

IMPACT OF LAND REFORMS ON SCHEDULED CASTES IN KERALA - A CASE STUDY

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D. PRASHANTH

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C E R T I F I C A T E

The Thesis "IMPACT OF LAND REFORMS ON SCHEDULED CASTE IN KERALA - A CASE STUDY", submitted by Sri. Prashanth, D, for the Degree of Master of Philosophy is a record of work done by him under my guidance and supervision.

Cochin-22,


15th Feb. 1982.


DR. K.C. SANKARANARAYANAN.

C E R T I F I C A T E

This is to certify that, this thesis entitled "IMPACT OF LAND REFORMS ON SCHEDULED CASTE - IN KERALA - A CASE STUDY" is a genuine work done by me under the guidance and supervision of Dr. K.C. Sankaranarayanan, Professor and Head of the Department of Applied Economics, University of Cochin. It has not previously formed the basis for the award of any degree, diploma, associateship, fellowship or other similar title.

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PRASHANTH, D.
Regt No. 1307

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CHAPTER I : INTRODUCTION,SCOPE AND METHODOLOGY

CHAPTER - I

INTRODUCTION, SCOPE AND METHODOLOGY

Perhaps the most characteristic feature of our times is that economic development has become the goal and ambition of people. The needs which this desire create are immense; they are of course urgent everywhere and they cannot be postponed. Consequently there was a frantic search for formulae of rapid economic development. It was claimed that agrarian reform is the indispensable condition for the development of productive forces and the industrialisation of a state.

A key element in the land reform policy is the provision of wider opportunities for ownership of land. Measures taken include redistribution of large estates, assistance to tenants or labourers to acquire holdings, and settlement schemes to establish new farming units on reclaimed or developed lands.

There are three essential principles that underlie a just and equitable land system. First, the farmer must be able to own land or to use the land he tills under fair conditions and terms of tenure. Secondly, the farmer must have access to credit on reasonable terms to enable him to farm efficiently whether as owner or as tenant. And finally, he must have access to knowledge and techniques that will make his efforts productive and profitable to him and society.

Keith Griffin, among others, has argued that redistribution of land ownership would be the most effective means of reducing rural inequality and poverty and would increase production and total income in most contexts.¹ He notes that small farmers tend to use land more completely and with higher yields and value added per hectare, as evidenced by studies in Bengla Desh, Malayasia, Sri Lanka, Indonesia, Thailand, Pakistan, India and the Philippines.²

1. Griffin, Keith, *The Political Economy of Agricultural Change* (Cambridge: Harvard University Press, 1974); and Keith Griffin : *Land Concentration and Rural Poverty* (New York, Holmes & Meir, 1976).

2. Khan, Azisur Rehman; *The Economy of Bangladesh* (London, Macmillan, 1972) & Albert Berry R and Clime, William R: *Farm Size, Factor Productivity and Technical Change in Developing Countries* Manuscript, 1976.

In India, at the time of independence, the land in the country was concentrated in the hands of a few landlords. The land tenure system was quite complex and complicated. Between the landlord and the actual cultivators, there were numerous types of tenures which had entirely different characters through out the country. The landlord leased out land either to intermediaries, or to tenants. The intermediaries, tenants, subtenants, cultivators and labourers who constituted the majority had no ownership rights on their holdings. But the socio-economic life of the village community was largely influenced by the land ownership.

The agrarian structure as a whole was ineffective and insufficient to attain economic development. But after independence measures were introduced to change the system and it had its repercussions through out the country. Kerala, West Bengal and Kashmir come to the forefront in initiating these reform measures.

Before the formation of the Kerala State the whole land in the state was owned by certain landlords, Devaswoms and by Government. From 1959 onwards a series of Land Reform Acts were passed by the government. The first in this series, The Kerala Agrarian Relation Bill (KARB, 1959),

was introduced by the Communist Ministry. The Communist Party which mobilised the peasants, workers and tenants under their flag on the promise of implementing Land Reforms had a moral obligation to do it. But though the Communist Ministry introduced the Kerala Agrarian Relations Bill (KARB) in 1959, it could not do much regarding the implementation of the Bill as the ministry was removed from power by the Central Government. The KARB envisaged to confer ownership rights, to the tenants and imposition of ceiling on holdings.

Next important Land Reforms Act in this series was the Kerala Land Reforms Act of 1963. This was amended in 1969. The most important objectives of this Act were (a) Abolition of tenancy and conferment of ownership rights to tenants. (b) Ceiling on land holdings and the distribution of surplus land to the landless labourers. (c) Conferment of ownership rights to 'Kudikidappukars'.

It is important to look into the implementation aspect of this problem and the effects of such measures on the agrarian structure. An attempt is made to evaluate the impact of these reforms on the agrarian structure in general and the Scheduled Castes in particular.

The Scheduled Caste and the Scope of the Study

"Like any other country in the world, India is also known to have had a tribal society in prehistoric times. That society neither knew any inequality based on castes, communities or classes, nor did it have any relation of superiority and inferiority between man and woman."³ But later, after years, one group of the people in the society became lowest both in caste and wealth. Exactly we do not know when and where caste has originated in our society. It is argued that class originated first, on the basis of wealth and then caste emerged.⁴ The people who were having more wealth became the highest caste and the people having little or no wealth were treated as the lowest. But another equally strong opinion about the emergence of caste is related to 'Chatur Varnya'.

3. Namboodiripad, EMS; Castes, Class and Parties in Modern Political Development, Social Scientist, Vol.6, No.4, Nov. 1977, P - 4.

4. "At the time or before the Chera Empire Class division had started making its appearance class division however took the form of caste division, those who were in a position to accumulate the greatest amount of wealth came to be considered the highest caste, and so on till we reach the class that is in a position to accumulate no wealth at all which become the lowest caste", Namboodiripad; Kerala Yesterday, Today and Tomorrow, quoted in an article by the same author; "Once again on Caste and Class" Social Scientist, No.103, Dec. 1981, P - 19.

This emphasise that caste originated on the basis of division of labour, the Shramins - the priest, the Kshethrias - the warriors, and the Sudras - the labourers to others. One more caste, the 'Visias' is also there, but it is argued that this group of caste is not found in Kerala. What ever may be the origin, as time passed one group of people was relegated to the position of slaves in Kerala. They were later came to be known as 'Harijans', or Scheduled Castes. The economic and social life of these people became miserable or even pathetic as they were considered as 'untouchables' or 'polluted castes' They were not allowed to walk through the public road, and not even take water from a public well. They possessed neither wealth nor status in the society. They were 'poor' in all the sense of the term and worked in the field with empty stomach from dawn to dusk for the benefits of their masters. This they continued unquestioned for years with a sense of dedication and piety. But land the main source of wealth and power was under the control and ownership ^{of} the Brahmins and Nayers who constituted the caste hindus of Kerala. The rest of the population who included the artisans and craftsman, the entire labour community and others who attended to the essential services of the village like washermen, barbers, boatman etc., were untouchables of varying ranks and belonged the 'polluting castes'. They possessed little or no land.⁵

5. Saradhamoni, K; Emergence of a Slave Caste; Pulayyas of Kerala, Peoples Publishing House, New Delhi, 1980, 9-14.

The economic upliftment of the weaker sections, particularly the 'Harijans' has been accepted as a policy measure by the Central as well as State Governments and after independence several measures were initiated in this direction. But to what extent these policies benefited them is a point to be evaluated.

In Kerala, according to 1971 census - the total population of scheduled castes comes to about 1.9 lakhs. This constitutes 8.30 percent of the total population in the state.⁶ In this study we propose to evaluate the impact of land reforms on these people.

"Land to the tillers" was the underlying idea of land reforms. When this idea was first introduced thousands and thousands of poor peasants hoped that they will become owners of land. But what actually happened was contrary to expectations. The administrative machinery largely failed to achieve the proclaimed objectives. Consequently the real beneficiaries of these reforms happened to be large and medium holders. They are largely middlemen and not 'tillers of the soil' in the true sense of the term. These people cultivate their land with hired labour. In other words the 'actual tillers' of the soil still continue as labourers without enjoying benefits from the land reform measures.

6. Statistics for Planning, The Directorate of Economics and Statistics, Kerala (1980), P-1.

An important aspect of the reform was the implementation of ceiling on holdings and acquisition of surplus land. The law clearly stated that 50 percent of the surplus land acquired should be distributed to the landless scheduled castes and scheduled tribes. Whether this law has been implemented and if so to what extent is the relevant question posed in this study.

Yet another important objective of the land reforms was to 'confer ownership right to the 'Kudikidappukars'. The law states "the extent shall be subject to a minimum of three cents if within the limits of a city or a major municipality, five cents if within the limits of any other municipality and ten cents if in any panchayat area or township".⁷ But instead of abiding the law in several cases, the land owners attempted to evict the 'Kudikidappukars' and wherever they granted ownership rights they tried to give only less than what is required by law. The majority of beneficiaries in this group, no doubt belongs to scheduled caste - mainly because traditionally they were settled in their master's land or they were forced to do so.

7. Government of Kerala, The Kerala Land Reforms Act, 1963, as on 1973, Government of Kerala, P-87.

To measure the impact of land reforms the following hypotheses are formulated : (a) Any change in the distribution of land alters the agrarian structure and results, in changes in income, employment and social life of the people. (b) Distribution of land has resulted in reduction of inequality and (c) The government has failed to distribute land to the real 'tillers of the soil and so the real beneficiaries happened to be large and or medium holders. These three hypotheses are tested in the succeeding chapters of this work. This is expected to throw light on the impact of land reforms on scheduled castes.

Methodology

Data for this study have been collected through a sample survey. The survey was conducted in a village where scheduled caste people have a concentration. 211 households were selected for the purpose of the survey. The survey was conducted on the basis of random sampling and each household in the village has an equal chance to be represented in the sample. Our survey population constituted about 5 percent of the total households in the village.

Secondary data for this study have been collected from various sources. Wherever they occur proper references are given.

The Scheme of the Study

For the purpose of analysis the present study is divided into seven chapters. First chapter introduces the topic. It also disses the methodology adopted for the study.

Second Chapter deals with the theoretical aspects of land reforms.

Chapter III delineates the implementation and effects of the Land Reform measures on the state as a whole.

Chapter IV presents the results of the survey.

Chapter V explains two sample cases of assignment and cancellation of ownership rights.

Chapter VI deals with the pattern of the distribution of income and employment of the scheduled caste, and is trying to find out the impact of land reform measures on these.

Chapter VII presents the conclusions of the study.

CHAPTER II : LAND REFORMS - A THEORETICAL APPROACH

CHAPTER - II

LAND REFORMS - A THEORETICAL APPROACH

Much of human history is dominated by the relationship of man to land. A sense of well being and security is inherent in the ownership of land¹, and land was used for the exploitation of man by man.² The role of land in the growth and development of a nation is very important. In a traditional society land is not thought of something to be bought and sold, but as something to be used communally, according to fixed contentions or to be allocated according to a strong hereditary class system.³ Later, land determined caste class relation and it bestowed power and status to the holder.

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1. Pandey, P.K., and Shanti Sarup: 'Changes in the Pattern of land holdings in relation to Productivity in India, Indian Journal of Agricultural Economics, Vol. XXXVI, Oct. - Dec. 1981, P-159.
 2. Syrodoyev, N., Soviet Land Legislation, Progress Publishers, Moscow, 1975, P-27.
 3. Hallet, Graham, Urban Land Economics, Principles and Policy, Macmillan Press, London, 1979, P-11.

Land has many important roles in shaping the structure of a country. First of all land plays an important 'Political Role'. Referring to India, Walter C Hale wrote "The Indian who acquired political power almost inevitably acquired control of land, which was the main source of wealth and income."⁴ Of course land is a material concept, but it is a source of wealth and property. Marx said that "the property in the soil is the original source of all wealth and has become a great problem upon the solution of which depends the future of working class."⁵ Peter Dornier observes in his book 'In non-industrialized societies, land represents the principal source of wealth and principal source of economic and political power, the land tenure system reflects social class structure and relations.'⁶ Land, in a country like ours, is a major form of holding of wealth and earns income to the owner of land. At the same time it is a form of wealth totally dependent on continuous use of human labour on a large scale to make it economically gainful.

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4. Walter C Hale : 'Land to Rule', in Frykenberg (ed) 'Land Control and Social Structure in Indian History, The University of Wisconsin Press, London, 1969, P-7.
 5. Marx K Karl, and Engles F, Selected works, Vol.2, Moscow, 1969, P-228.
 6. Dornier, Peter, Land Reforms and Economic Development, Penguin books, England, 1972, P-18.

