore | 182 | 440 | 72 | 188 | - | - | 76 | 193 | | 141138 |
| Kolar | 94 | 230 | 19 | 46 | - | - | 76 | 157 | | 112554 |
| Bangalore | - | - | - | - | - | - | - | - | | 120988 |
| KARNATAKA | 15229 | 59551 | 940 | 3050 | 88 | 11379 | 10124 | 39778 | | 2717537 |

Sources: 1. Revenue Secretariat, Govt. of Karnataka

2. Census of Agricultural Holdings, 1970-71 (1974)

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In the case of surplus land, the applicant has to loose and therefore will positively oppose it or be lukewarm towards it.

While the extent determined as surplus was a small proportion of the estimated surplus, the extent taken possession is only 51.8% of the surplus determined. Only 38.65% of the surplus determined was distributed among 26,381 beneficiaries upto the end of 1986. about 10% of the land distributed was given to government departments, institutions or societies. Even if we suppose that the land distributed has gone to landless labour, i.e. considering all scheduled castes and tribes and others as landless labour, only one percent of the total landless labour has stood to gain from this provision of the act.

According to the agricultural census in 1971, the landless agricultural workers were 2717537 in Karnataka. Table 4.2 itself gives the districtwise land labourers. As per section 28 of the Amendment Act they were included in 1979. The amendment gives any agricultural labourer residing on a dwelling house on a land not belonging to him is eligible to apply to the tribunal for ownership of that dwelling and the apparent site around it upto 1/20 of an acre. under this section 11,323 agricultural labourers got the right over the housestead land i.e. 0.4 percent of landless agricultural workers in the State. This obviously

means that the majority of landless labourer did not stand to gain any thing from the act. That is the vast majority of 40 percent of the active population in agriculture in 1971 did not have any benefit from the act.

CHAPTER V

CHAPTER V
WORKING OF LAND TRIBUNALS IN D.K. DISTRICT

In this Chapter an attempt has been made to analyse the working of Land Tribunals in adjudicating the land Reform laws in Dakshina Kannada district. Before doing so, it is necessary to look at the organisations, functions, powers and procedures of land tribunals. A special study on land tribunals in Puttur Taluk has also been attempted.

The Land Tribunals - the people's courts - have become the most crucial agency in the implementation of land reforms in Karnataka. These agencies have been enough to constitute a system of decentralisation at the taluk level, sufficiently close to the farm level. The genesis of land Tribunals in Karnataka can be traced from the section 48 of the Land Reforms (Amendment) Act of 1974. It is not only the most significant administrative machinery conceived in the 1974 Act, but also the most crucial quasi-judicial body or agency which is empowered to conduct summary enquiries and to implement the land reform policies as defined under the Act of 1974.

Under the section 48 of the Karnataka Land Reforms Act, the government shall by notification constitute one tribunal each for a taluk to fulfill the objectives of the Act. However, later in

1976, depending upon the work load, the government through an amendment, increased the number of land Tribunals in the taluks. The number of these tribunals were 175 in 1975, just equal to the number of taluks. In mid 1981, the number increased to 292. The notable feature was that the number of land tribunals in eight taluks of D.K.district increasing from 8 in 1975 to 55 in mid-1981.

Each Tribunal consisted of the Assistant Commissioner, a bureaucrat as its Chairman and other four non-official members, out of which one should belong to the Scheduled Castes or tribes. When the law was enforced, it gave opportunities to the sitting MLA of the taluk as its member. But later on, it deleted this compulsory requirement. However, the Act not only empowered the government to form the Land Tribunals but also to reconstitute it at its discretion.

The quorum for the meeting of tribunal is three members including chairman. It follows that the Chairman must be present in all meetings of the tribunal to constitute a quorum but the Chairman alone can not hear or dispose of any applications made to the tribunal. The decision of the majority is the decision of the tribunal.

