

CHAPTER TWO

THE SOCIO – ECONOMIC SETTING I: PROCESS OF AGRARIAN CHANGES, 1876 – 1939

The district of Malda, as we have already mentioned, was created in 1813 with parts of the Dinajpur, Purnia and Rajshahi districts. It is, therefore, not possible to give a coherent account of the history of the land revenue administration of the district. Nevertheless, it might not be out of place to mention some important facts¹. With regard to the early revenue history of Malda, our main source of information is *Ain-i-Akbari*². Abul Fazal, in his *Ain-i-Akbari*, while describing the Subah of Bengal mentions Jinnatabad, i.e., Lakhnawati or Gour as an ancient city. There was a *sarkar* of the same name in the Subah of Bengal. The district of Malda contains a major portion of this *sarkar* of Jinnatabad. Malda was one of the *mahals* in the *sarkar* of Jinnatabad or Lakhnawati. The revenue of this *sarkar* of Jinnatabad, which consisted of 66 *mahals*, was fixed at 1,88,46,967 *dams*³.

At the time the English commercial factory was opened at Malda, a *krori* was stationed at Malda. A *krori* was a revenue official who was in charge of the collection of revenue amounting to one *crore* of *dams*. During the viceroyalty of Shaista Khan, Malda was included in his personal jagir⁴.

Malda came under the British administration with the acquisition of Diwani by the East India Company in 1765. As the district of Malda did not exist as a separate entity at that time, it would not be useful to recount here the details of the revenue administration that prevailed between 1765 and 1793. One rather peculiar arrangement that was adopted by the Committee of Circuit in regard to Malda may, however, be mentioned here. It appears that certain

areas contiguous to Malda were formed into a unit of revenue collection and was put in charge of the Commercial Resident at Malda, because a number of weavers and other dependants of the factory resided in such areas. It was felt that this arrangement would not only contribute to promote the success of the investment but also would provide a fund for such investment⁵.

In 1793 the Permanent Settlement of land with the zamindars was introduced in Bengal Presidency. Although the aim of this chapter is to trace the process of agrarian changes that took place in Malda during the years 1876 – 1939, it would not be irrelevant here to mention some of the important consequences of the Permanent Settlement. Because the settlement not only restructured the rural social and agrarian scenario of Malda but also Bengal as a whole. The Permanent Settlement meant a very sharp rise in the land revenue obligation of the zamindars⁶. It produced two immediate consequences. First, land as an income-bearing asset could not become very attractive immediately after the Settlement. This, in turn, slowed down the process of land becoming an easily marketable asset. Second, there was an unprecedented element of risk in the land-holding system. The zamindars had to adjust to the new situation by devising some sort of an 'insurance policy' to hedge against risk⁷. Regulation VII of 1799, giving landholders the right to attach and dispose of the property of their tenants for arrears of rent marks the beginning of this process of adjustment. It has been observed that this was particularly resorted to by the new zamindars that had come to hold land through auction purchase and were not inhibited by the traditional tenant-landlord relation⁸.

Far more important, however, was the emerging system of under-tenures which possibly became the most important component in the policy of

insurance against risk adopted by the zamindars. A large number of under-tenures became a feature of the land-system of Bengal as a consequence of the Permanent Settlement⁹. The development of this intricate system of extensive sub-letting of land created an emerging market in the sub-tenurial rights in land¹⁰. The Patni System, particularly Patni Regulation VIII of 1819, legally recognized the sub-letting right of the superior tenure-holder. And, during this process, a significant market in the sub-tenurial and sub-letting rights of land developed which made such rights an easily marketable commodity¹¹. Perhaps, the most serious implication of this commercialization of sub-tenurial rights in land was the tendency for rapid growth in the number of intermediate rent-receivers (between the zamindar and the direct cultivator) which accompanied the process¹².

It is against this backdrop of broader provincial scenario, we would now make an attempt to trace the process of agrarian changes in the district of Malda during our period of study. In the year 1832 – 33 the total number of estates on the rent-roll of the district was 95; in 1850-51 the number of estates was 489; in 1870-71 the number of estates was 536; and in 1873 the total number of estates was returned at 560. Of these, 51 were either under direct government management or under the Court of Wards; the remaining 509 were subdivided according to the amount of revenue paid¹³. In 1873 the land revenue demand from permanently – settled estates was Rs. 3,15,444 payable by 560 estates¹⁴. In 1912 the demand was Rs. 4,00,658 payable by 618 estates¹⁵. M.O.Carter in his Final Report on the Survey and Settlement Operations in the District of Malda, 1928-35 gives the number of permanently settled estates in the district as 626, the total annual revenue being Rs. 3,83,694¹⁶.

REVENUE SURVEYS:

In Malda the earliest revenue survey of a few isolated *parganas* was taken up in 1840-41, 1841-42 and 1844-45. The major portion of the district was surveyed in 1848¹⁷. It was based on a rough survey called the Thak Survey, as the surveyor on arrival at the place to be surveyed, began by marking the boundaries of the estates, and *mouzas* on the ground, with clay mounds along the boundary lines, as signs of resolving boundary disputes. Mapping followed the erection of the mounds which were locally known as Thak¹⁸. Apart from the Thak Survey, the diara survey of the bed of the Ganges was done in 1866 with a view to finding out new formations of land not assessed to revenue at the Permanent Settlement¹⁹. In Bengal the first cadastral maps by air survey were drawn in the Habibpur and Bamongola p.s in the district of Malda in 1928 by M.O. Carter, Settlement Officer of the district, assisted by his Technical Advisor. They undertook the survey over 100 sq.miles. In the year 1931, 783 sq. miles were air surveyed and mapped cadastrally and completed with the record-of-rights²⁰.

A TYPOLOGY OF AGRARIAN SOCIAL STRUCTURE IN LATE NINETEENTH CENTURY MALDA.

The 'zamindari system' in its deceptive legal mould has continued to provide a basic framework for the study of Bengal's rural economy and society²¹. Even those who are aware of the problems of making too easy an equation between ownership of revenue right and actual possession of land have nevertheless seen Bengal's agrarian structure primarily in the context of the colonial land-revenue administration. A recent essay on pre – 1947 Bengal opens with the statement: 'We must begin with a consideration of the

conditions imposed on Bengal's agrarian economy by the fact of colonialism. The primary and abiding interest of the colonial government in the agriculture of Bengal, or for that matter anywhere else in India, was the extraction of a part of the surplus in the form of land revenue²². The arrangement by which a class of persons designated 'proprietors' were assigned the property in revenue collection in 1793 together with late nineteenth-century amendments 'to protect as far as possible the predominant organizational form of agricultural production, viz small-peasant farming'²³ is still the main context within which the evolution of Bengal's agrarian structure in the late nineteenth and early twentieth centuries is analysed.

Keeping this background in view, we now like to proceed to present a scenario of agrarian social structure from late nineteenth century Malda. The population of Malda was distinctively agricultural. Like any other agrarian society, in Malda too, it was the control of land that was the crucial determinant in locating political power. It will however be a mistake to assume that rural society in Malda was divided into two well-defined categories: with a parasitic zamindar at the top and a body of landless labourers at the bottom. Between these categories was an intermediate stratum of non-zamindar tenure-holders with varying degrees of income and influence. Unlike certain Bengal districts such as Bakarganj where there often existed 20 different intermediaries²⁴, the land-tenure system in Malda, as Asok Mitra has shown, was relatively simple: there were rarely more than two or at least three intermediaries between the zamindar and the actual cultivator²⁵.

W.W.Hunter in his Statistical Account of Malda, published in 1876, noticed four classes of land tenures, viz. (1) estates paying rent direct to government; (2) intermediate tenures; (3) cultivating and miscellaneous tenures and (4)

rent-free tenures²⁶. In his Final Report on the Survey and Settlement Operations in the District of Malda 1928 – 35, M. O. Carter gives an elaborate account of the land tenures in the district. The system of land-tenures, as Carter stated, was extremely simple. In many estates the cultivating tenants paid rent direct to the zamindars. In others, where tenures existed, there was little sub-infeudation, and it was uncommon to find more than two grades of tenure²⁷.

The larger first grade tenures were generally known as Patni²⁸, but this was in most cases a misnomer as very few were actually governed by Regulation VIII of 1819²⁹. It was common form of tenure under zamindars who hold proprietary rights. The Patni was a tenure by which the Patnidar was bound to pay the landlord the share of the government revenue payable by the land let under the tenure, over and above a fixed sum yearly to the superior landlord³⁰. The Patni system was a perpetual lease, the condition being punctual payment of dues, hypothecation of land as security for payment and liability of the tenure to summary sale in case of default³¹. After the Patni Regulation of 1819 legalised and systematised the Patni tenure, it gained very wide currency in Bengal. This Patni system has been dubbed by Sirajul Islam as the 'Second Permanent Settlement' between the zamindar and the Patnidar³². A considerable number of Patnidars sublet part of their interests to *darpatnidars*. In Malda, as elsewhere in Bengal, these interests were mostly in the hands of the upper-caste gentry but it was not unusual for a few members of the agricultural and intermediate trading castes to make their way into these ranks³⁴.

