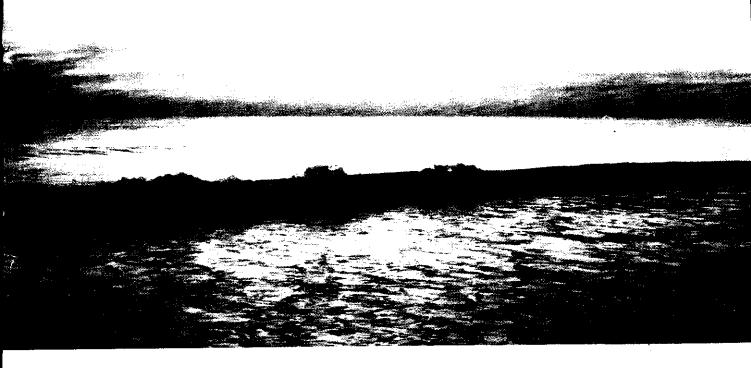
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CONTENTS

	• • • • • • • • • • • • • • • • • • •		
•	LAND REFORMS IN INDIA SINCE 1947 : ACHIEVEMENTS AND FAILURES	Dr K.N. Raj	
•	LAND REFORMS: NEED FOR REORIENTATION OF POLICIES	P.S. Appu	. • 6
•	LAND REFORMS YESTERDAY AND TODAY	E.M.S. Namboodiripad	. 11
•	EFFECTIVE IMPLEMENTATION OF LAND REFORMS: NEED OF THE HOUR	Dr Jayant Patil	13
•	THE SLOW PROGRESS OF LAND REFORMS IN INDIA	Dr P.D. Hajela	17
•	WHITHER LAND REFORMS?	Dr Balruj Mehta	20
•	TRYST WITH IMPLEMENTING LAND REFORMS	Dr Navin Chandra Joshi	. 25
•	LAND REFORMS: ISSUES AND CHALLENGES	Dr B.N. Sahay	31
•	STIGMA OF NON-IMPLEMENTATION MUST GO	S.C. Bhatt	. 34
•	LAND REFORMS IN INDIA	Palat Mohandas	37
•	INDIAN FARMER: GOING UP OR DOWN?	Dr Ajit Singh Saroha	43
•	WHERE IS THE TRIBAL LAND ALIENATION?	Dr S.N. Mishra	47
. •	LAND REFORMS AND DISTRIBUTIVE JUSTICE : AN EMPIRICAL PERSPECTIVE	Prof. S.N. Mishra	53
•	SOCIAL JUSTICE AND RURBAN HABITAT	Prof. P.V. Indiresan	59
•	ROLE OF LAND REFORM IN RURAL DEVELOPMENT IN THE WAKE OF ECONOMIC LIBERALISATION	Dr T. Haque	63
•	LAND REFORMS AND THE CHANGING AGRARIAN SCENARIO	Y.V. Krishna Rao	71
•	ROLE OF PANCHAYATS IN LAND REFORMS : THE WEST BENGAL EXPERIMENT	Dr Jaytilak Guha Roy	75
•	LAND REFORMS—A NEED AND CHALLENGE	Prof. A. Lahiry	78
•	LAND REFORMS: KEY TO RURAL UPLIFT IN NORTH-EAST INDIA	Dr Niru Hazarika	83
•	LAND REFORMS SCENARIO IN ORISSA	Giridhari Dash	- 87
•	LAND REFORMS IN ANDHRA PRADESH	Dr S.P. Ranga Rao	93
•	THE KARNATAKA LAND REFORMS (AMENDMENT) BILL, 1995 : A CRITIQUE	M.K. Ramesh	97
•	AN APPROACH TO LAND REFORMS LEGISLATION	Dr V.N. Autkar	100
•	LAND REFORMS EXPERIENCES : BANGLADESH AND INDIA	Dr I.N. Tiwari	103
•	NO TIME TO LOSE	K.M. Natarajan	109
•	LAND REFORMS AND EMPOWERMENT OF WOMEN	Sweta Mishra	112
•	USHERING IN A NEW GREEN REVOLUTION	Bhagaban Sarangi	,117
•	EASING THE PRESSURE ON LAND	Dr V. Krishna Ruo	120
•	TAPPING THE UNUTILISED LAND : NEW INITIATIVES	M. Ravichandran and Chellam Balasundaram	123
•	WAGING A WAR ON WASTELAND .	Radhakrishna Rao	126
•	GANDHI AND HUMAN DEVELOPMENT	Dr G. Palanithurai	129
•	MAHATMA GANDHI AND THE RURAL POOR	L.S. Rengarajan	132
•,	VINOBA AND HIS LAND GIFT MOVEMENT	S.K. Bandyopadhyaya	136
•	VINOBA BHAVE: THE STEEL-FRAME SAINT	Uma Joshi	141
•	BOOK REVIEW		146