1. Section 48 and subsection (1) and (2) of the Karnataka Land Refoms Act.

As far as decision of the tribunal is concerned, it is final. Neither the land tribunals are required to get the prior permission of courts, nor appeals can be made against its judgments other than the High court. The decisions of Land Tribunals are subjected to correction and appealable only under Article 226 and 227 of the Indian Constitution, in which High courts have the power to supervise all courts and to issue certain writs. It is only the technical niceties and procedural provisions that the High court can look into. It can refer a case back to the tribunal if the court thinks 'natural justice' has not been served; otherwise verdicts of tribunals are final and can not be challenged in any court. Further, no legal practitioners shall be allowed to appear in any proceedings before the tribunal.² This provision, in substance and effect, makes the personal presentation of the case mandatory, irrespective of the social status of parties. Obviously, the bar on legal practitioner, is intended to secure a speedier disposal of the cases.

The principal functions of the Land Tribunals are firstly, to adjudicate upon the question of who is entitled to get occupancy right and to grant occupancy right to such persons.

2. Section 48 and subsection 8. Ibid p.45

Secondly, to determine the surplus lands to be surrendered to the government and to distribute it.

All the tenanted lands prior to 1.3.1974 were transferred to, and vested in the State government. Leasing out from the same date have been abolished. Those who were tenants before 1.3.1974 had to make an application to the tribunal for the grant of occupancy right. The government fixed June 30, 1976 as the last date for doing so. But, later on, it was extended upto 30th June, 1979.

On the receipt of the application for the grant of occupancy rights, the tribunal had to issue a public notice in the village and also the individual notice to the landlord and other interested persons.³ After hearing from both the sides, the tribunal discusses by itself taking into consideration the evidence and records and comes to a decision. The decision is recorded in 'speaking order'⁴ and then pronounced in the open court. In those cases where the tribunal could not come to an immediate decision, or desired to visit the village to inspect the land, then the final decision was taken when enquiries were complete.

3. Rajan, M.A.S,1986,Land Reforms in Karnataka (New Delhi: Hindustan Publishing) p.127

4. Speaking order is one which, on mere perusal, reveals the grounds supporting the decision rendered by it.

As regards the procedure in the ceiling cases, the law prescribed that each declaration shall be verified by the Tahsildar,-- the secretary of the Land Tribunal, who could also record the classification of declared land. The declaration then is to be placed before the tribunals for determining the surplus land in the holding.

After going through this ~~process~~, here an attempt is made to analyse the working of land Tribunals in Puttur Taluk.

Though the law gave provisions to constitute Land Tribunal in 1.3.74 itself, the actual formation of first Tribunal took place in September 1975. The government again extended the time of filing application by the tenants. Finally the last date was fixed at 30th June, 1979. This caused an increase in the number of applications in Puttur taluk to 10390. In order to tackle the increased tenancy applications throughout the state, the government through an amendment increased the number of Land Tribunals. So the number of Land Tribunals in Puttur taluk also was increased to two in 1978 in accordance with its power to reconstitute the tribunals. Thus, the first tribunal was reconstituted four times and the second one three times in between 1975 to 1981.

The membership of the Land Tribunals shows a mixture of both economically well-off persons and the poorer sections. The former included the landlords. The law has given the opportunity to members of scheduled castes or tribes to be members of the tribunals. Among the 14 members who held the office in Puttur taluk in between 1975 and 1981, two of them were big landlords owning 10 to 12 acres of land. others were land owners in the range of 0.20 acres to 4.00 acres group.

In an analysis of the social background of the tribunal members, it can be observed that the backward castes have been dominant in this quasi-judicial body. The minority castes like Muslims, Poojaries did gain the membership of the tribunals, and it also included a member of dominant caste. The Brahmins Bunts and Gowdas are the dominant castes in D.K district who are also represented in the Land Tribunals.

As far as educational qualifications of the members of this quasi-judicial body in Puttur taluk is concerned, they are rather laymen. Neither they are trained in law nor much educated in other fields. Among the four tribunals which came into existence in between 1975 and 1981, there was only one member in each tribunal who was trained in law, i.e.an advocate. But the others were educated till the intermediate level or less.

