



Land alienation act changing paradigm of colonial Punjab agricultural society

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Abstract

After understanding the ground realities and reading the reports of the colonial officers of Punjab, the colonial government was ready to pass an Act to protect the farmers' land from moneylenders. Finally, the colonial government passed the 'Land Alienation Act' of 1900 and notified on 22nd May 1901. This act classified the agricultural classes district wise. Non-agricultural community could not purchase land from agricultural community. In case of mortgage, the Act empowered the collector to check the mortgage deed and time period. If everything was found to be in order, the collector could give permission to transfer land from an agriculturist to non-agriculturist. So, it is very important to know about land alienation act in detail for understanding the agricultural act during British period.

Keywords: moneylender, agricultural policy, Britisher, farmer

Introduction

The 'sons of the soil' were being pushed out and a new class of aliens began to take control of the land. However, this new class of aliens were not interested in agricultural activities and were not involved in the increase of agricultural development. But, another important aspect was that due to the loss of agricultural land, the agricultural community became agriculture labour. The farmers of Punjab were trapped in the cages of moneylenders as they borrowed money from moneylenders at higher interest rates. Most of the farmers kept paying the interest for several years, but they were unable to repay the loan and ultimately lost all property rights over their land. It came to the British officer's knowledge that this situation was not good for the British Empire. The increasing transfer of land by sale and mortgages become a special concern of some of the administrators in the Punjab. In 1872, Mr. Justice Melville of the Punjab Chief Court raised the question to the Lieutenant Governor in letter and also suggested that the increasing land transfer from farmers to moneylenders is a political danger for the British Empire. The Lieutenant Governor agreed to the make enquiries on the subject from various sources. However, the result did not support Mr. Melville's opinion. The enquiry revealed the reasons and circumstances of land transfer but Lieutenant Governor refused to agree with Melville's logic. The Punjab Government decided that no changes were required under those circumstances.

The major objective of the present study is to understand the land alienation act during British rule in the state of Punjab. All the information has been collected from primary and secondary sources of data. Therefore, it is interesting to know about land alienation act and its impacts on agricultural society in Punjab.

Findings

Thorburn in his thesis came to the conclusion that the seasonal

variations and the beginning of debt were directly related with grain advances for food. He also found some factors responsible for the debt of famers such as instability in crop production, division of the land among brothers, fixity principle of land revenue, crops destroyed by drought or famine in any particular year. He apprised his senior officers about the situation of the famers, but he did not receive any positive response from seniors. Another important officer was Malcom Darling^[1] who researched on reasons of indebtedness of farmers. He revealed the reasons in his book 'Muslims and Moneylenders' that extravagant expenditure on marriage and other such events are the main reasons of indebtedness. Moreover, the system of borrowing was made easy by the moneylender through his system of business and the great expansion of credit due to high prices and inflated land value. However, the Indian farmers argued that the main cause of debt was high land revenue. Ibbetson, an Indian Civil Servant in Punjab, felt that changes were necessary in order to prevent political danger and argued that the British administrative system was helping the educated to oppress the ignorant. Our gift of absolute property in land has been a curse to people and we are bound to do justice to them, as well as to our own idea of helping them hitherto had been to hedge.

After that, The government agreed to find out the factors responsible for the worsening situation of farmers and gave orders to the district officers to submit a report regarding this problem. All district officers agreed that severity of the revenue system was not a cause of debt or alienation. The high prices of land made it a valuable asset. Inadequate industrial development left no opportunities open for surplus capital. Hence, capital flowed towards land. Possession of land became profitable and in addition brought a higher social status to the owner.

The peasants-proprietors of Punjab, finding no way to meet social and administrative demands, had begun to pledge their land in return for hard cash. By the turn of the century, most

of the Zamindar began to feel that the 'raj of the money lenders ^[2]' had arrived. The popular dictum was found to be true when the government enquiries revealed that 80 percent of the proprietors of Punjab were in debt. The result, after thirty years of British rule, the people of Punjab were found to be tilling their ancestral lands as tenants of their former dependents i.e. the moneylenders. In Jhang district too, lands were being transferred from Muhammadan farmers to Hindu moneylenders.