The number of ordinary tenures was considerable, but the statistics show that their average area was only about 8 acres. About two-thirds of them were

permanent and held on fixed rents or at fixed rates of rent and the remainder were permanent and liable to enhancement of rent. These tenures were commonly known as *jotes*, and their sub-tenures as *dar-jotes*. Permanent tenures were called *marurashi jotes*, and those held on fixed rents *kaemimaurashi or istimrari jotes*³⁵.

In the 1870s Hunter noted that *hal hasila* was an extremely common form of holding chiefly in the less advanced tract in the northern part of the district, and especially in the Chanchal estate. The peculiarity of this tenure was that the cultivator only paid rent for such lands as he might have cultivated during the year and the rate was proportional to the kinds of crop that he raised. There was no written agreement, but the tenant was recognised to have a sort of claim to continuance. No right of occupancy accrued to the tenant of such lands. In the opinion of Hunter, the source of this tenure can be traced back to the old Hindu Village System. It was probably a relic of the days when the lands of the village were annually divided afresh among the villagers. According to Hunter, this was the simplest form of tenure but for its proper working two requisites was necessary. The village community must retain its traditional influence over its member and there must be abundance of spare land. But Hunter noted that even at that time the *hal hasila* tenure was losing its primitive character on account of pressure of population³⁶.

Another form of tenure was the *ijara* which was, in fact, lease for the collection of rent and expired when the period of the lease terminates. *Dar-ijaras* or sub-leases, Hunter noted, were not known in the district. Of *ijaras*, the most common form was called *miladi*. This lease was for a term of years varying from one to fifty and was commonly offered by the larger zamindars and by the absentee landlords to avoid the expenditure and trouble of making

collections themselves. The properties of indigo planters were often held by the same form of lease for years which was locally termed *thok*³⁷. In the 1920s, Carter noted, this form of temporary tenure was comparatively small in number. At that time there was only one large *ijara* held by the Raj Banaili estate³⁸.

Adhi, *trikuti* and *pharani* were the names of sub-tenures created by cultivators themselves, who for various reasons wanted a certain portion of their holdings to be taken off their hands. In the *adhi*, as is implied by the name, the produce was shared in equal proportion between the two parties. The owner of the land i.e., the cultivator had to provide seed and all other expenses of cultivation and the *adhiar* merely supplied his labour³⁹. The *trikuti* was similar to the *adhi*, the difference being that in this system two-thirds of the crop was assigned to the owner of the land and only one-third to the actual tiller of the soil⁴⁰. The land was generally of inferior quality and labourers did not agree to cultivate at the usual *adhi* rate. In the *pharani*, the tiller agreed to pay to his landlord a definite number of *maunds* for each *bigha* independently of the actual produce he might reap⁴¹. *Chakran* or service tenure was another type of tenures in the district consisted of lands granted by the proprietors as rent-free or at a nominal rent, in return for police and other service performed by the grantee. These tenures were not permanent, heritable, or transferable, and their existence continued so long as the service was required by and rendered to the grantor. The area covered by this type of tenancy was small. The following *chakran* tenancies were found in the district⁴² : *napit jaigir*, *dhobi jaigir*, *paik jaigir*, *astoprohari jaigir*, *pujari jaigir*, *behara jaigir*, *khadem jaigir*, *kumar jaigir* etc. The lands granted to the barbers were called *napit jaigirs*; lands granted to the dhobi or washermen were called *dhobi jaigir*; lands

granted to the *paiks* or peons were called *paik jaigir*; lands granted to watchmen or *astoprohari* were called *astoprohari jaigir*; lands granted to the earthen-pot-makers were called *kumar jaigir*; lands granted to the paliki-bearers were called *behara jaigir*; lands granted to *pujari* for the performance of puja were called *pujari jaigir*; and lands granted to a caretaker of a *darga* or saint's grave were called *khadem jaigir*. Such tenures and others of similar nature existed in almost all principal zamindari estates of the district⁴³.

Among *lakhiraj* or rent-free tenures Hunter found the following classes:

- i) those created by the paramount authority of the country,
- ii) those created by a subordinate government, and
- iii) those created by Muslim and Hindu landholders.

Of the class (i) there were two examples in the district, one of the Mughal Emperor and the other of the English. Taraf Pirigpur of Pargana Shershabad, with an area of more than 5,000 acres, was conferred by the Emperor Aurangzeb on his priest Sayyid Niamatulla for charitable purposes. This was known as *badshahi altamgha* or an imperial grant under red or purple seal. The other case was a plot of land in mauza Mohanpur within Pargana Shikarpur containing about 1127 acres which was assigned in the time of Lord Cornwallis for the support of an invalid sepoy establishment. Of class (ii) there were three estates in the district which were created by Nawab – Nazims and were all of considerable extent. The Pargana Baishazari was conferred in 1709 on the supervisor of the monument of Pir Mukdam Shah. Pargana Shathazari was granted in 1648 for the support of religious persons and for alms to the poor. These tenures were called *ausat madamash* or subordinate

grant for charitable purpose. One such *jaigir* in north-western part of the district was said to have been granted by Nawab Mir Jafar to the *fakir* who betrayed Nawab Siraj-ud-daulah after his escape from the battle of Plassey. The class (iii) rent free tenures were the types of ordinary Lakhiraj tenures which were rather common in Bengal⁴⁴. Based on the report prepared by Mr. Reily, then the District Magistrate, Hunter furnished the following statistics for the rent-free tenures existing in two large parganas belonging to the Chanchal estates. In pargana Hatanda, 5226 acres of land were held by Lakhirajdars, thus classified⁴⁵ :

	<u>Names of Lakhiraj</u>	<u>Acres</u>
1.	Devottar (for the service of deities)	1,318
2.	Brahmottar (for the support of Brahmins)	2,726
3.	Bhatottar (for the support of bhats or heralds)	50
4.	Vishnottar (for the service of Vishnu)	77
5.	Ganakottar (for the support of astrologers)	138
6.	Jogisan (for the seat of devotees)	1
7.	Baidyottar (for the support of physicians)	26
8.	Inami (given for rewards)	12
9.	Mandallan (for the support of head-men)	2
10.	Mahatran (given to men of rank)	319
11.	Aima (for the subsistence of Musalmans)	160

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| 12. | Piran (for preserving the memory of Muslim saints) | 160 |
| 13. | Fakiran (for the support of Muslim religious mendicants) | 23 |

Total: 5,226

In Pargana Gaurhand the lakhiraj tenures amounted to 1789 acres or 6.31 per cent of the total area. They were thus arranged:

		<u>Acres</u>
1.	Debottar	398
2.	Brahmottar	1,219
3.	Vishnottar	3
4.	Ganakottar	3
5.	Mandallan	79
6.	Aima	10
7.	Piran	57
8.	Fakiran	20

The tenure holders of various descriptions as detailed above were normally subservient to the zamindar class and gradually they formed another sub-feudal class under the patronage of the zamindars. Although they were in minority, but, having been combined with the zamindars on the one hand and alienated from the ordinary peasant class on the other, they tended to serve as a safety valve of the zamindars' interest in the rural area. Besides small

tenure holders indirectly championed the cause of the zamindar class, as a class of benevolence, philanthropy and paternalism, which helped brighten the public image of the zamindars in the rural areas⁴⁶.

STATISTICS OF LAND TENURE

The following statement shows the different classes of estates with their areas and percentages:

Table 2.1 Different classes of Estates with their areas and percentages:

	Class of Estates	No.	Area	Percentages of total area
1.	Revenue-paying estates	750	1,022,349.65	80.50
2.	Permanently settled estates	626	976,904.72	76.92
3.	Government estates	19	13,750.60	1.08
4.	Temporarily-settled-estates	105	31,694.25	2.50
5.	Revenue – paying foreign estates	150	100,691.77	12.65
6.	Revenue-free estates (B.I)	174	19,130.15	3.87
7.	Revenue-free estates (B. II)	15	5,339.32	0.44
8.	Revenue-free foreign estates (B.I)	7	474.40	0.04
9.	Area outside the record	----	12,552.05	0.09

10.	Area acquired for public purposes	-----	19,175.85	1.51
			1,269,723.19	

Source : M.O.Carter, Final Report on the Survey and Settlement Operations in the District of Malda 1928-35, op.cit., p-76

The *raiya*s of Malda district were differentiated more or less. A great majority of them had small holdings and consequently paid lesser amount of rental than the superior *raiya*s or *jotedars*. Differentiation among the peasantry with the predominance of the small peasant was thus focussed in the agrarian structure of the district in the nineteenth century and the same picture can also be found in the twentieth century. So below the rich peasants or *jotedars* was the other members of the working peasantry – ordinary *raiya*s, under – *raiya*s, sharecroppers and agricultural labourers.

The table below shows the proportions of agricultural population in Malda with some other adjoining districts:

Table 2.2 Proportions of Agricultural population: Landlord, Tenant, Labourer (%)

Districts	Landlords	Tenants	Labourers
Malda	2.12	75.99	21.89
Dinajpur	1.00	87.28	11.72
Rajshahi	4.60	84.18	11.22
Jalpaiguri	3.18	91.84	4.98

Rangpur	1.37	91.68	6.95
Darjeeling	1.65	96.26	2.09
Source: Census of India 1921, vol. 5 Bengal, pt. 2, Tables 2, 3, 4 and 5.			

