

REPRESENTATION RELATING TO THE GRIEVANCES OF THE WATANDAR MAHARS, MANGS ETC.

“The Bombay Government levied additional taxes on the Mahar Vats. Dr. B. R. Ambedkar had been fighting that problem since 1927. But now instead of relieving the poor from the serfdom, the Government added salt to their injuries by the levy of additional taxes. The Mahars, Mangs and Vethias in Maharashtra and Karnatak met in Conference at Haregaon, District Ahmednagar in the middle of December 1939 to voice their grievances under the Presidentship of Dr. Ambedkar.”¹

On 16th December 1939 addressing the Conference of 20,000 Mahars, Mangs and Vethias, Dr. B.R. Ambedkar assured that he would submit the representation to the Government relating to their grievances. Accordingly he prepared and submitted the representation, dated 14th July 1941 which is as follows :—Editors.

To

HIS EXCELLENCY SIR ROGER LUMLEY
G.C.S.I.E., T.D., GOVERNOR OF BOMBAY.
MAY IT PLEASE YOUR EXCELLENCY.

I beg to submit the following representation relating to the grievances of the Watandar Mahars, Mangs and Vethias, known as Inferior Village Servants, in this Presidency, for favour of Your Excellency's kind consideration and necessary action—

1. These grievances arise out of the new policy initiated by the Government of Bombay relating to the Watandars called Inferior Village Servants. They affect them in two vital matters, namely :—

- (i) Heavy reduction of their remuneration, and
- (ii) Substantial increase of their Duties.

¹: Keer, Pp. 330-331.

2. In the matter of their remuneration the new policy proceeds on the assumption that the remuneration to the village Mahavs was excessive and that the same should be reduced. This was directed to be done either by imposing *Judi* (a levy in cash) upon their *Inam* lands where none existed before or by increasing the *Judi* in cases where the same was already being levied.

3. In the matter of their duties the Government of Bombay issued Government Resolution No. 7420/33 in the Revenue Department, dated 13-9-1938, in which they have set out the duties which the Mahars, Mangs and Vethias will hereafter be required to perform the duties specified in the Resolution number 19 in all.

4. To protest against the injustice of this policy a Conference of the Mahars, Mangs and Vethias was held at Haregaon in the Ahmednagar district on 16th November* 1939 under my Presidentship. In that Conference certain Resolutions were passed. These Resolutions were forwarded to Your Excellency for favourable consideration and issue of necessary order by Your Excellency's Government. For ready reference I have annexed hereto copies of the said Resolutions as Appendix I.

5. These Resolutions were also placed by Mr. B. K. Gaikwad, M.L.A., at a meeting of the Backward Class Board held on 7th June 1940. Copy of the proceedings of the meeting relating to these items are hereto annexed as Appendix II.

6. With great respect I am constrained to say that the Government have so far not given their proper consideration to the resolutions passed by the said Conference. More than a year and a half has elapsed since I forwarded the resolutions and yet there has been no modification of the policy of the Government either in the matter of the levy of the *Judi* or in the matter of revision of the long and onerous list of obligatory duties required to be performed by the Inferior Village Servants. On the contrary, the policy of collecting *Judi* has been going on apace and even pots and pans of poor and indigent families of the Inferior Village Servants are being attached under the process of the Court and many of these families have been rendered quite destitute.

* Month should be read as December— Janata : 9th and 23rd December 1939.

It is for these reasons that I am submitting this Memorial to Your Excellency with fervent hopes that Your Excellency will be pleased to give this matter your most careful, kind and sympathetic consideration and grant the much-needed and long-awaited relief to the Inferior Village Servants.

I. Reduction of Remuneration

7. First, I propose to deal with the question of the levy of *Judi*. This policy is for the present made applicable to the *Inam* lands of the Mahars only. It may be extended to others in course of time. In the matter of the levy of *Judi* on the *Inam* lands of Mahars, I do not know the precise reasons which have led Government to embark upon the policy of reducing the remuneration of the Mahars. They are, however, understood to be two.