KURUKSHETRA, published in English and Hindi, seeks to carry the message of rural development to all sections of the people and serves as a forum for free, frank and serious discussion on the problems of rural development.

Land to the tiller: a far cry

grarian reforms occupy a pivotal position in a country like ours, where about 70 per cent of the population depend on agriculture. Ever since Independence, land reforms have been accorded a high priority in the agricultural development strategy as also in achieving the objective of uplifting the landless poor and the downtrodden in rural India. Our Five Year Plans have been stressing the imperative need for land reforms in achieving the socialistic and egalitarian pattern of society as enshrined in our Constitution.

Our land reforms programme has been focusing on three major areas: (i) abolition of intermediaries, (ii) security of tenancy and regulation of rents, and (iii) imposition of ceiling, and redistribution of ceiling surplus land among the landless.

After 48 years of Independence, when we look back, the land reforms scenario obtaining in the country compels us to concede that our efforts have not yielded the desired results. In fact, the situation is rather gloomy. The distribution of ownership holdings has remained unequal with 71 per cent of the land being owned by 23.8 per cent of the land owning households. As many as 873 lakh small and marginal farmers own less than two hectares of land each. As per the 1991 census, there are seven crores of rural landless labourers eking out a bare existence. Their number is on the increase with 20 lakh of them being added every year.

Where have we faltered? Do we refuse to accept the ground realities? Do we lack the political will and a responsive administration? Among the main reasons attributed for the present state are, lackadaisical approach, prolonged litigation, absence of updated land records, ideological gap, alienation of land belonging to the Scheduled Castes and Scheduled Tribes, absence of security of tenure, concealed tenancy, reservation of land for unspecified public purposes, cumbersome procudre, absence of women's independent access to land, variations in land reform laws, pressure of the corporate sector, etc.

An objective evaluation of our agrarian policy will have to focus on the following questions: Whether the reforms have led to rise in production and productivity; have they contributed to increased employment potential in the agricultural sector; and whether the lot of the rural poor has improved?

Notwithstanding the set-back, land reform in India cannot be dismissed as a non-event. It brought about great changes in the northern and eastern regions as also in States like Kerala and West Bengal under leftist governments. The laws for the abolition of intermediary interests were implemented fairly well. Land reform as a strategy of agricultural development for achieving the objective of an egalitarian pattern of society has made considerable progress. But, the gains of production and productivity in agriculture have been monopolised by the landed gentry.

It is also true that political will has been lacking in respect of several States in the implementation of the reforms. There is a wide gap between the precept and practice of all political parties in this regard. Administrative bottlenecks have been many.

Even though agrarian reform is a State subject, the Centre plays an advisory and co-ordinating role in this regard. A set of national guidelines would go a long way in improving the land reforms scenario in the country.

Prolonged litigation has stood in the way of effective implementation of land reforms. In order to overcome this problem, land reform laws of various States are being given constitutional protection by including them in the Ninth Schedule. So far, 249 laws relating to land reforms have been insulated against litigation.

The Constitution (73rd Amendment) Act, 1992 giving the Panchayati Raj system its due place in the operation of grass roots democracy is expected to go a long way in the uplift of the rural masses. All works relating to implementation of land reforms and land improvement would now be taken care of by the Panchayats. Their involvement is likely to reduce social tensions in rural areas.

Empowerment of women would become a reality only if they are given access to landed property. When land is distributed, it must be ensured that the title deed is issued jointly to the husband and wife.

Involvement of the beneficiaries, NGOs and social organisations in the land reforms process is of paramount importance. Social organisations can play an effective role in creating awareness among the rural masses about their rights and organising them against the evil designs of vested interests to sabotage the progress of land reforms.

In the wake of the new economic policy and the liberalisation process, attempts are afoot to lure the small and marginal farmers to part with their land by offering high prices or taking the land on long-term lease. Even though, the non-farm sector would provide more employment opportunities, the interests of the small and marginal farmers have to be taken care of at any cost.