Table 2.2 shows that the proportion of landlords was greater in the districts of Rajshahi and Jalpaiguri than Malda. At the same time the number of tenants with some sorts of right to the land which they tilled was also less in Malda (75.99%) than the other four districts of northern Bengal. Correspondingly, the proportion of 'labourers', i.e., tillers without any sort of legal rights to land (under *raiya*s without any tenancy rights, sharecroppers, agricultural labourers) in the district of Malda was much higher (21.89%) than the other four districts.

In the 1931 census the agricultural population was classified by economic categories. Table 2.3 shows the result of this classification:

Table 2.3 Classification of Agricultural Population by Economic Categories, 1931(Percentages)

	Rent-receiver	Owner cultivators	Tenants	Labourers	others
Malda	6.22	42.71	8.29	41.54	1.24
Rajshahi	7.99	56.27	5.74	28.99	1.01
Dinajpur	3.67	46.88	14.62	34.22	0.61
Jalpaiguri	6.60	36.25	25.83	31.09	0.23

Rangpur	4.65	52.41	18.94	23.53	0.47
Darjeeling	15.20	36.55	24.79	23.03	0.43

Source: Computed from Census of India, 1931, vol. 5 (Bengal), Part ii, Tables 2, 3, 4, 5.

It is to be mentioned here that the proportion of those who qualify as 'rent-receivers' under the 1931 definition exceeds the 'landlords' in table 2.4 by a significant margin in Malda and Darjeeling. This is indicative of the presence in these districts in large number of those who were not proprietors or tenure holders under the Tenancy Act, but who had in effect become pure rentiers. Secondly, 'labourers', working for hire in cash or kind and thus including, besides agricultural labourers and farm servants, a large number of *bhagchasi* who were not regarded as independent tenant cultivators under the census definition, form large proportions of the agricultural population in Malda than the other five districts of northern Bengal.

Partha Chatterjee has, in this context, cited the findings of the Land Revenue Commission of 1938-39⁴⁷. The Commission conducted a survey in selected villages to find out the manner in which the land was cultivated in different districts of Bengal: The results are shown in table.

Table 2.4: Proportions of Land Cultivated by Family Members, Bargadars and Labourers.

	by family members	by bargadar	by labourers
Malda	89.3	9.6	1.2

Rajshahi	81.0	15.0	3.9
Dinajpur	72.0	14.5	13.6
Jalpaiguri	70.4	25.9	3.7
Rangpur	72.2	22.8	5.1

Source: Report of the Land Revenue Commission; vol. 2, Bengal, pp. 118-19, Table VIII (e).

It is clear from the table that the predominant mode of cultivation was by the labour of the owner himself and his family in the district of Malda and Rajshahi. On the other hand, in comparison to other four districts of northern Bengal, a small proportion of land was cultivated by sharecroppers or labourers in Malda.

OCCUPANCY RAIYATS

The table below shows the average area of occupancy holdings in the district of Malda :

Table 2.5: Average area of occupancy holdings.

	Thana	Average area (in acres)
1.	Kharba	2.00
2.	Harishchandrapur	2.32
3.	Habibpur	3.40

4.	Old Malda	2.78
5.	Gajol	3.00
6.	Bamongola	2.40
7.	Englishbazar	1.40
8.	Kaliachak	1.40
9.	Bholahat	1.40
10.	Gomastapur	2.80
11.	Nachole	3.56
12.	Sibganj	2.05
13.	Ratua	2.45
14.	Manikchak	2.40
15.	Nababganj	2.25

Source : M. O. Carter, Final Report on the Survey and Settlement Operations in the District of Malda 1928 – 35, op.cit., p. 76

The figures indicate that the average is largest in Gajol and Habibpur *thanas* where extensive areas have been reclaimed comparatively recently. When the area in a tenant's possession was too large for cultivation by his family, or was situated at an inconveniently long distance from his home, it was either sold, wholly or partly, or sublet; and in the case of holdings situated at a distance an exchange was often effected with another tenant. When holdings

were sublet, the under-*raiyat* sometimes pays the rent for the occupancy holding direct to the landlord, and the balance to the *raiyat*⁴⁸.

Carter in his Survey and Settlement Report has shown the number of holdings of the various classes of cash-paying *raiyats* and their respective areas:

Table 2.6 Number of Holdings of the Various Classes of Cash-paying *Raiyats*

Class of raiyat	Number of holdings	Total area thus held (in acres)	% of the total area surveyed
Raiyats at fixed rent or rate of rent	20,633	58,299	4.58
Settled and occupancy raiyats (on cash rent)	399,351	912,768	71.87
Service raiyats	2,319	4,583	0.36
Rent-free raiyats	3,516	4,591	0.36
Total	125,819	980,244	

Source : M. O. Carter, Final Report on the Survey and Settlement Operations in the District of Malda 1928-35, op.cit., p. 77

It was in 1938-40 that an attempt was made to establish the number of families in different acreage classes for Bengal as a whole. This was done at the instance of the Land Revenue Commission.

Table 2.7 Distribution of areas held by a family in Malda. Proportion (%) of land held by families of different acreage categories.

Number of families enquired into	332
Average area per family in acres	3.34%
Less than 2 acres	54.2%
2 – 3 acres	7.8%
3 – 4 acres	8.4%
4 – 5 acres	6.9%
5 – 10 acres	15.9%
Above 10 acres	6.8%
Source: Report of the Land Revenue Commission, Bengal, vol. 2, 1940, pp. 114 – 15.	

QUESTION OF RENT: LANDLORD – TENANT RELATIONSHIP

Now, let us examine the relationship between the zamindar and the tenants of Malda, especially the *rai-yats*, from the point of view of rent collection. Traditionally in Bengal, the rate of rent payable by different classes of *rai-yats* was regulated by *pargana nirikh* or rate in the neighbourhood, not by the market price. Moreover, there were many varieties of *rai-yats* who customarily

enjoyed special privileges, and their rents were not enhanceable. The *raiya*ts mostly mounted a legal and physical resistance to all attempts by zamindars to enhance rents. The resulting agrarian tension led to the enactment of Act X 1859⁴⁹. Chittabrata Palit has observed that the Act was a compromise between custom and the abstract theories of political economists⁵⁰. The most notable innovation of this Act was the enhancement of rent in the wake of the enhancement of prices. Under section 5 of the Act X of 1859, the zamindars could enhance rent if they could prove that land resources had improved independently of tenants' exertions, or that a rise in produce prices had occurred. Revenue Courts were established to give speedy judgements on rent suits enhancement. The officers of the Revenue Courts were firmly convinced that prices of agricultural produce had definitely gone up and that landholders therefore had the right to take a share of the profit⁵¹. Most zamindars served notices for enhancing the rate of rent, and the Revenue Courts very promptly disposed of those suits in favour of the zamindars⁵². Obviously, tenants resisted the zamindar's attempts to enhance rent. Peasant resistance movements were cropped up in various parts of Bengal, especially in East Bengal districts. A Rent Commission was established in 1880 to suggest ways and means for restoring agrarian peace. The Commission repudiated the utility of theories of political economy on rent for Bengal⁵³. Since "the majority of the tenancies in Bengal and Bihar depended upon custom rather than contract", the Commission resolved to respect the customs of the country and accordingly draw up details of the Draft Bill which formed the basis of the Bengal Tenancy Act of 1885⁵⁴. The Act provided that *raiya*ts should not be ejected for arrears of rent, but that their holdings must be sold in the Civil Court.

Keeping this historical background in mind, we would now proceed to portray a picture of landlord – tenant relationship in rural Malda. In Malda, as elsewhere in Bengal, rent consisted of two parts, viz., legal rent and illegal cesses. The latter were usually called *abwabs*. It is true that the landlords did not always enjoy unrestricted control over land, especially after the passing of the Tenancy Acts. However, the landlords were still left with considerable power to increase the rate of rent without taking initiative in agricultural development. Indeed, the tenancy laws left sufficient scope for the landlords to increase the rate of rent payable by *raiyats*. It may be safely assumed that, under conditions of growing pressure of population on land, the landlords took the advantage to increase rent per unit of land⁵⁶.

It is difficult to estimate the extent to which rent per *acre* of land increased in Malda in the nineteenth century. Based on the Collector's report, Hunter had furnished the following list of the average rates of rent prevailing in the district in the year 1842 : Rs. 1 per bigha for homestead land, 4 *annas* per bigha for two-crop land, and 3 *annas* per bigha for winter rice land. Hunter further noted that during thirty years after 1842 rates of rent were undoubtedly enhanced. It was particularly noticeable in *pargana* Shershabad where rent was increased by one-third⁵⁶. In 1888 the prevailing rates in the north of the district, were Rs. 3 for homestead land, 8 *annas* to Rs. 1 for paddy land, giving for an average holding of 15 *bighas* an all-round rate of 13 *annas* per *bigha*⁵⁷. In the second decade of the twentieth century the prevailing rates were Rs. 4 for homestead land; 12 *annas* to Rs. 1 for winter rice land; 8 *annas* to 10 *annas* for boro land; Rs. 1 to Rs. 4 for mulberry land; 8 *annas* to Rs. 1-8 per bigha for two-crop land; 4 *annas* to 10 *annas* per *bigha* for one crop *rabi* land⁵⁸.

