

Several decisions of Dayanand 'Bhauasaheb' Bandodkar continue to impact the lives of Goans. Certainly his unrelenting efforts to democratize education comes to mind. But for me, the crucial policy that Bandodkar inaugurated were the land reforms which, rather unfortunately, remains his unfinished project. Successive governments have either evaded or deferred addressing the pending cases, while mundkars continue to knock on the doors of powers that be, rendering Bandodkar's dictum '*land to the tiller, house to the dweller*' a rather distant dream.

The tenancy reforms began during the colonial period and certainly preceded Bandodkar's tenure. The Portuguese state passed a legislation titled *Lei de Mundcária* (Mundcar Law) in 1901 that first officially recognized the presence of mundcars and their relationship with their bhatcars. A mundcar was defined as an individual that resided with a fixed dwelling in a bhatcar's property. The mundcar was allowed to stay on the property in exchange for services of cultivation, and/or guarding the property, which was referred to as *tolluk*. This law formalized the existing protocols of the bhatcar-mundcar relationship while also providing protection to the mundcars from arbitrary evictions. Spelt over thirteen articles, the law put in place the definition of mundcar, the nature of his relationship with the bhatcar, and the provisions wherein either the mundcar can leave the property or can be evicted by the bhatcar. The bhatcar could not evict mundcar arbitrarily and had to give six months of notice before eviction. The state also got involved as an intermediary in the bhatcar-mundcar relationship.

This obviously met with some oppositions from the bhatcars, Hindus and Catholics alike. They leveraged their proximity with the Portuguese state to blunt this law, if not entirely remove it. Therefore, the 1901 decree was revoked in 1959 and issued freshly with some modifications. It specified permissible causes on the basis of which a mundcar could be evicted. One of the permissible causes was mutual respect between the bhatcar and mundcar. Given that the landlords were almost always upper castes while the mundcars belonged to the shudra and dalit castes, this clause was potentially open to misuse by the bhatcars. Moreover, by the mundcarial agreement, the entire family of the mundcar worked for the bhatcar and their lives outside their feudal relations were almost entirely dependent on the benevolence of the bhatcar.

That the Portuguese state was compelled to frame these laws in the twentieth century would only imply that the instances of mundcar evictions were certainly on the rise and may have become a bureaucratic nightmare. In the previous century for instance, the Portuguese had adopted Marathi as its official language and opened Marathi schools, precisely because the gauncars from the New Conquests were increasingly complaining about the local scribes meddling in the land records. The framing of mundcar laws possibly hints at a similar



Tenants in post-colonial Goa

Speaking at the Goa Legislative Assembly in April 1964, Gajanan Raikar – the then MLA from Ponda constituency – narrated an incident about the exploitation of mundkar at the hand of their landlords. He was speaking in response to the Report of Goa Land Reforms Commission (1964) tabled in the Goa assembly. The incident concerned a landlord who had forcefully locked up one of his tenants in a room. The said mundkar’s wife was pregnant and when summoned by the landlord for work, he informed the landlord that he would not be able to join work since his wife’s water may break at any time. The landlord then forcefully brought the mundkar to his home and locked him up. When Raikar and Bandodkar were informed about this, they helped release the mundkar with the intervention of the police.

In the same discussion, several members of the ruling bench, mostly lower caste mundkars themselves, narrated instances where Goan landlords have evicted or threatened to evict their mundkars from the place of dwelling. In a response to an unstarred question by Dr. A. Loyola Furtado, an opposition MLA belonging to the United Goans Party (UGP), Dayanand Bandodkar placed on record that between 1962-64, 173 landowners in 1963-64 had lodged complaints against mundkars, seeking their eviction. Out of these, only two mundkars were actually evicted. In response to the same question, Bandodkar also stated that the number of complaints made by mundkars against their bhatkars i.e. landowners between 1962-64 were 40. Out of these, the administration had acted on 27 cases. These debates led to the formation of the commission to study the problem of mundcars and also a land reforms commission.

The government committee that deliberated on the problems of mundcar suggested that mundcar system be abolished as it constituted forced labor. They also recommended that the mundcar be the deemed owner of the dwelling land. Mundcars were required to pay adequate compensation and if the mundcar was unable to pay the amount together, the committee recommended that the mundcar be allowed to pay the amount in twenty installments, and also through an interest free loan by the local panchayats. A stipulated amount was marked in the annual budget to meet these demands. The committee also foresaw that the abolition of mundcari may create a housing crisis and suggested reserving adequate government land for housing. This recommendation was the antecedent of urban housing development in post-colonial Goa.

Today, several associations of Mundcars are trying to highlight their plight and the delay in

taking the pending volume of tenancy cases to their just conclusion. State's assurance to deploy additional bureaucratic resources to dispose of these cases hasn't shown any drastic results and one can only renew the hope that Bandodkar's vision is carried to its logical conclusion. Resolving these cases in favor of the tenants would mean a befitting tribute to the legacy of Bandodkar.



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