The membership of this people's court was gained only because of the political affiliations of members to the party in power. All the members who had served as the non-official member of land tribunal in Puttur are being questioned and they agreed that they got this membership only because of their involvement in the party then in power. Before their appointment, they were active members of the party organisation. Hence, the motivation behind this was purely political contention. That is why it has become yet another avenue for disbursing political patronage with in the party in power nominating as members those who are close to it.⁵ However in between 1980-81 one of the opposition MLAs became a member of the land Tribunal two times. This happened because he was the sitting MLA of the taluk.

As we know, the functions of Land Tribunals are to grant occupancy rights to the tenants who applied for the same and to determine the surplus lands to be surrendered to the government which are then distributed to tenants and depressed castes.

In Puttur taluk, it can be noted that the total applications submitted for granting occupancy rights were 10390. Out of which 8099 were decided in favour of tenants. The decision on the ap-

5. Lalitha, Nataraj, 1980, 'Politics of Land Tribunals', Economic and Political Weekly, Vol.15, No.26, June 28, p.1093; also see Melchior James, S.X. 1979, Implementation of Land Reforms: Problems and Prospects, Economic and Political Weekly, Vol.14, May 5, p.799.

plications pertaining to occupancy rights had been taken on the facts ascertained by the village records submitted by either of the parties. The prevalent agrarian structures in D.K. district in general and Puttur taluk in particular were 'Mulageni' and 'chalegeni' tenure. In terms of Mulageni, as we know, there was a written record while in terms of chalageni there was no written records as such. The application of the tenants were considered by seeing the records and the facts made known by the members of the tribunals. The non-official members are local people who knew the situation in the taluk level well. This is how the land tribunals are different from other civil courts.

The difficulty comes when the application for occupancy right is disputed. Then Land Tribunals hear both the parties and examine their witness, records etc. If the cases have not become clear spot enquiries will be conducted. In puttur taluk many such cases necessitated spot enquiries. After scrutinising the facts at spot, they conferred or rejected the occupancy rights. If it is a non-disputed case, Land Tribunals after seeing documents conferred the ownership on tenants.

In the study area, the success of the tenants in getting occupancy rights is 77.95 percent. The majority of the cases were decided in absentia of the landlords. It is worth remembering here most of the land lords in D.K. districts were absentee

landlords who leased-out their lands and migrated to cities. This has become a blessing in disguise for the tenants.

In some cases, Landlords were present and gave their consent to grant occupancy rights to tenants. This happened because they were convinced that they will not get back their lands, since the law has provisions to confer it on tenants. Further, by giving their assent they could claim, compensation from the government. Hence, without any difficulties such land owners gave their assent to conferment of ownership on the tenants.

However, some landlords in Puttur tried to harass by using hired goondas forcefully evicting tenants setting fire to the thatched huts of tenants etc. This has happened in other taluks of the district also. For example, a study conducted by Melchior in adjacent Bantwal taluk shows that these type of incidents have taken place⁶.

It was found that few of the applications filed were fictitious. These applications were submitted either by the landlords themselves giving names of their faithful, trusted servants to pre-empt a move by their tenants or some other tenants

6. Melchoir, James, S.X, 1979, Karnataka Land Reforms in Bantwal' Economical & Political Weekly vol.14. No.33, August 18, p.1412-13.

or persons who wanted to take advantage of the benefits of the Land Reforms Act.

The application made for non-agricultural lands were rejected by the Land Tribunals. The law made provision in section 48A for the tenants to file applications to occupancy rights on tenanted agricultural land. Instead of this others have submitted applications for the occupancy and these applications received were rejected. That itself shows that the legitimate tenant has not been deprived of their rights.

The second function of the Land Tribunals was to determine the surplus lands to be surrendered to the government for distribution to landless labourers, scheduled caste or Tribes etc. In Puttur, as per the records 34.64 acres has been determined as the surplus lands.