Land reforms are being increasingly looked upon as part of the rural development strategy for poverty alleviation. A small piece of land, restores to the rural poor their human dignity besides providing social status to them. Effective implementation of land reforms would go a long way in changing the agrarian scenario ensuring social distributive justice, socioeconomic equality and uplift of the rural masses. Let us renew our pledge to provide 'land to the tiller'. We have no time to lose.

We are dedicating the Annual Number to the sacred memory of Mahatma Gandhi and Acharya Vinoba Bhave who had relentlessly championed the cause of the landless poor.

Land reforms in India since 1947: achievements and failures

Dr K.N. Raj

Surveying the land reforms scenario obtaining in the country,

the author says that the progress made over the last four

decades and a half has been insignificant except in the

northern and eastern regions and in a few States like Kerala

and West Bengal. The most important reason for the dismal

performance is the total lack of political will. Nevertheless,

land reforms in India since Independence cannot be written

off as a non-event, he opines.

here is no doubt that land reforms are an essential condition for promoting agricultural development and for initiating the changes in agrarian society that are required for its rapid transformation. This has been demonstrated.

strated by the experience of several countries in East Asia, particularly of Japan. It was clearly recognized in India also from the beginning of planned development in the early 1950s. However, despite this recognition, the progress made over the last four decades

and-a-half has been insignificant—except in the northern and eastern regions of the country, where extensive areas were under a system of revenue farming through intermediaries (known as zamindars) during the period of British rule, and in a few States such as Kerala and West Bengal over the last two or three decades.

Zamindari system

Where revenue farming prevailed, in continuation of a system that the British inherited from the earlier Mughal rule, there were intermediaries (ie zamindars) to whom was contracted the collection of land revenue. For some years towards the close of the 18th century, the East India Company made direct collections with the objective of exacting as much revenue as possible from land. But, soon after, it was decided to make settlements by auction to the highest bidders for a period of five years, and then to a system of annual settlement with zamindars—which proved to be no better. Following a decennial settlement towards the close of the 1780s, it was declared permanent in 1793. This was, however, a very severe land tax, ruining millions of actual cultivators and producing disastrous social, economic and political consequences. Though the rights of tenants were never intended to be forgotten, no effective step was taken to regulate rent and protect the rights of tenants. The system of permanent settlement with zamindars was nevertheless extended to cover the provinces of Bengal, Bihar, East Uttar Pradesh, North Madras and parts of Assam and Orissa; the intermediaries were not always known as zamindars, sometimes being named as taluqdars (as in Uttar Pradesh) or malguzars (as in the Central Provinces).

Despite various improvements and relief measures adopted during the subsequent period of British rule, there was—at the time India gained political Independence—a complex layering of rights over land, from those of the

State as superior landlord (or ultimate owner) down through those of the sublandlords and several tiers of tenants. As Daniel Thorner observed in a series of lectures delivered in 1955 at the Delhi School of Economics, "the maintenance of this hierarchical

structure of interest in land has required, in effect, that quite a substantial proportion of the produce be reserved for persons who perform no agricultural labour". Consequently, "the working Kisan was left with no surplus to invest in better implements, improved seed or fertilizer, and in any case no real incentive to increase his productivity; (and) for the landless mazdoor, there was even less point in any attempt to raise his efficiency". Thorner described the entire complex of relations as a multi-faceted and built-in "depressor", which was the root cause of the stagnation in Indian agriculture and much of the social and economic injustices that prevailed in the rural society.

Abolition of intermediary interests: In 1947, the zamindari system covered nearly three-fifths of the total area of private land-holdings in nine provinces of British India, the mahalwari system about five per cent, and the raiyatwari system (under which the government was the sole landlord) the remaining one-third. Among the measures of land reform introduced thereafter, the first and foremost was the abolition of intermediary interests in landintermediary interests connoting the hierarchy of proprietory interests that existed between the State and the actual occupier of the land. As briefly described earlier, these interests constituted one or more layers of various amorphous and parasitic groups that appropriated a substantial share of the produce of the land and harassed the cultivators in diverse ways. The term "intermediary" would include zamindars _ as well as all kinds of tenure-holders.