8. In the first place the increase in *Judi* is sought to be justified by Government on the ground that there has been a reduction in the number of Officiating Mahars. It is said that this policy of reduction in remuneration by an increase of *Judi* on the *Inam* lands held by the Mahars is only a consequence of the policy of reducing the number of Officiating Mahars.

9. At the outset I wish to draw Your Excellency's attention to the fallacy underlying this reason. As a matter of fact there has been no reduction in the actual number of the Officiating Mahars at all either in general or in any particular village. The number of Officiating Mahars has remained the same. What has, however, happened is that the Watan Registers were corrected and brought in accord with facts. At one time in the Watan Register of every village the number of Officiating Mahars shown was very large. The Mahars did not object to it and that for two reasons. In the first place the number shown on the Register was a nominal one and the actual number on daily duty was much smaller. Secondly, it was in the interest of a Mahar to have his name shown in the Register in as much as it served as a proof to show that he was a Watandar, entitled to Watan office as well as to Watan property. When owing to the self-respect movement started by the Mahars, there grew up an antagonism in every village between the Mahars and the Villagers. The Village Officers started making misuse of the Watan Register and called for service the full quota of the Mahars mentioned in

the Register, although not one-tenth of the registered number was ever before required for service. The Taluka Officers sided with the Village Patil and demanded the whole number of Mahars, specified in the Register to be their duty for all time. This practically meant a conscription of the whole Mahar population of the village for Government service. The Mahars refused to submit to this extortionate and unjust demand, as it was impossible for the whole lot of the Mahars mentioned in the Register to be on duty for all time as the income of the *Inam* land assigned to them was not adequate for the maintenance of them all and a large majority were obliged to eke out their livelihood by doing odd jobs. The Watandar Mahars therefore carried on an agitation for the correction of the Watan Registers by a reduction in the number of Officiating Mahars. In this, they succeeded and the number of Mahars was reduced. But as I have said this is no reduction in the number of Officiating Mahars. It is only a correction of a wrong Record. To call it a reduction is either to forget facts or to misunderstand them. What has happened is the correction of an incorrect Watan Register. That being the case I cannot understand how Government can, on that account, justify their policy of making reduction in the remuneration of the Mahars by the levy of a *Judi* or an increase in the *Judi*.

10. Assuming, however, that there has been a reduction in the number of Officiating Mahars an assumption not justified by fact I respectfully submit that it is not easy to understand how Government can, on that account, proceed to reduce their remuneration by the levy of *Judi* or by an increase in the *Judi*. In adopting this course it appears to me that no or little consideration has been given to an important circumstance which has a great bearing on the question at issue, namely, that Watan property falls in a special class and although it may be called remuneration, the rule of "no work no salary" or "so much work, so much pay" has never been applied by Government in dealing with Watandars and their Watans.

11. In this connection I wish to draw Your Excellency's attention to the following facts showing how other Watandars have been treated by Government under similar circumstances. When the British took possession of this part of the country they found

that the Maratha Government had made a very prodigal use of its power of alienating the right of the State to claim assessment in favour of private individuals and had created a very large class of alienated lands popularly called *Inams*, the holders of which were designated as Inamdars and Watandars. These *Inams* fell into four classes namely (1) Personal, (2) Devasthan, (3) Political and (4) Non-Political and were all hereditary *Inams*. From the point of view of service these *Inams* fell into two classes : (A) *Inams* which formed a remuneration for service to the State and (B) *Inams* which were gifts and for which no service was required to be rendered to the State. The Personal and Devasthan *Inams* belonged to the class of non-service *Inams*, while Political and Non-Political *Inams* belonged to the class of Service *Inams*.