Corruption by the non-official members of the Land Tribunals were found. It is said that in some cases even though tenants had all the evidence in favour of them, some Land Tribunal members capitalised on the tenants' illiteracy and harassed the tenants to give money. In some other cases non-official members had taken money from wealthy land lords also. In the whole district, the corruption syndrome was there. The study of James Melchior also substantiates this point⁷.

However, the Land Tribunals in Puttur taluk have done considerable amount of good work. As a people's court, they served the objective of the land reforms. In 1980 government had fixed the target to dispose off the tenancy application which caused some hardship in the working of tribunals. This has caused tribunals to sit several times in a week.

Many problems arose in the implementation of land reforms by land tribunals in D.K. district which arose of social and not legal factors. The dominant castes in D.K district are the Brahmins, Bhattas and Gowdas. They are the land owning castes in this area. As seen in the 3rd chapter, the land-caste nexus can be seen this area too. They are mostly absentee landlords and they are at the top of the caste hierarchy. They prefer jobs other than the agriculture and have settled in cities. The tenants and agricultural classes hail from middle castes. The Billavas or Poojaries, Mogaveeras, Naik etc., are cultivating castes in D.K. district. The labourers come from low castes. The Act required the tenants to apply for ownership rights on their leased-in land by filing an application to the Land Tribunals set up to that effect. The response from the tenants in this district was overwhelming.

7. See Melchoir, James, Op.cit., p.799

The Agricultural census of 1971 reported 70,591 tenants in this district, but the application filed before the land tribunals by the tenants of the district were as many as 176235. The reason for this is the existence of concealed tenancy. The existence of chalageni tenure in which there were no written records might be the cause of this concealed tenancy. And this boom in applications from the tenants between 1974 and 1979 can be attributed to the nature of the amendment Act that gave not only just security, but also ownership rights to the cultivating tenants on their leased in lands. Thus it helped the tenants to break all the shackles of servitude⁸.

Yet, another reason for the major increase in application of tenants in this area was the act itself. The Act of 1974 had provided for the inclusion of a new class tenants viz. 'deemed tenants' which means whoever was cultivating the land belonging to another, bearing the risks of cultivation was a deemed tenant.⁹ The cultivator should not be a member of the same family of the owner, nor a wage worker for fixed wages in cash or kind. Thus, such type of tenants outnumbered the tenants who had

8. Damle, C.B, 1989, Impact of tenancy legislation and changing Agrarian Relations: A case of Dakshina Knnada district. Kar-nataka Social Scientise vol. 17 No.11-12 November December p.87

9. Rajan, M.A.S, Op. cit., p.27

reported their status in the 1971 Agricultural Census in D.K. district.

Now let us analyse the implementation of Land Reforms in D.K. district. Table 5.1 facilitates an appreciation of the working of Land Tribunals in disposing of the tenancy application in favour of tenants and claims rejected upto 1988. Out of 1,79,493 applications received in D.K. district 137082 applications were disposed in favour of tenants. Since the land Tribunal records about disposal of application were compiled cumulatively, it is not possible to give it as on 1980-81. However, 76 percent of the applications favoured tenants and about 42290 applications were rejected. If we take individual taluks, then large number of applications were found in coastal taluks like Udupi taluk followed by Mangalore and Kundapura. In these taluks 77.06 percent, 64.66 percent of applications favoured the tenants. The lowest being Sullia taluk and the Puttur taluk.

The purpose behind the implementation of tenancy legislations was to protect the interests of tenants initially and subsequently to eliminate the intermediaries and to confer on the tenants ownership rights on the tenanted land. This we could see in the changes that were brought by Land reforms in the increase of cultivators (Table 5.2) by over all 8.06 per cent in the district in between 1971 and 1981. This shows a meager shift when

all the applications for ownership of land were disposed. The disposal of applications by LTs were slow in this period. The government took up seriously the task of the disposal of application in 1981 by forming as many land tribunals as required in all the taluk. There were 55 land tribunals in D.K. district.