Land has a 'Use Value'. Land has mainly two important uses, economic uses and physical uses. The former relates to wealth income etc., and the latter relates to house construction, building construction etc. Besides all these, land has another important role i.e., land is a productive factor, which in turn helps capital formation and ultimately helps to economic development and growth.

Land tenure relations varies from country to country. Each country shows entirely different characteristics of land tenure system. 'Land tenure system reflect specific historical, geographic, economic, social and political conditions'.⁷ Land tenure relations is not static one, it will change according to time and situation of the country. All the countries have gone through a specific nature or type of land tenure relations. In India the land tenure relation was mingled with feudalistic characters. Land was owned by a small group and the rest of the workers in the field were either slaves or attached labourers. In Kerala, during the medieval period, the land tenure relation was, as pointed out by EMS Namboodiripad,⁸ "Jati-Janni-Naduvashi-Medhavitham", which is different from feudalism.

7. Derner, op.cit, P-36.

8. Namboodiripad, EMS, 'Once again on Castes and Class', Social Scientist, No.103, Dec.1981, P-13, wrote it - "the medieval society in Kerala was not feudalism 'but' jati-janni-naduvashi-medhavitham, which means the domination of the upper castes, the 'Jannies' and local chieftants in Kerala Society.

Changes in the agrarian structure is necessary to change the economic and social systems of a country and such a change will affect the income distribution and production of a country, especially in the agricultural sector. Since land is the most important asset held in agrarian economics, any change in the distribution of land holdings or in rental and wage incomes accruing from each holding, must have significant effects on distribution of income and consumption.⁹ Of course a change in the distribution of holding will change the whole structure of the country, particularly a country like ours, where a major part of the national income arises from the agricultural sector. If so what is the proper method to alter the agrarian structure? Economic development is often identified with economic growth and overall development begins with agricultural development. Moreover, agricultural sector contributes capital and labour to other sectors of the economy. The answer to above question is that 'Land Reforms are apt and suitable measure to alter the agrarian structure and land holding. 'Any demand for land reforms is pre-conditioned by the existence of outmoded property and usufructuary relations in the land.

9. 'Poverty, Unemployment and Development Policy - A Case Study of Selected Issues with reference to Kerala, Centre for Development Studies, Trivandrum, 1975, P-53.

The relations become outmoded when it does not satisfy the needs of contemporary society, its requirements of productive efficiency and norms of distributive justice are more than not integrally linked in a proper perspective of development of most underdeveloped countries aspiring towards rapid planned transformation of their economy and society.¹⁰ Land reforms are policy instruments to alter the agrarian structure. It helps to reduce the monopolistic power on land by landlords, and also a better method to abolish or even change the feudalistic nature of the sector. To the Galbraith words 'Land reforms is a revolutionary step; it passes power, property and status from one group in the community to another.'¹¹ In Dorner's opinion - Land reforms are often viewed as an instrument for the achievement of greater equity and social justice. It has a dual purpose of serving both as a redistributive instrument and for achieving increased productivity. As a redistributive instrument land reforms helps to reduce the inequalities in the wealth distribution, consumption and so on. It helps to mechanise agricultural sector which leads to scientific

10. Bandyopadhyay, Nripen; 'Operation' Sarga and Land Reforms Perspective in West Bengal "A Discussive View", EPW, Vol.XVI, Nos.25-26, June 20-27, 1981, P-28.

11. Galbraith, J.K., Conditions of Economic Changes in Underdeveloped Countries, Farm Economics, Vol.33, pp.689-96, cited in Dorner, op.cit, P-29.

and developed cultivation and production. In the case of productivity side, when re-distribution is taking place, the incentive to produce more increases and this will naturally help to satisfy the need for more food. And again, consumption and the savings of the people will increase. Thus investment in other sectors of the economy and overall development takes place. In short 'the central idea underlying the land reform measures was that agricultural income must be substantially raised and there after maintained on a higher level not as a mere largesse to the farmer but as a means of improving the stability of the whole economic system and promoting the state's economic progress.¹² Land reforms help to reduce poverty and disparity between urban and rural areas. Employment opportunities increase, and rural development takes place. Increase in the standard of living of the people, education and cultural development, social development as a whole are the results of such measures. Finally 'Land reforms has a place in the growth and development of democratic institutions and in a democracy a wide diffusion of rights in land or an opportunity to acquire such rights is believed an essential force making for individual freedom and creative individualism.¹³

12. Sankaranarayanan, K.C., Economic Effects of Land Reforms in Kerala, (typed) A thesis presented to the Aligarh Muslim University for the Degree of Doctor of Philosophy in Economics, Aligarh, (Unpublished) 1970, P-56.

13. Ibid. P-60.

There are so many obstacles to the proper implementation of land reforms. "The economic and political power associated with landed interests is one of the key obstacles to land reform which inevitably involves tough political decisions and confrontations."¹⁴ Again Dornier¹⁵ mentions two important types of obstacles to the proper implementation of the measures, such as Internal and External obstacles. Under internal obstacles there may be lack of organisations (peasants, tenants, share croppers etc.), ineffective legislation, lack of specific criteria for land taking procedures with resulting delays in legislation, financial problems, etc. Under external obstacles there may be lack of foreign financial assistance in time, in certain cases land and other agricultural enterprises owned or controlled by foreign interests etc. Of course, in actual practice, proper implementation of the land reform measures is very difficult. This might be due to the above said facts.

In India, soon after independence, mass agitations were organised against the existing land tenure system. So all the state governments and the Planning Commission gave more importance to land reform measures. In Kerala, also a

14. Dornier, op.cit, P.29.

15. See, Ibid, pp. 29-33.

series of land reform measures were implemented by the government based on several objectives. It will be interesting to look into the implementation of these Acts, its progress and the overall effects.

CHAPTER III : LAND REFORMS /- THEORY AND PRACTICE
IN KERALA

CHAPTER - III

LAND REFORMS IN KERALA - THEORY AND PRACTICE

The present Kerala State was formed in 1957[†] on linguistic basis by unifying the then states of Travancore and Cochin and the district of Malabar which was a part of the then Madras Presidency. These three geographical areas had different tenure relations which were rather complicated.

The land in the state was owned partly by private parties and partly by the state. But private ownership was largely monopolised by the high castes viz., Namboodiries and Brahmins, who were the migrants to the region. The monopolisation of land ownership by the Brahmins or Namboodiries took place some where between 8-11 A.D.¹ They seem to have done this by acquiring land for the temples, and through temples for themselves. Once they realised this they publicised the myth that the whole land of Kerala was presented to them by Lord Parasurama.²

The Namboodiries and Brahmins did not cultivate the land. They leased out the land to Nayars. This resulted in tenancies

1. Saradhamoni, K, Emergence of a Slave Caste : Pulayars of Kerala, Peoples Publishing House, New Delhi, 1980, P-25.

2. Varghese, T.C., Agrarian Change and Economic Consequences, land tenures in Kerala, 1850-1960, Allied Publishers, Bombay, P-14.

such as Kanan,³ Patton, Kuzhikkanam etc. As time passed, the whole structure of land relationship came to be determined and governed by the caste hierarchy, and both worked in unison to effect a new type of rigid social stratification.⁴ The arrival of Portuguese and the Dutch during the end of the 15th and middle of the sixteenth centuries, and the Mysorean conquest of Malabar and Cochin in the middle of the 18th century had significantly influenced the land tenure relations and structure in these regions. Following the Mysorean conquest for the first time a land settlement was introduced, while settling with actual cultivators the government came into direct relationship with actual cultivators overlooking the superior classes.⁵

For a proper understanding of the land tenure structure and the reforms measures we must have some idea regarding the tenure systems that existed in the state prior to the formation of Kerala. First we deal with tenure system that existed in Travancore.

3. 'Kanan' is explained as - when the control of land was transferred to Brahmin temples or chieftants under coercion, the cultivators were given to understand that they were do it as a token of alligience or respect. Kanan - means 'Kanikka', See Varghese, op.cit., pp.14-15.

4. Ibid.

5. For a detailed discussion, see, Ibid, pp. 17-19.

Travancore

There were two important types of land tenures in Travancore. They were 'Pandaravaka' and 'Jenmom' lands. The land owned by the government were known as 'Pandaravaka' land and the other as 'Jenmom' lands. 'Pandaravaka' lands (sircar lands) were divided into 'Pandaravaka Pattom' or 'Pandaravaka Otti'. An important feature of tenure relationship in Travancore that distinguishes it from other regions was that here a major portion of land was owned by the state. "By the 1850's about 80 percent of the cultivated land and whole of the waste land had become sircar land.⁶ The number of Jennis were very small, and the majority of the population consisted of agricultural labourers and cultivators. The tenants leased in both 'Pandaravaka land' and 'Kanam' land for cultivation. 'On the whole the agrarian situation in Travancore was far better than in Malabar at this time, and it was further improved by progressive state action through out the latter half of the century.⁷

Like other regions, in Travancore also the tenant had no ownership right. The condition of tenancy worsened as time passed and increase in population. In order to reduce the evil effects of tenancy. In 1826, a Royal Edict was

6. Ibid, p-44.

7. Ibid, p-48.

issued, which stated that the tenants should pay the dues to the jennies and the jennies should allow the tenants to continue cultivation so long as they paid the jennies dues. In 1865 a Patton Proclamation⁸ was issued and this provided ownership rights to the tenant cultivators of sircar land. The proclamation also gave right to restricted transfer of their properties. According to Vargheese, In an economy like that of Travancore, where land was considered as the most desired form of wealth as well as the major source of livelihood, it caused a spurt in transactions revolving around land, and this paved way for expansion in economic activity.⁹ In 1867 another proclamation was issued by the state which prevented the jennies from evicting their tenants so long as they paid the rent and other dues. Next important legislation was the 'Jenni and Kudiyan Regulation of 1885-86', which gave the kudiyan permanent occupancy rights in his holdings. In 1949 another act was enacted viz., 'Prevention of eviction of Kudikidappukara Act', which conferred the Kudikidappukaran permanent right of occupancy subject to certain conditions.

'Due to these benevolent policies pursued by the state, there was considerable development of agriculture, which manifested itself in a phenomenal increase in the area cultivated.'¹⁰

8. The proclamation was issued on June 7, 1865, which has been considered the 'Magna Carta' of the Travancore ryots.

9. Vargheese, op.cit. p-65.

10. Ibid. p-69.

The land tenure relation and pattern in Travancore was better than any other regions. According to Vargheese, by the end of the 19th century, Travancore had almost shifted over to a region of peasant proprietors. (State controlled major portion of the land).

Cochin

The important land tenures in Cochin were 'Pandaravaka' and 'Puravaka'. Pandaravaka land were held under subsidiary tenures like 'Verum Pattom', 'Kanem', 'Adima', 'Anubhogam', 'Karanna', 'Danam' etc. In the case of 'Puravaka' lands proprietorship was vested in a third party. In Cochin, major portion of the land was owned by jemies and the rest was under the state ownership. State owned land (sircar land) was also leased out which was known as 'Pandarapattom'. Under Pandarapattom the tenant had no ownership rights or rights to transfer. Under the tenorial conditions in which cultivation was being practiced in the state, the position of the agricultural labourers must be expected to have been worse in Cochin than in Travancore and still more because of their relatively large number and very limited scope for alternative employment.¹¹

11. Ibid. p-50.

In 1861, to prevent the eviction of 'Kanam' tenants an Edict of the Raja was issued. Another important legislation was the settlement proclamation, (1904-1905), which gave full proprietary rights to holders of 'Pandarasvaka', 'Verum Pattom' lands, subject to the payment of state revenue. Cochin Tenancy Act of 1914-15, Proclamation 3 of 1936, Cochin Tenancy Act of 1938, Proclamation 6 of 1941, Cochin Verumpattomdars Act of 1943, Devaswam Verumpattom (Settlement) Proclamation, 1943, and Proclamation of 1949 are certain other important legislations during this period.

Proclamation 3 of 1936 was issued for staying arbitrary evictions of Kudikidappukers from their homestead. It also conferred security of tenure on 'Kanam' tenures. The Act of 1914 made provisions for compensation to tenants and fixity of Kanam tenures. In the Cochin Tenancy Act of 1938, instead of Kanam tenancy certain other tenancies were included. Through the Cochin Verumpattomdars Act, permanent occupancy right was given to the 'Verum Pattom' tenants. The Devaswam Verumpattom (Settlement) Proclamation of 1943 gave the pattamdars permanent rights of occupancy in respect of their holdings. This Act laid down that the tenants should not be evicted for arrears of rent. Proclamation of 1949 benefited all those Verum pattomdars, Kanam tenants, etc.