The figures show progressive enhancement of rent. Illegal enhancement of rent, in fact, was the order of the day⁵⁹. The tribal people were the most susceptible to pressure by the landlords. Competitive rates and rack-renting were noted specifically in areas where there was an influx of tribal migrants. In Malda the average rate of Rs. 2 per acre went up to Rs. 3 and more in the Barind tract, which was colonized by the *santals* and other tribals. The Deputy Commissioner of the Santal Parganas wrote in 1888: "The district (Santal Parganas) has now been filled up, and is overflowing into Malda. Symptoms of pressure are appearing as inferior land is being taken up" ⁶⁰. The usual practice was to carry out an estate survey to reduce the existing standard of measurement and to assess rent at the same or slightly increased rate. For instance in the estate survey a *bigha* would be measuring 80x80 cubits, whereas the earliest measurement had been 90x90 cubits; thus increasing the plot under survey in area on paper though the tenant did not actually get any increase. The same result might be obtained by altering the lengths of the cubits⁶¹. In some estates, the cubit measured 18 inches, but by adopting the cubit equivalent of 16 inches would effect an increase in area on paper. The Chanchal Estate derived benefits this way in 1904 and the increase in rent amounted to eight *annas* a rupee. The Talanda Estate in Gomastapur and Nachol *thanas* was surveyed in 1917, excess rent was demanded for the excess area and an illegal enhancement was made⁶². In the absence of any registered *kabuliyats*, there was no proof that the original settlement of rent was based on an area found after survey and the enhancement was cut down under section 29 of Bengal Tenancy Act, as it was excess of the allowable limit.

A concerted movement resulted out of the problem, leading to stoppage of paying taxes, and the tenants availed of the opportunity of the attestation work in 1931-32. The Monakosha estate owned by Moulvi Jahur Ahmed Chowdhury was surveyed and effected an enhancement in 1931, which was resisted by the tenants. News of oppression and torture on the tenants by the landlord's agents reached the district administration and it asked the zamindar not to enhance the rent arbitrarily⁶³. The Taherpur estate of Sashisekhareswar Roy caused illegal enhancement by circumventing the provisions of section 29 of Bengal Tenancy Act by amalgamation or splitting up of tenancies. Two enhancements were made in twenty years, but the landlords safeguarded themselves by taking *kabuliyats*. Many holdings that had been made *khas* by rent sales were lying uncultivated. Deeply aggrieved at the attitude of the landlords on the question of enhancement of rent, the tenants socially boycotted the estate employees in Gomastapur and Nachole *thanas* for about six months⁶⁴.

In most estates, rent receipts were not properly issued which proved to be a source of future trouble. The most common form of illegality was to accept part payment of rent and to refuse rent receipts until the full payment was made. Even if payments were made, along with *abwabs*, rent receipts were often issued after a few days. Fines were imposed on the Singhabad and Bulbuli zamindars under section 58 of the Bengal Tenancy Act, but the situation hardly showed any signs of improvement. The rent receipts suffered from other irregularities like not mentioning the area, or showing the year for which payment was made. This was aimed at realizing arrears having long been time-barred in some estates, particularly the Bulbuli estate, as such estates continued to carry over such unrealized rents in registers⁶⁵. The

Bulbuli estate had claimed enhancements, which were denied by the tenants. The unpaid enhancement were entered as 'arrears' in estate accounts for many years, interest was charged on it and consequently it was not uncommon to find a tenant with an annual rental of Rs. 5 showing an outstanding rent to the tune of rupees two thousand. As such, it was not possible for the tenant to know which year the payment had been credited to. The system allowed the landlord to credit all payments to the oldest arrears, keeping a holding perpetually in arrears of rent and liable to be sold away at any moment. The Bulbuli estate was also guilty of the deliberate destruction of rent receipts, obtained from tenants on various pretexts⁶⁶.

Some other oppressive practices strained the relation between the landlords and the tenants. One of the most common practices in the Barind was the increase the area of the *kamat* or farm of the landlord by forcibly adding land from tenants' holdings. Of course, no reduction of rent was given in exchange for this land grabbing⁶⁷. The Shah zamindars of Porsha conceived the device of taking away the tenants' rights by bogus settlement with various relations, and issuing rent receipts to the tenants in which they were shown as under-*raiyyats*. When the relationship between the landlord and the relatives was examined, the fraud was exposed. It was then become known that no rent was actually paid and that there was no relationship existing⁶⁸. In the Habibpur *thana*, the *ejmali* estates – those of Bulbuli and Singhabad used to realize the full rent of holdings instead of part rent according to their shares. These estates were partitioned amicably based on the record of rights⁶⁹. Many landlords in Barind distrained the crops of their tenants, though formal complaints hardly came to the administration. 'Begar' or forced labour was also in vogue in Barind where the tenants seemed to be under the impression

that they were legally bound to submit to it. Even during the days of Carter, the tenants in Barind used to work at the landlords' houses on festive occasions, and in some other estates they were required to cultivate the landlord's *khamar* land⁷⁰.

FURTHER EXACTIONS IN THE FORM OF ABWABS

What has been said above only relates to legal rent collections. Over and above the rental shares, landlords of Malda were able to demand more produce in the form of *abwabs*. Sashisekhar Ghosh in his 'Jamindari – darpan' (Narail : Manager's office, 1896) gives a list of *abwabs* prevalent in different parts of Bengal. These include, besides the usual impositions on ceremonies, office charges, unpaid labour, etc. an income-tax *kharcha* to cover the income tax payments of the zamindar, professional charges on barbers, cobblers, midwives and prostitutes, an *ankora salami* for allowing illegal trade in salt, and *rasad kharcha* for entertaining government officials visiting the estate⁷¹. In Bengal rent consisted of two parts, viz., legal rent and illegal cesses. The latter was usually called *abwabs*. *Abwabs* were widespread, paid by both cash and produce paying tenants, dating back to Mughal times⁷². Landlords were strictly prohibited by the colonial government from imposing them. Nonetheless, it was an open fact that they never stopped exacting *abwabs*. Of course, as Nariaki Nakazato observes, one may well condemn landlords for collecting these arbitrary and oppressive exactions and the government for not taking stringent measures to prevent it. However, the fact remains that *abwabs* were deeply rooted in the realities of landlord-*raiya*t relationship in rural Bengal⁷³. On balance, however, the importance of the *abwabs* appears to lie more in their role as a medium for framing rural social relationships than in its role as a lever of economic extortion. In fact, they afford the key to a

deeper understanding of the zamindari system. In studying *abwabs*, J.C.Jack's following remark must always be kept in mind⁷⁴:

'Above all the *abwabs* is sweet to the landlord himself, because he tastes in it the joys of royal power. He feels that as the recipient of rent he is merely the lord of land, but as the recipient of Sadiana, Nazar, fines and other levies he is the lord of subjects'.

Anyway, we shall, refraining from criticizing the *abwab* system, try to carry our discussion on the landlord-*raiyat* relations forward by examining different types of *abwabs* prevailing in rural Malda.

Abwabs at varying rates were imposed by all estates in the district. It was estimated that the total amount realized as *abwabs* would not be less than the land revenue of the entire district⁷⁵. The greater part of the *abwabs* went in pockets of the *gomastas*, but in some cases, the landlords also took their shares. M.O.Carter has left an illuminating record of these *abwabs* prevailing at the time of the settlement operations⁷⁶. Tahuri, the perquisite of the *gomasta* or *naib*, amounted to not less than two *annas* in a rupee; and *peadagan*, the perquisite of the underlings of the *naib*, to one *anna*. In many estates, one *anna* was also realized as the cost of rent receipt and various levies were made because of social or religious ceremonies. Some estates realized the cost of their rent-collecting agency; one estate levied a tax when marriage ceremony took place in a tenant's house, the rate being Rs. 5/- for a son and Rs. 2 – 8 for a daughter. The Harishchandrapur zamindars realized one *anna* in the rupee as a contribution to their dramatic club and the Chowdhury estate of Englishbazar collected a tax in Gazol p.s. on each plough. Some estates realized *abwabs* in the name of deities, but

appropriated the major portion themselves; and most estates made special levies on various ceremonies in the landlord's house, such as marriages or funeral ceremonies, or for the purchase of a motor car, an elephant, or a gun. The Chanchal estate realized *tahuri* at one *anna* in the rupee. Generally speaking, Carter stated, there was little complaint against the imposition of small *abwabs*; it was only when the landlord's agents became too greedy that the tenants complained, and in Malda their rapacity in some estates was perhaps unequalled⁷⁷.