Attempting a broad assessment of the measures taken and implemented for the abolition of zamindari tenures,

Wolf Ladejinsky—well-known the world over for his active role in the land reforms undertaken in Japan when under the occupation of United States after the Second World War—observed as follows:

"Despite opposition and administrative and technical problems, the Zamindary tenures were virtually abolished. Not all have benefitted equally and not all the 20 million cultivators affected have received permanent, heritable, and transferable rights. Nevertheless the effort was a great step toward a reconstruction of Indian agriculture. The measures because it was politically popular to abolish an agricultural system full of abuses imposed by a foreign power. With the British gone, the government went about drafting the necessary legislation, the zamindars were abolished despite the opposition of the landlords, lack of financial means and insufficient administrative and technical staff. Not every 't' was crossed and every 'i' was dotted, but the job was done". [Cf. Wolf Ladejinsky, Agrarian Reform As Unfinished Business. Oxford University Press, 1977, p. 362,]

The estimate of 20 million tenants brought into direct relationship with the State is perhaps a little too low. According to the Uttar Pradesh Zamindari Abolition Committee Report, Uttar Pradesh alone had about 14 million superior tenants with recorded rights and, according to the Report of the Revenue Commission in Bengal, it had over six million raiyati interests even after making allowance for the large-scale evictions that took place. A more recent estimate places the number of erstwhile tenants brought into direct relationship with the State at about 25 million [Cf. P.S.Appu, Land Reforms in India—A Survey of Policy, Legislation and Implementation (mimeograph), Land Reforms Unit, Lal Bahadur Shastri National Academy of Administration, Mussoorie, 1995].

Shift in the balance of power

'A report of the Task Force on Agrarian Relations appointed by the Planning Commission in the early 1970s hasobserved that, with the abolition of intermediary interests, ownership of land became more broad-based and the erstwhile tenants acquired a higher social status (though, as a result of the tenancy laws in the decades prior to Independence, the superior tenants had already been enjoying security of tenure and fixity of rent). In the decades that followed, political power also shifted to these classes. "The most visible demonstration of this shift in political power is the substantial presence of persons belonging to the upper layers of the so-called backward castes in the leadership of the political parties. In the last two decades, members of the backward castes even became Chief Ministers in Uttar Pradesh and Bihar. Such a development was inconceivable in the pre-reform era. Undoubtedly, the abolition of intermediary interests paved the way for a remarkable shift in the balance of power" (Ibid. P.S.Appu).

Shortcomings: There were, of course, also some unwel-

come consequences and shortcomings, the most important of which was that the reform led to large-scale ejectment of peasants from the land they had been cultivating for generations. Those who suffered most from such ejectment were tenants-at-will and share-croppers. The reform afforded offered no protection to vast numbers of them. As Daniel Thorner had earlier observed, the laws of Manu and the socioreligious pretensions of the higher castes did not require that supervision of agricultural operations be done by owners in person or on the spot. Evictions reduced the status of many from that of tenant to that of share-cropper and agricultural labourer. The bottom layer of the peasantry thus received no benefit from reform, and naturally the reform failed to achieve the oft-proclaimed goal of "land to the tiller" (Ibid. P.S. Appu).

Security of tenure: With the abolition of most of the intermediary interests the whole country came under more or less the same kind of tenurial system. However, even though the raiyatwari system was supposed to have been one of peasant proprietorship, leasing out of land was in practice widespread in the raiyatwari areas also. In the erstwhile zamindari areas too there had been subleasing. The greater part of all such leases were oral and terminable at will. Several measures were, therefore, adopted after Independence to afford security of tenure and fixity of rent to the erstwhile under-tenants in zamindari areas and tenants in raiyatwari areas.

Five Year Plans and tenancy reforms

The important guidelines laid down in the Five Year Plans for the reform of tenancy were the following: first, that the rent should not exceed the level of one-fifth to one-fourth of the gross produce; secondly, the tenants should be accorded permanent rights in the lands they cultivated subject to a limited right of resumption to be granted to the landowners; and thirdly, that in respect of non-resumable lands, the landlord-tenant relationship should be ended by conferring ownership rights on the tenants.

