

Chapter-II

Agrarian Relations and Agriculture in Bengal in Retrospect

2.1 Introduction

Undivided Bengal was always identified as being in possession of the most fertile land because it lay in the delta created by three great rivers –the Ganges, the Brahmaputra and the Meghna. Adequate rainfall, presence of abundant surface water, under ground aquifers and the prevalence of warm temperatures throughout the year made Bengal the ideal region for the growth of agriculture. Early travelogues and various historical accounts reaffirm this fact. Ibn Battuta, the Moroccan explorer who visited Bengal in the middle of 14th century, asserted that ‘this is a country of great extent, one in which rice is extremely abundant. Indeed I have seen no region of the earth where provisions are so plentiful’ (Yule, 1866:257).

Over the passage of time, productive techniques also experienced a process of evolution. Agriculture in Bengal has passed through the various stages of hoe-cultivation, migratory agriculture, permanently-settled cultivation and in turn new areas have been brought under cultivation in the resultant changes in production and productivity.

2.2 An Overview of Agriculture during pre-Colonial Era

Irfan Habib’s in-depth study on agrarian studies in Mughal India reaffirms the facts mentioned earlier by Bernier. He also made an implicit comparison between the Mughal period and the British period. To do so, he juxtaposed the statistical data on agriculture, compiled during the British period, upon the statistical information he gathered from Abū-l Fazl’s *Ā’in-i Akbarī* which adumbrate statistics during Akbar’s reign and *Chahār Gulshan* written by Rai Chāturman that dealt with Aurangzeb’s reign. According to him, since 1595, cultivation continued to expand and this expansion continued till 1910.

Study of agricultural practices reveals that the majority of the land was single-cropped but instances of double cropping were also found. In agricultural methods, drill-sowing and dibbling were familiar practices and rice was transplanted. Agriculture was largely dependent on rainfall but references of well-irrigation are also mentioned in Abū-l Fazl’s *Ā’in-i Akbarī*. A few large canals were excavated in Northern India and Haryana during Mughal period, especially in Shājahān’s reign (Habib, 1999: 29, 35).

A large numbers of crops (almost 39 in number) were grown during the Mughal period. Rice was cultivated in Bengal, Orissa, Assam valley, and in the Tamil country and Kashmir. No reference of wheat and millet cultivation could be found in those regions. Similarly, wheat and barley were grown in abundance in the central plains and Gujarat. Maize made an appearance as a *kharif* crop in eastern Rajasthan from 1664.

Among cash crops, cotton and sugarcane were cultivated extensively during the Mughal era. Cotton was cultivated throughout northern India and also in Bengal. However, cotton cultivation declined in the later period. Bengal was also a producer of good quality sugar in large volumes during Mughal period but production declined in the subsequent period. Indigo, the dye-yielding crop was grown in Agra, Ahmadabad, Telegana and Bengal. Opium was widely cultivated in the Mughal Age but its concentration was high in Bihar and Malwa. The cultivation of tobacco was introduced in the 17th century. Bengal was also famous for growing long pepper. Sericulture was widely practiced in Bengal as well as in Kashmir. Bengal was also a producer of large quantities of mulberry silk which was one of the important items of export during the Mughal period. However, this registered a huge decline during the 19th century in the hands of the British (*ibid.*: 40-57).

It is evident from the above account that Bengal had a dominant role in agricultural production of both food and cash crops with high export quotient during the Mughal period.

2.2.1 Tenurial Relations, Agrarian Structure, Peasantry and the Economy in the pre-Colonial Era

The central feature of the agrarian system in pre-colonial and ancient India was the extraction of surplus produce from the peasants by means of land revenue. The Mughal period was also not an exception. Thus, land relations, including the nature of ownership of land, land tenure systems, the economic condition of the peasantry, and overall economic conditions of the state also need to be closely studied.

It has been estimated by various historians that in different periods of ancient and medieval India, land revenues varied in nature from 1/12 to 1/3 of the produce. Since 13th Century, two kinds of rights of the cultivator were recognised. Firstly, cultivators who enjoyed all the customary rights without the apprehension of being evicted so long as they paid the rent, were known as *khud-kast* cultivators. The other category of cultivators was identified as *pahikasth*. *Pahi* or *upari* were outsiders who came from the other villages to cultivate the land. Lastly there were the *muzarian* or sharecroppers who rented land from the *Khud-kast*

peasants or the *zamindars*. There was also a small class of landless peasants who were also enrolled as casual labours in times of harvest and sowing etc. (Chandra, 1999).

In this context, sharecropping emerged as vitally important in determining agrarian relations and condition of the peasantry. From the various accounts of sharecropping in India and Bengal, authors were unanimous that sharecropping was as old as the country itself. Old Buddhist texts and Hindu law books of the ancient period bear testimony to the prevalence of sharecropping. In the 5th Century B.C., land belonging to Buddhist monasteries was cultivated by the sharecroppers because Buddhist monks were not allowed to participate directly in cultivation. The produce was divided equally between the monastery and sharecroppers. It is also mentioned in *sloka* 166, chapter IV in Manu that non-cultivating landlords leased out their land in lieu of a share of the produce. It is also mentioned in the 'Laws of Manu' that this share was to be one-sixth of the gross produce, and Manu mentions that this share might be raised to one-fourth in times of war or other emergencies (Powell, 1876). During the Mauryan period (from 321 B.C. to 297 B.C), cultivators were employed to cultivate farms owned by the Crown or the government in lieu of share of produce. If the cultivators provided seeds and bullocks, they received half of the produce but if they offered only their physical labour then they received one-fourth or one-fifth of the produce. Kosambi (1970: 150,152) also refers to Kautīlya's *Arthasāstra*, a famous manual of statecraft of the fourth century B.C. to prove the prevalence of sharecropping in ancient India. From Megasthenes's *Indica*, it is learnt that the Mauryan king Asoka, reduced the state share of crops produced from one-sixth to one-eighth.

On the question of communal ownership in pre-colonial period, the generally accepted view is that, 'the question whether the land was owned by the Raja, the *talukdar*, *zamindar*, the cultivator or the king was not a/the real question. Each had claim based upon custom or upon grants made by the king or a raja, or upon grants made by a *talukdar* or *zamindar*. But in addition to these claims each did or did not have the power to enforce his claims or to enlarge his claims. There was no appeal if a usurper had the power to usurp. The village did not hold its land common. Common were its officials and servants' (Neale, 1969).

Organised land revenue settlements were introduced during the reign of Akbar (1556-1605). The revenue system in vogue during Akbar's period had intended to accomplish two goals: the increase of revenue - of course, not by extortion but by the increase in cultivation - and the psychological security of the peasants. This was essential because the government was entirely dependent on land for its revenue. The European travellers who visited India during

16th and 17th centuries were unanimous in the notion that 'king was the owner of the soil in India'. The state bureaucracy, *zamindars* and *zamindari* officials, religious divines and religious institutions, learned men and learned institutions, survived on land grants of various types. People were primarily agriculturists or land tillers (*raiya*s) and semi agriculturalists (rural artisans, professionals) and derived their living from land. Low productivity of labour and production for survival forced the people to be tied up with land. The pre-colonial village economy was characterised by low-productivity agriculture and low forms of industries, and was hierarchically organised within the framework of the subsistence economy.

In the agrarian structure, *zamindars* were placed at the top and *raiya*s were at the bottom and the place in between was occupied by *taluqdars* and *ijaradars*. The lowest rung of *raiya*s had the least rights and privileges and the highest level of obligations which was just the opposite in the case of the *zamindars*. A *zamindar* was entrusted with the responsibility of collecting rent on behalf of the state and all agricultural surplus was extracted in the form of *jama*, *abwab* or illegal exaction, *begar* or free service, *bhet*, *nazr*, *salami*, or gifts etc. In lieu of this, a *raiya*t received lessening of rents and *taqavi* loan in case of failure of crops due to natural calamities. Through this munificence, 'self-subsistent rural order' was maintained during the pre-colonial period. Whatever agricultural surplus was generated was thus extracted by the government through taxation. Therefore, capital accumulation and exchange were ruled out and the *raiya*s were left with no option but to remain confined within simple reproduction system of self-subsistence village system. The manufacturers and artisans who settled or asked to be settled in the Mughal cities, were allowed to do so not to cater to the needs of the expanded market but to cater the needs of aristocracies and cantonment regiments (Islam, 2009:38-41).