Table 5.1 shows that Udupi taluk had more tribunals, numbering 15. Mangalore and Kundapur followed with 12 and 10 respectively. In other taluks like Karkal there were 7, Bantwal 4, Bethangady 3, Puttur and Sullia each had 2 Tribunals. Certainly after the implementation of Land Reforms the beneficiaries and cultivators' number might have increased. As per the taluk-wise plan statistics only half of the tenants applications were decided during the period of 1974-80.

Another factor can be seen in Table 5.2 is that there is a decrease in the number of agricultural labourers between 1971 and 1981. But the decline was meager 0.4 per cent. It can be argued that after 1981 there might have been a decrease in agricultural labourers. However, those who applied for dwelling houses itself in a small number. Table 5.1 shows that agricultural labourers who applied for dwelling sites were 14306, of which 66.26 percent were decided in favour of the labourers.

As far as ceiling declaration was concerned, the district had received very few declarations. Thus, the impact of land ceiling limit has been rather negligible in D.K. district. The total 2,178 declarations were received under the ceiling Act out of which 2,171 declarations were disposed by April 1988. Only in 26 cases (i.e. 1.2%) surplus land of 3248 acres have been determined. In which 79 SCs and 71 STs have got 205 acres and 248 acres respectively through the distribution of land. Thus the impact of ceiling legislation and distribution of surplus land in this district is not much. The reason for this might be population growth and the partition of landed property in accordance with the inheritance law.

TABLE 5.1

Analysis of Tenancy and Ceiling Applications in D.K.District

| | Tenancy Applications | | | | | Ceiling Applications | | | | | |
|--------------|----------------------|---------------------------------|--------------------|-------------------------------------|----------------|----------------------|------------|------------|----------------------|----------|---------|
| | No. of Tribunals | Total No. applications received | No. of dis-possals | No. of Applns- in-favour of tenancy | No. reject-ed. | Pend- ing | Rec- eived | Dis- posed | In favour of tenancy | Rejected | Pending |
| Bantwala | 4 | 21253 | 21200 | 18357 (86.58)* | 2843 | 53 | 1378 | 958 | 732 | 224 | - |
| Belthangady | 3 | 14670 | 14882 | 12658 (86.33) | 2004 | 8 | 1182 | 1171 | 538 | 635 | - |
| Kundapur | 10 | 32278 | 32276 | 25839 (79.43) | 6637 | - | 1664 | 1652 | 950 | 702 | 12 |
| Karkal | 7 | 20376 | 20371 | 15320 (75.20) | 5051 | 5 | 1131 | 1087 | 763 | 324 | 41 |
| Mangalore | 12 | 36857 | 36807 | 23802 (64.66) | 13005 | 50 | 4764 | 3895 | 3180 | 715 | 869 |
| Puttur | 2 | 10390 | 10389 | 8099 (77.95) | 2290 | 1 | 604 | 604 | 248 | 358 | - |
| Sullia | 2 | 4384 | 4380 | 2929 (66.87) | 1451 | 4 | 470 | 470 | 250 | 220 | - |
| Udupi | 15 | 39287 | 39287 | 30278 (77.06) | 9009 | - | 3113 | 3030 | 1868 | 1182 | 83 |
| D.K.District | 55 | 179473 | 179372 | 137082 (76.42) | 42290 | 121 | 14306 | 12865 | 8525 (66.26) | 4340 | 1005 |