Fair rents have been fixed within the limits prescribed in the Five Year Plans in all States except those of the Punjab, Haryana and the Andhra area of Andhra Pradesh; even in the case of the three States mentioned above, the legally fixed fair rent is only marginally higher than the level indicated in the Plans. The second objective of giving security of tenure to tenants has not, however, been attained in most States. The legal protection extended to tenants proved to be ineffective because of the shortcomings in the laws and the generally poor implementation of the enacted laws. As for protection of ownership rights or conferment of such rights, only about 11 million tenants operating no more than four per cent of the total operated area in the country benefited from such action; and most of these beneficiaries were confined to the seven States of Assam, Gujarat, Himachal Pradesh, Karnataka, Kerala, Maharashtra and West Bengal, leaving the tenants in the other States with practically no benefits.

West Bengal and Kerala stand out

Even in the seven States mentioned above, tenancy reform led to large-scale eviction of tenants. Share-croppers remained by and large beyond the pale of tenancy reform everywhere except in West Bengal over the 1980s. And only in West Bengal and Kerala were the lowest rungs of peasant society benefited by the implementation of tenancy reform. In West Bengal, the rights of about 14 lakh share-croppers have been protected, and in Kerala nearly three lakh rural poor (mostly agricultural labourers) have become owners of tiny homesteads of one-tenth acre each. In Kerala, as a result of the reform and the more recent migration of labour to West Asia, agricultural labourers have been able to use their power derived from trade unionism to raise their daily wage rates to about the same level as in Pubjab and Haryana from the 1980s.

Tenancy in new form: The area under tenancy in the country as a whole has, in consequence of all the measures mentioned above, declined from over one-half of the total operated area to about 15 per cent of the total area now. However, tenancy reform has not brought to an end the system of absentee ownership of land nor led to disappearance of tenancies. Tenancies have instead been pushed underground and most of the tenancies that still exist take the form of informal crop-sharing arrangements.

Ceilings on holdings

One facet of land reforms that was advocated by the Planning Commission without much conviction was the imposition of ceilings on agricultural holdings. Apart from the commercial plantations of tree crops concentrated in a few areas there were few large farms in India like those in Europe and America. The typical large holding in the country was but an assortment of scattered pieces of land bereft. of fixed assets spread over one or more villages. Where the owner of such a large holding was an absentee landlord he got the land cultivated through tenants-at-will. Imposition of ceilings would have certainly resulted in part of such land getting passed on to the ownership of those who had been cultivating it, and the result would have been fuller utilization of land and labour leading to enhanced output. There also existed adequate economic and social justification for the imposition of ceilings and the redistribution of surplus land. These were essentially the reasons why the Planning Commission advocated the measures.

Lack of political will

However, the enactment of the ceiling laws was preceded by a protracted debate spread over several years. This gave plenty of time to enable landowners to dispose of the land that would have been declared surplus. Moreover, since the guidelines given by the Planning Commission were flexible and the details were left to be determined by the States, there was great diversity in respect of the ceiling actually imposed by them, classification of land on the basis

of which ceilings were determined, unit of application, and allowance for the size of the family, exemption to special categories of owners, treatment of transfers and partitions, and the quantum of compensation. Consequently, the implementation of ceiling legislation was poor and, by 1970, only about one million hectares of surplus land had been vested in government and only about one-half of that could be distributed. There is, of course, no doubt that the most important reason for the dismal performance was the total lack of political will.

Conclusion

On the whole, the conclusion is inescapable that the programmes of land reform implemented since 1947 have not led to any radical redistribution of land or removal of all the obstacles to increasing agricultural production. The laws for the abolition of intermedicay interests were implemented fairly well. But in the case of tenancy reform and ceilings on holdings, the policies adopted were ambivalent and there were large gaps between policy and legislation and between legislation and implementation.

"...as a result of the implementation of the tenancy laws, tenants became owners of or acquired rights in only about 4 per cent of the operated area. The enforcement of ceilings led to the redistribution of less than 2 per cent of the operated area. Thus these two measures taken together led to the redistribution of only about 6 per cent of the operated area. This is insignificant compared to the redistributive effect of the programmes of land reforms implemented after the Second World War in the People's Republic of China, Taiwan, South Korea and Japan. The extent of redistribution was 37 per cent in Taiwan, 32 per cent in South Korea and 33 per cent in Japan" (*Ibid.* P.S. Appu).

Nevertheless, as we have noted earlier, land reform in India since 1947 cannot and should not be written off as a non-event. It did bring about great changes, particularly in some States such as those in which the system of permanent settlement with zamindars, taluqdars, malguzars, etc prevailed until then, and no less significant changes over the last two decades in States like Kerala and West Bengal under the leadership of left-wing political parties. However, all these measures left untouched the bottom-layer of the agrarian structure except in the above mentioned States of Kerala and West Bengal.