There is also no reason to believe that the feudal structure had undergone a change, and agrarian relations were free from subinfeudation and exploitation. Unlike Europe, exchange of rural surplus with urban manufacturing never evolved, and as a result, village society was subject to exploitation, and urban aristocracies did not provide any protection or benefit to village society (Islam, *op.cit.*:39). A few historians have argued that from the second half of the 17th century a mercantile capitalist class was emerging through a process of exchange and reproduction process, and attributes like increasing exports, large circulation of silver currency and collection of land revenue in cash were used to justify the argument (Chaudhuri, 1975, Omprakash, 1976). This proposition was invalidated by Sirajul Islam. According to

him, 'non-economic origin' of the merchant class inhibited the growth of mercantile capital in Bengal. The then capitalist class was of two categories: the *bantias*, *mutsuddis*, *gomostas*, *paikars*, *dalas*, etc., accumulated capital in association and collaboration with foreign trading companies, and the other category of capitalists who primarily dealt with the government were bankers, *shroffs*, mint-contractors, financiers to *malguzars* etc., However, both the categories were only remotely connected with 'actual production relations and exchange' and hence pre-capitalist production relations prevailed.

As a result, capital formation, technological improvement, innovations, higher wage, improved living conditions etc. remained elusive in Bengal. Textile was the major item of export in Bengal during pre-colonial period but its production was solely dependent on the supply of capital from capitalists and demand was driven by 'capitalist customers'. Weavers did not have the capital and improved technology elevate themselves from the status of artisans to entrepreneurs (Chaudhuri, 1974:162-163). The high international demand of Bengal's textile was sustained by using traditional skill and low costs of production. The commodity production and its corollary, individual land-holding, must have necessarily ruled out any kind of equality in the village (Habib, *op.cit.*: 103-112)

During Mughal era, the regions comprising Ilahabad, Awadh, Bihar, and parts of Bengal had observed an increase in cultivation from 100 percent to 300 percent. The rise in cultivation was attributed to reclamation of land from sub-mountain. The second region that experienced an increase in the rate of cultivation was Berar and that can be attributed to massive clearing of the forests of Central India. The expansion of modern canal system had allowed the cultivation to expand in the Indus basin as well.

2.3 An Overview of Agriculture during Colonial Era

One of the major reasons for pursuance of the rights of revenue collection in the Bengal Presidency by the British East India Company was to establish a monopoly over the lucrative textile trade in Bengal and on the highly productive fertile land of Bengal. The statement made by Lord Cornwallis, the then Governor-General of Bengal in 1790 corroborated this fact by stating 'we have, by a train of most fortunate events, obtained the dominion of one of the most fertile countries on the face of globe, with a population of mild and industrious inhabitants, perhaps equal to, if not exceeding in number, that of all other British possessions put together' (Firminger, 1917: 542).

It needs to be mentioned that the East India Company received the Grant of *Diwani* (rights of revenue collection) of Bengal, Bihar and Orissa from the Mughal emperor Shah Alam II in 1765, and after Awadh was annexed in 1856, the present India, Pakistan and Bangladesh become part of the British territory (Roy, 2000:1).

The importance of the colonial period is paramount on various counts. Evolution of the tenancy system, the terms and conditions of tenancy contracts, and the impact of the prevailing tenancy structure on the level of agricultural production and productivity under colonial rule in Bengal has remained a subject matter of intense debate in social science research over the years. Therefore, to deal with agriculture in post-independence India and divided Bengal, the colonial era has worked as a natural precursor.

2.3.1 Evolution of Tenancy System in Bengal during Colonial Period in pre-Permanent Settlement Era

In the initial phase the East India Company worked as a trading concern by acknowledging the authority of the *Nawab* of Bengal and the Mughal Emperor in Delhi. The Company inched towards the pinnacle of political power by winning the famous Battle of Plassey in 1757. After installing a series of client rulers, East India Company finally got the Grant of *Diwani* (revenue collecting rights) of Bengal, Bihar and Orissa from the Mughal Emperor Shah Alam II in 1765 and their attempts to collect revenue brought considerable changes in agrarian relations in Bengal. Initially, they tried to work with pre-existing institutional forms. In the pursuit of increasing the *de facto* power of the Company, they took the initiatives to create a new administrative infrastructure. Since the primary aim of the Company was to increase its land revenue collection, and land taxes were closely linked with land ownership, this prompted the East India Company to bring about certain structural changes in the land revenue system, as well as the administrative and judicial systems in Bengal. *Zamindars* collecting revenues for Nawabs of Bengal were identified as natural intermediaries by the Company for collecting revenue. The *Zamindars* were a heterogeneous group. *Zamindars* having large estates, military capacity and judicial and administrative responsibilities could be called 'feudatory chiefs' and others who operated at smaller scale could be called 'landlord' (Bose, 1993:70). The *Zamindars* were placed at the top of agrarian hierarchy and they empowered the *jotedars* to collect tax. *Jotedars* used to enjoy occupancy rights to their land by paying customary rents to the *zamindars* (Sinha, 1962: 18, 27). *Jotedars* were also powerful at the village level and used to have tenants at their disposal (Ray, 1979: 6-7). The Board of Directors of the Company first introduced a quinquennial settlement or Revenue

Farm Contracts on a 5-yearly basis in 1772, and then a decennial settlement in 1789. Rights of the collection of revenue were given to the highest bidder through auction for a period of 5 years. Economic theory suggests that revenue farming has two negative outcomes. First revenue farmers, in the short run try to extract as much surplus as possible during their lease. Second, revenue farmers get trapped into “Winner’s Curse” of auction theory i.e., they overestimate the value of asset and therefore often default. These proved to be true for the revenue farmers of Bengal (Swamy, 2011:141-142).

This system of ‘time-honoured’ practice of revenue farm contracts forced the revenue farmers to resort to rack-renting and forcible collection, and as a result, the cultivating peasantry had to face an unbearable burden. It has been argued by economic historians that bullion control measures adopted by the Government in England had put pressure on the East India Company to increase its collection of land revenue from Bengal Presidency consisting of Bengal, Bihar and Orissa. The Company in India was bestowed with the responsibility of financing the collection of locally manufactured products in Europe, and to meet the expanding military expenditure which occurred because of the continuous pursuit of the East India Company to annex and occupy more regions of this subcontinent which was known as the Investment Policy of the Company.

2.3.2 The Permanent Settlement

These experiments however proved to be disastrous for the peasantry and Bengal had to face a famine in 1770. Rack-renting by the revenue collectors raised serious discontent and unrest among the cultivators and the Sannyasi Revolt (1763-1800), Midnapore Revolt (1766-1783), Chakma Revolt (Chittagong, 1776-1787) bear testimony to this discontent. Therefore, the British Government reached the conclusion that Bengal required a more durable settlement and in 1793 the Permanent Settlement was introduced in Bengal. Through the Permanent Settlement, the British ruling power ascertained its supreme right over land. The *zamindars* or landlords were identified as agents of the State for collecting and depositing the annual revenue which was fixed by the State in perpetuity for each estate. In lieu, the *zamindars* were granted proprietary rights of the estates. They were also allowed to sell or buy estates and get unhindered rights to obtain rent from their tenants.

Lord Cornwallis had conceived the Permanent Settlement on behalf of the British government anticipating that switching over to a fixed revenue system would encourage the *zamindars* – who had the sole responsibility for rent collection, land improvement and

management – to produce more, as had happened with English farmers in England. Since revenue payments were fixed, it would provide incentives to *zamindars* to maximise their income and in the process, accrued profit by the *zamindars* would be invested in agriculture. As a result, agricultural production and extension of cultivation would improve. Cornwallis asserted, 'Land property will acquire a value hitherto unknown in Hindustan and the large capital possessed by many of the natives in Calcutta which are now employed in usury or monopolising salt and other necessaries of life will be appropriated to the more useful purpose of purchasing and improving land', *zamindars* would turn into 'economical landlords and prudent trustees of the public interest' (Guha, 1963:172-173). It would also be beneficial for the State because the settlement would guarantee stable revenue and the cost of collection of revenue would also be minimised (Cooper, 1988: 21). It would therefore become imperative to protect the property rights of the *zamindars* to have a steady flow of revenue. Therefore, a hierarchical judicial system was set up: native Commissioners were given charge to hear suits for small sums at village level, the *Diwani Adalat*, (the civil court) was set up at the district level and the apex of the system, *Sadar Diwani Adalat*, was also created. However, Indians were kept out of higher judiciary on the pretext that they were corrupt.