West Punjab was the area where most of the farmers were Muslims, whereas the money-lenders were Hindus. Therefore, as per the statistics, the visible trend was that the land was gradually coming under the possession of non-agriculturist class. The moneylenders were also making use of the 'Conditional sale' method to acquire land. Under that system, the mortgage was transformed into a sale if the debt was not paid within the specified time limit. Alienation of land had begun to increase. From 1866 to 1874, on an average 88,000 acres of the following quinquennial periods were 9300, 16,000, 310,000, and 380,000. The land was also being mortgaged and within the first period of two years; 143,000 acres a year were recorded to have been mortgaged. The figures for succeeding next years were 212,000, 296,000, 596,000, 590,000 and 554,000 acres a year. The cultivated area in the above transactions was nearly that of the total. After this, land sales and mortgages continued to rise.

This ownership of property, heritable and transferable was a valuable gift that the moneylenders began to exploit. In the absence of any other form of investment, traders and professionals began to invest in land. Thus, came forth a new class of landlords comprising of moneylenders, who hailed from castes like Arora, Khatri, and Banias. These people traditionally engaged in trade and business but in new economic and political circumstances, they were converted themselves into money lending and sale and purchase of crops.

Such social and economic change in the society began to affect the interest of the British which was mainly in land revenue demand and recruitment for their Army. In the context of revenue, they were more fearful due to the changes in agricultural structure because farmers were now alienated from their own soil and became labour class workers. Due to this decrease in production from agriculture, the new emerging class gained control of the land which was moneylenders, traders, and landlords. On the other hand, the tenants faced harsh times and were alienated from their ancestral land.

Punjab was a land where peasants were proprietors. More than 70 percent of the people of Punjab earned their livelihood directly or indirectly from agriculture. The British felt that natural force of the country was with the proprietors, who were politically the most important class. In the Indian British Army, the Punjab peasantry class constituted about 40 percent. It was necessary to keep the peasants satisfied. A great number of the Punjab farmers who were indebted and losing their land at the hands of Hindu moneylenders were Muslims especially in west Punjab. Hence, the communal aspect of the situation worsened quickly and social tension began to rise. In the South East of Punjab, farmers as well as money lenders both were Hindu.

The British were worried about the Army as 40 percent of soldier came from Punjab. However, due to changing social and economic structure, the British threatened to decrease the recruitment levels in the Army from a particular agricultural community. This further promoted the growth of agricultural labour.

Another important aspect was the threat of revolt in the Punjab region. The memories of the revolt of 1857 were fresh in the minds of the British. The population of Punjab was known to take offense, quarrelsome by nature and easy to give in to vendettas and litigious. It was felt that as long as the British kept the taxes low, maintained order, prevented the strong from oppressing the weak, administered justice impartially and subject to this, leave people alone as much as possible, they will remain peaceful unless stirred up by something for instance the killing of a cow and will be quite contented under the British rule.

However, land revenue was the main source of income in British India. During 1892-98, it formed 50% of the total revenue from taxation. The land owning classes, particularly the Muslims were notoriously improvident. Apart from increasing social tensions and leading to development of class distinctions, land transfer also led to an increase in the number of tenants in Punjab. Even in a short period of ten years, the number of farm tenants and labours increased by 174.9 percent. The figure assumes even more alarming proportions when it is remembered that in this decade the total population of this providence decreased by nearly 2 percent. The area cultivated by tenants also increased considerably.

