

## Land Grants and the Policy of Land Reclamation in Kashmir Valley

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### ABSTRACT

This paper aims at explaining the nature and types of land grants made by the rulers of Kashmir since early times. These grants were extended mainly for two purposes – one was to expand the land under cultivation and second to create a supporting structure as loyalty was purchased in its exchange. The nature of these grants also changed from religious in early times to economic in later times as we find land grants becoming a cause for the change of religion for these grantees even if at a minor level during the Sultanate period. Also these grants were not only beneficial for the landlords but to peasants attached to these grants as well. They were neither subjected to the Gilgit begar nor to enormous illegal exactions of the revenue officials borne by the Khalsa peasants as the landlords were occupying influential positions in the state. These land grants also helped in the involvement of a good number of non-agriculturists who were either denied by our social system to take up agricultural profession or had no means to break the ground afresh or led a life of parasites in the urban areas into agricultural pursuits. In this way the system proved an effective means in encouraging occupational mobility. Besides land grants, the rulers adopted other methods as well to bring more land under cultivation like tax rebate, reduced the revenue demand, abolished many extra cesses, drained the marshes, constructed new irrigation works and re-populated the villages.

**Key Words :** Grants, Cesses, Rehabilitation, Aristocracy, Institution, Tenants, Fallow-land

### INTRODUCTION

It has been the policy of rulers from ancient times to grant land to the priestly class, the nobles or to the favourites to bring more land under cultivation. In ancient Kashmir, *agrahara* is a regular term used by Kalhana for designating a 'Jagir' village or piece of land, the revenue of which was assigned to an individual, corporation or religious institution.<sup>1</sup> The first Hindu king who bestowed on a community of Brahmans the *agrahara* of Levara (identified with the modern village of Livar in the Dachunpor pargana) on the Ledari (Lidar) was the ruler Lava.<sup>2</sup> His successors continued to do the same as the Kashmir kings are frequently mentioned as granting lands (*agraharas*) to Brahmanas.<sup>3</sup> Even Kalhana ascribes to King Mihirakula the introduction of Brahmans from outside the valley (Gandhara) and founding the settlements (*agraharas*) for such newcomers.<sup>4</sup> We have

also a reference to *agrahara* being granted by King Cakravarman (936-37 A.D) to a non-Brahmin (*Domba*) donee.<sup>5</sup> Queen Suryamati bestowed one hundred and eight *agraharas* on learned Brahmans.<sup>6</sup> The lower castes had to till the *agrahara* land,<sup>7</sup> work as 'serfs' of *brahmanas*,<sup>8</sup> and to bear the whole expenses of the state as the *brahmanas* were exempted from all taxes.<sup>9</sup> These religious land-grants slowly helped towards the development of feudal order, and we have a reference in the *Rajatarangini* where Kalhana mentions a Brahmin feudal lord (*samanta-dvija*).<sup>10</sup> The *agrahara* holder not only enjoyed all the resources of the area assigned or donated to him, but even the inhabitants – cultivators as well as artisans – of the area were transferred to him to meet his multifarious needs.<sup>11</sup> To a large section of the *brahmanas* interest in Brahmanism got ultimately wedded to the worldly benefits of the religion rather than religion itself. Little wonder, then, that we find many of

them changing religions and cults frequently even before the Sultanate.<sup>12</sup> And when, after the establishment of the Sultanate, patronage shifted in favour of Islam many of them, consistent with their past history, could not resist material temptations offered by the new religion.<sup>13</sup>

Agriculture in Kashmir had progressively declined during the last two centuries before the establishment of the Sultanate.<sup>14</sup> The invasion of Zulju had further accentuated the process.<sup>15</sup> As a result, villages had become depopulated and large tracts of land turned barren. The Shah Mir rulers did their best to check these tendencies and promote agriculture. They re-populated the villages, reduced the revenue demand, abolished many extra cesses, drained the marshes, and constructed new irrigation works. The first ruler to encourage the rehabilitation of *uftada* (un-ploughed) land was Sultan Zain-ul-Abdin. For the reclamation of such lands the Sultan prescribed as low a state-share as one-seventh.<sup>16</sup> The result of their efforts was that the area under cultivation greatly increased, and the country became self-sufficient in foodstuffs. Under the Chaks also, except for a short period towards the end, agriculture remained in a flourishing state.<sup>17</sup>