It was further assumed by the colonial ruler that the coercion with the cultivators should be avoided since they were not directly collecting the revenue from the tillers of the land. Therefore, the peasant unrest would be minimised. In Permanent Settlement, it was conceived that a fixed rent would also be introduced for the cultivators but this never become a reality (Bandopadhyay and Krishnaji, 1983:4). Prior to the introduction of Permanent Settlement, the categories of landlords that existed in Bengal province were as follows: i. The Old Independent Chiefs like the Rajas of Cooch Behar, parts of Assam, Tripura etc., who maintained their territorial ownership by paying tributes to the Imperial power in Delhi. ii. The old established landlords (*bhuswamis*) like Rajas of Rajshahi, Burdwan and Dinajpur who were the *de facto* rulers of their estates and regions. iii. Revenue collectors having hereditary rights of collecting revenue appointed by Mughal rulers. iv. Revenue farmers who managed their own cultivation and simultaneously collected revenue.

However, after the introduction of Permanent Settlement, the various categories of landed gentry -- through a process of relegation and elevation -- were merged into the single category called *zamindar*. All were granted perpetual, hereditary, proprietary rights to the soil, subject to the payment of permanently fixed revenue to the *raiyats*. The revenue was fixed at ten-eleventh of the assets, i.e. annual gross rental and the remainder and in the

process one-eleventh was left for the landlords or *zamindars*. A group of sturdy, rich and less enterprising peasant class with proprietary rights emerged at the top by replacing a sizeable number of old *zamindars* who became the victims of Sunset Law or Revenue Sale Law under Permanent Settlement. The ordinary *raiyyat* remained at the bottom. An estimate has observed that within two decades of the operation of the Permanent Settlement, about half of the *zamindari* lands of Bengal changed hands (Islam, 1979). Old *zamindars* found it a difficult proposition to pay revenue on time because uncertainty in agriculture was quite high due to vagaries of monsoons and hence uncertainty crept in regarding paying rent on time. Thus, when the *zamindars* defaulted, they mounted pressure on the peasants, who deserted in some regions (Chowdhury-Zilly, 1982: chapter-V).

Prior to the introduction of Permanent Settlement, the *zamindars* had enjoyed enormous administrative and judicial powers but after the introduction of the Permanent Settlement, these traditional powers were seized. Thus, by and large, the *zamindars* perceived the Permanent Settlement as a bane. Gross indignation and insecurity crept into the minds of the *zamindars*, which had a severe impact on the psyche of old *zamindars*. The *Zamindars* never felt encouraged to invest their surplus for the improvements of their estates by investing in reclamation, irrigation, *taqavi* loans, storage, better livestock etc., because they considered that the opportunity cost of investment in purchasing new estates under cultivation, money lending, purchasing government bonds or shares of Agency houses were much higher in comparison to improvements of agriculture which was fraught with uncertainty. For the *zamindars*, three preferred areas of investment were observed: first, lending money to tenants, merchants and shopkeepers was considered to bring the highest return and it also allowed the landlords to exploit the tenants for their perceived indebtedness. Second, landlords preferred to invest in government bonds and shares of Agency because these investments would assure a ready income and it would also ensure government patronage that would enhance the landlords' social prestige. Third, surplus capital was also invested in purchasing new estates because it would allow creating permanent tenure at fixed rent in lieu of handsome money or *selami* (Islam, 2009:47).

The Four types of land tenures were prevalent under British rule and classified as under:

- i. permanently settled estates (revenue-paying) which were created during the introduction of Permanent Settlement;
- ii. Revenue-free estates created by the pre-British rulers and recognised and legitimised by the Imperial ruler during the introduction of Permanent Settlement;
- iii. Temporary settled estates that were created by the state with private persons as proprietors (this category was created after the abolition of Permanent Settlement);
- iv. Estates held directly by the Government (*Khas*). These estates were created after the introduction of Permanent Settlement, where in it was overtly announced that all land belonged to the state. The Table 2.1 provides an account of area under different categories of land tenures:

Table 2.1: Types of Land Tenure and Area under different Tenorial System

Type	Number held (in thousand)	Area (in million acres)	Percentage of Total
Permanently Settled Estates (revenue-paying)	94	37.37	80.7
Revenue-Free Estates	51	1.97	4.3
Temporary Settled Estates	4	3.34	7.2
Estates hold directly by Government (<i>Khas</i>)	4	1.65	3.6
Total	153	46.33	100.0

Source: *Government of Bengal (1945), Famine Inquiry Commission, Final Report, p.437*

For any future increase in the assets resulting from the extension of cultivation or other causes, *zamindars* were also assured of additional benefits. *Zamindars*, contrary to the expectation of the authors of Permanent Settlement, failed to increase the output and improve the condition of the peasantry. But to augment their income, they preferred transfer and reallocation of their rights and as a result a chain of intermediaries or intermediate tenures with large section of rent receivers were created between *zamindars* and cultivators. This process was termed as sub-infeudation (Baden-Powell, 1892; Guha, *op.cit.*). A study of Bakarganj district mentioned that in the early twentieth century, there existed as many as twenty intermediaries between cultivators and proprietor and one hundred and sixty-two terms were used to describe various forms of tenures and sub-tenures (Raychaudhury, 1979:167).

As a result, the burden of rent for the actual cultivators increased manifold. As pointed out by Ratnalekha Ray 'a traditional mode of production controlled by a creditor class of village

landlords persisted on the basis of a backward technology. Large-scale capitalist farming through increased capital inputs and improved technique, as envisaged by the farmers of the Permanent Settlement, did not develop in Bengal' (Ray, *op.cit.*). Thus Permanent Settlement and its failure raised questions on three important unsettled issues: 'first, what level of coercion could the landlord use on tenants? Second, how much freedom did he have to raise rents? And finally under what conditions could he evict a tenant?' (Swamy, *op.cit.* :146)

2.3.3 The Impact of Permanent Settlement and Bengal Tenancy Act on Agrarian Bengal

Corporal punishment and imprisoning of defaulting tenants was common in pre-colonial Bengal (Mclane, 1977:24). In the regulations of Permanent Settlement, the landlords were stripped of this extra judicial power. Therefore, *zamindars* constantly complained of non-realisation of rents from the tenants. In response, the East India company - in their continuous pursuit of increasing tax collection - introduced the Regulation VII of 1799 (known as *Haptam*) and Regulation V of 1812 (known as *pancham*) which gave the landlords and their intermediaries absolute and unrestricted authority to use all coercive force against the cultivators (e.g. seizing the crops, personal property, arresting and physical harassment) for realising rent arrears (Bandopadhyay and Krishnaji, *op.cit.*:5). Cultivators were subject to oppression and forced eviction, and land-alienation became the order of the day. A significant rise in the proportion of landless cultivators was observed in Bengal during this period (Bandopadhyay and Krishnaji, *ibid.*: 5). Therefore, the pious intention of the colonial rulers to bring in capitalistic development in agriculture, as it was the case for England, and minimisation of peasants exploitation and unrest, remained completely unfulfilled and unaddressed through the Permanent Settlement. These facts were also accepted by the then Government of India and it was observed that the desired effectiveness of the Permanent Settlement was not 'supported by the experience of any civilised country' and under this settlement 'cultivator was rack-rented, impoverished and oppressed' (Government of India, 1902:8). According to Land Revenue Commission (Government of Bengal, 1940: 35-36), 'the Permanent Settlement imposed on the province an iron-framework which has had the impact of stifling the enterprise and initiative of all classes of people'.

The failure of the Permanent Settlement put the government under serious financial strain because the administrative cost rose every year while government revenue remained stationary. The colonial rulers increasingly felt that the failure of the Permanent Settlement to augment agricultural growth and impending agrarian unrest made it imperative to devise strategies to protect the cultivators, while curbing and containing the power to use coercive

force by the *zamindars* and other intermediaries for realising rents. To accomplish these objectives, the Rent Act of 1859 was passed by the colonial government. This law restricted the landlords' power of raising the rent arbitrarily and their power to evict the tenants at will. The right to occupancy based on twelve years continuous possession of a plot of land was also ensured by the Rent Act of 1859.

However, the protection against rent revision and forcible eviction was extended to only two types of *raiyats*, namely *Paikasht raiyat* and *khud Kasht raiyat*, leaving numerous sharecroppers in the lurch. The act created conflict between occupancy tenants and *zamindars*. Brewing discontent among the peasant community culminated into an agitation and Pabna Riots forced the British Government to enact a broad-based tenancy legislation in 1885 which was known as Bengal Tenancy Act (B.T.A). The B.T.A limited rental increase to 12.5 percent with no further increase allowed for 15 years (Rothermund, 1982:104). The prime goal of this legislation was to plug-in the loopholes observed during Permanent Settlement and Rent Act of 1859.