Abwabs were universally realized by every landlord of the district but the rates were, however, higher in Barind. Ignorance of the tenants facilitated the realization. In many cases the tenants, particularly the *santals* did not even know the actual rent they were supposed to pay; the amount realized as *abwab* was totalled with the rent and the reckoning was on the total amount paid⁷⁸. Barman, in his 'Report on the Condition of Santals in Malda, 1934' stated, 'A Santal's legal rent was Rs. 12. For years, he used to pay Rs.18 to the *gomasta* and he knew that Rs.18 was the amount payable for that particular holding. When a newly appointed *gomasta* asked for the legal rent, the Santal replied that Rs.12 must be the rent of some other holding and not of his'⁷⁹. Carter's estimate was that a *santal* paid at least one-third of his legal rent in additional *abwabs*⁸⁰. Carter identified systematic under payment to the zamindari staff as one of the potent causes for the development of the system of *abwabs*. With the exception of well-managed estate like Chanchal, most estates paid their *naibs* or *gomastas* a monthly salary of ten rupees, five rupees, or even less. 'Such underpayment was nothing but a deliberate incitement to realize *abwabs*'⁸¹.

Therefore, in the light of above discussion, it may be stated that the zamindars of Malda levied every sort illegal cesses or *abwabs* on the most frivolous pretences. The demands of the zamindar upon the *raiya*ts were almost endless, and they had to meet them one by one. This prevented the economic development of the peasantry and prolonged the *mahajani* or usurious money-lending business. Payment of *abwabs* was illegal, yet government officials like Hunter, Lambourn and Carter repeatedly complained that the practice continued in rural Malda. The *abwabs* were a means of exacting even more from the sharecropper over and above the share of the crop. Along with deductions for loans, this could mean that the sharecropper walked away from the threshing floor virtually empty-handed⁸². This was an inherent characteristic of sharecroppers' circumstances and propelled the sharecroppers towards indebtedness.

RURAL CREDIT RELATIONS, INDEBTEDNESS AND LAND ALIENATION

No aspect of Indian economic history has been more written about and none left in a more confused state than the subject of rural moneylending⁸³. Indebtedness was, in fact, a chronic problem in Bengal rural scene. A hierarchy of sub-infeudatories with the zamindar at the top and the actual cultivator at the bottom created the rural structure. Money economy was nurtured where cash payment, high value and scarce supply of money led to the continuous development of usury in the agrarian scenario of Bengal⁸⁴. The Provincial Banking Enquiry Committee, Bengal reported that the moneylender was a necessity in the agrarian system of Bengal. "He alone is in a position to provide the bulk of the capital required for current agricultural needs and on a recurrence of severe distress, he will continue, as in the past, to support the people by timely loans"⁸⁵.

During our period of study, the professional village moneylender was not a common phenomenon in Malda. According to the 1921 census, in Malda the number of persons whose principal source of income was money-lending stands at 76 per lakh of the population⁸⁶. If the accounts of Buchanan-Hamilton are taken under consideration, it can be stated that most of these *mahajans* in Malda were Bengalis, but a good number of Marwaris particularly in Old Malda, were engaged in the business⁸⁷. For a brief period in the later nineteenth century, the *mahajan* was able to siphon off the peasant's surplus through usury interest, while the landlord was unable by either law or the *lathi*, to collect the full rent⁸⁸. Abdul Hamid Shah in his Bengali tract, 'Krishak Bilap' published in Mymensingh in 1921, has graphically portrayed this type of professional *mahajan*: 'The debtor who regularly made his interest payment from the year's income from agriculture, the *mahajan* loved more than his eldest son. However, he damned that debtor, the poor wretch who in three years would have been unable to pay a pice towards interest or principal. After three years, having impatiently waited through the period of limitation, he would eventually calculate the compound interest and put in a claim in the court for more than ten times the principal, and obtain a decree towards principal, interest and costs amounting to fifteen times the original outlay'⁸⁹. In the 1870s, Hunter noted the presence of a money lending class in rural Malda whose main business was shop keeping and trade. They were mainly drawn from the intermediate castes like Sahas, Tilis and Baniks⁹⁰. Lending out money on bonds to the debtors was an ordinary feature. A good number of such types of *mahajans* in Malda were involved in Jute and paddy \ rice trade⁹¹. The expansion of rice and jute trade in Malda enlarged the credit needs of the peasantry. They needed the cash in the lean period before a

harvest. The trader-moneylenders used a form of credit known as *dadān* or advances on the security of the crop⁹². It is to be noted here that in 1939, eight districts in Bengal were 'surplus' in rice and paddy and Malda was the one among them (the other seven districts were Chittagong, Bakarganj, Dinajpur, 24 Parganas, Birbhum, Midnapore and Burdwan)⁹³. Moreover, nearly 90 percent of all big rice mills in Bengal were located in the six districts of Malda, 24 Parganas, Burdwan, Birbhum, Midnapore and Hooghly. It was in these districts of Bengal, plus Dinajpur and Rangpur, that rice played an important role as a cash crop⁹⁴. In an economy where the subsistence crop was also the principal commercial crop, paddy as the currency of lending continued to be of considerable importance⁹⁵.

At the turn of the century, a new money lending class appeared on the scene of Malda as well as of Bengal as a whole. They were joteder rich peasants who also engaged in money lending and agricultural processing industries, such as rice mills⁹⁶. As Sugata Bose observes, there can be little doubt that landlords – large, medium and small – owning *golas* (barns) of various sizes, together with a small segment of surplus peasants, were the chief rural creditors in the early twentieth century⁹⁷. In Malda, Carter observes, loans were granted on promissory notes and on hand notes. The moneylenders entered repayment towards the principal and the annual interest on the back of the bond or in the *hat-chita*, and separate receipts were not given⁹⁸. Mahajans insisted on punctuality in interest payment because that was their main liquid capital⁹⁹. As Carter noted, in Malda 'the local *mahajan* has a limited clientele and it is more profitable to him to keep on collecting interest, as far as he possibly can, than to realize his capital. Taking interest on smaller loans at 36 percent, and allowing for the accounts being made out half-yearly, he can get

back his capital in a little over two years. He therefore endeavors to screw as much interest as possible out of the debtor, and is even content to forego interest in bad years, if he sees a fair prospect of resuming collections later on¹⁰⁰.

B. B. Chowdhury has identified payment of exorbitant interest to the *mahajan* as the basic cause of the increase of indebtedness¹⁰¹. Usurious rates of interest were commonly charged in all the districts, but the rates were even higher in east and north Bengal than in west and central Bengal¹⁰². It was observed that interest on loan to agriculturists given on the security of land generally varied from $18\frac{3}{4}$ percent to $37\frac{1}{2}$ percent per annum. Interest on loans given without security was much higher, sometimes as high as 300 percent per year¹⁰³. As regards Malda, Hunter observed in the 1870s that local *mahajans* usually charged an interest of 12 – 18 percent per annum on loans given to cultivators when his land was mortgaged. In the case of petty advances to cultivators, whether the lender has only the personal security of the borrower, the rate of interest was from $37\frac{1}{2}$ percent to 75 percent per annum¹⁰⁴. In the late 1920s, the Report of the Bengal Provincial Banking Enquiry Committee gives the following comparative estimate of the rates of interest charged in the different districts:

Table 2.8 Moneylenders and Rates of Interest on Loans Charged in some Selected Districts of Bengal 1929 – 30.

Districts	Number of moneylenders per lakh of population	Rates of Interest (%)
Malda	76	$10\frac{3}{4}$ – 75 p.a.

Murshidabad	45	18 – 120 p.a.
Rajshahi	68	$18\frac{3}{4}$ – 75 p.a.
Dinajpur	60	24 – 75 p.a.
Rangpur	82	$37\frac{1}{2}$ – $66\frac{1}{4}$ p.a.
Jalpaiguri	56	10 – 50 p.a.
Darjeeling	70	30 – 60 p.a.

Source: Report of the Bengal Provincial Banking Enquiry Committee 1929 – 30, vol. I, Bengal Government Press, Alipore, 1930, p. 198

In spite of this high rate of interest, the agriculturists in Malda, as elsewhere in Bengal, had no other option but to borrow money from the *mahajan*. As Lambourn observed in the second decade of the twentieth century, most of the people in the district had dealings with the moneylender and a succession of bad harvests would throw them in difficulties. In this way numbers of occupancy *rai-yats* in the scarcity of 1874 became *adhians* on their own land, particularly in the poorer parts of the Barind¹⁰⁵. Now two pertinent questions arise:

- i) Why the rates of interest in Malda and Bengal as a whole were so high?
- ii) What led the peasants to borrow in spite of this extortionate rate of interest?

As regards the first question, the following reasons furnished by the Central Banking Enquiry Committee and the Bengal Provincial Banking Enquiry Committee may be quoted here:

- a) Absence of any substantial asset on the part of the cultivators to be offered as security for loans.
- b) Paucity of credit facilities from any other source.
- c) Shortage of capital on the part of the moneylender himself.
- d) High expenses of collection and management of loans.
- e) Unwillingness of the cultivators to go to the cooperative societies for fear of publicity and unlimited liability.
- f) Lack of awareness and timidity on the part of the cultivators¹⁰⁶.

