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## TRACING THE BIRTH AND DEATH OF COLONIAL INDIA'S ZAMINDARI LAND REVENUE SYSTEM

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### ABSTRACT

The Zamindari system is one of the few land revenue systems that were introduced by the British Empire during their time in India. The primary aim behind these systems was to generate revenue from lands owned by individuals. These systems introduced different taxation structures for tax collection and they acted as a trial and error method for revenue generation. This paper will investigate one such system, the Zamindari system, and its intricacies. The paper starts by analyzing the history and implementation of the system. The paper tries to understand how the system prevailed in both pre and post-independent India. The means and ends of the system are analyzed to their fullest to understand the positive and negative effects the system has on the nation. The focuses on the abolition process of the Zamindari system and tries to explore the need to do the same. The paper concludes by elucidating the perspectives of Zamindari and other land revenue systems and the reason for their success or failure.

**Keywords:** Zamindari System, Revenue, Land Reforms, Zamindars, & Intermediaries

## INTRODUCTION:

The zamindari system, introduced by the British, established zamindars as intermediaries over the peasantry to aid colonial administration. These landlords controlled vast lands, enforced bonded labor, and conflicted with traditional societal principles. Efforts to abolish the zamindari system began even before India's Constitution was enacted. In 1949, several states, including Uttar Pradesh and Bihar, introduced Zamindari Abolition Bills. Legal challenges arose, citing violations of property rights, but constitutional amendments (Articles 19, 31, 31A, and 31B) eventually abolished the system, transferring land rights to the government. The goal of this reform was to protect cultivators, improve the revenue system, and make bonded labor punishable, ending the Zamindari system in India.<sup>1</sup>

The zamindari system, introduced by Lord Cornwallis in 1793 through the Permanent Settlement, established fixed land rights for zamindars but did not secure rent or occupancy rights for actual cultivators. Under this system, zamindars acted as intermediaries, collecting land revenue from farmers. The government received 10/11th of the total revenue, with the remaining portion going to zamindars. This system was most prevalent in regions like West Bengal, Bihar, Odisha, Uttar Pradesh, Andhra Pradesh, and Madhya Pradesh.<sup>2</sup>

## THE CHRISTENING OF ZAMINDARI SYSTEM BY THE BRITISH:

The zamindari system was introduced by Lord Cornwallis in 1793, based on a recommendation from Sir John Shore, the President of the Board of Revenue. Through the Permanent Settlement, Cornwallis aimed to increase land revenue by entering into an agreement with landlords (zamindars). Under this system, zamindars were responsible for collecting taxes from peasants and were mandated to remit 89% of their annual income to the British government, keeping 11% for themselves. This arrangement effectively established zamindars as intermediaries, consolidating British control over the rural peasantry. Zamindars were given full ownership of the lands they managed, enabling them to mortgage, bequeath, or sell the property. They also had the authority to set the amount of rent collected from peasants, leading to high taxes and exploitation, as peasants lacked ownership rights over the land they worked

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<sup>1</sup> ISHIKA SAREEN & SANCHIT MALIK, *Abolition of the Zamindari System in India: A Legal Analysis*, 4 INT'L J. FOR L. MGMT. & HUMANS.).

<sup>2</sup> *Land Revenue Systems in British India*, DRISHTI IAS, <https://www.drishtiiias.com/printpdf/land-revenue-systems-in-british-india:~:text=The%20zamindari%20system%20was%20introduced,occupancy%20right%20for%20actual%20cultivators.> (last visited Nov. 7, 2024).

on. This often transformed agricultural laborers into tenant farmers who were denied land ownership.<sup>3</sup>

The zamindari system was widespread in states such as West Bengal, Uttar Pradesh, Bihar, Odisha, Madhya Pradesh, and Andhra Pradesh. It created a revenue-sharing model where 10/11th of the land revenue went to the British and 1/11th to the Zamindars. The zamindars, who controlled large tracts of land, used intermediaries to collect rents, leaving peasants heavily dependent on the income generated from cultivating land, which was often insufficient due to the high revenue demands. This system reinforced British dominance and stabilized their income, as zamindars were required to make regular payments to the colonial administration. The zamindari system thus placed peasants under significant economic strain, as zamindars held extensive power, ultimately leading to the deterioration of traditional agrarian structures and significant social and economic impacts on the rural population.<sup>4</sup>