It may be recalled that Rent Act of 1859 as well as Bengal Tenancy Act of 1885 were enacted after the Sepoy Mutiny of 1857. The political situation underwent a rapid change after the mutiny. Dissatisfaction was widespread among various classes of society because of the adverse impact of British policies -- more specifically, land and revenue policies. This growing discontent had exploded in the form of the Mutiny of 1857 that had posed a serious threat to the newly established British rule in the country (Joshi, 1957). Further, in Joshi's words, 'the Mutiny marked an end to the era of British change and innovation in the Indian institutional structure, specially the property structure' (Joshi, 1975:6)

B.T.A of 1885 defined the rights of the *raiyats* and the transfer of holdings also received legal protection. In addition, the earlier distinction between *Paikasht raiyat* and *khud Kasht raiyat* was also abolished and both became settled *raiyats* provided, they held any land in a village for 12 years. Furthermore, this legislation added various categories of tenants to minimise the exploitation of tenants in the hands of landlords as well as various rent-seeking intermediaries to check the increasing peasant unrest against the oppressive landlords and intermediaries, and to arrest the problem of continuous sub-infeudation in agrarian Bengal.

This act also created special provisions to ensure land rights for the tribals residing in Bengal. It was mentioned in section 89 of Bengal Tenancy Act that no ejection of tribal people from their land would be allowed without an execution of decree from the civil court. This act also

initiated a process of a record of rights and settlement of land revenue. The Bengal Tenancy Act had not only put restrictions on arbitrary increase of rents but also specified the rate at which rent could be enhanced. It was mentioned in the act that for secured categories of *rai-yats*, rent could not be enhanced more than 2 annas in the rupee (i.e. 12.5%). The Bengal tenancy Act was further amended in 1928 and 1938. Some major amendments included: holdings of *rai-yats* and under-*rai-yats* were made freely transferable, though pre-emption rights were granted to the landlords; occupancy rights were given to the under-*rai-yats* for tenancy over twelve years and burden of rent could not exceed one-third of gross produce (Government of Bengal, 1940: 25-30). Though these legislations seemed to be pro-tenant, however, the plight of the sharecroppers was enmeshed in legal ambiguity.

It was stated in clause 3(3) of Bengal Tenancy Act of 1885 that sharecroppers might or might not fall into the category 'tenant' and it depended on whether the sharecropper 'held the land and delivered a share of the produce on account of its use and occupation'. Only if the sharecroppers fulfilled this clause would they would be recorded as *rai-yats* or under-*rai-yats*, but this solely depended on the interpretation of the clause (Government of East Bengal and Assam, 1909). It can be said that B.T.A had 'strengthened the position of substantial landholders in the village vis-à-vis the *zamindari* but still left the lowest tier of the agrarian hierarchy unprotected' (Swamy, *op.cit.*: 148). Agriculture during the colonial era remained solely dependent on tenant cultivation (Table 2.2) who continued to face diverse kinds of oppression at the hands of landlords, intermediaries and money lenders. In spite of the fact that share cropping was used as an oppressive mechanism, sharecropping -- more precisely, the *bargadari* system -- was on the rise in 19th century Bengal and four possible reasons were cited by Radhakamal Mukherjee while replying to the questionnaire of Bengal Land Revenue Commission (1941):

- “1. The middle-class in Bengal which do not resort to cultivation, advance money to *rai-yats* and purchase occupancy holdings, resettling the *rai-yat* on produce rent for their convenience.
2. The increase is especially noticeable in such areas as Midnapore, Dacca, Faridpur and Tippera where there were numerous upper caste Hindu estates, where landlords resorted to agricultural money lending.
3. Some agricultural castes ape the manners of *Bhadroloks* and refuse to drive the plough and have acquired the habit of employing *adhiars* as soon as they acquire more than 12 to 15 *bighas* (4 to 5 acres) of land. This is marked in West Bengal.

4. The increase of transfer of holdings to non-agriculturists, marked in the recent years of agricultural depression, has led to the rapid and persistent spread of produce-paying tenancies.”

The Bengal Provincial Kisan Sabha provided some additional reasons in their memorandum to the Commission in support of the spread of sharecropping in Bengal. It was mentioned that “the landlord does this (encourages sharecropping) as it provides a very simple way of raising rents without recourse to courts.” It was further added that “growth of a type of landlord, the money lender-cum-landlord...At the same time he is a petty trader in jute or wheat or rice, very often the village grain trader or he may be interested in transport...But he is not intending to cultivate the land himself...Now to a landlord of this type the receipt of produce rents has every advantage; not only the highest rate well worth the extra trouble of assessing and collecting his half share, but and this is most important, this new type of landlord is already a trader in grain or jute. It will pay him, therefore, to take as rent the jute or grain grown by his share cropper rather than to take cash and then have to buy these raw materials for his business in the open market. In other words, he is rationing business vertically. Consequently we find amongst these new landlords it is the usual practice to have their land cultivated by *bargadars*.”

In the early 19th century, the failure of various legislations introduced by the colonial ruler to protect the economic and social plights of tenants in Bengal resulted in movements led by sharecroppers of varying nature, which continued to occur intensified from the beginning of the 20th century. In the 1830s, the Faraizi (Muslim reformist) movements led by Titu Miyan marked the beginning of the expression of economic and social tension in eastern Bengal, followed by tribal insurrection against economic oppression in Santhal Parganas which is commonly known as Santhal rebellion. Antagonism against the planter’s systems of indigo cultivation culminated in the ‘Blue Mutiny’ and the movement continued from 1870 to 1880. In 1909, in a village of Jessore district, Muslim sharecroppers refused to cultivate the land of Hindu-landlords on demand for two-third share of produce. With increasing population pressure on land coupled with absolute scarcity of fertile land, it became necessary to reclaim of forest and infertile land for cultivation. The uncertainties in agriculture caused the sharecropper movements to become more sporadic and widespread. The scenario did not change even after independence and partition of Bengal and Tebhaga movement of 1946-47 bears testimony to it.

Table 2.2: Percentage of 'Landlord', 'Tenant', 'Labourer' in the Agricultural Population of Bengal in 1921

Districts (East Bengal)	Landlords	Tenants	Labourers
Bakarganj	4.26	87.75	7.99
Bogra	1.99	89.24	8.77
Chittagong	9.55	72.53	17.92
Dacca	5.08	89.24	5.68
Faridpur	6.61	88.84	4.55
Khulna	5.73	85.68	8.59
Mymensingh	2.49	92.12	5.39
Noakhali	3.36	82.50	14.14
Pabna	4.12	88.28	7.60
Rajsahi	4.60	84.18	11.22
Tippera	1.93	93.87	4.20
East Bengal	4.52	86.75	8.73
Districts (West & Central Bengal)			
Bankura	4.18	68.39	27.43
Birbhum	2.00	62.38	35.62
Burdwan	4.19	68.42	27.39
Hooghly	4.87	68.57	26.56
Howrah	8.89	61.06	30.05
Jessore	6.94	85.34	7.72
Malda	2.12	75.99	21.89
Midnapur	2.37	80.45	17.18
Murshidabad	4.15	68.99	26.86
Nadia	7.85	70.05	22.10
24- Parganas	4.39	76.19	19.42
West & Central Bengal	4.72	71.44	23.84

Source: *Census of India 1921, Vol.5, Bengal, Part: 2 [Quoted in Bose, Sugata (1986):31]*

2.4 Agriculture during the British Raj: A Critical Review

It has been pointed out that average productivity declined after 1910-11 and became lower than even the Mughal period. (Habib, *op.cit.*: 21-23). This was bound to have a negative impact on the agrarian community. Thus, it is necessary to explore whether agriculture had suffered during the colonial period or not.

It has been explained earlier that the introduction of Permanent Settlement and subsequent changes in land settlements did not succeed in bringing in private investment in agricultural development and to break the spiral of exploitation meted out to the sharecroppers by the *zamindars*, *jotedars*, and intermediaries of varied nature and money lenders. This adversely affected the agricultural production and productivity in Bengal. Therefore, the possible causes of decline in agriculture in Bengal which once had been considered to be the best fertile strip on earth needs to be identified. A fleeting glance through the pages of various historical documents and studies allows us to identify several non-economic and economic factors responsible for the deceleration of agricultural growth and worsening of the economic condition of the populace in Bengal.

