

Tenancy aspect of temple lands in Tamil Nadu, India

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ABSTRACT

The paper attempts to analyze the Tenancy Aspect of temple tenants and owner farmers in Tirunelveli district of Tamil Nadu, India. A sample of 90 temple tenants and 50 owner farmers from two taluks of Tirunelveli district of Tamil Nadu viz, Shencottah and Tenkasi were selected for the study. The reference period of the study was 2002-2003. The study revealed that the temple tenants had Recorded Tenancy Rights (RTR) overall percentage was 64.4 showing that the Act had not been fully enforced. The tenancy of temple land was lesser costly than that of owner land. The relief and concessions provided by the various tenancy acts were so common to temple tenants, but the lower average value of rent per hectare for temple lands could be explained only by lower productivity of temple lands and the failure to revise the cash rent tolerably over the years. There were direct and indirect tenants, the whole set of the indirect tenants category and some in the direct tenants category had no RTR despite of the law making it obligatory. Most of the temple tenants had the security of tenancy, as even transfer to the heirs was not intricate. The study revealed that the temple tenants had Recorded Tenancy Rights (RTR) overall percentage was 64.4 showing that the Act had not been fully enforced. The tenancy of temple land was lesser costly than that of owner land. There were direct and indirect tenants, the whole set of the indirect tenants category and some in the direct tenants category had no RTR despite of the law making it obligatory. Most of the temple tenants had the security of tenancy, as even transfer to the heirs was not intricate.

Key words : Temple lands, Recorded tenancy right, Terms of tenancy.

INTRODUCTION

Tamil Nadu is a land of ancient, big temples and mutts. There are many temples in the state, which have cultivable land and also urban lands to a limited extent, donated to them for earning income to meet their maintenance expenses. These temple owned lands are given on lease to the cultivators and the rent received from them is the major source of revenue to the temples. But the purpose is not served because the rent collection is poor.

The Hindu Religions and Charitable Endowment (HR & CE) Department is in overall charge of maintaining records and administering the temple owned lands. These institutions own nearly 191583 hectares of land (HR & CE, Policy Note: 2003-04).

Record of Tenancy Rights (RTR), as per the Tamil Nadu Agricultural Lands Act, 1969, any person cultivating land not owned by him, but taken on lease has to register his tenancy right with the concerned taluk office. This is called Record of Tenancy Rights (RTR). This registration entitles him the security of tenancy (against arbitrary eviction), fair rent and even a right to buy the land on priority, if the land is offered for sale. However, the very same benefits of the tenants encourage landowners to avoid the registration. They would prefer oral lease or other forms of arrangements (such as hypothecation for loans, advances from the owner to the tenant - either

real or imaginary). So it is not uncommon to see unregistered tenancy. Temple tenants take on lease the lands belonging to the temple. It cannot be done without an official order from HR & CE Department. But even among temple tenants there exists the unregistered tenancy rights; because lease is inherited, transferred or even sold by the original lessee to some one else without notice to the temple authorities.

If the productivity of temple lands is really low, that will lead to low income-low investment – low yield-cycle. If the cycle is allowed to persist, it is a social waste of the scarce land. If it is not really low, then the statement of lessee should be contested and proved wrong (Consultancy Project, 1995). In either case, an economic analysis of temple owned land is the only way to find a remedy. Hence, it is also important to conduct an analysis of temple owned land's tenancy aspects, terms of tenancy and categories of tenants which will help to improve the productivity of the temple owned lands through appropriate policy interventions.

MATERIALS AND METHODS

In Tamil Nadu, two districts namely Thanjavur and Tirunelveli have more acreage of temple lands when compared to other districts of the state. We purposively selected Tirunelveli district as a study area because southern Tamil Nadu, the district has more acreage under