M. O. Carter, in his Report on the Survey and Settlement Operations in the District of Malda 1928-1935, advanced more or less the same reasons. He stated that the cooperative movement had done something to provide credit on reasonable terms, except in Barind where the *mahajan* was still supreme. The work of cooperative societies was constantly being misrepresented by *mahajans*, who ascribed to the system various imaginary pains and penalties in the event of non-payment. In fact, in Barind the *mahajans* enjoyed almost monopolistic position due to absence of any other source for credit, which was one of the important reasons for such high rate of interest not only in Barind but also in the district as well¹⁰⁷.

Regarding the second question, it may be stated that in spite of high rate of interest the cultivators of Barind and other parts of Malda as well had to

borrow from the local *mahajan*. With reference to Bengal as a whole, it was observed by the Bengal Provincial Banking Enquiry Committee in 1929 that the conditions of borrowing were such that a big share of the income of agriculturists was eaten up by interest and other charges, making repayment of loans very difficult. Debts were often repaid by further loans¹⁰⁸. It has been often argued by the British officials that litigation, expenditure in social and religious ceremonies were the major reasons for indebtedness. Branding the Malda cultivators as extravagant at times of good harvest, M. O. Carter held the view steadfastly that the performance of social and religious ceremonies and idleness on the part of the cultivators lay at the root of agricultural indebtedness. 'More than half of the cultivators' debts (in Malda) are incurred for expenditure in social ceremonies. Idleness and social extravagance are inherent in the character and customs of the region. If the *santals* get a good crop of winter paddy, they are perfectly happy to sit idle for the next six months. This is largely true of other classes also, especially those who live in the Barind, and are almost entirely dependent on one crop.... The Barind, although less fertile than other parts of the district, is quite capable of producing other crops such as vegetables, potatoes, sugarcane, and so forth. The same slothfulness is apparent in the entire of the district, where the area under mango garden steadily increased, until it received a setback during the years of depression. The reason for this increase that a mango garden, once it is laid out and bearing fruit, provides a regular income with the minimum of labour and expenditure. As a general proposition, it may be said that the average cultivator loses a considerable annual income through no other reason than his own idleness"¹⁰⁹.

However, the reasons put forward by Lambourn, Carter or other British officials to explain agricultural indebtedness in Malda in the first four decades of the twentieth century are not tenable in the light of later researches on the agrarian history of modern Bengal, which, we presume, may be equally applicable to Malda as well. It has been established beyond doubt that extravagance, improvidence and idleness on the part of the cultivators did not play any remarkable role in the aggravation of rural indebtedness¹¹⁰. The assumption that social ceremonies and litigation were the main causes of agrarian indebtedness was further challenged in the Bengal Provincial Banking Enquiry Committee Report, which declared that, 'paradoxical as it may seem, the real cause for improvidence is poverty, very little surplus is left to the Bengal agriculturist after meeting his bare necessities, so much so that it is difficult even for the necessary depreciation on capital, not to speak of specially unfavorable circumstances among men or cattle, absence of seasonal rainfall and unusually low prices of jute.... In fact, conditions are so uncertain that the agriculturist is compelled to discount his future income in any terms to relieve present necessity'¹¹¹. Debts were incurred principally by peasants mainly for:

- i) Payment of the rent of the zamindars.
- ii) Payment of old debts and interest.
- iii) Maintenance of the family until the next harvest.
- iv) Purchase of agricultural stock, such as seeds, cattle and implements¹¹².

Indeed, agricultural debts in Bengal were predominantly for purposes of maintaining a minimum level of subsistence¹¹³.

VOLUME OF RURAL INDEBTEDNESS IN MALDA

It is not easy to ascertain the volume of indebtedness in rural Malda due to paucity of evidences. Nevertheless, it is reasonably clear that indebtedness was widespread and that its volume was steadily increased during the first three decades of the twentieth century. It was observed in the Report of Survey and Settlement Operations in the District of Malda 1928 – 35 that the vast majority of cultivators were in debt, though no statistics was given¹¹⁴.

The Bengal Provincial Banking Enquiry Committee made the first estimate of the total agricultural debt in Bengal in 1929. It suggested a figure of Rs.100 crore, including Rs.6 crore worth of paddy loans. It further determined the average debt of rural families at Rs.175¹¹⁵. In 1933, The Bengal Board of Economic Enquiry calculated the total debt of the occupancy *raiyats* and *raiyats* at fixed rent at 97 crores and the family average at Rs. 187. As to the extent of indebtedness, it had estimated that 77% of all Bengal agriculturists were in debt in 1933¹¹⁶. From the report of the Bengal Board of Economic Enquiry, we get an estimate of the volume of agricultural indebtedness in Malda. It is to be mentioned here that the Board of Economic Enquiry classified the agricultural debtors in the following categories: group 'A': Solvent – whose debts do not exceed twice their income after deducting the food they consumed; group 'B': doubtful solvency – those whose principal debts do not exceed from year's income; and group 'C': whose debts exceed the latter figures¹¹⁷.

LAND ALIENATION IN MALDA

Therefore, it may safely be concluded that a large number of agriculturists, not only in Malda but also in Bengal as a whole, became dependent on a regular supply of credit, which had in turn led to the surrender of a large part of produce to the creditors. On the other hand, in substantial number of cases such credit transactions ultimately resulted in alienation of landed property from the debtors to the creditors. By the time of the Bengal Tenancy Act of 1885, the sale of peasants' holdings was a fairly well established custom throughout the province¹¹⁸. Partha Chatterjee argues that 'indebtedness was the principal mechanism through which transfers took place'¹¹⁹. B. B. Chaudhury describes a stark 'process of depeasantization' in Bengal and Bihar between 1885 and 1947 – occupancy tenants in debt being reduced to sharecroppers and agricultural labourers without any rights on their own land. Most alienations, he asserts, can be traced not to the stresses and strains produced by occasional famines, but to the more permanent conditions of rural debt¹²⁰.

Transfer of land from the hands of the poorer peasantry was occurring in large numbers from the early years of the twentieth century, which, however, had increased significantly in the 1920s. The Great Depression of 1929 brought about a much greater indebtedness and pauperization of the poorer peasantry in Bengal. Thus the rate of transfers of *raiyyati* holdings again picked up from the mid -1930s¹²¹. The 1928 Amendment of the Tenancy Act legalized for the first time the sale and transfer of *raiyyati* occupancy holdings with the stipulation of a 20 percent landlord's fee and the landlord's right of preemption. It put a temporary halt to the customary sales. In spite of this, there were many other subterfuges available for the intending purchasers and

distressed sellers¹²². Cases were found in Malda of 'transfer by granting a sub-lease and making a negligible increase in rent. Cases were also found in which the parties to the transaction applied jointly to the landlord for mutation of the purchaser's name. The landlord accepted a transfer fee less than 20 percent of the sale price, and granted a rent receipt to the purchaser'¹²³. Partha Chaterjee, quoting Registration Department sources, gives us the following figures of the rate of transfer of occupancy holdings in Malda.

Table: 2.9 Percentage of Occupancy Holdings in Malda Transferred Annually by Registered Sales, 1929 – 38.

1929 – 30	0.99
1930 – 31	1.19
1931 – 32	1.10
1932 – 33	1.22
1933 – 34	1.07
1934 – 35	1.04
1935 – 36	1.10
1936 – 37	1.04
1937 – 38	0.84
Total : 1929 - 1938	8.60

Source: Partha Chatterjee, Bengal 1920 – 1947 : The Land Question, K. P. Bagchi & Company, Calcutta 1984, pp. 146 – 47.

In Malda land transfer from agriculturists to non-agriculturists took an alarming proportion in the Barind region where almost all the *santal* population of the district resided. Their ignorance, improvidence and illiteracy made them easy prey for the landlords' unscrupulous agents and the moneylenders¹²⁴. The attitude of the Hindus in the neighborhood to the *santals* was a contemptuous tolerance. To cheat a *santal* out of his land was considered a smart piece of work for which nobody had ever been assailed by moral qualms. The method which was commonly practiced and was easy also was to use the civil court, and by suppressing its processes to get an *ex-parte* decree. Carter mentioned a case where a *santal* had actually lost his holding because he had borrowed some salt from his mahajan¹²⁵. Instances of deliberate cheating were also in galore. A *khoskobala* was a sale deed, and a *khot kobala* was a form of mortgage. By substituting the word *khos* for *khot* in a mortgage deed, the transaction would become an outright sale. The net effect of 'rapacity, indifference and exactions had disastrous effect on the *santals* in Barind'¹²⁶. The *santals* lost occupancy rights on not less than one-half of the area held by *santals* to moneylender and other non-agriculturists and in the majority of the cases, they became *adhiars* without any rights. According to the estimate of Carter, at least in 25,000 acres, the *santals* had lost their occupancy rights¹²⁷.