Accepting the fact that the whole of Bengal was an alluvial plain, the early 20th century Bengal could be divided into two parts - land of agricultural decline consisting of ecological zone of the old delta including West Bengal and Central Bengal and land of agricultural prosperity consisting of the new delta comprising East Bengal and the Ganges-Brahmaputra Doab corresponding to North Bengal (O'Malley, 1917: 3-16, Mukherjee, 1938: 110-113)

2.4.1 The Land of Agricultural Prosperity: New Delta and the Ganges-Brahmaputra Doab

Most of the districts in East Bengal were created by the active deltas of the Ganges and Brahmaputra. The area was subject to flooding every year and as a consequence, the region received a fresh fertile layer of silt every year. The delta so formed by these two rivers could be divided into two sub-regions. Districts of Dacca, Mymensingh, Faridpur and Tippera lie on the upper Ganges-Brahmaputra delta and the lower part of the delta consists of the districts of Bakerganj, Noakhali, Khulna and Chittogong.

Rich alluvial tracts of Dacca, Mymensingh, Faridpur and Tippera along with the Jamuna catchment area in Rangpur and Pabna and part of Rajsahi were suitable for multiple cropping. Aman rice and jute were two principal crops that were grown in this region. Abundant moisture and inundated plains of East Bengal helped to produce aman (one of the best quality grains among the traditional varieties of rice) in large quantity. Two varieties of jute were generally grown - capsularies which grew in low flooded land and oliotorious on higher land which produced superior fibre but had to be manured in the absence of inundation silt. Other than aman and jute, sugarcane, pulses, oilseeds, wheat barley, oats and tobacco were also grown in this region. (Mukherjee, 1938:43)

2.4.2 The Land of Agricultural Decline: The Ecological Zone of the Old Delta

The West Bengal and the Central Bengal is the oldest agricultural settlement in India. Excepting the western part (Birbhum and Bankura) which contained laterite formation, rest of West Bengal and Central Bengal was identified as 'semi-aquatic rice plain' (Bose, 1987: 37-38). In fact, from the 17th century, the rivers of the region started to change their course towards the east, and from the 19th century, the shift gained momentum. This caused the silting up of the rivers and simultaneous fall in sub-soil water levels which made the West Bengal and Central Bengal a zone of agricultural decline. Foothills of Himalayas as well as the districts of Malda, Dinajpur, part of Rajsahi and Bogra were also part of alluvial zone. The crops of old alluvial zone were aus rice, sugarcane, maize, joar, millets, pulses oilseeds, wheat, barley and jute to a small extent. It must be mentioned that aus rice whose yield level

is relatively poor, grows on relatively high land and requires less water than aman rice. As a consequence, we observe dominance of aus cultivation in alluvial zone of West Bengal where there was no fresh flow of water due to salinity of the rivers. The loss of silt-laden red water resulted in a shift to inferior crops and drastic fall in yields were observed (Mukherjee, 1938: 83-84).

From the middle of 19th century, the natural drainage system was also severely affected by the construction of rail and road embankments. As a consequence, stagnant water became breeding ground of mosquitoes which resulted in series of malaria epidemics. People were dying regularly in the districts of Jessore, Hoogly, 24 Parganas, Nadia, Burdwan, Birbhum, and Howrah. This resulted in decline in rural population and serious decline in cultivated land between 1891 and 1931 (Chaudhuri, 1970: 25-60, Klein, 1972: 132-60) (Table-2.3)

Table 2.3: Decline in cultivated land (in percentage) between 1891 and 1931 in districts of West and Central Bengal

Districts	% decline
Burdwan	50
Hoogly	60
Jessore	30
Nadia	20
Murshidabad	20

Source: Mukherjee Radhakamal (1938), *Changing face of Bengal: A Study of riverine economy*: 275

2.4.3 Decline in Agriculture in Bengal in the 20th Century: Probable Causes and Consequences

However, 1920 onwards, the rapid growth and expansion of cultivation in East Bengal slowed down. Rapid population growth (Table 2.4) was the primary reason behind the agricultural slow-down. Between 1920 and 1946, the 'Bengal agriculture had reached an equilibrium at low levels of production shown by the near constancy of cultivated area and near zero-trend in yield per acre' (Islam, 1979:203, Blyn, 1966:20-27). In 1919, the settlement officer of Mymensingh reported that cultivation had almost reached its full limits. In the Settlement Report of Dacca, in 1917, it was mentioned that the cultivated land as a percentage of cultivable land reached 92 percent.

Table 2.4: Density (Per Square mile) of Population in the districts of East Bengal in 1931

Districts	Population Density
Dacca	1256
Tippera	1197
Noakhali	1124
Faridpur	1003
Bakarganj	834
Mymensingh	823
Pabna	795
Bogra	785
Rangpur	742

Source: Bose, Sugata (1986):47

Excessive population pressure in the fertile lands of East Bengal forced the people to move in search of new patches of land. Madhupur jungle located at the North-east of Dacca was reclaimed. Chunks of the agrarian community started moving up the Jamuna and the Assam valley upto Gauhati and along the left bank of Brahmaputra as far as Tejpur (Mukherjee, 1938:275). People from Bakerganj, Jessore, Khulna started moving to the Sundarban region in search of livelihood. Between 1881-1901, the lands of the less fertile barind area consisting of parts of the districts of Malda, Bogra and Rajshahi was brought into cultivation and Santhal from Chota Nagpur area were engaged because of their experience in clearing jungle and forest-land for cultivation (Cooper, 1988:27). Forest-land of the western Duars (Jalpaiguri district) was also brought under cultivation. People migrated from other districts of North Bengal and Chota Nagpur and started working as coolies in the tea-gardens of duars or as sharecroppers on agricultural lands.

Cultivation was even extended to the less fertile laterite region of districts of Bankura and Birbhum and also in Tamruk and Contai sub-divisions of Midnapore. Therefore, with the expansion of population, cultivation was extended to lesser fertile zones. Holdings were subdivided and became smaller in size. Therefore, slump in productivity and production was a natural and logical outcome in Bengal. It should further be noted that rise in population and adverse land-man ratio accentuated sharecropping on newly reclaimed land and competition for land 'forced cultivators to accept exploitative tenancy arrangement such as share contract' (*ibid.*: 28). It was also observed that price fluctuations especially for rice and jute had serious impact on Bengal's agriculture.

It is a well known fact that during the 19th century, British mercantile pursuit encouraged cultivators to produce cash crops like tea and cinchona, in the Himalayan region and its foothills. Opium and indigo were also cultivated on *khas* lands of planters and cultivators

were provided with advances which kept them permanently indebted. After the 'indigo revolt' in 1860, its cultivation declined (Kling, 1966:200-213). Subsequently, by the end of 19th century, jute emerged as most important cash crop especially in East Bengal, and rice and jute became the driving force of Bengal's agrarian economy. Cultivation of rice met not only the consumption requirement but also supplemented the cash requirement of cultivators through the selling of surplus production. Rising demand for rice both in the domestic market and for export contributed to the rise in production of rice between 19th and 20th centuries, in India and Bengal in particular (Bhatia, 1967:8).

For jute cultivation, the required money for production was supplied by the traders, in lieu of which jute cultivators hypothecated their crops to the traders. Hence, involvement in the world market also made the crops (especially jute and rice) susceptible to the fluctuations in the prices in the world market. Fall in price along with demand, as it reached the nadir during world wide depression of the 1930s, put the cultivators under serious financial stress and they became easy prey for the village scoundrels, the money lenders. As a matter of fact, between 1929 and 1933, prices of rice and jute had fallen by 68 percent and 61 percent respectively. Poorer families failed to grow enough rice to feed their family members and cultivated jute for sale. As the price of jute plummeted, poor cultivators were caught in debt trap and they were forced to sell their land or they became *bargadars* or else opted for *bhag* or *adhi* (Cooper, *op.cit.* : 37, 42). Since cultivators of Bengal had little option of growing anything which was equally remunerative like rice and jute, they continued to languish under 'traditional form cultivation and traditional form of exploitation' (*ibid.*:29). As Irfan Habib pointed out, jute was produced in Bengal during Mughal period but manifold increase in its cultivation took place during the British period at the expense of rice and sugar cultivation. This resulted in food shortage in Bengal during the colonial period (Habib, *op.cit.*). As per the report of the Bengal Banking Enquiry Committee 1929-30, average debt per family increased from Rs 112 in 1928 to Rs 187 in 1933 in spite of the fact that the availability of credit was very scanty (*ibid.* :40).