12. During the first 23 years of the British Rule (1818-1841) the enormous extent of the claims made by individuals to hold lands as *Inam* was not realised by the British Government. It was in 1841 that the question of examining these claims was taken up. In 1843 a Committee of two was appointed to inquire into the alienated lands of the Southern Maratha Country. The inquiry by the Committee appointed in 1843 proceeded for a period of nine years, till 1852, when the Committee was transformed into the Inam Commission and its proceedings were given a legal status by Act XI of 1852. By this Act, Government were empowered to appoint Inam Commissioners with Assistant Commissioners "to investigate the titles of persons holding or claiming against Government the possession or enjoyment of *Inams* or *Jahagirs*, or any interest therein, or claiming exemption from the payment of land Revenue." The operations of the Commission were very slow and did not extend to Gujarat. It was finally decided to abolish the system of inquiry by the Commission and to substitute for it a system of "Summary Settlement" to be extended over the whole Presidency. This system of Summary Settlement was carried into effect by two Acts, namely, Act II of 1863 which applied to the so-called "New Provinces" of the Deccan, Khandesh and Southern Maratha country, and Act VII of 1863 which was applied to the so-called "Old Provinces" of Gujarat and the Konkan,

(A) NON SERVICE *INAMS*

13. The terms of the Summary Settlement Acts applied only to two classes of *Inams* (1) Personal and (2) *Devasthan Inams*, *i.e.*, to Non-Service *Inams*. The main principles underlying the Settlement Acts were as follows :—

(a) The conversion of all Personal *Inams* (also spoken of as *Warshasans*) whether adjudicated by the Inam Commission or not, into transferable freehold.

(b) The imposition of a quit rent or *Nazarana* upon such lands on account of such conversion the amount of which was fixed :

(i) By Act II of 1863 at 4 annas for every rupee of the full assessment, plus a *Nazarana* equal to an additional one anna in the rupee, and

(ii) By Act VII of 1863, at 2 annas in the rupee without *Nazarana*.

14. The extent of the annual loss which Government has suffered on account of the relinquishment of its right to full assessment by the settlement effected by these Acts was by no means small as will be clear from the following figures :-

Annual Loss to Government on Non-Service Inam Lands held as Personal and Devasthan Inams

Division		Assessment on alienated lands less quit rents (<i>Judi</i>)		
		Rs.	a.	p.
I Northern Division	...	1,26,529	15	1
II Central Division	...	2,86,292	2	3
III Southern Division	...	2,02,827	3	6
Total :		Rs. 6,15,649	4	10

15. As stated before the terms of the Summary Settlement Act applied only to Non-Service *Inams*, *i.e.*, to Personal *Inams*, and *Devasthan Inams* only. They did not apply to Service *Inams*, *i.e.*, the Political *Inams* and Non-Political *Inams*. They were expressly excluded from their operation and reserved for separate treatment.

(B) SERVICE *INAMS*

16. (I) *Political Inams* : These *Inams* comprised the class of *Inams* called “*Jehagirs*” and “*Saranjams*.” They were grants made by the State for the performance of Civil and Military services, or for the maintenance of the personal dignity of nobles and high officials who had rendered services to the State in the past. A settlement of these Political *Inams* was effected by the British Government on the principle of settlement in the case of Personal *Inams*, viz., they were continued hereditarily for one or more generations according to the date at which the original grant had been made, although they were exempted from the obligation to render service to Government. The result is that these *Saranjamdars* are receiving grants in the form of Cash Allowances from Government Treasury without rendering any service whatsoever to Government. The loss sustained by Government on account of *Saranjams* is represented by the Cash Allowances paid to the *Saranjamdars* annually from the Government Treasury. The following table shows the annual loss suffered by Government on this account :