### **SHAPING UP OF ZAMINDARI SYSTEM POST-INDEPENDENCE:**

Post-independence land reforms in India aimed to restructure agrarian relations by eliminating exploitation, creating a fair social structure, and boosting agricultural productivity. These reforms were prioritized as poverty alleviation tools, in alignment with the Directive Principles of State Policy, and were codified in the Ninth Schedule of the Constitution. The abolition of the zamindari system was a major reform, incorporated into the Five-Year Plan framework. Following amendments to property rights under Articles 19 and 31, state and central governments enacted laws to dismantle zamindari, transferring land ownership from zamindars to cultivators. Although zamindars challenged these laws and retained certain lands for personal use, the reform was largely successful, and by 1956, about 20 million former tenants became landowners, with compensation provided to zamindars.<sup>5</sup> Despite these gains, a new intermediary system emerged as affluent peasants began leasing land to smaller tenants, reintroducing some degree of hierarchical landholding.

### **ADVANTAGES OF THE ZAMINDARI SYSTEM:**

1. **Structured Revenue Collection:** The Zamindari system provided an organized

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<sup>3</sup> *Land Revenue Systems in British India: Zamindari, Ryotwari and Mahalwari - ClearIAS, CLEARIAS*, <https://www.clearias.com/land-revenue-systems-zamindari-ryotwari-mahalwari> (last visited Nov. 7, 2024).

<sup>4</sup> SUPRA NOTE 1

<sup>5</sup> R.R. Maurya, *Uttar Pradesh Land Laws 28* (Central Law Publications, Allahabad, 21st edn., 2020)

mechanism for tax collection. Zamindars were responsible for collecting taxes from peasants and delivering them to the state, ensuring a steady revenue stream for the government.

2. **Local Governance and Law Enforcement:** As intermediaries, zamindars managed local affairs and helped maintain law and order, which provided a basic level of governance at the village level.

3. **Investment in Agricultural Infrastructure:** Many zamindars invested in infrastructure like irrigation systems, land reclamation, and farming tools, which contributed to increased agricultural productivity in their areas.

4. **Fixed Tax Structure:** A fixed tax amount was established for all zamindars, regardless of location, reducing the regional bias and inconsistencies of earlier revenue systems. Zamindars could benefit from production increases, as they were only required to pay a set amount to the government.

#### **DISADVANTAGES OF THE ZAMINDARI SYSTEM:**

1. **Exploitation of Peasants:** The system led to significant exploitation, with zamindars often charging high rents and taxes, which left peasants in poverty and debt, perpetuating economic hardship and inequality.

2. **Lack of Investment in Land Improvement:** Since zamindars had limited long-term investment in the land, they were less motivated to improve land quality or modernize agriculture, stalling rural economic development.

3. **Social Hierarchies and Inequality:** Power and wealth were concentrated among a few zamindars, creating a rigid social structure where peasants had little chance for economic mobility, leading to widespread discontent.

4. **Resistance to Land Reforms:** The system created obstacles to land reforms aimed at redistributing land and securing peasants' rights, as zamindars resisted changes that would weaken their control.

5. **High Tax Burdens:** The fixed tax amounts were often unaffordable for peasants and zamindars alike. Failure to pay taxes could lead to the loss of zamindari rights, further

destabilizing land ownership and adding to peasant hardship.

### **ABOLITION OF THE ZAMINDARI SYSTEM:**

The abolition of the zamindari system was a critical component of post-independence agrarian reforms in India, aimed at eliminating the intermediaries between cultivators and the state. This reform marked a significant shift toward reducing the exploitation of peasants and redistributing land ownership to empower farmers. Efforts to abolish the zamindari system began before India's Constitution was enacted. In 1949, states such as Uttar Pradesh, Madhya Pradesh, Bihar, Assam, and Bombay introduced Zamindari Abolition Bills, inspired by the Uttar Pradesh Abolition Committee report led by G.B. Pant. However, zamindars contested these laws in court, claiming violation of their property rights. To address potential legal challenges, the Indian government introduced the First Amendment Act of 1951, which added Articles 31A and 31B, along with the Ninth Schedule, to protect land reform laws from judicial review under Fundamental Rights provisions.<sup>6</sup>