The Second World War of 1939 and subsequent rise in prices of rice, the series of natural disasters between 1942 and 1943, the lacklustre attitude of the British Government in intervening in the market to control the rise in prices of foodgrains and hoarding of foodgrains by unscrupulous traders, resulted in famine in Bengal and three million people died of starvation. This can be cited as the worst example of man-made famine in the history

of civilisation. The famine was the result not only of the shortage in the supply of food but also of the lack of purchasing power of the poorer classes (Sen, 1981: Chapter 6).

Finally, with the independence of the country and the partition of Bengal, it further crippled agriculture and worsened the situation of agrarian communities of both East Bengal and West Bengal. The process of producing bulk of the jute in East Bengal and shipping it to Calcutta was permanently halted and its negative impact can be noticed even today. The condition of Bengal's agriculture can be best explained in the words of Sir Francis Floud who headed the Bengal Land revenue Commission of 1940 who observed that instead of providing incentives to improve agriculture performance, the *zamindari* system was imposed and the proliferation of intermediate tenures 'has resulted in dissipating the responsibility for the best use of the land in the national interest among a host of rent-receivers, all of whom have to be supported by the labour of cultivator, and none of whom have either the incentive or the power to exercise any control over the use of land. The Government has done far less to develop increased production from the land than the Governments of other provinces' (Government of Bengal, 1940:25-37).

2.5 Post-Independence Era

The periods of Indian freedom struggle, emergence of Indian nationalism and finally the years immediately after India's independence remained pre-occupied with problems of land and land policy. Though, on the questions of India's poverty and backwardness, a sharp schism was prominent between the 'nationalist' and the 'imperial' viewpoints. The imperial viewpoint was primarily dictated by what Myrdal called 'colonial theory' of poverty and economic backwardness (Myrdal, 1970:17).

The British explanation of rural poverty and backwardness in India had bypassed the agrarian structure created by them, as Myrdal did in his exposition of the 'colonial theory' of poverty and economic backwardness. The Colonial theory was aptly summarised by Nehru as, 'If India is poor, that is the fault of her social customs, her *baniyas*, and money-lenders and above all her enormous population' (Norman, 1965: 556).

However, an estimate of the net output data between 1948-49 and 1950-51, reveals that total agricultural output accounted for about 50 percent of national income and provided employment for about 70 percent of the work force (Indian Ministry of Finance, 1954: 45, 51). As George Blyn (1966:20-27) pointed out that up to the 1930s, there was hardly any concern over the decreasing trend in crop output. The general impression was that there was

favourable balance between growth of food crop output and population growth. As it has been pointed out by R. Palme Dutt in 'India Today', the population of India increased by 9.3 percent while foodgrain acreage increased by 19 percent.

In addition, it was perceived, accepted and advocated by the nationalists that the problems of land were not an outcome of the inheritance of feudal land relations and social customs of the pre-British period but an outcome of British-led colonialism and the colonial institutional structure created by them. British-led colonialism had accentuated the de-industrialisation process in India, as a result of which population pressure on land kept on increasing. Landlords, money lenders and traders appropriated surplus from agriculture, but the accumulated capital in terms of surplus was not invested either in agriculture or in industry. The colonial rulers accelerated the commercialisation of agriculture without bringing any concomitant technological changes in agriculture; this added further uncertainty to the peasantry having small land holdings and there was continued agricultural backwardness. Post independent India viewed agrarian society as a set of two segments, one segment consisting of landlords, money lenders and traders and the other segment consisting of the peasants. Therefore, the Policy makers of the Nehru-led government were in complete unanimity to bring in drastic changes in the land and revenue system favouring the peasants. Institutional reforms thus became the priority and the process of land reform was initiated immediately after independence. It occurred broadly in two phases. The first phase was started shortly after independence and continued till the early 1960s.

The broad contours of the reforms so conceived were as follows: (1) abolition of intermediaries-*zamindars*, *jagirdars*, *jotedars* etc. (2) tenancy reforms that involved ensuring security of tenure to the tenants, reduction of rents as well as fixation of rents paid by the tenants and providing ownership rights to tenants, (3) imposition of ceilings on the size of landholdings, (4) enabling farmers to garner resources through the formation of cooperatives. The second phase started around the mid-or late-1960s and this phase marked the beginning of the Green Revolution and has been perceived as the phase of techno-biological reforms.

2.5.1 Abolition of *Zamindari* System in India

By 1949, *zamindari* abolition bills had been introduced in the states of Uttar Pradesh, Madhya Pradesh, Bihar, Madras, Assam and Bombay. In response, the *zamindars* in various parts of the country challenged the constitutional validity of the *zamindari* abolition in courts of law and got a favourable judgment. For example, the Patna High Court upheld the

landlords' suit. This prompted the government to bring in the first Constitutional Amendment in 1951 and the 4th Amendment in 1955 to strengthen the state legislatures for implementing *zamindari* abolition, making the question of violation of any fundamental right or insufficiency of compensation non-permissible in the courts. However, *zamindars* kept on filing cases in the High Court and Supreme Court so that the acquisition of their estates could further be delayed.

A very large proportion of tenancy was based on oral contract between landlords and tenants and remained unrecorded. This emerged as one of the major impediments in abolishing *zamindari*. In the absence of adequate land records, implementing the *zamindari* abolition acts in various states became exceedingly difficult. However, some decline in tenancy was observed after the initiation of land reforms. One estimate revealed that the area under tenancy decreased from about 42 percent in 1950-51 to between 20 and 25 percent by the early 1960s. However, the decline in tenancy did not imply that there was a sharp increase in cultivators; rather at the behest of landlords many tenants were actually evicted from the land (Chandra *et al.*, 2007: 524-526).

However, there was another serious reason behind the eviction of tenants and resorting to self cultivation. This could be attributed to the definition of 'personal cultivation', used to defend the existence of *zamindars*. Taking recourse to the loosely defined clause of 'personal cultivation' relating to the abolition of *zamindari*, the *zamindars* retained large tracts of land under their direct or indirect possession. This was possible because not only the person who was tilling his land, but also the person who was supervising the cultivation of his land, personally or through relatives, or providing capital and credit for the land – all came under the ambit of 'personal cultivation' and in the process, absentee landlords became cultivators (Khusro, 1965:189). Landlords in many parts of India, in their pursuit of bringing themselves into the category of cultivators resorted to large-scale eviction of tenants, mainly the less secure small tenants. Implementation of the law became further complicated because of the nexus between *zamindars* and the lower level revenue officials, who were primarily the former rent collecting agents of the *zamindars*, and created all possible hindrances at the legal, legislative and executive levels in thwarting *Zamindari* Abolition Act.

It has been observed by Bipan Chandra that 'despite the resistance of landlords, the process of *zamindari* abolition was essentially completed, except in certain pockets of Bihar, within a decade of the formation of the Indian Republic. The typically large 'feudal' estates were gone. While the big landlords, who lost the bulk of their lands, were the chief losers, the main

beneficiaries of *zamindari* abolition were the occupancy tenants or the upper tenants, who had direct leases from the *zamindar*, and who now became landowners. Such tenants were generally middle or rich peasants who sometimes had subleases given out to lower tenants with little rights, often called 'tenants at will' (Chandra *et al.*, *op.cit.*: 527-528). Even though the abolition of intermediaries was partly successful, but considerable areas of cultivable waste land and private forests came under the management of the Government. At the same time the extent of tenancy declined and self-cultivation became the dominant mode of production (Bhalla, 2007:27).

2.5.2 Tenancy Reforms

The second important issue of land reforms was tenancy reforms. The major objectives envisaged under tenancy reforms were ensuring security of tenure to the tenants who had cultivated a piece of land continuously for a fixed number of years, though the exact number of years varied from region to region.

Reduction of rent to a fair level was the second objective of tenancy reforms and it was decided that the maximum rates of rent must not exceed one-fourth or one-fifth of the gross produce in all states except in Andhra Pradesh, Haryana and Punjab. In states like Maharashtra and Rajasthan, maximum rents were fixed at one-sixth of the produce. In Assam, Kerala, Orissa and Union Territories, rents were generally one-fourth of the produce or less. However, in many states, rent charged on leased-in lands was one-third of the produce. And in many cases, it has continuously been observed that tenants were forced to pay much higher rent than the stipulated amount fixed through legislation. Weak social and economic position of the tenants, inability and ignorance of the tenants to seek the protection of the law, wide prevalence of oral contract between lessor and lessee made effective implementation of tenancy legislation difficult.