Even with all these land legislations the tenants condition had not improved much. This was mainly because of the fact that invariably the landlords were successful in evading the 'fixity provision' by leasing lands on terms and conditions altogether exempted from the Act.¹²

Malabar

The tenurial system in Malabar seems to be quite complex and complicated. Between the 'Jenmi' and the 'Cultivator', there were several tenants, and sub-tenants. Under a jenmi there is generally one or more 'Kanadars' under whom one or more 'Verumpattom' tenants, who in turn cultivate the land through hired agricultural labourers or directly by themselves. The 'Jennies' have been absolute owners of land, and these jennies belonged to the highest caste in the caste hierarchy like Nambudiries or Nayars. Early in the 19th century as population grew and pressure on land increased, there was stiff competition for land. Due to severe hardships the ryots became restive.¹³ It is observed that the main reason for the Mappila-outbreaks in many parts of Malabar was due to the unrest in the agrarian relation and structure. Following this several inquiry commissions were appointed by the then Madras Government

12. Ibid, p-135.

13. 'Land Reforms survey in Kerala, 1966-67, Report, Bureau of Economics and Statistics, Trivandrum, 1968, P-23.

In order to inquire about the reason for the agrarian unrest and the conditions of the tenants. In 1852, Mr. Strange was appointed to inquire into the causes of Mappila outbreaks. In 1854 the Sadar Adalat Court instituted an inquiry into the existing land tenures of Malabar. Due to the large scale eviction of tenants, the situation created out of it became more worse in the region. Because of all these reasons in 1881, Mr. Logan was appointed to inquire into the land tenures and tenancy rights. Malabar Compensation for Tenants Improvement Act of 1857, was another important step in this series. In 1929 Malabar Tenancy Act was passed and this Act was the outcome of the recommendations made by the Raghavayya Committee, appointed by the government in 1927. This Act conferred fixity of tenure on verumpattomdars holding, and also gave the right to demand renewal of their lease on 'Kanamdars', 'Kushikanamdars' and customary 'Verumpattomdars'. Fair rent was also fixed on the basis of income from land. Because of the ineffectiveness of this Act, another committee was appointed by the government to study the problems in the agrarian structure. This committee was known as the Malabar Tenancy Committee in 1939, and this Committee suggested certain measures to improve the situation between landlord and tenant. 'In the absence of any effort to change the land tenure system, it continued as it was earlier, with all the evils attached to it.'¹⁴

14. Varghese, op.cit, p-63.

Due to the increase in population, and increase in the grip of 'Jennies' right on land caused continuous agrarian unrest in this region at the eve of the formation of the present state.

Travancore-Cochin

After the unification of Travancore and Cochin certain legislations have been enacted in Travancore-Cochin region to bring about uniformity in the tenurial relationships in the region. Travancore-Cochin Prevention of Kudikidappukars Act, 1955 is one of the important in this respect. This Act prevented eviction of kudikidappukar except under certain circumstances. The Kanam Tenancy Act of 1955, conferred full proprietary rights on 'Kanam' tenants subject to payment of 'Jemmikaram'. Another legislation was the Travancore-Cochin Compensation for Tenants Improvement Act 1956, in which provisions were made for the payment of compensation for tenants' improvements in the state of Travancore-Cochin.

Socio-Cultural and Political Developments During the First Half of the 20th Century

The influence of casteism in Kerala society is very wide even today. But there might have been one society, where equality prevailed in its complete sense during the primitive

stage. When and where symptoms of caste originated we do not know. There are difference of opinion about it. Any how, one thing we know, this caste-based heirarchical society prevented the growth and development of the society. During the early periods, as we have seen earlier, certain high castes particularly the Brahmins, controlled the social system, and owned the major portion of land. People at the lowest ladder of the caste heirarchy neither owned any property nor had any status. These lowest castes were either slaves or attached labourers. Later they became serfs or workers, and their position now is rather pathetic.

The Socio-Politico-Cultural developments in Kerala during the latter half of the 19th and early half of the 20th century encouraged to change the situation upto a certain extent. In Kerala at that time existed joint-family system, both patriarchal, and metriarchal system of inheritance. The lowest caste people were denied of all rights, they were not even allowed to walk through the public road. Right to education and social life were also denied to them. They were considered as 'Untouchables' or 'Polluted Caste'. Later they came to be known as 'Harijans'.

There were three important strong movements against the caste and caste politics in Kerala during the first half of

this century.¹⁵ The most important was the organisation of the castes in general, and the backward caste in particular. The Ezhavas, one of the backward caste organised as a strong group and agitated against the casteism and worked for social reformation.¹⁶ The Harijans, especially the pulayas were also organised and demanded for education and other social status.¹⁷ Besides the organisation in the backward caste there was organisation among the forward castes also. The organisation of the Namboodiries against the rigid social customs prevailed

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15. For a detailed discussion, see, Unni Raja, C, 'Jatikkum Jati Rashtriyeevathinam Ezhiraya Samagam', Part-III, (Malayalam), Marxist Veeekshanam, Kerala Institute of Marxist Studies, Trivendrum, p.29-36. Also see, Namboodiripad, EMS, 'Keralathile Shoo Parishkerangalun Karshake Prasthanavum Indiran Sahacharyathi', Part I & II, Deshabhimany, News paper, Cochin (Ed), October, 1981, where he summarises the developments in Kerala during the seventy five years between Logan Commission's Report and the formation of Kerala State.
16. This organisation is known as the 'Sree Narayana Dharma Paripalana Sangham' (SNDP), which is one of the strongest organisation even today, see Unni Raja, op.cit, p-30.
17. The leader of this organisation was Sri Ayyankali, who strongly organised the oppressed castes and led them for a social reformation. The name of the organisation was 'Pulayar Maha Sabha'.

in their caste was also encouraged the movements.¹⁸ The Nayers also organised and moved against the customs prevailed in their caste.¹⁹ With this another important movement also emerged i.e., the agitation for the abolition of joint family system and distribution of landed property to the members of the family.

Yet another significant movement during this period was the movement against the British Colonialism. This helped to mobilise people to fight against the Britishers and evils that were perpetuated by the caste hindus.

The last and most revolutionary movement in this period was the mobilization of the working class people and others under the banner of the Communist Party. All these movements had their repercussions in the agrarian sector also. The emergence of capitalist farming worsened the condition of the tenants. They were subjected to eviction. The agrarian scene as a whole needed an alteration.

18. The organisation known as 'Yoga Kshema Sabha', and the demand for modern education, and more freedom to 'Andharjanams', etc., was their important demands. Of course, it was aimed to reform a particular caste, it helped the movement of other castes indirectly. The name of V.T. Bhattadripad is important in this respect. See Unni Raja, op.cit, p-31.

19. This is known as Nayar Service Society (NSS) and the name of Mannath Padmanabhan is relevant in this respect.

Land Reforms, Theory and Practice

The Kerala State was formed in 1956, and following the first general election, the Communist Party was voted to power. The Communist Party in their election manifesto unequivocally promised to undertake land reform measures to enhance the status of the tenants and the labourers. The ministry came to power on 5th April 1957, and in this year itself a legislation was enacted to stay the eviction of tenants by landlords. In 1959, the Kerala Agrarian Relations Bill (KARB) was presented in the Assembly by the government. Regarding this bill, it is observed that 'Despite the declared party position on the question of compensation, the KARB provided for payment of compensation to land owners.'²⁰ And also the bill provided more benefits to the large holders than for the poor people. And 'the proposed reform of agrarian

20. Raj, K.N., and Michel Tharakan P.K., Land Reforms in Kerala and its impact on the distribution of holdings. "A paper presented to the seminar on Logan's Centenary Celebrations, Koshikode (1981), p-7. Further their argument continues " the proposed benefits of land reform could accrue also to the upper strata of tenants operating their holdings with hired labour; though in its broad policy of the communist party was clear that only those who contributed their own or their family members labour in cultivation could qualify as actual tillers and that ownership right were to be conferred only on them.'

relations was therefore, ineffect, basically a programme for reform of tenancy with a view to its abolition.²¹ Any how, the bill has not got the assent of the President, and due to the political and other developments in the state the Communist Government was dismissed by the President of India, on 31st July 1959, after twenty seven months rule.²²

After effecting certain changes in the Bill in 1963 another Act was passed by the then government. This is one of the most important Land Reform Acts in this series and is known as the 'Kerala Land Reforms Act' (KLRA, 1963). The ceiling limit in this Act was raised (36 acres), certain plantations (such as cashew, pepper, coconut etc.) were exempted from the ceiling law. 'Small holders' were redefined as those who are having interest in land upto 24 acres. These changes were made in accordance with the direction of the President of India.

The implementation of this Act was very slow. Now the State once more came under President's rule. In 1967 a coalition ministry under the leadership of Communist Party (M) came

21. Emphasis is added, Ibid, p-7.

22. Soon after the introduction of the bill, the then opposition parties who were supporters of landlords and jennies strongly opposed the Bill. They started agitations against the government. 'Vimochana Samaram' in this context is also relevant.

to power. This ministry decided to undertake the unfinished task in the Bill of 1957, and for this the Act of 1963 Amended; and the Kerala Land Reforms (Amendment) Act of 1969 enacted. In this study we deal with the main provisions of this Act and the impact of their implementation. The important objectives of this Act was (a) to abolish tenancy and to confer ownership rights to the tenants, (b) to confer ownership right to the kudikidappukars and finally (c) registration on ownership and possession of land in excess of ceiling area and disposal of excess land. The progress in implementation and the effects of these reforms are discussed below.

Progress and Prospects of the Acts

1. Tenancy Abolition:

Implementation

Sections 3 to 74 of Kerala Land Reforms Act explain the provisions regarding the tenancy abolition. The most important aim behind this law was to wipe out landlordism from the agrarian structure and to confer ownership rights to the tenants. Government's slogan was 'land to tillers of the soil'. Here one genuine doubt may arise, whether the land has been distributed to the real tillers of the soil or to the tenants. Of course, the beneficiaries are the middlemen who were tenants. But they were using hired labour for

cultivating the land. These things will be discussed after seeing the implementation of this Act.

The State Land Board was vested with the overall charge of the administration of the Kerala Land Reforms Act. In order to speed up the implementation process about twenty eight land Tribunals were appointed all over in Kerala in 1964.

Upto June 1981, the total number of cases regarding the conferment of tenancy in the Land Board was 3663621. (A districtwise receipt of cases and disposals are given in Appendix-I, Table-1) and of these 3650985 (99.66 percentage) cases have been disposed of. And this shows virtually the implementation of this scheme is complete. Out of the disposed cases, 2468586 (67.38 percentage) counts as allowed disposals. The balance of the disposals have been mostly rejected cases. The certificate of purchase issued to the allowed disposals amounts to 2441648 (98.91 percentage), which left only a little percentage of balance.²³ Any how, more than 2.47 million tenanted plots become the property of their former tenants, and this is more or less consistent with the government claims that 2.5 million tenants had benefited during the implementation period. Here

23. Data source, Land Board, Kerala, Proceedings, LB(A) 3-37678/81 dated, 24-7-1981, compiled from the various figures.

the total area distributed under this is not given anywhere in the reports.²⁴ But certain writers have tried to estimate the total area distributed under this scheme.²⁵ Radhakrishnan's study shows that as on February 1981, (4 months back) the total receipts of cases was 3650943 and of these 3637956 (99.64 percentage) have been disposed of, and in this allowed disposals being 2459491 (67.61 percentage). The total area of land covered by the allowed disposals has been estimated as 1967593 acres, and the average area per case or tenanted plot works out to 0.80 acres.²⁶ Exactly one year back to this, by the beginning of February 1980, Herring²⁷ calculated that 2.4 million tenant plots secured ownership rights to its possessors and the average area per tenanted plot as 0.80 acres. If take this as the average area, the total area distributed upto June 1981, works out as 1974868.8 acres, where 2.47 million

24. Since Land Board is the main source; the area distributed is not given in the proceedings which they supplied. And statistics for planning 1980, Government of Kerala, The Directorate of Economics and Statistics, is one of the relevant source, the issue (1980) does not give any data related to the area. Total cases are given.