Annual Loss to Government on Account of *Saranjams*

District	Cash Payment to <i>Saranjamdars</i>		
	Rs.	a.	P-
Poona	34,091	11	11
Sholapur	10,651	13	9
Ahmednagar	30,590	12	5
Satara	25,447	9	3
Khandesh	38,714	5	5
Bijapur	11,738	12	1
Nasik	47,037	10	4
Belgaum	32,875	12	4
Ratnagiri	1,079	2	3
Kolaba	1,655	10	6
Dharwar	30,091	0	3
Southern M.C.	3,378	15	1
Satara Political Agency	158	8	0
Total	2,67,501	11	7

17. There are altogether 104 *Saranjamdars* in the Presidency. This means that each *Saranjamdar* is receiving annually Rs. 2,500 on an average without rendering any service to Government. I might mention that out of the 104 *Saranjamdars*, 54 are Brahmins, 38 are Marathas, 7 are Musalmans, 3 are Kayasthas. 1 is a Paradeshi Rajput and 1 is a Mahar.

18. (II) *Non-Political*—The holders of Non-Political *Inams*, included (1) the District Officers and (2) Village Officers, who were employed by the Peshwas in the matter of Revenue collection and Administration.

(1) DISTRICT OFFICERS :

19. The District Officers formed a class which comprised the old hereditary officials known as Desais, Deshmukhs, Deshpandes etc; who constituted the Taluka agency of the Peshwa Government for the collection of the Revenue and which was replaced by the British Government by the agency of *Mamlatdars* and *Mahalkaris*. The principle adopted for making a settlement with them was that of “Commutation of Service” by which they were allowed to retain the greater part of their allowances, a levy of some amount varying from 3 to 8 annas only in the rupee being made as commutation and also as a cure for possible defect of title.

20. The annual loss sustained by Government on account of this settlement with the District Officers is given below :—

Annual Loss to Government on Service Inam Lands held by District Officers whose Offices have been abolished

Division	Assessment on lands less quit Rent			
		Rs.	a.	p.
I Northern Division	Rs.	1,04,753	1	9
II Central Division	Rs.	3,16,602	7	9
III Southern Division	Rs.	3,93,189	15	8
Total Rs.		8,14,545	9	2

(2) VILLAGE OFFICERS

21. The Village Officers were divided into the following sub-divisions :-

- (i) Those useless both to Government and to the Community.
- (ii) Those useful to the Village Community.
- (iii) Those useful to Government.

22. *Those useless both to the Government and to the Community*—This Class of *Inams* comprised of village servants such as the *Potdar*, who, besides being a village Silversmith used to assay all the money paid, either to Government or to individuals or the *Chaugula*, who was a kind of Assistant to the Patel and also had care of the Kulkarni's record. On the commutation of their *Inams*, lands held by this class of servants were settled on the following terms :—

- (i) In the Old Provinces – the full survey assessment was imposed.
- (ii) In the New Provinces – half of the full survey rate was taken.

In both areas, the lands were converted into transferable freehold.

23. *Those useful to the Village Community*—This class of *Inam* comprises village servants, such as Kumbhars, Sutars, etc., who still perform services to the village community. The settlement arrived at in their case was as follows :-

- (i) In the Old Provinces – The lands held were assessed at either half or quarter of the Survey assessment according as the service performed was more or less useful to the community.
- (ii) In the New Provinces - The land held was assessed at quarter the assessment.

The lands of this class of Village Officers being held subject to service, were made non-transferable.

24. The annual loss sustained by Government on account of the settlement made with this class of village servants will be clear from the figures given below :-

Annual Loss to Government on Service Inam Lands held by Village Servants useful to Community on account of Commutation is shown below :

			Rs.	a.	p.
I Northern Division	...	Rs.	79,177	0	0
II Central Division	...	Rs.	72,343	5	1
III Southern Division	...	Rs.	64,256	15	3
Total		Rs.	2,15,777	4	4

25. *Village Officers useful to Government* – These comprised the following three classes (1) Patil, (2) Kulkarni and (3) Mahar.