During the Mughal period too we find the rulers continuing such measures to bring fallow land under cultivation as is suggested by Abul Fazl's given information on the significant land settlement deal where under Emperor Akbar offered tax rebates to the peasantry for the reclamation of the *uftada* (un-ploughed) land.<sup>18</sup> In order to ensure a marked distinction between *kashta* and *uftada* lands he got the whole province divided into fourteen portions, and to each of these, two *bitikchis*<sup>19</sup> (one an Indian and the other, a Persian) were deputed to study the settlement papers of every village, ascertain therein the extent of arable and non-arable land, and finally fix the collection according to the produce. Having determined the proportion of land under and out of cultivation in every village, Akbar prescribed extraordinary low rates for its rehabilitation.<sup>20</sup> On the land having remained un-ploughed for ten years, as low as one-sixth of the state share was demanded for the first year, one-fourth for the second, one-third for the third and one-half for the fourth. Similarly, one-fifth was charged as the state share in the first year, one-third in the second and one-half in the third year on the land left uncultivated for four to ten years. Likewise, on the land left un-ploughed for as small a period as four – two years, the magnitude of land revenue was fixed at as high as

one-third for the first year and one-half for the second.<sup>21</sup> The later Mughals and the Afghans, too conformed to it, more or less, in the same form.<sup>22</sup>

The Mughal practice of distinguishing between *kashta* and *uftada* lands and providing incentives for the reclamation of the latter type of land was so inspiring that the Sikhs also struck to it. Sheikh Ghulam Mohi-ud-Din, the Sikh governor, charged simply five rupees as malia from the produce of each kharwar on *uftada* land. As a token of encouragement, he declared the *uftada* land as the property of the one who reclaimed it.<sup>23</sup>

Soon after taking possession of Kashmir, Maharaja Gulab Singh resumed almost all the jagirs granted up to 1846 only to redistribute them among the members of the new royal family, to their relatives and to the persons who belonged to the same caste and religion as professed by the ruler himself.<sup>24</sup> However, the year 1862 witnessed the creation of a novel agrarian institution in Kashmir which led to the emergence of a new class of landed aristocracy. This new institution was called as Chak.<sup>25</sup> The creation of this institution was motivated by two-fold objective; one was to bring the extensive fallow land of the valley under plough and thereby to increase revenue and second to reinforce the class of favourites.<sup>26</sup> Thus the chunk of waste land which was allotted to a few influential persons on easy terms for bringing it under cultivation came to be known as *Chak* and the assignee of this land was known as *Chakdar*.<sup>27</sup> There were five kinds of chaks viz., the *Zarniazi* chaks, the *Hanudi* chaks, the *Mukarrari* chaks, the *Ishtihari* chaks and the *Ahalkari* or *Halkari* chaks.<sup>28</sup> These Chaks differed from one another on the basis of variation in terms of assessment rates. The grantees, i.e., the chakdars, were entitled to the produce of their lands so long as they paid state dues on time, remained loyal to the state, and obeyed state rules regarding chak lands. In 1866 and 1867, Maharaja Ranbir Singh granted chak lands to Hindus who were also members of his administration, on condition that they remain Hindus, accept service nowhere else, and pay at a low revenue assessment.<sup>29</sup> It is clear that the Dogra Administration was attempting to create a class of men loyal to the state who, significantly, were not drawn from the ranks of Kashmiris; most were Punjabis or Dogras, alongside a few prominent Kashmiri Pandit Bureaucrats.

In 1889-90, about 728 acres of waste land were given to the zamindars,<sup>30</sup> besides giving large tracts of land as chaks to increase land revenue<sup>31</sup> and about 14,334

acres of waste land brought under cultivation during the years 1901-04.<sup>32</sup> Besides, some persons were granted waste and banjar lands for cultivation which increased not only the state revenue but also the area of cultivated land. For instance in the year 1907, Daya Kishen Koul was granted a big chunk of waste land in Tangmarg,<sup>33</sup> about 2,802 kanals of waste land was brought under plough by Sayid Brothers in 1914<sup>34</sup> and land measuring 1310 kanals, which previously were under water, were dried up and given for cultivation to Diwans Beli Ram, Ganga Ram, Moti Ram and Thakur Das in Batamalo Ilaka.<sup>35</sup> It is also to be noted that a chakdar enjoyed many chaks in many villages at one and the same time.<sup>36</sup> An idea of the enormous land under chaks can also be had from the fact that with the beginning of the 20<sup>th</sup> century, we find rupees 26883/9/3 were falling outstanding against the chakdars of the valley.<sup>37</sup> This was a big amount when one bears in mind that one kharwar of paddy land had to pay only Rs. 1/- to Rs. 10/- in ascending order for a period of ten years. The chakdars also adopted various foul means to grab land immediately after Lawrence's settlement was completed in 1893. For instance, Pandit Ishar Wariku, a chakdar, entered the land in village Gund, tehsil Pattan, in his name as chak by fraud.<sup>38</sup> Besides using unfair means, they also adopted legal procedure to acquire lands as chaks which could enable them to grab more land in the guise of these grants. For instance, only in one year of 1894, about 5,337 applications were received by the Revenue Department for grant of chaks.<sup>39</sup> To stop such practices the state in 1923 passed the Tenancy Act which imposed restrictions on unfair possession of land by these landlords and also forbade the unnecessary eviction of the tenants.<sup>40</sup> In 1938-39, the total area of land including forests in Kashmir was 1778000 acres.<sup>41</sup> The total cultivated area was 946000 acres,<sup>42</sup> out of which about 291689 acres were under jagirs and maufis,<sup>43</sup> while the rest i.e., 654311 acres were under the Chakdars and the small portion of assamis with proprietary rights.<sup>44</sup> Since the number of the assamis with proprietary rights was very small, it can be no rash to conclude that not less than four lakh acres would have been under chakdars.