Source: All Taluk Office & D.Cs. Office

*. The percentage of success of tenancy are given in brackets

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TABLE 5.2

Cultivators And Agricultural Labourers in D.K. District, 1971 and 1981

| | Total Population | | Total Workforce | | Cultivators | | Agricultural Labour | |
|-------------|------------------|--------------------|-----------------|--------|-------------|-------------------|---------------------|-------------------|
| | 1971 | 1981 | 1971 | 1981 | 1971 | 1981 | 1971 | 1981 |
| Bantwala | 226787 | 284493 (25.45)* | 100999 | 128847 | 25467 | 28064 (2.34) | 25128 | 24587 (-2.15) |
| Belthangady | 137535 | 175440 (27.56) | 57413 | 80008 | 22828 | 27501 (20.47) | 21981 | 18915 (-13.95) |
| Kundapur | 242810 | 312182 (28.57) | 88660 | 114364 | 38508 | 48032 (24.74) | 25112 | 28699 (14.28) |
| Karkal | 212496 | 255773 (20.37) | 86695 | 107826 | 38531 | 39785 (3.25) | 28520 | 29178 (10.02) |
| Mangalore | 490566 | 586849 (19.63) | 190879 | 235254 | 21612 | 21225 (-1.79) | 23331 | 22023 (-5.60) |
| Puttur | 156268 | 196203 (25.56) | 59798 | 81211 | 18895 | 20892 (11.75) | 17820 | 16928 (-5.02) |
| Sullia | 87946 | 105385 (19.83) | 32970 | 41844 | 9212 | 8392 (-8.90) | 11661 | 8308 (-28.75) |
| Udupi | 384909 | 460399 (19.60) | 131530 | 161339 | 45094 | 45782 (1.53) | 34038 | 36130 (6.15) |
| Total | 1939315 | 2376724 (22.50) | 748744 | 950693 | 219945 | 237673 (8.06) | 185591 | 184764 (-0.4) |

Source: Agricultural Census, 1971 and 1981

Note : * Percentage increase 1971-81 shown in the brackets.

TABLE 5.3

DISTRIBUTION OF LAND HOLDINGS BY SIZE IN D.K.DISTRICT.

| | Below 1 ha. | | 1-2 ha. | | 2-5 ha. | | 5-10 ha. | | 10 ha. and above | | Total | |
|------------------|------------------|------------------|------------------|-----------------|------------------|------------------|----------------|----------------|------------------|----------------|--------|--------|
| | 1971 | 1981 | 1971 | 1981 | 1971 | 1981 | 1971 | 1981 | 1971 | 1981 | 1971 | 1981 |
| Bantwala | 4855 | 8649 | 4585 | 4580 | 3203 | 3078 | 503 | 532 | 122 | 86 | 13248 | 16905 |
| Belthangady. | 4038 | 6435 | 3890 | 4498 | 2428 | 2871 | 282 | 548 | 54 | 116 | 10670 | 14468 |
| Kundapur | 15395 | 16956 | 5440 | 6498 | 4129 | 4377 | 911 | 816 | 221 | 176 | 28098 | 28823 |
| Karkal | 5747 | 8486 | 5370 | 8115 | 5959 | 5788 | 1333 | 1498 | 363 | 268 | 18772 | 22153 |
| Mangalore | 7362 | 11953 | 4245 | 3647 | 2106 | 2645 | 117 | 571 | 7 | 108 | 13837 | 18922 |
| Puttur | 5403 | 7220 | 3652 | 3713 | 2378 | 2251 | 592 | 374 | 135 | 60 | 12158 | 13618 |
| Sullia | 2618 | 4153 | 1682 | 2820 | 1390 | 1650 | 431 | 509 | 186 | 142 | 6307 | 9274 |
| Udupi | 15850 | 22837 | 7894 | 8417 | 4486 | 5005 | 505 | 760 | 78 | 148 | 28793 | 37165 |
| D.K. District | 61628 (47.17) | 86687 (53.73) | 38738 (28.29) | 40268 (25.0) | 28055 (20.08) | 27663 (17.14) | 4854 (3.58) | 5608 (3.47) | 1166 (0.89) | 1100 (0.88) | 129881 | 161328 |

Source: Agricultural Census 1970-71 (1974) and 1980-81
Compiled from Taluk Plan Statistics, 1977(1978) and 1983-84(1985)

81-c

CHAPTER VI

CHAPTER VI
CONCLUSION:IMPACT OF LAND TRIBUNALS
ON THE SOCIAL STRUCTURE OF D.K. DISTRICT

India is predominantly an agricultural country, where the problem of Land existed. After independence, the Government brought in lots of programmes to eradicate inequalities in Indian society. Among them Land Reforms were one of the most important programmes which assumed a high priority at the policy making level, both at the Center and in states. It attempted to bring about a change in institutional framework of agriculture, the pattern of ownership, control, use of land etc. In other words, the changes in land system intended to have far reaching benefits to the bulk of agricultural population as well as to promote social justice for the rural masses of our land based society.