26. In the case of these Village Officers they were not released from the obligation to serve. There was no commutation effected with them as was done in the case of other hereditary Officers for the obvious reason that they were an essential part of the administrative machinery. They were as much indispensable to the British as they were to the Peshwa Government which preceded it.

27. From this survey the following facts emerge :-

- (i) The Holders of Personal and *Devasthan Inams* do not render any service to the State. They are allowed by the British Government to retain the grants made to them by the Peshwa Government and enjoy the same from generation to generation without any obligation as to service. The loss to Government on their account comes annually to Rs. 6,15,649-4—10.
- (ii) The holders of Political *Inams* have been relieved by the British Government from the obligation to serve the State. But the emoluments assigned to them have been continued. Their descendants are enjoying these emoluments from generation to generation. The loss suffered by Government on their account comes annually to Rs. 2,67,501-11-7.

- (iii) The District officers of the Peshwa Government, the Desais and Deshpandes render no kind of service to the British Government. Their *Inam* lands, which were granted to them by the Peshwa Government as remuneration for services, have been continued to them by the British Government subject to a small deduction in the form of a *Judi*. This was not merely a pension to those with whom the settlement was made by the British Government for lifetime. It has also become a hereditary pension to their descendants who could lay no kind of claim to such a grant. Here again the amount of annual loss is Rs. 8,14,545-8-4.
- (iv) The Village Servants who had become useless both to the village community as well as to Government were freed from the obligation to serve. But their emoluments were not wholly resumed. They retained their *Inam* lands and in some cases paid full assessment and in others only half of the assessment.

28. These instances will show that the Government of Bombay has always treated *Watan* and *Inam* property as falling in a special class. It has never regarded it as a mere matter of remuneration for service and even in cases where it bore the character of remuneration it never applied the principle of “no work no pay.”

29. The policy now adopted in the case of levying *Judi* on the Mahar *Watan* lands is a complete departure for which there is no precedent.

30. To prove the utter inequity and injustice of treating *Watan* property of Mahars as mere remuneration I beg to draw attention to the Kulkarni *Watan*. The Kulkarni *Watan* fell in the class of *Watans* belonging to village Servants useful to Government which class included three *Watans* that of (1) the Patil, (2) the Kulkarni and (3) the Mahar. The Kulkarni *Watan* as a hereditary *Watan* continued up to 1914. In 1914 by Government Resolution No. 5070, dated 30th May 1914, the Kulkarni *Watan* was commuted and the Kulkarni was relieved of the obligation to

render service to Government. The terms on which this commutation took place were as follows :-

- (1) Payment in perpetuity to the representative Watandars, their heirs lineal, collateral, or adopted so long as any male heir to Watan lineal, collateral or adopted shall be in existence, of cash allowance equal to one-third of the *Akarni* (remuneration for collecting land revenue) and the *Potgi* paid for the year 1913-14.
- (2) Continuance to the present holders and their heirs, lineal or adopted, so long as any male heir, lineal, collateral or adopted shall be in existence of all Watan lands subject to the payment of existing *Judi* and when this amount is less than full assessment, an additional amount not exceeding one sixteenth of the full assessment subject to the condition that the additional levy together with the existing *Judi* shall not exceed the amount of full assessment on the land for the time being.
- (3) The land will remain liable to the provision of sections 10, 11, 11A and 12 of the hereditary Village Offices Act, but may be excluded from the operation of the above sections by the Collector.
- (4) The continuance of the cash allowance as also the Watan lands is made subject to the continuance of the holders as faithful subjects of the British Government.
- (5) A fractional part of a rupee is to be compulsorily purchased at twenty times its value and when the fractional part is annas 14 or more the recipient may purchase at twenty times the difference to make the rupee.

31. Of all the Watandars, the Kulkarni has been given the benefit of the most favoured nation clause. He is relieved from the obligation to serve. He does not serve, yet he retains his land which is subject only to *Judi* and is allowed to receive in perpetuity 1/3rd of the *Akarni* and *Potgi* payable to him by Government in 1913-14. Besides, although the right of the Kulkarni to serve hereditary was liquidated by Government under

the scheme of commutation, still Government has, by its Resolution, given him a preferential right to be employed as a *Talati*, an agency created by Government to replace the Kulkarni.