25. Important in this are, (1) Radhakrishnan, P, Land Reforms in Theory and Practice, The Kerala Experience, EPW, Vol.XVI, No.52, Dec.26, 1981, and (2) Herring J, Ronald, 'Abolition of Lendiordism in Kerala: A Redistribution of Privileges' EPW, Vol.XV, No.27, June, 28, 1980.

26. Radhakrishnan.P, op.cit, p. A-130.

27. Herring, op.cit.

tenants have been benefited. Herring argued that since tenants frequently leased in plots from several landlords, there were more 'cases' than 'tenants'. So he calculated that the average tenant seems to have had about two tenanted plots, and he calculated the number of tenant households benefited as 1.27 million, an average area of 1.86 acre per tenant. Following this Radhakrishnan's study shows that only 1.23 million tenant households benefited. Based on this the total households benefited amounts to 1234293, a little more than Radhakrishnan's estimates.

Effects

The enactment of the land reform legislation conferring ownership right to tenants gave a death blow to the landlordism in Kerala. It helped to abolish the feudalistic form of agrarian structure. Most of the ownership transfers took place under this provision of the Act.

Average Size of Holdings

During 1966-67, 59.7 percent of the total holdings were less than one acre in size and the average area in this group constituted 0.38 acres, and the operated area is 12.4 percentage of the total area operated.²⁸ Through the tenancy abolition each tenant got an average area of 0.80 acres, the average area of a tenant household is 1.60 acres. "It has eliminated

28. Land Reforms Survey, op.cit, p.63.

the constraint on agricultural production posed by traditional landlordism, it has also constrained a new constraint through the fragmentation of holding, and any positive gains out of the release of land from the monopoly of the landlord class is presumably neutralised."²⁹

Recent studies³⁰ show that the implementation of this scheme has brought about three main classes among the former tenants. The largest tenant owners now became landlords and are trying to exhibit feudal characteristics of their former master. At the lowest group there are certain holders who are having only a little bit of land, which do not provide them any gainful employment. Between these two extremes there is yet another group - the small holders. These people are cultivating their land by themselves or through hired labourer. The former group, the tenant-turned landowners, are cultivating their land with hired labourer. They also use modern technology and manures for increasing productivity. Perhaps, the capitalist form of cultivation in agriculture might be the contribution of this group. The gainers of small bits of land, the 'hutment dwellers' are supplying enough labour

29. Radhakrishnan, P, op.cit., p.A-131.

30. See, Mencher, P, Joan; "The lessons and Non-lessons of Kerala, Agricultural labourers and poverty; EPW, special number, Vol.XVI, Ibid. 1980, and Radhakrishnan P, op.cit.

to these groups. Herring with the data collected from 17 villages in Kerala, observes that "The abolition of tenancy relation was certain to benefit a large number of landholders whose class status was relatively high and whose agrarian heirarchy was relatively privileged."³¹ In short, implementation of the scheme helped to transfer land on a large scale from landlords to tenants, landlordism disappeared and a new class of owners emerged in its place. This class comprised of (i) large land owners (ii) small holders and (iii) tiny holders.

Ownership Rights to 'Kudikidappukars'

The second major objective of Land Reforms Act is the conferment of ownership rights to the 'Kudikidappukars'. Perhaps, majority of the beneficiaries in this group belongs to scheduled caste. Through this provision lakhs of landless people became "land holders" and changed their position as "landless" labourer.

31. Herring J Ronald, "Abolition of landlordism in South India: A Redistribution of Privilege". Land Tenure News Letter, USA, April-June 1980, p-3. Radhakrishnan, P. op.cit, also make similar observations. He points out that "Many of the rich land owners, who became owners of all lands leased in by them on the government's assumption that they were the 'tillers of the soil', do not till the soil by themselves but only supervise the work of hired labourers". p.A-131.

Sections 75 to 80G of the Kerala Land Reforms Act deals with the rights and liabilities of Kudikidappukars and Section 77³² stipulates conditions under which the kudikidappu can be shifted. Upto 30-6-1981, there were 6,963 cases under section 77 and out of this 6864 (98.58 percentage) cases were disposed of in favour of the kudikidappukars and in the case of 1,709 (24.55 percentage) cases the request of the landlords were conceded. The rest of the cases were either rejected or disposed on mutual agreement. This shows that about 1,709 kudikidappukars has been shifted from their kudikidappu on the request of the landlord.

Section 80A(9)³³ of the Act provides right to the kudikidappukaran to shift his kudikidappu if it causes any inconvenience to him. He can opt a new portion of land, and the cost should be leased by the landlord. Under this Section upto June 1981, 6879 cases were received and 6794

32. The law states that, under certain conditions the kudikidappukaran shall be forced to shift his kudikidappu, provided that he should be informed about the shifting prior to one month, and the landowner should give another portion of land to the kudikidappukaran. The Kerala Land Reforms Act, p.90.

33. Where the kudikidappukaran applied under Section (1) of Section 80B for purchase of his kudikidappu, and the Land Tribunal on application with in which such time as may be prescribed by the person in possession of land in which the kudikidappu is situated, is satisfied that the portion to be purchased is so located as to cause inconvenience to him, the Land Tribunal may require the kudikidappukaran to purchase another portion of the land, provided that the kudikidappukaran shall have the right to opt for the portion to be purchased and the cost should be leased by the land owner. KLR Act, op.cit, p-95.

(98.77 percentage) cases were disposed of, including 1678 (24.39 percentage) conceding the request of the land owners. This means that 1678 kudikidappukars might have shifted their kudikidappu from the earlier place to new places according to their convenience.

Section 808 enables the kudikidappukars to purchase his kudikidappu. The extent of the kudikidappu shall be "subject to a minimum of three cents if within the limits of a city or a major municipality, five cents if within the limits of any other municipality and ten cents if in any panchayat area or township." How far provisions were beneficially utilised by the kudikidappukars is not known. But one thing is certain that is the majority of the poor 'hutsent dwellers' got security with their holdings. As on June 30, 1980, the Land Tribunal had 442082 cases of requested purchase in this scheme. (A district wise receipts and disposals of the cases are given in the Appendix -I, Table-2) Out of this 437250 (98.91 percentage) cases were disposed of, 270190 (61.12 percentage) favourably. The rest of the disposals includes rejected and mutual disposals. However, out of the 270190 disposals allowed the certificate of purchase was issued to 256471 (94.92 percent) cases. The total area distributed is not given in the data source. Radhakrishnan's study shows that average area received per 'kudikidappukaran' (household) is 0.08 acre.³⁴

34. Radhakrishnan, op.cit, p. A-130.

The total number of kudikidappu in the state, according to the Bureau's Survey comes to 3.4 lakhs only. But the receipts of cases in the land Board exceeded this, (4.7 lakhs) and the certificate of purchase issued is far below this (2.7 lakhs only).

Effects

Conferring ownership rights to the 'hutment dwellers' or kudikidappukars was one of the most important provisions contained in the KLR Act. The hutment dwellers were mainly landless people. Most of them belonged to scheduled castes. They were 'slaves' in the past and were attached to the landlord. But after the implementation of the reform measures they became 'free workers'.

Conferring ownership right to kudikidappukars is not a new provision, years back, before the formation of the Kerala State, an Act was passed for preventing the eviction of the kudikidappukar.³⁵ In this context Mencher's finding is also relevant, "--in Tamil Nadu, the 'Cheri' (Harijan quarter) was always harijan property. It was not possible for a large village land owner to throw people out of the 'Cheri' at will. Thus, one could argue that what the legislation in Kerala gave to the landless labourers was something that the Tamil agricultural labourers had all along."³⁶

35. In 1955 an Act was introduced by the Travancore-Cochin Government, in order to prevent the eviction of kudikidappukar. Travancore-Cochin Prevention of Eviction of Kudikidappukars Act, 1955.

36. Mencher, op.cit, p-1791.

Ceiling Law and Surplus Land Distribution

Implementation

Perhaps one of the revolutionary steps in the Land Reform Measures is the fixation of ceiling on holdings and the disposal of the surplus land to the landless agricultural labourers. The law states that 'the ceiling of land shall be in the case of an adult unmarried person or a family consisting of a sole surviving member, five standard acres, so however that the ceiling area shall not be less than six and more than seven and a half acres in extent.³⁷ A family consisting of more than five members can hold upto twenty acres of land.

Sections 91 to 98A of the Kerala Land Reforms Act provides rules and regulations regarding the fixation of ceiling area acquisition and distribution of surplus land. Upto June 30, 1981, the Land Tribunal had received 66,355 cases regarding the surplus land. (A district wise implementation of this scheme is given in the Appendix-I, Table-3a) A summarized format of the implementation of this scheme is given in Table-1. Out of the total cases, the Land Board

37. 'Land Reforms Act, Kerala, op.cit, p.140-145, the law continues "less than five members the area shall not be less than twelve and more than fifteen, more than five members less than twelve and more than twenty acres. In the case of any other person, other than a joint family the area shall not be less than twelve and more than fifteen acres".

found surplus land only with 11,614 cases (17.50 percent). No body knows, what had happened to the rest. They might have escaped through the loopholes of the rules. The disposals of the cases are some what finished, i.e., 63,825 (96.19 percent) cases have been disposed of leaving 2530 (3.81 percent) cases pending. The total area ordered for surrender upto this period works out as 157,324.75 acres. Following the High Courts stay order, one fourth of it, 39,802.32 (25.30 percent) acres have been reduced. The net extent of land ordered for surrender is 1,17,522.37 acres only (74.70 percent). Once again due to stay orders from high court 3656.46 (4.48%) acres were reduced from the net extent ordered for surrender. So finally the total land taken over came to only 77949.40 (95.52 percent) acres, out of this the total extent of land distributed works out as 51842.09 acres (66.50%). The rest of the land, 23957.82 (30.74%) acres taken over has been kept for public purposes. So only 2449.49 acres (2.76%) were being found as available for distribution.

In short, at a glance, we can see that the acquisition and distribution of surplus land has not benefited the poor people. This was mainly because of the loop-holes in the law itself. For example, the total land ordered for surrender was 1.57 lakh acres and the total area distributed

Disposal, Surrender and Distribution of Surplus Land -

As on June 30, 1981

Table - 1

(Area in acres)

Total number of ceiling returns filed	. .	66355
Number of cases involving surplus land	. .	11614
Number of ceiling cases disposed of	. .	63825
Number of cases pending	. .	2530
Total extent of land ordered for surrender	. .	157324.75
Extent of land reduced due to orders of High Court etc.	. .	39802.38
Net extent of land ordered for surrender	. .	117522.37
Total extent of land taken over	. .	81605.86
Extent reconveyed due to order of High court etc.	. .	3656.46
Net extent of land taken over	. .	77949.40
Extent of land distributed	. .	51842.09
Balance extent to be distributed, reserved for public purposes, vested forests, in stay, disputes etc.	. .	23957.82
Extent available for distribution		2149.49

Source: Proceedings of the Land Board, Kerala, Trivandrum, LS(A)A3 - 37678/81, dated 24-7-1981, compiled from various figures.

comes only 51,842.09 acres (32.95%). The rest, 67.05% of land has been reduced due to orders of high court or disputes etc. Moreover, the ceiling area fixed by the Act is too big to acquire more land for distribution. The law stated that a family consisting of more than five members can hold upto 20 acres of land. Kerala has the highest man-land ratio in India. In such a situation the average size of the family being more than five, and a family can hold upto 20 acres of land other than plantations - In the case of plantations there is no such restrictions, there is little chance for getting enough surplus land for distribution among landless labourers and scheduled castes and scheduled tribes.

Beneficiaries of this scheme

Regarding the distribution of surplus land, a special provision is made in the Act. The Act provides that 'one half of the land shall be assigned to landless agricultural labourers belonging to scheduled castes and scheduled tribes and such socially and economically backward citizens,³⁸ and the other half to landless agricultural labourers. Caste wise distribution of the surplus land is given in Table - 2.³⁹

38. This provision is made in the Act 17 of 1972
See, Land Reforms Act, Kerala, op.cit, p-117.

39. Also see the Appendix-I, Table - 3(b).

The total area distributed upto the reference period, as we have seen above being 51842.09 acres, and the total number of beneficiaries are 83339 persons, an average 0.62 acres per head. In the case of scheduled caste total number of persons benefited comes to 33310 (39.97%) and the total area received amounts to 18755.29 acres (36.18%) the area per head worked out as 0.56 acres. The total number of scheduled tribe persons were 4896 (5.87%).

