

under the Pallava, Early Chola, Later Imperial Chola and Vijayanagara empires which at one time or another included modern Tamilnadu, Karnataka, Andhra Pradesh and Kerala). pose the contrast to present day panchayat institutions role in irrigation.

Irrigation Management by Village Assemblies in Ancient Times in South India.

Village Government in mediæval South India.

Local autonomy was a characteristic feature in Mediæval Tamil country as well as contemporary kingdoms in Mysore. Most of the evidence relating to the subjects of village government and irrigation relate to the span of six centuries from the 11th to 16th century, which period saw the rise expansion of the major kingdoms in the South - the Imperial Cholas and the Vijayanagar Empire. The former held sway for a considerable period of time - 400 years - while the kings of the latter Empire ruled for about 200 years. A widely recognised distinctive feature of mediæval South Indian states was the primary of various kinds of assemblies in the governance of the numerous localised societies of which contemporary South India consisted.<sup>17</sup> The villages of that period were "to a great extent self governing, the forms of democracy which operated in them were perhaps more vital than those which have been so laboriously imposed on India in modern times".<sup>18</sup>

While most of the information available relates to the Chola period, the beginning of the system of the village government that are seen in full swing under the

Cholas can be traced to an earlier age.<sup>19</sup> The Pandya and Pallava inscriptions of the eight and early with centuries show a similar system though quite so developed in operation throughout the Tamil country.<sup>20</sup> The system of local self government which became perfected during the reign of the Imperial Cholas was distinguished by the presence and functioning of village assemblies on "Sabhas" comprising the adult males of each village. The Sabhas were mostly associated with villages which had been granted to Brahmins - Brahmadeya village. These Sabhas or Brahmin assemblies played a very important role in the administration of the country.<sup>21</sup> It had several committees for the various purposes of village administration. The Majority of the villages were, however, not Brahmadeya.<sup>22</sup> The inhabitants of these non-Brahmadeya villages were not Brahmins. But even here, village assemblies called ur were usually found functioning. According to Burton Stein<sup>23</sup> the sabha or Brahmin assembly took responsibility for the decisions to allocate agrarian resources to various requirements of the hundreds of brahmadeyas or agrahanams of the region from ninth to the fourteenth century.

The Ur functioned in several places alongside of the sabha according as the business on hand required. On the other hand, the Ur was the only assembly in other places.<sup>24</sup>

While the sabhas and the Urs were the organs of government at the village level, there also functioned "Nagaroms" and Nadus; a Nagarom was a primary assembly of Merchants which was organised as one of the local assemblies in important trade centres and was the only assembly in places where the Mercantile interests overshadowed the rest.<sup>25</sup> It was not so much in evidence as the sabha and Ur but had much in common with them in their status and functions.<sup>26</sup> Nadus were territorial divisions,<sup>27</sup> larger in scope, consisting of groups of villages. In each Nadu, there was an assembly which was also called Nadu. Nadus were equally widely prevalent in the Tamil Country and performed important duties particularly in regard to land revenue administration. They had a corporate character. More than 500 of these local territories are named in and can be located from the Chola inscriptions up to the 13th Century.<sup>28</sup>

Karnataka or Kanarase country was no exception to the presence of decentralised self governing institutions. From the 2nd to the 11th century A.D., Gangavadi: the area ruled over by the Ganges was divided into Nadus, each containing a number of villages<sup>29</sup>. The territory under the control of the Kadambas followed by the Pallavas and thereafter by the Nolambas between the 8th and 10th century A.D. continued the same system of administration.

in which territorial divisions of larger size were called Nadus, each containing a specific number of villagers. The villagers were Mahajanas who apparently enjoyed larger powers of administration.<sup>30</sup> When the Cholas overthrew the Gangas by 1004 A.D., over the next century they introduced a more elaborate system of administration characterised by territorial divisions such as Mandalams, valanadus or districts, Nadus on taluks, and villages variously called Ur, gramas, purnas, mangalas etc. The same system of governing by decentralised assemblies such as district assembly, assembly of members of Commerce, village assembly and various committees existed in Chola-ruled Kannataka territory.

From his study of evidence regarding the existence and functions of village government in the Vijayanagar Empire, A.V.Venkatarathnam<sup>31</sup> reports that the autonomous village communities which flourished during the chola and chalukyan epochs did not totally disappear under the Vijayanagar Empire in spite of a strong centralised government. The Vijayanagar Monarchs did not introduce measures by which the powers of the local bodies would lapse to the Central Government<sup>32</sup>. Further these village assemblies were found to exist even under later Muslim Rulers.<sup>33</sup>

#### Irrigation Management by Village Assemblies

An appraisal of the inscriptions relating to medieval south India, as reported by ...

reveal various functions relating to irrigation exercised by the village assemblies which indicate the following kind of powers, functions that they possessed over irrigation.