The First Amendment modified the right to property under Articles 19 and 31 to secure the legitimacy of zamindari abolition. Although challenged by zamindars, the Supreme Court upheld the amendment's legality in *Sankari Prasad Singh Deo v. Union of India*<sup>7</sup>, confirming that the reform was constitutionally valid and essential to social and economic transformation. While states began passing their Zamindari Abolition Acts between 1949 and 1951, implementation varied. Uttar Pradesh was the first to enact abolition laws, followed by Madras, Bihar, Madhya Pradesh, and Assam. The abolition aimed to dismantle the power of zamindars, promote fair land ownership, and boost agricultural productivity.<sup>8</sup> The Indian Constitution mandated compensation for zamindars, ensuring that their land was acquired at a fair value. The abolition of the zamindari system marked a significant step toward social and economic justice. It ended the exploitation of peasants, who had long suffered under high rents and taxes imposed by zamindars. The reform was a major move to empower farmers, enhance agricultural efficiency, and reduce economic disparities in rural India.<sup>9</sup>

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<sup>6</sup> Malika Garg, *Zamindari System and Its Abolishment*, 29 PEN ACCLAIMS, (2021).

<sup>7</sup> *Sankari Prasad Singh Deo v. Union of India*, AIR 1951 SC 458

<sup>8</sup> H.C. Saxena, "Inter-State Divergences in Zamindari Abolition" *The Economic Weekly*, October 13, 1951.

<sup>9</sup> R.R. Maurya, *Uttar Pradesh Land Laws 28* (Central Law Publications, Allahabad, 21st edn., 2020)

### **BENEFITS OF THE ABOLITION OF THE ZAMINDARI SYSTEM:**

1. **Increased Agricultural Productivity:** Farmers gained ownership rights, which motivated them to improve and increase agricultural output.
2. **End of Bonded Labor:** The abolition of zamindari also abolished bonded labor, aligning with Article 23's prohibition against forced labor.
3. **Removal of Middlemen:** Cultivators no longer paid high rents to intermediaries, allowing them to retain profits from their crops.
4. **Fair Land Distribution:** Land was distributed more equitably among cultivators, ending prior unequal land ownership.

### **LIMITATIONS OF THE ABOLITION OF THE ZAMINDARI SYSTEM:**

1. **Legal Obstacles:** Zamindars opposed the reforms through legal action, delaying implementation until constitutional amendments were made.
2. **Exploitation of Loopholes:** Some states allowed zamindars to retain land for private cultivation without clear limits, leading to continued exploitation.
3. **Persistence of Exploitation:** New landowners sometimes made informal agreements with tenants, which perpetuated middlemen and continued exploitation of poorer farmers.

### **CONCLUSION:**

The British colonial rule introduced the Zamindari system, a land revenue mechanism that tasked zamindars with collecting a fixed revenue from cultivators to pay the British government. This system soon led to exploitation and significant issues, including the economic burden on zamindars and the oppression of peasants. The need for agrarian reform gained momentum, and states like Uttar Pradesh, Madhya Pradesh, Bihar, Assam, and Bombay introduced Zamindari Abolition Bills. Although zamindars opposed these reforms, delaying their implementation, the Indian government enacted the First Amendment to the Constitution to secure the abolition process legally.

The abolition aimed to eliminate intermediaries, transferring all rights and interests held by zamindars to the government. Although zamindars retained rights to land for personal cultivation, this clause was vaguely defined, leading to potential misuse. The reform had many positive effects, such as increased agricultural productivity and the end of bonded labor, but ambiguities in implementation led to certain limitations.

The abolition of the Zamindari system was a landmark reform in India's agrarian history, dismantling a long-standing exploitative structure and empowering cultivators. While it significantly improved agricultural productivity and social equality, challenges remained due to ambiguities that allowed some exploitation to persist. Continued reforms were necessary to address these limitations and achieve the broader goals of equity and development in rural India.

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