The chak lands had other benefits as well. The peasants of the Chak lands were better off than Khalsa peasants. Since the chakdars were occupying influential positions in the state, their peasants were neither subjected to the Gilgit begar nor to enormous illegal exactions of the revenue officials borne by the Khalsa peasants.<sup>45</sup>

Evidently, the chakdars did not find any difficulty in cultivating their lands. The protection from Gilgit begar and official oppression attracted a large number of government cultivators to settle in the chak lands.<sup>46</sup> This was in spite of the fact that it was categorically stated in the *pattas* that the holder would not employ any government cultivator.<sup>47</sup> The officials, however, reduced this provision to a mere paper edict.<sup>48</sup> No wonder, therefore, one finds the chakdars yielding better returns than the Khalisa land.<sup>49</sup> Thus the Chakdari Institution led to an enormous increase in the agricultural output as a considerable waste area was brought under cultivation. The Chakdari system also helped in the involvement of a good number of non-agriculturists into agricultural pursuits. Since the chakdars had to raise an army of new cultivators; they either attracted those people who were either denied by our social system to take up agricultural profession or had no means to break the ground afresh or led a life of parasites in the urban areas.<sup>50</sup> In this way the chakdari system proved an effective means in encouraging occupational mobility. The chakdari system had its other side as well. It reinforced the feudal structure of the society as it created an additional class of landlords who appropriated the maximum produce of the land. This negative aspect of this system was also perceived by the state when from 1894 they, for the time being, stopped the practice of granting chaks<sup>51</sup> and instead the government established *Tarakiat Muhakama* (Land Improvement Department) which was entrusted with the work of cultivating the waste land.<sup>52</sup> Nevertheless, the chaks already granted were not cancelled. However, the policy of stopping the grant of chaks, it should be noted, was really never implemented due to the opposition and resistance of the revenue officials and the chakdars for their own selfish aggrandizements. Moreover, it is not only that there was a special kind of chak, chak hanudi, meant exclusively for Hindus but chaks as such were generally given to the Hindus and the Dogras.<sup>53</sup>

After 1947 efforts were continued by the State government to bring uncultivated or fallow land under cultivation. In 1948, the State Government launched the scheme of "Grow More Food"<sup>54</sup> under which waste lands were allotted to landless peasants and in some cases they were induced to take to co-operative farming with encouraging results.<sup>55</sup> As many as 1,85,583 kanals of cultivable waste lands were allotted during the year 1948-49 which increased to 49,547 kanals during 1949-50.<sup>56</sup> Better seeds and manure was also introduced which

resulted an increase of about 2 lakh mounds in the food production. During the last two years of the First Five Year Plan, ten seed plant nurseries were established to produce improved seeds. Steps were taken by the Agricultural Department to produce 'Double-Hybrid Maize Seed' and improved varieties of paddy.<sup>57</sup> The number of seed multiplication farms increased to 15 during 1956-59 and about 1 lakh maunds<sup>58</sup> of pure seeds were distributed on premium basis to the farmers.

### Conclusion:

Thus throughout the Kashmir history what we find that the rulers of the state from time to time made efforts to bring the fallow land under cultivation through land grants. Not only this but tax rebates were offered too to the peasantry for the reclamation of the un-ploughed land. At times the rulers reduced the revenue demand, abolished many extra cesses, drained the marshes, and constructed new irrigation works to repopulate the deserted villages. But in real sense it was only after the end of Dogra rule that the position of agriculture and that of peasants too changed for good. The post fifties of the 20<sup>th</sup> Century saw a revolution in the food history of Kashmir owing to the abolition of the Jagirdari & Chakdari system and the introduction of a number of new schemes which increased the per unit productivity many fold.

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