Legislation on security of tenure tried to achieve three principal objectives: first, no forcible eviction of tenants unless backed by law; second, land may only be resumed by any landowner provided came under the ambit of 'personal cultivation', and third, in case of 'resumption' tenants must be ensured a prescribed minimum area. However, having a strict law against forcible eviction in place did not deter the landlords from evicting tenants at their will or curtailing the chances of the tenants to get occupancy rights. The social, economic and political clout of the landlords, use of rotational transfer of occupancy rights among the

family members of the landlords, impact of market forces in determining tenancy contracts virtually made the pious intentions of 'security of tenures' ineffective (Bhalla, *op.cit.* :29).

It has been further pointed out by P.S. Appu, who headed the planning commission task-force on agrarian relations that the provisions introduced to protect the small landowners were misused by the big landlords in connivance with revenue officials (Appu, 1975: 1345). In the Third plan, it is also pointed out that the abuse of such provisions by large landowners was carried out by transferring their lands in the names of a number of relatives and others, so as to enter the category of small landowners, and then evicting tenants from such lands by exercising the right of resumption given to small owners (*ibid.*: 1347). In many states, especially in Uttar Pradesh, Orissa and Madhya Pradesh it has been observed that blanket ban on tenancy rather prompted the tenants and landlords to come to a concealed agreement. West Bengal proved to be an exception where informal tenancies were registered and protected, which would be dealt separately in the latter sections in this chapter.

Evaluative studies on tenancy reforms suggest that in India, between 1953-54 and 2002-03, leased-in operated area declined from 20.6 percent to 6.5 percent. In case of mode of payment of rent, it was observed that payment of rent with fixed money and fixed produce emerged as the most significant and these two together accounted for 49.8 percent of area under lease (Bhalla, *op.cit.* :33).

2.5.3 Imposition of Ceilings on Landholdings

To make land distribution more equitable, a major objective of the land reform measures in India was the imposition of ceilings on the size of landholdings. The Planning Commission of India, in May 1955, appointed a panel to review the progress of the implementation of the land policy. It was recommended by the panel that a family ceiling on landholdings should be introduced, the maximum of which was not to exceed three times the economic holding. It recommended payment of compensation to families from which land had to be taken, amounting to 25 percent of the market value but not exceeding aggregated land revenue for 20 years (GOI, Planning Commission, 1959:103). The recommendations were accepted by the Planning Commission and subsequently state governments were asked to formulate suitable legislations.

West Bengal was the first state to impose a ceiling on agricultural holdings by enacting the West Bengal Land Reforms Act in 1955 and uniform family ceiling of 10 hectares was introduced. The legislation resulted in vesting of 0.35 million hectares of surplus land to the

state (Das, 2000:33). By the end of 1961, all states in India had enacted ceiling laws. Ceiling limits tend to differ from state to state. For example, in Assam the limit was 20 hectares while in Bihar it was between 8 hectares and 24 hectares. The state of Andhra Pradesh set the ceiling limit between 2.5 hectares and 30 hectares, where as for Madhya Pradesh the limit was 10 hectares. For Orissa, the ceiling limit was fixed between 8 hectares and 32 hectares and in Rajasthan, there was wide divergence between lower and upper limit (i.e., 8 ha to 136 ha). Tamil Nadu set the limit between 5 hectares and 25 hectares. The state of Uttar Pradesh set the ceiling limit at 16 hectares to 32 hectares. The rate of compensation in different states also varied widely from 20 to 200 times of the land revenue of the vested land (*ibid.*: 34).

It was observed that the ceiling laws were plagued with glaring deficiencies. First, the land distribution pattern in most of the states was such that more than 70 percent of landholdings in India were under 5 acres and the ceiling fixed on existing holdings by the states were very high and hence acquiring a large-sized land and its distribution became a unrealistic proposition. Secondly, in the Second Five Year Plan, it was recommended that certain categories of land be exempted from ceilings. These were tea, coffee and rubber plantations, orchards, specialised farms engaged in cattle breeding, dairying, ship raising, etc., sugarcane farms operated by sugar factories and efficiently managed farms on which heavy investments had been made (Planning Commission, Second Five Year Plan, New Delhi, 1956: 196-197). As a consequence, large number of exemptions to the ceiling limits was allowed by most of the states on the above pretext. The terminology of 'efficiently managed farms' were grossly misused by the states, and in the process, ceiling legislation became ineffective to a large extent.

In spite of the fact that the ceiling legislations had been passed by most states by 1961, till the end of 1970 not a single acre was declared surplus in large states like Bihar, Mysore, Kerala, Orissa and Rajasthan. In Andhra Pradesh, a mere 1400 acres was declared as surplus but no land was distributed (Chandra et. al. *op.cit.*: 538). Few states indeed performed relatively better in distributing surplus land, e.g., Jammu and Kashmir redistributed 17 percent of its operated area, West Bengal, 6 percent, and for Assam the figure stood at 5 percent.

In the mid-sixties, the economic and political condition of the country had begun to deteriorate on account of multifarious factors like of inflation, devaluation, the Indo Pak war and the emergence of the Naxalite movement in West Bengal and parts of Andhra Pradesh, Orissa and Bihar. 1970 onwards, 'land grab' movements under the aegis of the Communist and Socialist parties also peaked in various parts of the country. In the above context,

Government of India took the initiative to commence the second phase of land reforms in India. Based on the recommendations made by Central Land Reforms Committee, in July 1972, new national guidelines for ceiling on land were introduced. To nullify the malafide intention of the landed class of taking legal recourse to thwart land related legislation, most of the revised ceiling laws were included in the Ninth Schedule of the constitution by the government through 34th Amendment to the Constitution in Parliament in August 1974. Some of the important features of revised Land Ceiling Acts were as follows:

- i) 'The ceiling for double- cropped perennially irrigated land was to be within the range of 10-18 acres, it was 27 acres for single-cropped land and 54 acres for inferior dry lands.
- ii) A ceiling was to be applicable to a family as a unit of five members. Additional land per additional member could be permitted for families which exceeded this number but up to maximum limit of double the ceiling for the five member unit.
- iii) In the distribution of surplus land, priority was to be given to landless agricultural workers, particularly those belonging to the Scheduled Castes and Scheduled Tribes.
- iv) Compensation payable for surplus land was to be fixed well below market price so as to be within the capacity of the new allottees' (*ibid.*).

Inspite of all the efforts taken by the Government of India and the respective state governments, the general picture that emerged at the national level appears gloomy. In fact, over a period of 35 years since the ceiling has been imposed, land redistributed is estimated to constitute less than 2 percent of the operated area (Ray, 1996). It can also be said at the outset that possible inverse relationship between farm size and productivity provided a logical basis and favoured redistribution of land to landless and might have brought improvement in production and productivity. Providing access to land, either through redistribution or through a secure tenancy contract would have been effective in increasing productivity in agricultural practices.

This argument was strongly advocated for the state of West Bengal for its revival in agriculture during late-1980s and 1990s and therefore the land reforms and more precisely the tenancy reforms in West Bengal demand special attention. In addition, wide prevalence of share-croppers, declining land-man ratio, peasant unrest and frequent incidence of sharecroppers' movements in the post-independence period, demand for higher share of the gross produce, more precisely two-third share (meaning *tebhaga*) of produce in case the

sharecropper had supplied inputs (famous as *Tebagha* movement that took place in Bengal during 1948-51), demanded some concerted efforts from the perspective of ensuring at least distributive efficiency in agrarian Bengal. Sharecropper movements were supported by the peasant organisations, especially by the *All India Kishan Sabha*, which had been under complete control of the communists since 1945 (Sen, 1979). The political divisions became sharper after independence, with land lords (*jotedars*) siding with Congress and the sharecroppers (*bargadar*) and the agricultural labourers (*khetmajur*) deriving their solace from the Communists and their allies (Mallick, 1993; Leiten, 1992)

2.6 Tenancy Reforms in West Bengal in post-Independence Period

The *Tebagha* movement had put enough pressure on Government of West Bengal to make it contemplate recognizing the rights of the share croppers and this forced the Government to enact a new legislation called the West Bengal *Bargadars* Act, 1950. The major provisions of this Act were included in the West Bengal Land Reforms Act, 1955 (Chapter-III) and subsequent amendments were also made (Ghosh, 1986:30-31). Land Reforms Act of 1955 and 1966 were introduced primarily to address the issue of land rights for the share croppers. Let us first consider some of the important features of Land Reforms Act of 1955 and its subsequent amendments in 1966, 1970 and 1971.