Table - 2

Distribution of Surplus Land - Beneficiaries, As on 30-6-1981

(Area in acres)

Beneficiaries	No. of persons	Total extent distributed	Percentage of person to total	Percentage of extent to total	Area per head
Scheduled Caste	33310	18755.29	39.97	36.18	0.56
Scheduled Tribe	4896	4030.92	5.87	7.78	0.82
Others	45131	27238.14	54.15	52.54	0.60
Societies	2	1817.74	--	3.50	--
Total	83339	51842.09	99.99	100.00	0.62

Source: Compiled from various figures, from the proceedings of Land Board, op.cit.

The total area distributed found as 4030.92 (9.87%), with a 0.82 acres per head. The total number of others (other than scheduled castes and scheduled tribes) numbered 45,131 persons (54.15%) and the total area distributed 2,72,338.14 acres (52.54%) with a 0.60 acres per head. The rest of the area 1,817.74 acres (3.50%) has been distributed to two societies. Here we want ^{to} point out ^{Kal} the distribution of surplus land benefited only 38206 (45.84%) persons ^{of Scheduled Castes and Scheduled Tribes.}. The total area distributed amounts to 22,786.21 acres (43.96 percent) and that, amounts to 0.59 acres per head. If we take scheduled castes and scheduled tribes separately the area received per head of the scheduled caste is only 0.56 acres, whereas the area received by scheduled tribes comes to 0.82 acres.

Effects

Ceiling on land holdings and the distribution of surplus land to the agricultural labourers is one of the best method for the redistribution of land. But in Kerala, the ceiling on holdings has not succeeded in realising the objective. When the Act was enacted, and the proceedings for implementation started, major portion of the surplus land has been transferred by the landlords. So the government found only a little percentage of

the surplus land. Regarding this, the Bureau's study states that

"when the communist party came into power in Kerala in 1957, big landlords rightly apprehended that their feudal interests on land would be at stake. This fear paved the way for large scale land transfers in the state even before the Agrarian Relations Act of 1960 was adumbrated. The passing of the Agrarian Relations Act in 1960 and the Kerala Land Reforms Act in 1963 also prompted some hectic sales and transfers around those years."

Thus even before the introduction of the Act, there was some 'benami' transfer of land. Even after the enactment of the law the government failed to prevent all these transfers. Or the government failed to make all the land transfers invalid between a certain period. And again in the case of ownership of land any citizen can hold land as cultivator or Non-cultivator. 'Personal' cultivation is allowed. So those who have no interest in land can also keep land as an asset which bears income. The exemption of plantations, and vested forests from the ceiling law considerably reduced the surplus land.

In this regard, it will be interesting to note something about the West Bengal Land Reforms Act and its implementation.⁴¹ Upto December 31st, 1980, the cumulative areas vested

40. Land Reforms Survey; op.cit, p.95.

41. In both states, Kerala and West Bengal, Governments under the head of communist parties, implemented more rigorous type of land reforms. In Bengal communist ministry came to power in 1967, a decade after Kerala's ministry.

of agricultural land was 12.12 lakh acres. In no other state so much of agricultural land has been vested through rigorous implementation of the ceiling law,⁴² and nearly 88 percent were acquired from ceiling provisions in the Estate Acquisition Act and the rest from ceiling on agricultural holdings as provided under Land Reforms Act.⁴³ In Kerala the total area was only 51 thousand acres. In West Bengal, out of 12.12 lakh acres 6.7 lakh acres were distributed among 12 lakh beneficiaries about 57% of whom are from the scheduled caste and scheduled tribe. In Kerala scheduled caste and scheduled tribe beneficiaries are below 50%.

These are the features and impact of the land reforms Act in Kerala as a whole. On this basis, let us examine the impact of this measures in a village, on the data collected from there. Let the statistics may prove the actual position.

42. Gosh, Ratna, 'Agrarian Programme of Left Front Government', EPW, Vol.XVI, No.25-26, June 20-27, 1981, P. A-49.

43. Sengupta, Sunil, 'West Bengal Land Reforms and the Agrarian Scene', EPW, Vol.No.XVI, Nos.25-26, June 20-27, 1981, P. A-69.

CHAPTER IV : IMPACT OF LAND REFORMS ON SCHEDULED CASTES

CHAPTER - IV

IMPACT OF LAND REFORM ON SCHEDULED CASTES

The taste of pudding is eating. So also the effectiveness of a law is tested with reference to its implementation. The law, however perfect it may be, remain ineffective until it is properly implemented.

In the last chapter we have discussed the extend of implementation of land reform measures in the state. Here we propose to analyse the impact of these reform measures on the Scheduled Caste people. Our conclusion on this aspect are based on a survey conducted in the Sasthan Cottai village of Kunnathoor Taluk in Quilon district. Since the conclusions are based on the survey of a single village, the conclusions may not have universal validity. But we believe that they are capable of indicating the general trend.

General Features of the Village:

The total area of Sasthan Cottai Village comes about 6035 acres. The total population of the village is around

25000. There are 3885 households in this village. Out of the 6035 acres 950¹ acres (15.74 percent) of the land is reserved for public purposes and about 239 acres (4 percent) kept for assigning to the landless people.

The land tenure system prevailed in this village on the eve of these reform measures were undertaken belonged to the following categories; viz.

- i) Kuthakapattom
- ii) Verumpattom
- iii) Pattom, and
- iv) Ottai.

Since people were in possession of "Puramboku", 'Puthuval' and Tharieu lands.

One of the major objective of land reform measures was the abolition of tenancy and the conferment of ownership rights to the tillers of the soil. How far these provisions benefitted the scheduled castes or how far the law realised the stated objective is the question posed here. To find an answer to this 211 households out of a total of 3885 households in the village were surveyed. The survey was conducted on the basis of random sampling. Each household had an equal chance to represent in the sample. The results of the survey are presented in the following paragraphs.

1. This area includes the Sastham Cottai lake which cover about 900 acres.

Table 3 shows the total number of households who received ownership rights, total area under their possession and the area for which ownership rights were conferred. Table 4 presents the percentage distribution of the households, total area under possession, area for which fixity obtained and area pending under disputes. Both tables also indicate the caste-wise position.

Table - 3

Caste-wise Distribution of Area Possessed and Fixity Obtained

(Acre)					
Size	No. of house holds	Total Area under possession	Fixity Obtained area	Area pending with dispute	Area per head obtained
SC	52	15.05	4.15	10.90	0.08
NSC	15	5.17	0.86	4.31	0.06
Total	67	20.22	5.01	15.4	0.07

SC - Scheduled Caste

NSC - Non-Scheduled Caste

(This abbreviations are used at the end of this chapter)

Table - 4

Percentage Distribution of Households, Area owned and Area of Fixity obtained

Size	No. of House holds	Total area under possession	Fixity obtained area	Area pending with dispute
SC	77.62	74.43	27.57	72.43
NSC	22.38	25.57	16.63	63.37
Total	100.00	100.00	24.78	75.22

Tables 3 and 4 present rather gloomy pictures. It is true that 77.62 percent of the scheduled caste households benefitted from conferment of fixity of tenure. But the benefit is only marginal because fixity is granted in the case of 27.57 percent of the area held by them. The lion's share viz. 72.43 percent of the land under the possession of these households are still under disputes. In terms of absolute numbers 52 households (SC) having 15.05 acres under their possession get fixity with reference to only 4.15 acres and 15 households (NSC) having 5.17 acres under their possession get fixity with reference 0.86 acres only.

Though the sample is not very large to make any generalisation it points to certain trends and lacuna in the implementation of the provisions of the land reform measures. Some of them are mentioned below:

- i) Though two decades are over after the enactment of a comprehensive land reform legislation, the implementation of the provisions of these reform measures are not yet completed.
- ii) Disputes to title deeds and lack of documentary evidences to prove titles are the major factors inhibiting implementation process.
- iii) The implementing machinery, viz. the Land Tribunals are not provided with enough staff and that too delays the procedure of issuing title deeds to the parties.
- iv) Certain pressure groups are also working to see that the implementation of these reforms are delayed.
- v) Majority of scheduled caste households who got title deeds consequent upon the implementation of land reform measures were not actually tenants in the sense the term is used. They were holding in possession of government 'purasaboku', 'Puthuval' or

'Tharisu' lands. In other words they were only labourers and since they were not having any land circumstances forced them to erect houses in government lands.

vi) The majority of the beneficiaries belonged to the forward class, particularly christians.

Ownership Rights to Kudikidappukars

Perhaps this is the most beneficial provision in the land reform measures as far as the scheduled caste people are concerned. The State Land Board received 4.3 lakhs of kudikidappu cases upto 31st March 1980.²

The number of kudikidappukars represented in our sample, duration of their kudikidappu and the benefits enjoyed are presented.

Out of the 12 cases of 'Kudikidappukars' represented in our survey 11 belonged to the scheduled castes and one belonged to the backward community. In terms of percentage the share of scheduled caste comes to as high as 91.6. The duration of Kudikidappukars was above 20 years in all cases.

All the kudikidappukars secured ownership rights, 75 percent of them through mutual agreement, i.e.,

2. Statistics for Planning, 1980; op.cit.

Table - 5

Distribution of Kudikidappas

No. of House holds	Duration of Kudikidappa	Landlord attempted cases to evict the Kudikidappa	Others	Settlement Land Tribunal agreement	Shift of Kudikidappa	Total area received (Acre)	Area per House hold (Acre)	Possession of any other land
12	20 years and above	7	5	3	2	135	0.11	6
100	100	58.33	41.66	25	75	100	100	50
Percentage								

kudikidappukar and the owners of the land, and 25 percent through the Land Board. There was concerted efforts from the side of the land owners to evict the kudikidappukars or shift the kudikidappu from the existing place to some remote part convenient to the land owner. But in most of the cases the land owners failed in their attempts. But a few of the land owners succeeded in shifting the kudikidappu. In certain cases the kudikidappukar willingly shifted their kudikidappu on request because of personal relation with the land owner. Two such cases are represented in Table-5. In these two cases the land owners gave more land to the kudikidappukars - 22.5 cents in one case and 15 cents in the other. But land given was much inferior to the land previously occupied. (See Appendix, II, note-1)

The total area of land which the kudikidappukars got amounts to 1.35 acres which works out 0.11 acres per household. The average is a bit above the area provided in the Act, viz., 10 cents. But this minor increase is due to the additional land given in the case of two households whose kudikidappu have been shifted on consent. There are cases in which the land owners gave only 7.5 cents and got the claim of the kudikidappukar settled.

50 percent of the kudikidappukars who got land under either mutual consent or on the directives of the Land Tribunal are not owning any other land than what they got in the form of kudikidappa settlements. The other 50 percent owned some additional land but generally it does not exceed 50 cents. So on the whole the condition of these kudikidappukars are rather poor.

We have made an attempt to find out whether the kudikidappukars have made any improvement to the land they got in the form of either planting of trees or making improvements in the method of cultivation such as the use of improved seeds, fertilizers etc. The survey revealed that the kudikidappukars planted certain trees after securing ownership rights. Since the area they got is only marginal they could not make any cultivation. So the question of using better seeds, better manures etc., does not arise. Average number of trees and types of trees planted by the kudikidappukars after receiving ownership rights are presented in Table-6.

From Table-6 it can be seen that on an average the households who got ownership rights planted 3 coconut trees, 3 cashew trees, 2 mango trees and 3 jack trees.

Table - 6

Average Number and type of trees planted by the Kudikidappu-
karan after receiving the ownership right

Type	Coconut	Cashew	Mangoes	Jack	Others
Average No. per household	3	3	2	3	2

The survey revealed an important fact, i.e., in many cases the hutment dwellers who got ownership rights have leased the coconut trees either on terms of Otti or Patton. Under Otti the lessee will collect the usufruct for the interest on the money borrowed and the person has to give back the entire loan amount to get back the leased trees. Under Patton the lessee will collect the usufruct as a part of the realisation of the loan amount and interest for the loan. So after the stipulated time the lessee will return the trees to the leaser.

The conferment of ownership rights also prompted the hutment dwellers to make improvements to their huts. The present state of affairs with reference to their dwellings are presented in Table-7.