The cultivators were thrown into the tentacles of debt leading to loss of landholdings due to crop failures, natural disasters and price fluctuations. The moneylender might retain the holding or put a relative as a nominal *raiyat* and the erstwhile *raiyat* became under-*raiyat* or sharecropper. Carter explained

the process of land alienation in this way: 'Let us suppose that a tenant has three holdings. He falls into debt and mortgages one of them, which are eventually sold up. The *mahajan* takes possession, and, according to the general custom, allows the tenant to continue on the land as an *adhiar* (sharecropper). The tenant bears all the expenses of cultivation and receives half of the produce as his share'. Subsequently further borrowing jeopardized another holding, until the cultivator became a sharecropper, : 'Cases were commonly found in which lands cultivated by *adhiars* were previously their occupancy holdings but had been sold up in rent or mortgage sales'¹²⁸. Chapter VIIA of the Bengal Tenancy Act was extended to the *santals* in Malda in 1923 and to the *oraons* in 1927. Under its provisions, no aboriginal can transfer land by sale or mortgage without the collector's permission in writing. This enabled the collector to look into each such case. Unfortunately, law did not empower the collector to impose his decision on the moneylender who denied advancing money in most cases, and there was no law under which he could be compelled to do so¹²⁹. There was nothing to prevent him from taking a note of hand (*hatchita*), suing in the civil court, obtaining a decree and dispossessing the *santal* of his holding¹³⁰.

Numerous cases were mentioned in the government reports narrating how the sharecroppers of Barind were being dispossessed of their landholdings due to their ignorance and illiteracy. K. C. Barman in his report mentioned a case where a *santal* was advised by the *gomosta* that he owed the zamindar fifteen rupees by way of arrear taxes. Not being able to pay forthwith, the tribal requested for time. The *gomosta* told the *santal* that he would be kind enough to permit the *santal* to repay the arrear rents in weekly instalments of three *annas* on the weekly *hat*- day if the *santal* offered him a turban of *mulmul*. The

santal agreed and bought the turban on loan, worth five *annas*, from the shop of a *mahajan*, and continued to pay rent as agreed to the *gomosta*. After about seven years, the tribal was dispossessed of his holding of seven bighas by a decree of the civil court for an accumulated loan of Rs. 200/- - this land was taken over by the *mahajan* himself¹³¹. Some other glaring cases of cheating the *santals* of land were also mentioned. "A *santal* had to lose 15 *bighas* of land for purchasing a dietz lantern on credit. Another borrowed Rs.25 in 1925 and in 1928 paid back Rs. 26, and 1930 Rs. 45. But this year the *mahajan* has obtained against him a decree from the civil court of Nababganj for Rs. 195 plus costs"¹³².

In fact, the easiest way to dispossess the sharecropper of his land was to use the civil court, and by suppressing its processes to get an *ex parte* decree. This practice was generally followed in the Barind, particularly against the *santals*, whose utter ignorance of law and procedure made them easy victims¹³³. *Mahajans*, *tahsildars*, touts – all resorted to this practice. Pleaders living in Englishbazar were also known to have purchased *santal's* holding in rent sale after suppressing notices. Carter, quoting the circle notes of Habibpur and Old Malda P.S., stated: 'In due course the mortgage is foreclosed, in the majority of cases suppressing the notice, and the property sold only to be purchased by the *mahajans*. The tenants in happy ignorance continue to till the land for sometime, when the *mahajan* takes mutation from the landlord, and proceeds to possess the land. Cases have been found where rent was paid but not credited to the accounts. Suits were instituted for the notices were suppressed, and the land was ultimately sold. The *tahsildars* did this in collusion with some in the locality to purchase the land in auction'¹³⁴.

The following three statements, recorded in the Report of K. C. Barman in 1934, would offer a clear picture of the working of the civil court¹³⁵:

Table 2.10 Statement of rent suits against the tribals and terms of their disposal.

Name of the court	Year	Total No. of suits	Terms of disposal			
			Ex-parte	On contest	Compromise	Dismissed
1st court	1928 – 29	48	40	--	1	7
	1929 – 30	225	198	3	--	24
	1930 – 31	51	47	--	--	4
	1931 – 32	93	78	8	5	2
	1932 – 33	123	105	1	14	3
	Total	540	468	12	20	40

Name of the court	Year	Total No. of suits	Terms of disposal			
			Ex-parte	On contest	Compromise	Dismissed

2nd court	1928 – 29	58	54	3	1	--
	1929 – 30	56	41	8	5	2
	1930 – 31	78	68	1	2	7
	1931 – 32	140	122	14	2	2
	1932 – 33	145	128	1	14	2
	Total	477	413	27	24	13
	Grand Total	1017	881	39	44	53

Table 2.11 Statement of money-suits on *hatchittas* against the tribals and terms of their disposal.

Year	Total No, of suits	Terms of disposal			
		Ex- parte	On contest	Compromise	Dismissed
1928 – 29	45	28	1	3	13
1929 – 30	74	39	6	12	17
1930 – 31	64	42	2	10	10
1931 – 32	50	38	3	9	--

1932 - 33	46	35	6	3	2
Total	279	182	18	37	42

Table 2.12 Statement of money-suits on mortgage deeds and terms of their disposal.

Year	Total No. of suits	Terms of disposal			
		Ex- parte	On contest	Compromise	Dismissed
1928 - 29	25	21	1	2	1
1929 - 30	21	16	4	1	--
1930 - 31	9	7	1	1	--
1931 - 32	20	17	--	3	--
1932 - 33	13	11	--	2	--
Total	88	72	6	9	1

It thus appears from the above figures that in the cases of rent suits, money-suits on *hatchittas* and money-suits on mortgage deeds, the percentages of *ex-parte* decree were 88, 65.3 and 82 percent respectively. It may safely be

concluded that the large number of *ex-parte* decrees was indicative of either suppression of notices or perfunctory execution of the same. This trend of land alienation, as observed by K. C. Barman, continued to exist even in 1934. The necessity of empowering the officials with legal powers to stop land alienation from the *santals* was recommended in his Report. K.C. Barman estimated that not less than 20 percent of the land belonging to *santals* had been expropriated from them over the years¹³⁶.

ECONOMIC DEPRESSION AND INTENSIFICATION OF LAND TRANSFER

As in other districts of Bengal, agriculture in Malda was based on loans from moneylenders because condition of the ordinary cultivator was a wretched one. The global Depression of 1929 further increased the indebtedness of the cultivators in Malda. As Saugata Mukherjee observes, indebtedness (in Bengal) rose quite sharply from the 1929 level over the next few years, because of the widespread distress caused by the Depression; although institutionalized credit had dried up to a large extent¹³⁷. The fall in prices of agricultural produce during the years of Depression dramatically reduced the income of the agriculturists in money terms. As the Collector of Malda reported in 1932, 'the fall in prices made the agriculturist unable to meet expenditure from his income. The price of necessary articles to cultivator like cloth, oil etc. has not gone down in the same proportions'¹³⁸. As a result, the old debts of the agriculturists along with their interest piled up. The debts exceeded far beyond their capacity to repay. It is reported from an enquiry made in a village at Old Malda p.s. in 1933 that of the 20 families of that

village, 72 percent were in debt. In almost every case, there was interest outstanding, which amounted to more than one-fifth of the principal¹³⁹.

According to Mahalanobis' calculations, the burden of debt, excluding unpaid debt and interest thereof, rose by 67 percent for the whole of Bengal between 1929 and 1934¹⁴⁰. Omkar Goswami, however, considers Mahalanobis' figures as gross underestimates for (i) they did not take into account unpaid loans before 1928 – 29 and interest thereof, and (ii) they excluded sharecroppers from the picture¹⁴¹. Nevertheless, Mahalanobis found that in 1933, when the Depression had not yet worked its way out of the system, 43 percent of the rural population in Bengal were indebted up to twice their annual income; 16 percent up to four times; and another 18 percent more than four times their annual income¹⁴². The poorest sections of the Bengal Peasantry were undoubtedly the worst sufferers in the Depression and post – Depression periods. The following table illustrates that income-debt ratio fell in all districts shown in 1933 from the 1928 level:

Table 2.13 Income-Debt Ratio for Average Agricultural Families in Selected Districts of Bengal for 1928 and 1933.

District	1928 Ratio	1933 Ratio
Malda	7.83	2.63
Rajshahi	2.05	0.62
Murshidabad	3.80	1.24
Rangpur	2.16	0.67

Birbhum	1.46	0.71
Source: S. Mukherjee, Agrarian Class Formation in Modern Bengal, op.cit., Table 2, P. PE 12.		

The Depression, moreover, led to the virtual disappearance of the professional moneylenders from Bengal countryside. The rate of repayment was decreased due to the growing insolvency of small and marginal cultivators. It made the business of money lending less profitable. The professional moneylenders usually lent money on the security of land mortgages. However, as the price of land and its produce fell sharply, it became extremely difficult for these creditors to realize either the interest or full payment in complete settlement of their loans¹⁴³. The professional *mahajans* had no interest in cultivation. To them land was only a transferable asset. In Malda they became increasingly wary of lending money to the cultivators¹⁴⁴.