2.6.1 Land Reforms Act 1955: Definition of Share Cropper

A person who cultivates land owned by another, on condition of paying a share of the produce to the owner of the land is generally considered to be under the system known as *adhi*, *barga* or *bhag* (Raychaudhuri and Chakrabarti:134). These sharecroppers are dictated by the following terms and condition:

1. The produce of any land shall be divided in the proportion of 50:50 between a *bargadar* and the person whose land is cultivated by the *bargadar*, provided, plough, cattle, seeds and manure necessary for cultivation are supplied by the owner of the land. In all other situations the proportion would be 60:40.
2. The *bargadar* is liable to pay the share of the produce to the person who owned the land within the prescribed period and in lieu the land owner shall provide a receipt in the prescribed form to the *bargadar* mentioning the amount of produce received by him (land owner). West Bengal Land Reforms (Bargadars) Rules, 1956, had laid down the prescribed period which was 7 days from the date of threshing of the produce by the *bargadar*.

3. The *bargadar* shall store and thresh the produce at a place agreed upon by both *bargadar* and the owner of the land.

4. *Bargadar* may be evicted from the land on the following grounds (*ibid.* 135):

- (a) The owner of the land brings it under 'personal cultivation'.
- (b) The *bargadar* neglects the cultivation of the land or uses it for non-agricultural purposes
- (c) The *bargadar* fails to tender the share of the produce to the owner of the land.

2.6.2 Land Reforms Act (Amendment), 1966

The primary features of Land Reforms Act (Amendment), 1966 are:

1. If the *bargadar* bears the all costs of production then his share shall be 75 percent of the produce.
2. The landowner can terminate cultivation of land by the *bargadar* for *bonafide* personal cultivation, on condition that :
 - (a) The extent of land so resumed by the land owner along with any other land under his personal cultivation must not exceed 7½ acres and,
 - (b) The *bargadar* should be left with at least 2 acres for his cultivation.
 - (c) It is further mentioned that if a *bargadar* cultivates land in the excess of 7½ acres (amendment of 1972, in place of 25 acres), the share of the produce due to him as a *bargadar* in respect of the land in excess of 7½ acres shall be vested in the state by the Revenue Officer.
 - (d) Eviction of *bargadar* on the ground that the land owner wants to bring the land under 'personal cultivation', there in, certain restrictions were imposed by the amendment of 1972. A land owner could not evict a *bargadar* if the total land owned by him that was brought under personal cultivation exceeded 3 hectares. If by eviction of a *bargadar*, the total land held by the *bargadar* who reduced to below 1 hectare, then the land owner would not be able to carry out the eviction process. In the amendment of 1972, it had further been mentioned that if a land owner who evicted a *bargadar* and brought his land under 'personal cultivation' but failed to start 'personal cultivation' within two years, then the prescribed authority (Junior Land Reforms Officer) would be entitled to sell the land to the evicted *bargadar*. If the said *bargadar* expressed his unwillingness then the land would be sold to any other person who intended to buy that land (*ibid.*).

3. The *bargadar* shall be granted heritable rights for the land he cultivates.
4. A *bargadar* could not be evicted from the land on the grounds of negligence in cultivation.
5. Forcible eviction of *bargadar* was a cognizable offence.

Till 1976, however, tenancy reforms in West Bengal failed to bring in desired results. A few reasons for the above are cited below:

- (a) The recording of the rights of *bargadar* often became difficult as the *bargadar* depended upon land owners for credit and other financial requirements (Chaudhuri, 1976: 1749).
- (b) Forcible eviction and seizure of crops of *bargadar* by owners 144 crPC and 145crPC (*ibid.*: 1749, 1751).
- (c) As pointed out by Kotovsky (1964: 145-46), 'Frequent amendments to the act added to the bewilderment of the peasant and made its effectiveness slow and difficult'.

In fact, till the 1970s, the success of Land Reforms remained unsatisfactory. During mid-1950s and mid-1960s the effort to bring in ceiling-surplus land under the possession of government and its redistribution did not bring much result in West Bengal. According to one author, the decade between mid-1950s and mid-1960s is 'replete with the story of rampant *malafide* transfer of ownership holdings for evading ceiling provisions and of technical eviction of sharecroppers on an unheard-of scale making the tardy and often turbid attempts at land reform, totally infructuous for the interest of the rural people (Bandopadhyay, 1981:202).' It has been revealed in various studies that although the legislations of land reform were in place there was a tendency of underreporting and concealment of the tenancy status during the 60's and 70's (Bandopadhyay, 2003: 879; Ghosh and Dutt, 1977:187-188).

The tenancy reforms in West Bengal received impetus after the Left Front Government led by the Communist Party of India assumed power in 1977. The Land reforms Act of 1955 and its further amendments in 1966, 1970 and 1971 were further amended in 1977 by the left Front Government that conceived a pro-tenant policy and in 1978, tenancy reforms or operation *barga* was aggressively pushed to break the shackle of forces who were earlier acting as major stumbling blocks against recording of names of sharecroppers or *bargadars*. The process of granting quasi-heritable land rights to the share croppers also received the desired fillip.

While pursuing the operation *barga* the newly elected Left-Front government had taken a proactive approach. Land Reform Officials of every district were directed to conduct group meetings in the evening with the share croppers and tentative lists of *bargadars* were prepared. The lists were published the next day for verification. A provisional list was put up in all important places in the village. Objections of the landowners were also taken into consideration and on-field verifications were made. Certificates of share cropping were issued thereafter (Hanstad and Brown, 2001: 36). It was better and qualitatively different from the traditional revenue court approach which was heavily tilted towards the landlords and caused under reporting of the sharecroppers (Bandyopadhyaya & Krishnaji, 1983:16). Active and group participation of sharecroppers and proactive role played by the *Panchayat* expedited the process of *barga* recording in West Bengal. This was supported by the fact that by 1993, the number of recorded *bargadars* reached at 2.3 million or 65 percent as cumulative percentage of the total (Banerjee, Gertler and Ghatak, 2002:242).

At the same time, introduction of local self-government, i.e., three-tier elected bodies known as '*panchayat*' allowed governance to reach the grassroot level. Delegation of financial and planning responsibilities to elected local bodies created congenial environment for implementing centrally funded schemes, especially in irrigation and infrastructure. It also helped to settle the water and wage related disputes at village level. Election to three-tier *panchayats* also took place in 1978. The administrative structure of three-tier *panchayat* introduced at the apex the *Zilla Parishad* which worked at the district level, *Panchayat Samiti* which worked at the block level (consisting of large number of villages) and finally at the grass root level of *anchal* (consisting of 12 to 15 villages) it is the *Gram Panchayat* that takes care of grass root level governance.

Various studies on West Bengal reaffirm the fact that operation *barga* and the introduction of the three-tier *panchayat* played a major role in the spectacular turn around in foodgrain production and productivity in West Bengal and it also caused an economic upswing in the rural economy of Bengal (Banerjee. *et al.*,: 267-270, Bardhan and Mookherjee, 2006:2, Bandyopadhyay, *op.cit.*, Hanstad and Brown, 2001).

2.7 Conclusion

The perspective of agricultural economic history suggests that the Permanent Settlement Regulations of 1793 had left the cultivating *raiya*s entirely at the mercy of landlords. There were sub-infeudation, eviction, and re-settlement with the *raiya*s on payment of fresh

premium or rent at enhanced rate. The need for new legislations to improve on the situation was widely felt. This led to the passing of the Rent Act of 1859. The Act sought to provide certain safeguards to some classes of cultivating tenants with regard to tenancy relations; however, the beneficial effect was usurped by the landlords. The inherent defects of the Rent Act gradually surfaced and it was replaced by The Bengal Tenancy Act of 1885. This Act was followed by a host of other Acts legislated in the subsequent period. All these Acts provided, *inter alia*, certain concessions like conferment of occupancy rights and protection against eviction in favour of certain classes of tenants. However, the Act resulted in broadening the ambit of the tenancy stratum. Despite all these measures, the Indian rural society continued to remain afflicted with low capacity of agricultural production and productivity. Precisely, agriculture-related reform measures in India vis-à-vis Bengal during the British rule were prompted not by any serious consideration for improving production and productivity.

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