Table - 7

Dwelling Structure of the Kudikidappukars

Type of House	No. of Houses	Percentage of Houses	Average Room per House	Electrified Houses
1. Pucca	--	--	--	No
2. Semi Pucca	2	16.67	4	No
3. Kutcha	6	50.00	3	No
4. Hut	4	33.33	1	No
Total	12	100.00	2.5	

Table-7 shows that the kudikidappukars made some efforts to improve their huts after getting fixity of ownership. They have converted the huts into Kutcha (50%) or semi-pucca (16.6%) houses. But no household got electrified and no household possess pucca type house. The number of houses converted into Kutcha or semi-pucca houses are comparatively small it shows the general trend in the state after the implementation of the land reform measures.

Table-8 presents the Kudikidappu households on the basis of income.

Table - 8

Distribution of Kudikidappukar According to Income Size

Size	No. of House holds	Percentage of income of each group	Percentage of house holds	Average annual income per household (Rs)
Upto 1000	4	17.04	33.34	720
1000 - 1500	6	41.55	50.00	1170
1500 - 2000	1	9.46	8.33	1600
2000 +	1	31.95	8.33	5400
Total	12	100.00	100.00	741

Table-8 reveals that the annual income of scheduled caste households in the surveyed village is less than Rs.1000 per year in the case of 33.34 percent, between Rs.1000 and 1500 for 50.00 percent of the households, between Rs.1500 and 2000 for 8.33 percent of the households. One house hold is having about Rs.2000 per year. This indicates that nearly 92 percent of the households are having only less than Rs.2000 per year. Our results are more or less consistent with the Bureau of Economics findings. The Bureau's survey revealed

that nearly 97 percent of the households of Kudikidappukars are having an income of less than Rs. 2000 per year.

Distribution of Surplus Land

Distribution of surplus land to the scheduled castes and scheduled tribes is a declared policy of the government. But our survey reveals that the pace of distribution of surplus land is extremely slow. Upto December 1980 only 16 acres of land has been distributed in this village. The beneficiaries number 163 with an average area of approximately 0.10 acres per head.³

The sample we got in the survey is too small, and is insufficient to make a statistical generalization. A little of 1.9 percentage (4 households) of the total sample households benefited through the surplus land distribution. In this 50 percentage (2 households) are scheduled caste and 50 percentage (2 households) non-scheduled caste. (Table-8) The percentage of total area received is 55.66 to scheduled caste and 44.44 percent to non-scheduled castes. An average of 0.11,25 acre per household received for all household. But separately scheduled caste household received 0.12,5 acres, is a little higher than the total average and the area received

3. Figures are collected from the Village Office; op.cit.

Table - 9

Distribution of Surplus Land and the Beneficiaries

Size	No. of House holds	No. of holding	Total area received	Area per House hold	(Area in acres)		
					Average Area per holding	Possession of any other land	No. of House holds Area
SC	2 (50)	3 (60)	25 (55.66)	0.12	0.33	1	0.12
NSC	2 (50)	2 (40)	20 (44.44)	0.10	0.10	2	0.76
Total	4 (100)	5 (100)	45 (100.00)	0.11	9	3	--

Figures in the brackets shows percentage.

by the Non-scheduled caste members. The area per holding works out as 0.08 acres to scheduled castes, 0.10 acres to non-scheduled caste and 0.09 acres as a whole.

One important aspect in this respect to be noted is that, hundred percentage of the non-scheduled caste own other than the surplus land received, and the area of their holdings is 0.76 acres. But in the case of scheduled caste 50 percent possess land other than surplus land and the area owned is 0.12 acres.

Agrarian Structure

General Features

The total land distribution and the number of holdings are given in the table 10 even though the number of holdings are large the size of each holdings seems very small. This shows the extent of fragmentation of holdings, and the small size of holdings of the people. As may be seen from the table 63 percent of the households own only 27 percent of the total area and is less than 0.50 acres, while more than 5 percent of the households own more than 30 percent of the total area. Nearly 77 percentage of the households own 41.74 percent of the total land, again, about 80 percentage of the households own more than 56 percent of the total land, the size of holdings is less than one acre.

More than 63 percent of the household own an average of 0.22 acres per head, nearly 22 percent of households 0.67 acres, 5.69 percent households, 1.17 acres and 2.32 and 3.32 percentage of households 1.65 acres 3.47 acres respectively.

Though the above data may not be sufficient for a statistically valid generalization of the pattern of land holdings in Kerala as a whole, there is no doubt that, inequality in the land distribution is still highly prevalent.

Table - 10

Distribution of Land according to Size and Holding

(Area in acres)			
Size	No. of households	percentage of land owned	Average area per household
No land	7 (3.32)	--	--
Upto 0.50	134 (63.50)	27.58	0.22
0.50 - 100	46 (21.80)	28.70	0.67
100 - 1.50	12 (5.69)	13.04	1.17
1.50 - 2.00	5 (2.31)	8.20	1.65
2.00 +	7 (3.32)	22.48	3.47
Total	211 (100.00)	100.00	51.14

Figures in the parantheses shows percentage.

On the basis of the data, the agrarian structure can be divided into four groups. The first is the landless people. Measures such as tenancy abolition, surplus land distribution, forest land distribution etc., have been implemented by the government during these years. Perhaps Kerala is one of the State where rigorous implementation of Land Reforms had taken place. Even then a good number of people remain as landless.

The other groups in the agrarian sector is the land owning group. At one extreme there are owners of very small plots, which is not wide enough for cultivation. (owners such as kudikidappukars and other agricultural labourers) At the other extreme there is a good number of large holders, who constitute the minority of the total households. Their holdings are bigger than 2 acres, and the peculiarity of this group is that, they are completely cultivating the land by hiring labour.

Between these two extremes, there is one group of people who are marginal farmers whose holdings are less than 2 acre in size. These people operate the land either by hired labour or by the labour available in their ownfamily.

A caste wise distribution of land holdings and size distribution is shown in table-11. In the landless group, 71.43 percent belongs to scheduled caste and this forms 4.17 percent of the total scheduled castes surveyed. The rest 28.57 percent of the landless households includes the non-scheduled caste category⁴. Area upto 0.50 acres, 70.15 percent of households are scheduled castes and are sharing 18.20 percent of the total area, and 29.85 percent of the

4. These households are not forward caste, but backward castes.

Table - 11

Castewise Distribution of Land According to Size of Holding

Size	Number of Households			Percentage of area owned			Average Area per Household		
	SC	NSC	Total	SC	NSC	Total	SC	NSC	Total
No land	5 (71.43)	2 (28.57)	7 (100.00)	--	--	--	--	--	--
00 - 0.50	94 (70.15)	40 (29.85)	34 (100.00)	18.20	9.47	77.58	0.21	0.26	0.22
0.50-1.00	16 (34.78)	30 (65.22)	46 (100.00)	14.05	19.06	29.70	0.70	0.65	0.67
1.00 - 1.50	3 (25)	9 (75)	12 (100.00)	3.16	9.91	13.04	1.13	1.86	1.17
1.50 - 2.00	--	5 (100.00)	5 (100.00)	--	8.22	8.22	--	1.77	1.65
2.00 +	2 (28.57)	5 (71.43)	7 (100.00)	4.31	18.22	22.48	2.32	3.92	3.47
Total	120 (56.87)	91 (43.13)	211 (100.00)	36.12	63.88	100.00	0.32	0.76	0.51

Figures in the brackets represents percentage.

of the non-scheduled caste in this size group holds 9.47 percent of the area. In the size group of less than one acre, more than 34 percent of households are scheduled caste and holding 10.45 percent of the area. While non-scheduled caste constitute 65.22 percentage and own 18.66 percent of the area. When the size group increases to 2 acres the percentage of scheduled caste households becomes 28.57 and the non scheduled caste 71.43 percent and holding 4.31, and 18.72 percent of the total area respectively.

From the above data we can observe the following factors,

1) When the size of the holding increases the share of the percentage of the scheduled caste decreases, while the percentage of the non-scheduled caste increases with the size of the holding. Or in other words the scheduled castes are holding comparatively small size of area, while the others are holding comparatively large size of area (91.66 percent of the scheduled caste population own only less than one acre in size, while the respective figure of non-scheduled caste is nearly 78 percent). Only 4.16 percent of scheduled caste households own only one acre in size, while about 21 percent of the non-scheduled caste own more than one acre in size.

2) The total area owned by scheduled caste is 36.12 percent and the households percentage is 56.87. While 43.13 percent of the house holds, are non scheduled caste and they are holding 63.88 percent of the total land.

3) Area per scheduled caste house hold in each size is less than the area as per non-scheduled caste household, except in the size group of less than one acre. This difference increases when the size group increases.

4) We have seen that, the agrarian structure consisted of at least four distinct classes, landless, small holders, medium holders and large holders. This situation can be found in each caste group also. Even within the scheduled caste about 28 percent of households are holding 2 acre and more and an average area of 3.47 acre per house hold. This difference in the land holding is more wider in the non-scheduled caste group. The observation regarding the scheduled caste holders above 2 acre might be inconsistent with the actual state average, as the sample in this group is only 2 households.

In short, there is vast difference in the land holdings in the agrarian system as a whole, and even within each caste division.

Ownership and Operational Holdings

The total number and area of ownership holdings and operational holdings are given in tables 12 and 13. Totally there are 462 operational holdings covering 107.90 acres of land. Average area per house hold is 0.51 acres and average area per holding is 0.23 acres. when it comes to operational holdings (Table-13) it is 0.43 and 0.22 acres respectively. Average number of holdings per household works out as 2.19 and the average size of the family as 5.60 person. In the case of the operational holdings, the average number of holdings per family is 1.94, there is a decrease in both area and number of holdings between ownership and operated.

Regarding the caste wise distribution average area per scheduled caste house hold is 0.32 acres, and in the case of non scheduled caste it is 0.75 acres.

There is very wide difference in the operational and ownership holdings of scheduled caste and non-scheduled caste. The non-scheduled castes are dominating both in ownership and operational holdings.

Finally, land is a factor which determines the size of the family. The average size of the scheduled caste family is lower than non-scheduled caste family, and even lower than the total.

Table - 12

Ownership Holding

Caste	No. of house holds	Total No. of Holding	Percentage of Total Area	Average Area per Holding	Average Area per Household	(Area in acres)	
						Average No. of Holding	Average size of the family
SC	120 (56.87)	235 (50.87)	36.11	0.17	0.32	1.96	5.42
NSC	91 (43.13)	227 (49.13)	63.89	0.30	0.75	2.49	5.84
Total	211 (100.00)	462 (100.00)	100.00	0.23	0.51	2.19	5.60

Figures in the brackets shows percentage.

Table - 13

Operational Holding

(Area in acres)

Caste	No. of House Hold	Total No. of Holding	Percentage of Total Area	Average Area per holding	Average Area per house hold	Average Area per number of holding
SC	120 (56.87)	194 (47.43)	30.74	0.14	0.23	1.62
NSC	91 (43.13)	215 (52.57)	69.26	0.29	0.68	2.36
Total	211 (100.00)	409 (100.00)	100.00	0.22	0.43	1.94

Figures in the brackets are percentage.

CHAPTER V : ASSIGNMENT AND CANCELLATION OF OWNERSHIP RIGHTS

CHAPTER - V

ASSIGNMENT AND CANCELLATION OF OWNERSHIP RIGHTS

We have already noted that one of the objectives of the Land Reform Measures is the conferment of security of tenure. But during the course of our survey we came across a strange situation of cancellation of ownership rights. This situation has occurred in 'Cheramankottu Kunnu' and 'Cheloor Kayal' areas in Sasthamcotta Village.

The 'Cheramankottu Kunnu' in Sasthamcotta village is a small hill of about one hundred and twenty (120) acres in the eastern side of the Sasthamcotta fresh water lake. The entire land was 'Puthuvaland' (government land) and a good part of the land had been under the custody of the scheduled caste.¹ Many of them had been issued 'Patta' on their holdings during the period from 1969-1979. At present, altogether there are about 160 families having possession and title of their holdings out of which 120 families are of scheduled caste.

1. More or less all the households are scheduled castes. The name of the place 'Cheramankottu Kunnu' is derived from the word 'Cheraman' or 'Cheruman' who constitute the majority in the scheduled caste. They are also known as 'Pulayas'. Here the name of the place means the concentration of the 'Cherumans' in this 'kunnu' (a small hill).

During the early 1970's one priest² came there and obtained about 17 acres of land from this 'Puthuval' land and got it assigned from the Village Officer and started a school. But after obtaining seventeen acres of land, this priest tried to obtain the entire 'hill', which has not assigned to anybody at that time. The significant thing is that a major part of the land was under the custody of the scheduled castes. In order to evict the scheduled castes from the 'Puthuval land' he charged several false cases against these poor people. The priest, ingeniously spread the news that the entire 'Puthuval' land has been assigned to him, and the other possessors of this land had no right on it. All of the possessors of this land continued the cultivation there, and soon after the enactment of the Land Reforms Act, many of them ^{HAVE} received 'Patta' on thier holdings during 1969-1979.