32. Now the question that I would like to raise is this : If the principle or policy on which Government rely is “no service no pay” or “as much service so much pay,” why is it that the said principle was not applied by the British Government in the case of (i) *Warshasandars*, (ii) *Inamdars* and *Jahagirdars*, (iii) Hereditary District Officers, (iv) other Village Officers and (v) the *Kulkarnis*, who have all been relieved from the obligations to serve but who have been allowed to retain a substantial portion of their emoluments ? Comparing the treatment given to the other Watandars and particularly the treatment given to the Kulkarni, the treatment given to the Mahars stands in a cruel contrast. The limit of discrimination against the Mahars cannot go beyond. Why is this principle applied only to the Mahars ? What is the explanation of this invidious discrimination ? I confess my inability to find any. On the contrary, I venture to suggest that the principle sought to be applied to the Mahars is a wrong principle and that the policy adopted in dealing with the other Watandars was the right principle. According to the law prevalent under the Peshwa Government, Watan property was not only heritable but it was also alienable. So that a Watandar could alienate his office as well as his Watan property. Watan property was of the nature of private property and a Watandar was its owner who could do with it as he could with his own. This was the law upto 1827 when the Bombay Government by Regulation XVI of 1827 declared for the first time the Watan property as inalienable and forbade its alienation by any sole incumbent of the office or any co-sharer of such office out of the family for a term exceeding his life time.

33. That being the view of Watan property it can be said that Government could not have acted otherwise than it did without giving great violence to the sentiment which prevails in the country among Watandars in the matter of the Watan lands. My respectful contention is that *Maharki Watan* is in no sense distinguishable from other Watans and if in the commutation of these Watans Government has not applied the policy of “no

service no pay,” or the policy of “so much work, so much pay” there is no justification why it should be applied to the *Maharki Watan*.

34. Another reason advanced for the increase of *Judi* is the necessity of making better provision for the remuneration of another class of Inferior Village Servants. In his letter No. LA 26-F, Revenue Department, dated 11th November 1938, addressed to Mr. B.K. Gaikwad, M.L.A., Mr. M. J. Desai Esq., I.C.S., Deputy Secretary to the Government of Bombay, Revenue Department, in justification of increased *Judi*, states :-

“3. The standard minimum remuneration of a Mahar in the Central Division is land of which the *nuksan* is Rs. 10/- to Rs. 20/- according to the size of the village or cash allowance from Rs. 50/- to Rs. 100/-. There are still many inferior village servants who do not get even this remuneration. Provision of increased emoluments for badly paid inferior village servants has been proceeding steadily. One source from which it has been made has been the reduction of the emoluments of those whose remuneration is considerably in excess of the scale.”

35. From this extract it becomes clear that one reason and perhaps the real reason for reducing the remuneration of the Mahars by increasing the *Judi* is to make provision for the better remuneration of other Inferior Village Servants. There can be no doubt that all Inferior Village Servants are grossly ill-paid and the Mahars are no better paid than other Inferior Village Servants having regard to the duties they have to perform. But assuming that there is a case for increasing the remuneration of other Inferior Village Servants, I must respectfully submit that the policy adopted by Government for carrying it out is worse than that of robbing Peter to pay Paul and is contrary to the declared policy of Government and to the provisions of the Watan Act.

36. In the matter of increase of *Judi* there are several Government Resolutions which lay down the terms and conditions under which Government have reserved the right to increase the *Judi* all of which have been referred to, summarised

and explained by Col. W. C. Anderson, Survey and Settlement Commissioner N. D. in his letter to the Chief Secretary to Government, Revenue Department, dated 23rd July 1877 and which is printed as Appendix IV (c) in vol. II of the Bombay Survey Settlement Manual by R. G. Gordon, I.C.S., at pp. 496-505.