- 1) Ownership of Water resources.
- 2) Powers to arrange for construction, repairs and maintenance of tanks.
- 3) Powers regarding land transactions relating to irrigation.
- 4) Management of water supply.
- 5) Levy and collection of cess for irrigation, powers to assign cess.
- 6) Powers to engage and remunerate local functionaries.
- 7) Maintenance of Records.
- 8) Dispute settlement.
- 9) Relationship with Central Government.

#### I. Ownership of Water Resources

That village bodies exercised full control over their irrigation sources can be deduced from various transactions entered into by them. (see Table II). These transactions include :

- a) Purchasing water from other village bodies;
- b) Selling a tank;
- c) In cases where wholesale reclamation of lands and reconstructions of tanks were involved, sale of the tank system in its integrity - i.e.

ayacuts, tank, bund, tank beds, foreshore of tank, channel and channel head; in some cases, the foreshore catchment, usually drylands were also sold/and other village bodies purchased tank systems).

- d) sale of fractional shares in tank water.
- e) sale of share of fisheries.
- f) sale of right to take a proportionate customary supply of water along with parcels of land sold.
- g) creating irrigation rights afresh, when lands were sold with no source of irrigation, vendees were permitted by the terms of the sale to excavate channels on diverting water from rivers.

## II. Construction Repair and Maintenance of Tanks (See Table III).

The construction of tanks in the middle ages by private individuals was considered as act of great spiritual merit. Therefore, we find most of the evidence referring to individual grants made for construction of tanks. It was also considered a part of the duty of the state to undertake such works. Even kings built tanks for merit. The advantage of this value attached to the construction of irrigation works was that the person who built the tanks did so in order to give it away - as an act of charity - invariably to a body of people used for public good. This necessitated receivers assuming a collective

responsibility over it. Secondly while the water resource was sought to be fully and beneficially utilised, it did not assume the character of a commodity for sale by the state for profit, that we see under a later colonial administration.

Construction of Tanks was by:

- a) Individuals;
- b) Kings;
- c) Village communities jointly;
- d) temples which gave grants to subhas to construct tanks;
- e) the State (i.e. Kings) helped by granting land as reward to the builder or by remission of taxes.

Maintenance and Repairs.

Village assemblies and other local bodies had a wide ranging strategy to deal with Maintenance and repair of tanks. The main objective was to create funds for the work to be done. The evidence is overwhelmingly supportive of the fact that resources were raised locally. However, assistance from the Central Government was not precluded - royal grants were made. Prevention of damage was also planned; Members of the governing body were held accountable for damages.

Sources of Funds were :-

- a) Gift of land - which was common; the gift was termed *exipatti*.

- b) Gift of land earmarked for specific pieces of work in connection with the tank.
- c) sum of money paid to village assembly for the purpose by individuals.
- d) Endowments created for tank by individuals, temples, etc.
- e) Gift of gold which was also common;
- f) Gift of paddy.

Village assemblies administered the endowments; they also, in recognition of gifts, exempted donors from certain taxes.

- g) Levy of grain annually, on land by village assemblies on tank supervision committees;
- h) sale of land by village assembly to create fund for tank;
- i) selling the right of collecting the levy to individuals who later gave it over to the assemblies for a compensation or commission;
- j) levying fines for violation of other village regulations and crediting them to the tank fund;
- k) Land of defaulters of revenue temporarily taken over for benefit of tank for specific periods; and sold if defaulters did not pay within stipulated time;
- l) Income realised by the lease of the right of fishing in the tank called *pacim* or *minpattam*.



The actual repair or maintenance work organised by village assemblies were :-

- 1) utilising boats to remove silt.
- 2) Labourers engaged to carry earth out of tank and depositing on bund;
- 3) fishermen put in charge of certain duties like watching over dam, regulate flow of water, inform villagers and temple of problems etc. collection of canal tax and fishing tax;
- 4) Payments made by assembly to buffaloman of tank cart; payments for oil, wheel grease crowbars pickaxe etc.
- 5) organising labour contribution from ryots.

#### Prevention of Damage.

An important inscription of 1202 A.D. reveals that the members of the governing body made themselves accountable for any damage done to water sources because of any funds or quarrels among them.

(see Table III for details).

#### III. Powers of Village Assemblies Regarding Land Transactions relating to Irrigation (See Table IV).

Powers to enter into transactions relating to land by local bodies constituted the most significant of powers necessary for the protection and development of irrigation sources. It is this legal power that was surrendered to the British Colonial

government, which loss has not been recouped to this day. A factor which facilitated the existence and exercise of this power by village authorities was that the village as a whole was responsible for payment of stipulated land revenue to the Central Government.<sup>36</sup> This gave the local bodies the flexibility of remitting taxes of individuals.

The fundamental change effected by the British land revenue administration was to bring the cultivator into direct contract with the government for the payment of land revenue, bypassing the village administrative body. Village headmen and accountants were however coopted into the 'government' as Revenue servants. (Today even ~~niganties~~ or Talieris are paid monthly salaries by the Tahsildars office).

Powers relating to land exercised by local bodies of medieval south India are :-

- 1) selling fallow common land of village to be able to make bunds or dig channels to irrigate cultivable land;
- 2) setting apart village land for tank and making such land tax free by themselves undertaking to pay the taxes and dues thereon;
- 3) setting apart part of the irrigated land for public purposes;
- 4) selling of land or ayacut and tank as part of reclamation efforts;

contd.