Even though the 'Patta's has been issued to the possessors of the land, the priest tried to evict them from the land, including the Patta holders and the others. Because of this eviction problem, faced by the holders of the land, they united and protested against the priest's movements. So in 1971, the then Revenue Minister of Kerala, issued an order, in which stated

2. The name of the Priest, Rev. Dr. C.T. Lagan, an unmarried priest of the Malankara Jacobite Christian Church.

that the above possessors of 'Cheramankottu Kunnu' shall not be evicted from their possession.³

Even though the Government of Kerala issued such an order, the 'cold war' between the priest and the possessors 'to evict and to hold on' continued. In 1977 the priest expired without any sons or direct legal heirs and without transferring those properties to anybody. On the death of the priest, certain parties having vested interest formed a Trust in the name of the priest and assumed the administration of the school and the properties.⁴ Then this Trust started an English Medium School, near to the old school, and started to acquire the entire land in this place, including the Puthuval and the Patta holder's land.

In 1980, the Government of Kerala issued another order assigning the land to its possessors.⁵ But none of them had been received 'Patta' after this order. We don't know why the authorities had not issued the 'Patta' to the life long possessors of the land.

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3. In 1971, the Revenue Minister of Kerala was Sri Baby John, and the order issued is - vide No.55041/A1/71/RD dated 29-11-1971.
 4. The name of the Trust is "Dr. CT Eapen Memorial Trust" and it is known that, Bishop Curilose of the Quilon Diocese of Malankara Jacobite Christian Church is the head of the Trust thus formed.
 5. During this period the Left Front Government was ruling the State, and K.R. Guari was the Revenue Minister. The order is G.O.No.4801/A1/B.D/ dated 26-9-1980.

But what was actually happened is something funny and wonderful. Instead of giving Patta to the possessors of the land, the government (authorities) cancelled (1981) the 'Patta' which had been issued by them during the period from 1969-'79. We do not know whether there was any 'black hands' behind the patta cancellation, from the part of the 'Trust', but from the village it is heard so.

The notice (order) issued by the Special Thasildar, stated the reason for cancellation of the patta on that the survey number entered is wrong, and so that, the possessor should vacate the land from his custody.

Soon after the cancellation of the 'Patta', the Trust authorities tried to evict the whole possessors of the land, including the existing patta holders and the cancelled patta holders. It is said that, the village Officer, the local revenue authorities and the police authorities gave full support to the 'Trust'⁶. They tried to fence the entire area of this place.

During this time the people (the patta cancelled and the other possessors) formed an Action Council for protection of

6. One interesting point to be noted is that, the then District Collector and Revenue Divisional Officers, are Harijans by caste, and they fully stood against the poor Harijans in this case.

civil rights⁷ and proceeded to High Court of Kerala and filed a writ petition, to quash the Patta cancellation proceedings; and to declare that the Government or any government authorities have got no right to evict the Patta holders and the other possessors from their land. The High Court stayed the government, the revenue authorities and the police, the entire steps in the line of eviction of the Patta holders and legal possessors.⁸

Even though the stay order was existing the revenue authorities, the police and Trust people had started atrocious activities such as trespassing the landed property of the Patta holders and others, and surveying the area under reference without serving notice and displacing old survey stones and replacing new ones according to their will and pleasure and making fence covering the entire patta land and the other land of the inhabitants of having possession of more than 50 years.

On 30-6-1981, the Action Council of the people submitted a mass petition to the concerned authorities for getting enough police protection for their life and property.

7. This Action Council drafted a series of representations and memorandums to the ministers and other leaders of both Central and State Governments, including Prime Minister, and Chief Minister of Kerala, to make proper steps to solve the problem, regarding the eviction and Patta cancellation.

8. The High Courts under 10582/81 in C.P. 2976/81. J.

On 18-7-1981 one 'Bhadrasana' meeting of the above said Trust's religious organisation, was held at this place.⁹ Subsequently a vast majority of the participant of the meeting destroyed the huts around and cultivators of poor Harijans Patta holders. These problems were informed to the government authorities by the Action Council of the people. But no proper help was made by the government authorities.

Again in 25-7-1981 at 11.30, about one thousand selected militant youths of Malankara Jacobite Church with the local christians with police escort, shouting slogans and provocative words which would inculcate communal feelings marched towards the landed property under dispute, and brought about destruction for the cultivation such as tapioca, plantain, banana, vegetable gardens and other agricultural crops of the poor patta holders and other legal possessors. Meanwhile they burned five more 'huts' and destroyed all the domestic belongings of the poor scheduled caste people.

It is said by these poor people that, while all these things are going on the police authorities were looking quite calmly and prevented the Patta holders and possessors of the land to enter into that area.

9. A meeting of the Malankara Jacobite Church under the Presidentship of Bishop Curilose, in the High School situated there.

So at last certain patta holders, losted their 'Pattas', certain others were evicted from the land by force of the interesting parties and with the help of the government authorities. After this mass destroyal of the agricultural crops, the poor people, who fully depends on these agricultural crops, seems to be very sad minded. At the time of this survey the entire pñand is kept as uncultivated because of the disputes and the High Court's stay order. The police parties camping this area did not allow the harijans to enter their land.

It is known from the village office that, about 120 acres of land is set apart for assignment to its possessors. The assignment is got delayed because of this disputes. The village office and all other authorities played a very good roll in evicting the poor 'Patta' holders and other possessors from their land.

In the sample survey several households found with related to this disputes. The total land under possession, Patta received area, Patta cancelled area etc., are explained in the chapter-IV (Tables 3 and 4)

This is all about the disputes regarding 120 acres of 'Puthuval land' in this village. Again there is dispute in

another 119 acres of wet land, where the procedures like 'Patta issuing', 'Patta' cancellation etc., took place. Now it will be interesting to look in that also.

Another Patta cancellation and eviction of possessors from their holdings took place in another part of the same village. This is connected with a 'Kayal' (lake), known as 'Cheloor Kayal', where the sides of the kayal land was under the possession of many households for more than 50 years. During the summer season, backwater cultivation is practiced. The kayal and the land nearest to that are 'Puramboku' land and the possessors were operating it during the last 50 years. Many of the possessors received patta on their holdings from 1977 onwards.

But, one fine morning of 1981, the patta holders received a letter from the Special Thasildar (Land Assignment, Kunnathur) in which stated that their 'Patta' has been cancelled, which has been issued from his office a few years back. Within the period of three months all of the patta holders received such a letter from the authorities, stating that their Pattas are cancelled, and they don't have any right to argue for that further. The reasons stated for this was different to different holders.

In one case the reasons stated was that the area was under the Panchayat at the time of assignment. A few lines from one letter is quoted here :

"An extent of 20 cents of Puzamboku lands in Survey No.32/21 of Sasthamcotta Village has been assigned to Sri as per this Office L.A.C.No.14/77 dated 16-6-77.

On further enquiry it is seen that the land assigned as per L.A. case was vested with the panchayat at the time of assignment and hence the assignment order in the case was irregular The lands in Sy.No.32/21 of Sasthamcotta Village known as Cheloor Kayal is the Kayal Puzamboku was vested with the panchayat at the time of assignment and hence the assignment ordered in the L.A. case is irregular due to mistake of facts and hence the assignment orders and patta issued in the case is hereby cancelled". (The letter issued to one of the Patta holders, from the Land Assignment, Kunnathoor Taluk, No.LAC.14/77 dated 18-6-81.)

The reason for cancelling the Patta stated in another Patta holders notice is that :

".....Since it was found that this assignment order was issued without proper verification and scrutiny and that the mahazar prepared in the case records showing that the persons are in possession and cultivation of this land is purely false and baseless. No person is in possession and occupation of 'Cheloor Kayal'.....land sanction as LAC No.276/79 dtd. 20-1-'80 hereby cancelled" (Letter issued No.LA.276/79/dtd. 30-5-1991.)

So the reasons for the cancellation of Pattas, varied from case to case. Whatever may be the reasons cited by them, they have done it without any human considerations.

From the village office, it is came to know that, preparations are made there to assign these land to others, instead of giving Patta to the present possessors. They had invited applications from the landless public in order to assign this land. About ten thousand applications received for the assignment of this land from the public, (The total area of the Kayal is 119 acres). At the time of this survey (-10/81) the staffs and Officer in the villege office was busy in verifying and scrutinising the application and applicants. (To find out, whether the applicant own any other land, if so the area etc) In this case also we do not know why things are taking place like this.

These two samples should be noted seriously, and this is not a special case which had happened at one place, but all over Kerala such problems are going on.

There are two parties playing behind all these problems such as Patta cancellation, eviction etc. The first and the most important party is the Government and the authorities. The implementing machinery is always not interested in protecting the rights of the poor people. The Governments, are always supporting the interest of the big people, they are not interested in the problems of the weaker sections or even the poor people of the State.

The second party ^{behind} believed all these problems (especially the former case, explained above) is the 'big' land lords, who is having enough influence and command in the society. It is easy for them to evict the possessors or even the Patta holders. Quite often the interest of these people's are supported by the ruling authorities and the implementing machinery.

A few things which we can observe from the above cases are -

1) It is a real fact that the land had been under the custody of the poor people, particularly the scheduled caste people (in the former case almost all are Marijans, and the latter, about half of the holders) and are cultivating it more than 50 years or so. They occupied and cultivated this land, because it was 'Puthuval' or 'Puramboku'.

2) The authorities and machinery are always against the poor sections of the society. The reasons for the cancellation of Pattas itself shows the inefficiency of the machinery and the interest to support the other groups. The reasons cited are 'enterance of wrong Survey Number', 'improper or faulty verification', 'the area is under panchayat' etc. Any reasonable man could not understand these problems. If the survey number is wrong who is at fault? It is not the fault of the poor illiterate majority. Through

entering false number, does it mean that the possessors of the land had not been owned these lands ? If the survey number is wrong why can't put the correct number and give the Patte to the holder of the land. So all these shows the partiality and irresponsibility of the two classes of the society one the 'bureaucrat' and the other 'moneyed class'.

3) Perhaps this might be a special case, with regard to the land assignment, but of course, there are several cases like this all over in Kerala, which adversely affects the poor sections of the society. In the acquisition and distribution of surplus land we have seen the implementation process above (Chapter-IV). A very good part of the land which should have been distributed to the poor holders are kept as "Pending with disputes". This has to change ofcourse, the real possessors, and the real cultivators and labourers should receive the ownership of land instead of giving to the large holders or even landlords.

CHAPTER VI : IMPACT OF LAND REFORMS ON SCHEDULED CASTE
- SURVEY RESULTS

CHAPTER - VI

IMPACT OF LAND REFORMS ON SCHEDULED CASTE - SURVEY RESULTS

In the last Chapter we have indicated some of the scheduled caste people enjoyed consequent upon the implementation of land reforms measures. This chapter analyses the occupational status and the annual income of the households covered in our survey. Majority of the people in Kerala depends on agriculture for their living. With reference to scheduled castes one factor is very prominent i.e. Majority of them earn their livelihood working as agricultural labourers.

The occupational status of the head of the house hold, and the income from all sources are given in Table 14 and 15.

Table 14 shows that nearly 67 percent of the households are completely depending on the agricultural sector as wage labourers. The other 25 percent of the households derive their livelihood working as unskilled workers. The unskilled workers consists of brick workers, coconut plukkers, construction workers, masons, workers other than agricultural labourer and government servants. The percentage of the households

deriving livelihood from government service is very low (8.33 percent only).

The agricultural labourers, on an average, get work only for 142 days in an year. The position is comparatively good in the case of non-agricultural unskilled workers. They get, on an average 162 days work in an year.

Table - 14

Distribution of households according to occupational status

Occupational Status	No. of House holds	Percentage of house holds	(Scheduled castes)
			Average working days per labourer in an year
Agricultural labourer	90	66.67	142
Other unskilled workers	30	25.00	162
Government services	10	8.33	Whole year
Total	120	100.00	--

The income distribution of the households reveals the living standard of the people. More than 57 percent of the households have less than Rs.1000 per year. The average annual

income per households in this size group is only Rs.653. 28.33 percent of the households have less than Rs.2000 and the average annual income per household in this size group comes to Rs.1358. The share of the two income groups, in the total income comes to 23.83 and 24.44 percent respectively, 4.17 percent of the house holds have annual income between Rs.2000 and Rs.3000, 0.83 percent households between Rs.3000 and 4000, 1.67 percent households income between Rs.4000 and Rs.5000 and 7.5 percent households income above Rs.5000/-.