After the passing of the Bengal Agricultural Debtors Act in 1935, all *mahajani* credit stopped altogether. The ground was prepared for the entry of better-off peasants into the field of rural credit left vacant by erstwhile *mahajans*. These were clearly men who were directly interested in control over agricultural land¹⁴⁵. By virtually controlling land and moving into the rural credit, they swiftly consolidated their power at the expense of *mahajans* and zamindars on the one hand and the poorer peasants on the other. A number of contemporary accounts of Malda vividly describe this new genre of jotdar-mahajan and method of their operation in Malda countryside¹⁴⁶.

Thus the Depression, fall in the prices of agricultural produce and price-rise of essential commodities had the cumulative effect of large-scale land alienation in Bengal. Defaulting on cash obligations led to debt, mortgages or sale of *raiya* and under-*raiya* land holdings. Government officials' fears proved to be true that, 'through the Depression, a large proportion of cultivator's land will be irrevocably lost to them'¹⁴⁷. The following table will illustrate the manner in which the *raiya* areas in Malda and some selected districts were transferred between 1928 and 1940.

Table 2.14 Transfer of *Raiya* Holdings during 1928 – 40 in Some Selected Districts.

District	Area enquired into (acres)	Transferred during 12 year		Transferred area cultivated			
		Area	%	Purchaser's family	Bargadars	Labourers	Under - tenants
Malda	1107.93	77.02	6.9	48.51	17.95	--	10.56
Dinajpur	6512.22	250.84	3.8	147.31	87.23	16.13	0.17
Rajshahi	5617.84	196.78	3.5	68.62	37.85	--	99.31
Jalpaiguri	4645.06	439.96	9.4	66.06	185.59	14.93	173.38
Rangpur	7964.30	380.60	4.7	80.60	144.92	10.73	144.35

Source: Report of the Land Revenue Commission, Bengal, B. G. Press, Alipore, 1940, vol. II, pp. 120-21.

LEGISLATIVE INTERVENTION IN THE DEBT PROBLEM

The widespread economic distress, caused by the Depression, led the peasantry in many districts of Bengal to riotous action against landlords and moneylenders. In Malda also, discontent among the poor cultivators were clearly visible. Barind region, in particular, were seething with unrest. On 10 November 1931, there was an armed conflict between the agents of the Shah zamindars of Porsha and the *santals* of Kulandanga and Gopalnagar. Amin Shah, zamindar of Porsha had purchased land measuring 448 *bighas* in auction from Malda court. When his men came to take possession of the land, a riot took place in which Bhakta Santal, Bharat Santal, Barka Santal, Jagu Santal and others attacked the zamindar's men with bows and arrows and injured a few of zamindar's men. The zamindar, in retaliation, opened fire on the santals injured few of them¹⁴⁸.

In 1932, an open revolt broke out in Barind under the leadership of Jitu Santal against *zamindar-mahajan* and the British *raj*. Such types of peasant movement broke out in other parts of Bengal as well which caused alarm in the official circle. The government was forced to initiate a series of debt legislation aiming to provide relief for the peasant debtor.

It needs to be mentioned here that the Government had already passed in 1919 the Usurious Loan Act. The Act authorized courts, in cases when interest rate was excessive and the transaction between them was substantially unfair, to reopen the transaction and to relieve the debtor all liability in respect of any excess interest. Nevertheless, the Act failed to give specific relief it had intended to afford. The next legislative measure for protecting the agriculturists from *mahajani* oppression was the Bengal

Moneylenders Act of 1933. The Act tried to limit compound interest, suggest maximum rates of interest recoverable in courts, and made registration compulsory for non-resident moneylenders¹⁴⁹. This Act, however, failed also to provide adequate relief for the agriculturists, as the prescribed rates of interest were too high for the debtors to pay. It was further alleged that it had upset the traditional basis of rural credit and accelerated the process of squeeze on *mahajani* credit. As Sirajul Islam observes, this legislation could not change the general economic law of demand and supply as the agriculturists' demand to credit was too high compared to its supply; and hence they had to pay a high rate of interest for credit, notwithstanding the protective legislation¹⁵⁰.

A new dimension was added to the Bengal political scene after the passing of the Government of India Act of 1935. The extension of the suffrage to peasantry made the members of the Legislative Council or Assembly more vocal for the interests of the peasantry. On 2 March 1934, in the budget speech, it was declared that 'the time has come to devise measures for composition and relief of the heavy load of agricultural debt The debt problem must be immediately trackled'¹⁵¹. Therefore, in 1935 The Bengal Agricultural Debtors' Act was passed aiming to relieve the burden of the debtors. It provided for the establishment of debt settlement boards to scale down debts according to the debtors' ability to pay. It was thought that the creditors would be benefited from the Act also, since in recent years 'the moneylenders as a whole had failed to collect any interest, much less any part of the capital of their outstanding loans'¹⁵².

Under the terms of this Act, Debt Settlement Boards were set up in rural areas in 1936. After Fazlul Huq's ministry took office in April 1937, Debt Settlement

Boards were set up district by district all over the province. By December 1938, the Boards had judged creditors' claims amounting to Rs. 367 lakhs and scaled it down in their awards to Rs. 179 lakh¹⁵³. Table 2.15 gives a comprehensive picture of the amount of debt reviewed by the boards in Malda from 1937 to the end of September 1945, and the extent to which debtors and creditors respectively made use of the debt settlement facilities.

Table 2.15 Operations of Debt Settlement Boards in Malda: 1937 to September 1945.

District	Appication received		Total amount of debt shown in applications	For all cases disposed of	
	Filled by creditor	Filled by debtor		Creditors claimed	Debt determined
Malda	32,831	25,358	2,07,67,258	69,61,362	49,92,494
Dinajpur	74,235	56,452	2,04,92,519	1,76,12,876	1,21,30,137
Jalpaiguri	8,017	9,800	61,34,726	43,00,732	36,26,287
Rangpur	1,28,750	76,375	2,29,99,197	1,88,57,949	1,36,15,382

Source: Cooperative Credit and Revenue Department Credit Branch, April 1947 B. Progs. 557 – 653 File IR – 14 / 46, WBSA.

The establishment of Debt Settlement Boards caused the moneylender to take alarm and throughout the period from 1937 to 1941 facilities for credit

had become progressively constricted. Since early 1938, there had been complaints from landlords' that the operations of the Debt Settlement Boards were seriously hampering their collection of rent. In the year 1940, the Malda Landholders' Association observed that, "The Debt Settlement Boards have completely failed to deal with the problem of agricultural debts. The defects are – (a) the Boards are inefficient and unable to interpret the law; (b) it is understood that the Bengal Agricultural Debtors Act has been enacted to evade payment; (c) the costs are enormous; (d) it has practically made it impossible for the *mahajans* to realize their dues and for the landlords to realize their rents from the tenants"¹⁵⁴. The Association further complained that in Malda agriculturist debtors flocked to the Debt Settlement Boards not for conciliation of debts, but for defrauding the creditors and landlords by abusing the rules of the Act. 'An impression has been firmly rooted in the minds of the agriculturists in Malda that they have been released from all liabilities of payment of debts as well as the rents due to their landlords. The Boards, on ordinary debts, rents and even decreed rents, allow unreasonably long-term installments, sometimes for twenty years or more. These installments are seldom paid and on failure of one installment the whole amount does not become due (as in the case under the ordinary law), but for each default of instalment the creditor or the landlord will have to pay for execution in a court of law within thirty days of the default and this fun of fruitless running after the debtor will continue for a good number of years, of course, the Act was conceived with the intention of helping the agriculturists, but it is so one-sided and is carried to such extremes, that the effect has been disastrous to the moneylenders and the landlords'¹⁵⁵.

To make Debt Settlement Boards' operation effective, the Bengal Tenancy Act was amended in 1938 with a view to restricting the usufructuary mortgage. In 1940, the Bengal Moneylenders' Act was passed aiming to impose further restrictions on loan transactions by the *mahajans*. All these legislative measures greatly helped the process of a squeeze on *mahajani* credit. The Malda Landholders' Association, in their reply to the questionnaire circulated by the Flood Commission specifically portrayed the rural scenario of Malda in this way. 'In times of difficulty, specially in case of failure of crops the agriculturists used invariably to get loans from their *mahajans* and sometimes from their landlords. But these Acts have compelled the *mahajans* and the landlords to stop any such advances, because, nobody can be expected to make advances of money when they knew full well that the money advanced will have little chance of being realized so long as these Acts are in force. During the last rainy season (1939), there has been abnormal flood in Malda and the people were in great distress. Government could not, and cannot, under the present circumstances, fully relieve this distress. Help from the *mahajans* and the landlords were necessary, but the people got much less help in the form of loans etc. this time than they used to get on such occasions before'¹⁵⁶.

However, debt was integral to the agrarian economy because of the credit squeeze in rural areas more rich peasants took advantage of the credit scarcity and turned to moneylending. They profited extensively from being able to charge high rates of interest. The causes of debt were never dealt with. The legislative measures introduced were inadequate or limited to short-term solutions. In fact, a qualitative change in the forms and nature of land transfer took place. The number of sale increased in a great degree, whereas

the rate of mortgage fell sharply. This ultimately helps depeasantization not only in Malda but also in Bengal as a whole.

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