- 5) selling wasteland, covered with rubble and stone and weeds to individuals to excavate tanks;
- 6) selling breached tanks in public auction for reclamation and reconstruction.
- 7) selling land of defaulters of revenue;
- 8) selling tanks and ayacuts along with catchment area of any lands, trees and fisheries and water.
- 9) Granting land to persons who repaired tanks;

IV. Management of Water Supply (Table -V)

Arrangements for the management of water supply was another important function of local bodies, some illustrations of functions which suggest these managerial powers are :-

- a) Arranging for the distribution of water between villagers and temple (which had borne the cost of tank reconstruction) in ratio of their holdings;
- b) Prescribing method of supply and distribution of water as part of the sale of land by local body;
- c) Prescribing rules prohibiting use of water in specific circumstances by specific persons.
- d) Prescribing rules for the economical use of water by cultivators;
- e) Prescribing rules for distribution among cultivators;
- f) selling water in terms of hours of drawal, or by the use of cycle of turns (Vettam) or order in turns (Murai).

g) Describing lands as entitled to irrigation from specific channels;

V. Levy and Collection of Cess by village assemblies (Table VI).

This was a function widely prevalent -

- a) Where there were no endowments created specifically for annual repairs, a special cess called ~~eriyam~~ was collected from ryots according to specified rates.
- b) setting apart certain incomes derived from other cesses or levies as eriyam.
- c) The tank supervision committee was empowered to collect a regular cess;
- d) Assigning right of collecting paddy at specified rate from cultivators to individuals in return for lump sum payment of cash for irrigation works;

The powers of Taxation by Village assemblies for local purposes - taxing, granting exemptions from taxes and dues, as well as assignment of dues - without any reference to the King's government and in the exercise of their own powers was quite commonly exercised. Besides, these assignments and remissions of taxes and dues, the village assemblies became responsible for another class of tax remission. This latter type helped the assemblies raise large amounts:-

i. e., in lieu of a lump sum payment made in advance to it, the assembly undertook to pay all dues to the local and central governments on particular plots of land for all time. The lump sum in these instances was the capitalised value of the annual dues chargeable to the land and was generally called Urai dravyam or irai-kaval. Such advance payment in a lump sum of future taxes was due to two general causes. First persons who endowed charities for setting apart land often desired to secure for such land freedom from all dues and imports, and the common way of doing this was to pay their capitalised value to the assembly of the village where the land was located making them responsible for all, future payments. Secondly, the assemblies on their own initiative often raised money in this manner for immediate capital expenditure for public purposes which could not be financed otherwise.<sup>37.</sup>

#### VI. Dispute Settlement (Table VII).

The rule was that disputes were settled locally, the exception being that royal officers were sometimes invited to settle disputes. Whether the disputes occurred between cultivators or between two or more villages or between the village and the temple, they were settled by the leading men of the village, the Urai or by arbitrators, whose opinion was generally accepted. Punishments or compensations were decided or organised locally. Disputes were also attempted to be avoided by clear prescription regarding irrigation rights of involved parties.

VII. Relationship of Local Bodies with the Central Government.

The Central Government was in evidence comparatively to a lesser extent in the matter of management of irrigation, though it was by no means entirely absent.

- a) Kings would construct tanks or other irrigation works;
- b) They would give grants of land as reward to individuals who built tanks; ~~the~~
- c) They would create endowments in favour of temples to have tanks constructed or maintained.
- d) They would force, by royal orders, ~~Recalcitrant~~ villagers to pay the local cesses towards the tank fund;
- e) They would provide money or grant land to donees with a condition that the donee should set apart a sum for upkeep of a pond or tank.
- f) Royal officers would intervene in village disputes on the invitation of the local assembly.

Thus the Central Government played a supportive role rather than a proprietary role. It was local bodies which exercised that <sup>/prerogative.</sup> ~~Literally~~ hundreds of inscriptions from the middle ages in south India testify to the wide spread (both in space and time) involvement of

management involving a wide spectrum of functions. The evidence proves conclusively that village bodies exercised proprietorship over their water sources. The local people possessed all the necessary skills for the purpose.

However, from the 19th century, the scenario changed radically under colonial rule; this system was eroded slowly but surely over the next hundred and fifty years.

Since Independence in spite of the efforts at establishing panchayat raj, this process has not been reversed.

### CHAPTER - III

#### Developments under British Colonial Administration

##### Madras Presidency:

When the East India Company took over the administration of the Madras Province in the Middle of the eighteenth Century, their main anxiety was to make sure of land revenues by establishing accountability for various descendants and representatives of old rulers as well as zamindars and rent farmers through whom the Muslim rulers had been collecting land revenue. For the first half of the 19th Century, various proposals for land revenue administration were experimented in Madras Province by trial and error. This resulted in instability of tenure and cultivation<sup>38</sup> during which time, irrigation