Table - 15

Distribution of Income

(Scheduled castes)				
Distribution of income size (%)	No. of house holds	Percen- tage of house holds	Percen- tage of income	Average in- come per household (Rs.)
Less than 1000	69	57.50	23.83	653
1000 - 2000	34	28.33	24.44	1358
2000 - 3000	5	4.17	6.35	2400
3000 - 4000	1	0.83	1.90	3600
4000 - 5000	2	1.67	4.92	4650
5000 +	9	7.50	38.56	8000
Total	120	100.00	100.00	1575

On the whole, the scheduled caste household makes an average income of Rs.1575 per year, from all sources.

Keeping the limitations of the sample in mind, we can find out three distinct groups of income earners within the scheduled castes. The first group in this is the household that earns less than Rs.2000 per year. They constitute 86 percent of the total households. All of the households in this group are either agricultural labourers or unskilled labourers. The standard of living of this group seems to be very poor, and the average income of the households works out to Rs.886 per year. The size of land holdings of these households is too small which is often less than 0.50 acres, or even below 0.25 acres.

The second group consists of households whose income varies between Rs.2000 to Rs.5000 in an year. The percentage of the households in this category is very low (8.67 percent only). But the average income of the households (Rs.1331) shows that they are more or less able to adjust with the situations. The size of holdings of this group is little more than the former groups. But it is less than one acre in size.

The last and the highest income group in this series are the households which earns about Rs.8059 per year. Even

though the percentage is low, the average income of this households shows the economic background of these peoples. All of the households in this group are either part-time or full time government employees. These households are able to cope with their daily needs and also can save something out of their earning.

The inequality in the income distribution and the employment status are very wider comparing the scheduled castes with the non-scheduled castes. In the scheduled caste group no house hold is found as 'Agriculturist', while in non-scheduled caste, majority comes under this 'Agriculturist' group.

Table - 16

Dwelling structure of the Scheduled Castes

Type of House	No. of Houses	Percentage of Houses	Average Rooms per house	Electrified houses
1. Pucca	2	1.67	6.5	1
2. Semi pucca	16	13.33	2.4	1
3. Kutcha	63	52.50	2.5	1
4. Hut	36	30.00	1.1	--
5. No house	3	2.50	--	--
Total	120	100.00	2.2	3 (2.5%)

Table 16 shows that the scheduled castes dwelling structure. More than 52 percentage of the household houses comes under the hutchha type. There is a little percent (1.67) of pucca houses also. There are a good number of houses in that type and also 7.5 percent home less. Only 3 (2.50) house hold electrified their houses. An average, 2 rooms per house and it varies according to the type of houses from 7 rooms to 1 room. As a whole the structure of the dwelling type shows that, the scheduled castes made some efforts to improve their houses.

The above mentioned facts show that implementation of Land Reforms had benefited the scheduled castes only marginally. The land distribution (Chapter-III) of the scheduled castes itself lend support to our conclusion. The degree of inequality in the land distribution is very wide between the scheduled castes and non-scheduled castes. The income distribution and the occupational status of the scheduled caste seems to be extremely unfavourable compared to that of the non-scheduled castes.

CHAPTER VII : CONCLUSIONS

CHAPTER - VII

CONCLUSIONS

Land Reforms are often viewed as an effective measure to alter the agrarian structure and to attain economic development.

The land in the country was concentrated in the hands of few landlords who belonged to the uppermost layer of the caste hierarchy. The whole socio-economic system was controlled by this affluent elite of the society. The scheduled caste, the true aboriginals suffered oppression in the hands of upper caste both socially and economically. They lacked political, social and economic power to fight against the evils and they possessed neither wealth nor status.

Land Reform measures in a rigorous way was started in Kerala from 1963 onwards. The tenancy abolition laws sounded the death-knell of landlordism in Kerala, and this emancipated the scheduled castes from their position of serfs to that of 'free labourers'.

When the Land Reforms were undertaken, this poor tillers of the soil believed that they will become the owners of land. But when the reform measures were implemented the real tillers

of the soil were thrown out from the scene. They still remain as labourers and not owners.

Conferment of ownership right to tenants helped to change the agrarian structure as a whole; a large number of tenants received ownership rights on their holdings. The largest number of land transfers took place on this account from landlord to tenants. But the scheduled caste benefitted little because they were never tenants.

The provision which largely benefited the scheduled castes is conferment of ownership right to the "Kudikidappukare". Even though the area of land they got under this provision is very small (10 cents) the ownership of their age-old holdings kindled a sense of pride and optimism in their minds. Majority of them are agricultural labourers, and as such occupy the lowest position in the economic ladder. But the conferment of ownership rights gave them incentive to bring about changes in the huts in which they were living.

With reference to ceiling and distribution of surplus lands to the landless people the implementing machinery has not done much. Consequently this provision of the Act has not benefited the scheduled castes much.

The reform measures have not succeeded in eradicating inequality in the distribution of land holdings. But it has resulted in breaking the base of ownership pyramid.

It seems that the implementation of these reform measures has widened the economic gap within the scheduled castes. Before the implementation of these reforms there was wide gap in the economic status of different communities. So the present situation is creating some social tensions within the scheduled caste people 'the haves' and 'have notes' in the same community.

Even after implementation of these reforms majority of the scheduled caste people remain as agricultural labourers.

On the income distribution front, the effects of Land Reforms is only marginal. Majority of the scheduled castes still live below the poverty line. The agricultural sector is not capable of providing enough employment opportunity to them. The low income leads to low consumption and low standard of living. This has several other evil effects. We have not gone deeper on these aspects and a detailed study will throw much light on this aspect. A detailed study on these aspects may be undertaken by the Bureau of Economics and Statistics.

But through a perspicacious view one can find that

a short form of polarization is emerging within the scheduled castes. The disparity in income, employment and land distribution show the symptoms of this peculiarity among the scheduled castes.

APPENDIX - I

Table -1

Receipts, Disposal and Balance of application under Section 72 (ownership right to tenants)
of the KLR Act as on 30-6-1981

Districts	Total Receipts	Allowed Disposals	Rejected Disposals	Other Disposals	Total Disposals	Balance	Certificate of purchase issued*
Trivandrum	24276	6844	15455	1830	24129	147	6843
Quilon	27493	12963	13029	1429	27421	72	12953
Alleppey	81377	34843	41906	4430	81179	198	34843
Kottayam	56141	27297	11186	17472	55955	186	26802
Idukki	8336	4654	3507	87	8248	88	4319
Ernakulam	154366	82935	41660	29525	154120	246	82646
Trichur	281158	201199	33286	46149	280634	524	198977
Palghat	480940	341928	79090	57786	478804	2136	339084
Malappuram	524980	374481	91392	57347	523220	1760	372317
Kozhikode	662505	416445	123790	121585	661820	685	412941
Wynad	103077	57568	27308	17903	102779	298	56894
Cannanore	653569	470297	142651	40063	653011	558	468386
Total	3058218	2031454	624260	395606	3051320	6898	2016975
Other Land Tribunals	605403	437132	131760	30773	599665	5738	424673
Grand Total	3663621	2468586	756020	426379	3650985	12636	2441648

* Certificate of purchase issued out of the allowed disposals

Sources Land Board, Kerala, Proceedings, LB(A)3-38678/81, dated 24-7-1981.

Table - II

Receipts, Disposal and Balance of application under Section 80B (ownership right to Kadikidappukars) of the KLR Act as on 30-6-1981

Districts	Total Receipts	Allowed Disposals	Rejected Disposals	Other Disposals	Total Disposals	Balance	Certificate of purchase issued*
Trivandrum	35257	18178	16618	277	35023	234	11874
Quilon	23126	10438	11213	1253	22904	222	10270
Alleppey	114669	78036	33752	904	112692	1977	78036
Kottayam	32836	20676	10729	1156	32561	275	19886
Idukki	1453	699	749	4	1452	2	668
Ernakulam	102563	59803	35752	5958	101413	1150	56835
Trichur	54814	38138	16084	332	54554	260	36605
Palghat	639	237	401	1	639	—	189
Malappuram	23620	17264	4646	1545	23454	166	16679
Kozhikode	35016	17601	9277	7925	34803	213	16696
Wynad	1275	623	597	45	1265	10	416
Cannanore	16813	8497	8231	—	16728	85	8327
Total	442082	270190	148048	19250	437488	4594	256471
Other LT's
Grand Total	442082	270190	148048	19250	437488	4594	256471

* Certificate of purchase issued out of the allowed disposals
Source: Land Board, op.cit.

Table - 3(a)

Implementation of Ceiling Provisions upto June 1981

District	Total No. of ceiling cases filed	No. of cases disposed	Total land ordered for surrender (acres)	Net extent of land taken over	Extent distributed
Cannanore	15606	15052	45790.00	31222.66	17149.55
Wyanad	5044	4946	10969.65	3776.49	2571.91
Kozhikode	4397	4178	8768.01	2626.98	1690.51
Malappuram	6491	4914	13692.07	6544.53	5364.32
Palghat	11542	10727	25799.69	11972.76	9634.91
Trichur	3435	3419	7326.99	3600.19	2811.61
Ernakulam	4857	4834	5264.20	1290.84	968.41
Kottayam	4896	4817	6891.95	3957.83	3324.69
Kashti	2889	2868	13441.06	8733.17	2762.29
Alleppey	3056	2941	12006.18	5323.92	3726.34
Quilon	2350	2316	3968.15	1797.01	1454.80
Trivandrum	1486	1456	3406.90	602.92	382.75
SLB	306	296	
Total	66355	63825	157324.75	77949.40	51842.09

Sources: Land Board, op.cit., compiled from various pages.

Table - 3(b)

Beneficiaries of Surplus Land Distribution

(Area in acres)

District	Scheduled Caste		Scheduled Tribe		Others		Societies		Total	
	No.	Extent	No.	Extent	No.	Extent	No.	Extent	No.	Extent
Cannanore	4564	4214.20	2022	1822.92	10336	9294.69	2	1817.74	16924	17149.55
Wynad	570	315.30	1707	1306.76	1617	949.85	—	—	3894	2571.91
Kozhikode	2057	800.95	211	89.33	2382	800.23	—	—	4650	1690.51
Malapuram	3644	2454.63	11	7.90	4138	2901.79	—	—	7793	5367.32
Palghat	5728	4166.88	915	785.67	6174	4682.36	—	—	12817	9634.91
Trichur	4202	1080.06	—	—	7473	1731.55	—	—	11675	2811.61
Ernakulam	2453	620.31	11	3.35	1417	344.75	—	—	3881	968.41
Kottayam	2222	1296.77	—	—	3261	2027.92	—	—	5483	3324.69
Idukki	1154	1056.85	17	14.49	1821	1690.95	—	—	2992	2762.29
Alleppey	2962	1835.00	2	0.50	2698	1890.84	—	—	5662	3726.34
Quilon	2096	725.64	—	—	2083	729.16	—	—	4179	1454.80
Trivandrum	1658	168.70	—	—	1731	194.05	—	—	3389	382.75
Total	33310	18755.29	4896	4030.92	45131	27239.14	2	1817.74	83339	51842.09

Source : Land Board, op.cit.

APPENDIX - II

NOTE - I

A Note on the Reasons for Shifting of Kudikidappam

Quite often the Kudikidappamars, erected their houses far away from the landlord's house or in the middle or one end of the landlord's property. The kudikidappukars provided certain benefits to the landlord. They are (1) they provided labour to the landlord (2) gave protection to landlords property without any additional charge. (This is known as 'Kaval', and the person who is living in this hut is known as 'Kavalakaran'. (3) gave share of the produce that he raised in the landlord's property. The raising of crops and application of manures enriched the landlord's property. When the Act came, (provision for conferring ownership right to kudikidappukars), the land owners found that it will be a great loss to them if they give ten cents of land in the middle of a large plot. Moreover they will be losing the fruit bearing trees in that plots. Because of these reasons the landlords evicted the kudikidappukars, often with pressure and in certain cases with the consent of the kudikidappukaran himself. The kudikidappukars vacated the kudikidappa in their own because of their personal attachment to the landlords.

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