Land alienation act and its consequences

Charles Rivaz advocated the freezing of the land in the hands of those who controlled it at the time, by forbidding all future sales or mortgages. The Financial Commissioner, the senior most revenue officer in Punjab, was of the opinion that the data brought together during the enquiry revealed no indications of widespread agrarian dissatisfaction. Although in future, land transfers become a political threat. The L.G. agreed with the Financial Commissioner's opinion. In 1891, a Commission was appointed to find out the causes of indebtedness of farmers and to ensure that there would no revolts in future due to the transfer of lands from farmers to moneylenders. The colonial government tried to formulate its policy on agricultural indebtedness. Hence, the government gave orders to the provincial governments and administrations for their consideration. However, only the Punjab Government, wanted an act to prevent the farmer's land from being transferred to the money lenders and also stated that if, in future the land transfer did not stop, it will become a political danger for the colonial government.

Permanent alienation of agricultural land to non-agriculturists could be permitted only with the permission of the D.C., sale among all agricultural tribes be permitted, unsatisfactory mortgages of land should exhaust themselves within twenty years after which the land would return to mortgagor, conditional sale of mortgaged land to the mortgagee for the non-fulfilment of condition of mortgage should be banned, leases of land should run for a maximum period of 20 years ^[3] or the life of the leaser, whichever is less. The law should apply to the entire province but the local government be given

the right to exempt areas and persons from its operations.

However, the government resorted to class legislation by passing the Punjab Land Alienation Act which restricted the rights of agriculturists to give their land to non-agriculturist castes. This class legislation was opposed by Hindus, Khatri, Aroras and Baniyas while Muslims, Sikhs and Hindu farmers generally supported it. This Act distinctly marked the differences between the two classes. Apart from increasing social tensions and leading to development of class distinctions, land transfer also led to an increase in the number of tenants in Punjab. The increase in number of tenants and the extension of area cultivated by them was attributed to several reasons.

In the beginning of the 20th century, the social structure of Punjab was in the transitional phase. The important change was that the government compelled the farmers to deliver the land revenue in cash instead of crop or in any other form. The farmers were compelled to sell some amount of their crop to moneylenders at low prices; the remaining part of their crop was divided among co-partners in society who were helping them in managing the crop. This system was known as Jazamani. According to this system, all village communities will have some share of the yield. After the sale of crops and the division among co-partners, the peasantry was left with absolutely nothing. Finally, they were forced to mortgage their land to the moneylenders at high interest rates. After defaulting on several instalments they were not able to repay the loan due to several reasons. The most important of them was the high interest rates. If they are unable to pay the loan amount within the stipulated time, they were bound to lose their lands.

Conclusion

Concluding, we can state that the trading community who were mainly engaged in the moneylending business started acquiring agricultural land. Until the Land Alienation Act was enforced, the trader community had acquired a great share of the land. However, they were not interested in agricultural applications of the land, they were more interested in the monetary value of the land. The land acquired prior to the passing of the Act remained in the hands of the traders and the moneylenders. Although, agricultural labourers started working on this land and they started generating revenue for the moneylenders and traders. However, when the Act was passed the traders and money lenders were prohibited to acquire land. Even if this act allowed the British government to suppress the political threat, the damage to the farmers was already done. However, the struggle between the farmers and the moneylenders continued on for the next few decades. This conflict of interest came into existence solely due to the change in structural change of policies by the British.

References

1. The Punjab land alienation act, file Punjab state archives, Chandigarh, 1775.
2. Mandalbaum, David, G., Society in India Popular Publication, Bombay. 1970; 1:162.
3. Sharma SR. Punjab in Ferment, S. and Chad Publication, New Delhi, 1971, 34.
4. Shyamala, Bhatia. Social Change and Politics in the

Punjab:1898-1910,Enkay Publications, New Delhi, 1987, 98.

5. Ibbetson, Denzil, Panjab Castes, Low Prince Publication, Delhi, 1916, 242-254.
6. Bal, Sarjit Singh, A Brief History of the Modern Punjab, Layal Publication, Ludhiana, 1974, 17.
7. Thorburn SS. Muslamans and Moneylenders in the Punjab, MittallPublication, Delhi, 1983.
8. Darling, Malcolm The Punjab Peasant in Prosperity and Debt, Oxford University Press, London, 1983.