37. It appears that there was some doubt with regard to the principle underlying this Resolution of the Bombay Government No. 6141 of 1st November 1875 in which the position of the Government with regard to the increase in *Judi* was laid down. Colonel Anderson felt it necessary to explain the same. The Explanation given by him in para 4 of his letter is reproduced below :-

“4. The principle of the Government Resolution No. 6141 of the 1st November 1875 is clear - it was intended to hold the emoluments of the *Watan* applicable to the last rupee to the remuneration of the Officiator as fixed from time to time, *but it was not desired to make money out of the surplus emoluments* (of a *Watan*).....” (*Italics mine*).

38. So far as the Survey Settlement Manual goes there has been no subsequent Resolution by Government disputing this interpretation of the Resolution of 1875 as given by Col. Anderson. Nor has there been any Resolution modifying the terms of the Resolution of 1875, that being so the Resolution of 1875 and its interpretation by Col. Anderson stand as the last and final pronouncement by the Government on the question of increase of *Judi*. I, therefore, submit that I am justified in saying that the present increase in the *Judi* of the *Maharki Watan* lands to remunerate other Watandars is a direct violation of the Resolution referred to above.

39. The Resolution lays down two distinct limitations on the power to increase *Judi*, namely: (1) that *Judi* shall not be increased for making *i.e.*, for general finance of the Government and (2) and that *Judi* will be increased only if it becomes necessary to increase the remuneration of the Officiator. The main question that arises is: - Is increase of *Judi* on the *Maharki Watan* for increasing the remuneration of the Mahar Officiators? If it was, I concede that no objection to its increase on *Maharki* lands could be taken. But it is not. Admittedly the increase of

Judi on Maharki lands is intended to provide increase of remuneration to Bhills, Ramoshis and other Inferior Village Servants. Now by no stretch of imagination or by any far-fetched construction of the law relating to Watans can it be said that the Bhills, Ramoshis and other Inferior Village Servants Officiators who are officiating for the Mahar Watandars of a village.

40. In launching upon this policy of increasing *Judi* to provide better remuneration for Bhills, Ramoshis and other Inferior Village Servants, it seems to have been forgotten that under the Watan Act each Watan is a distinct and a separate Watan; that separate emoluments are attached to separate Watans; that the benefits of these separate emoluments are separately enjoyable only by families who are Watandars of that Watan and that a Watandar of a Watan cannot transfer his right to hold office and his right to the Watan property to any person who is not a Watandar of the same Watan. A *Patilki Watan* is separate from a *Maharki Watan* and both were separate from the *Kulkarni Watan* when it was in existence. A Patil could not transfer his right in the *Patilki Watan* to a Mahai; nor a Mahar his to a Patil. That the *Judi* on the Watan land could be increased only to pay an increase in the remuneration of the Officiator officiating for the Watandars of the same Watan is a mere corollary of the rule of law that any transfer of a Watan property to a person who is not a Watandar of the same Watan is illegal. It could not have been possible for Government to levy an increase of *Judi* on *Patilki Watan* to pay the Mahars. It could not have been possible for Government to levy a *Judi* on *Kulkarni Watan* to pay the Patil. For the same reason I submit that that is not open to Government to tax the *Maharki Watan* lands to pay for Bhills, Ramoshis and other Inferior Village Servants.

41. On the grounds stated above I have no hesitation in saying that this levy of *Judi* is the most arbitrary and illegal act on the part of Government.

42. In this connection I would like to place before Your Excellency the state of affairs which exists in some parts of this Presidency in the matter of the remuneration of the Mahars. The remuneration of the Mahars comes from three sources : (1) *Inam* Land, (2) *Baluta* from the villagers which is an annual payment in kind made by the villager to the Mahar and (3) cash payment