But as discussed in chapter II of this study it did not effect the rural masses since they were not weilding political power . Land was concentrated in the hands of few and the close association with the caste, allowed them to gain political power in the State of Karnataka. If the Government is dominated or strongly influenced by the land holding groups of the society, it

can't bring in effective reforms which may threaten the very existence of these groups. However, in accordance with the necessity it enacted laws in such a way that its stake on land and power was not disturbed. In Karnataka, either the laws passed had their own draw back or they were not implemented properly, as has been discussed in Chapter IV of this study.

The political changes which took place in early 1970's marked a departure in the political strategy of the then government which was headed by Devaraj Urs. He had a least stake on land and had a specific intention of eroding the power of the landed class in State politics. He came out with larger populist measures like reservation for the backward castes and communities, debt resumption etc. along with Land Reforms. By these measures he gained support for his party not only among the backward Castes and communities but also from the weaker sections of the dominant castes.

At the same time, though Urs curtailed political representation of dominant caste, he did not confront with them seriously regarding their Landed interest. This can be seen in the provisions given in the laws to escape from the ceiling limits and the poor implementation of the ceiling laws. Additional units were

allowed to the families with over five members, and major sons were treated as separate families. This could be asserted as the built in loopholes in land reforms laws to serve the needs of the dominant castes.

The tenancy problems were acute in the Districts like D.K., U.K, and Shimoga where dominant caste viz. Vokkaligas and Lingayats, were in minority and in such cases, presence has not been felt in these areas as the study shows, tenancy law were successful. In other parts of Karnataka the ceiling problem was greater than that of tenancy. It was not successful either due to administrative set up or due to the loopholes in the law itself. It is further asserted that any measures which confronts the dominant caste's class interest would have its adverse effect in politics too. Hence, the abrogation of tenancy was also a populist measure to cope up political support.

The replacement of courts by the Land Tribunals with exclusive jurisdiction to decide issues relating to land reforms is worthy of appraisal. Though the sphere of agrarian relations in the most traditional bound atmosphere of our social relations there can be no argument against the question of speedy disposal of issues arising out of land reforms. The bar on professional

lawyers in the deliberation of tribunals was a step towards the speedy disposal of application. This was essential for the successful implementation of programme and achievement of social justice.

The Government had constituted the land Tribunals in every taluk and it appointed its own party workers as the members of these tribunals. As it is known, in D.K District the tenants who got occupancy rights over land exceeds 76 percent. Whoever received the benefits from the Land tribunals tend to think that in reality he has received such such benefits from the party in power. The land tribunal members are locally known as party workers. Land, being a pivot of material base and prestige has given place of pride in peasant's consciousness. It can be further asserted that it has boosted the political support base for the government and its party. The ruling party whose grass root and organisational base was weak, after the split, consolidated itself as the party of the masses. This is how the policy enunciated by Devaraj Urs had largely a populist orientation.

However, it had a larger effect on social structure of Karnataka in general and D.K district in particular. The success of the Land Tribunals in giving Land occupancy rights brought about the change in social structure of D.K district. By getting the land, tenants have become the owners of some land. This has brought them social prestige.

However, owning land itself may not be sufficient for upliftment of the poor tenants. The Government should provide certain institutional help such as credit, free supply of seeds, manures water facilities etc. Absence of these facilities may cause other problems to the poor peasants. The post land reform problems do exist in D.K district in particular and the state in general. This would certainly need a separate in-depth study.

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