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Land reforms : need for reorientation of policies

Reviewing the land reforms programme in India, the author

laments that the opportune moment for purposeful land

reforms passed long ago; some measures of land reforms

are urgently needed for fostering agricultural growth. It is

high time that we took a fresh look at our land policy bearing

in mind the great changes that have taken place during the

last three decades. Pleading for the legalisation of tenancies

to improve the access of the rural poor to agricultural land,

the author cautions against repealing of the ceiling laws



P.S. Appu

t Independence our agrarian structure was afflicted by several weaknesses that inhibited steady agricultural growth. These included the parasitic Zamindari

system, insecure tenancies subjected to rack-renting, concentration of land in the hands of unenterprising landowners, preponderance of tiny uneconomic holdings and the widespread subdivision and fragmentation of holdings. The land policy adopted since Independence was aimed at curing these maladies. The objectives of the land

policy were set forth in the Third Five Year Plan as follows:

"Land reform programmes, which were given a place of special significance both in the First and the Second Plans have two specific objects. The first is to remove such impediments to increase in agricultural production as arise from the agrarian structure inherited from the past. This should help to create conditions for evolving as speedily as possible an agricultural economy with high levels of efficiency and productivity. The second object which is closely related to the first is to eliminate all elements of exploitation and social injustice within the agrarian system, to provide security for the tiller of the soil and assure equality of status and opportunity to all sections of the rural population."

Efforts by Centre and States

The programmes adopted in pursuance of the above policy were the abolition of intermediary interests, tenancy reform, imposition of ceilings on agricultural holdings and consolidation of holdings. During the last 50 years, the Central and State governments devoted a great deal of effort to the delineation and refinement of policy, the enactment and amendment of the laws and their implementation. The enacted laws have been implemented at differing levels of competence or incompetence. Broadly stated, the implementation of the laws for the abolition of intermediary interests was far more satisfactory than the implementation of the laws enacted in later years for the reform of tenancy and the imposition of ceilings.

Abolition of intermediaries: As a result of the abolition of intermediary interests, some 2.5 crore erstwhile superior tenants became landowners holding land directly under the

government. They were freed from the illegal exactions of the zamindars. The erstwhile principal tenants acquired a higher social and political status leading to a shift in the rural power structure. Large areas of privately owned forests and wasteland vested in the State. Though the beneficial results were substantial, the

reforms led to some unwelcome consequences. The most important evil effect was that it led to the large-scale ejectment of poor peasants from the land they had been cultivating for generations. That happened because the law permitted the intermediaries to retain their home farms, no limit was put on the area of land they could retain, the term 'personal cultivation' was loosely defined and no protection was given to share-croppers and other tenants-at-will. The reform would have yielded far better results if steps had been taken simultaneously to limit the size of the home farms and give protection to the tenants-at-will on those farms.

Tenancy pushed underground: Regarding tenancy reform, three important guidelines were laid down in the Five Year Plans. First, rent should not exceed one-fifth to onefourth of the gross produce; second, the tenants should be accorded permanent rights in the lands they cultivated subject to a limited right of resumption to be granted to the landowners; and third, in respect of non-resumable land the landlord-tenant relationship should be ended by conferring ownership rights on tenants. While formulating the policy the overriding consideration was that the measures adopted for the protection of tenants should not seriously affect the landowners. Considering the character of the political powerstructure and the fact that the owners who had let out their lands were numerous and that they had considerable political clout, the adoption of such a pro-landlord policy was inevitable. In order to protect the interests of the landown-

ers every tenancy law contained a provision for the resumption of a part of the tenanted land by the landowners for 'personal cultivation'. In all the laws, the term 'personal cultivation' was loosely defined so as to include cultivation of land without putting in one's own labour or even personal supervision. The laws also permitted the voluntary surrender of tenancies. The inevitable consequence was the surrender of numerous tenancies under duress though shown on paper as voluntary surrenders. Most of the tenancies in the Raiyatwari areas and under-tenancies in the Zamindari areas were oral and informal share-cropping arrangements. They were seldom entered in the land records. Some laws deliberately left the share-croppers out of the purview of the tenancy law. Even in States where the law recognised the share-croppers as tenants, they could hardly avail themselves of the benefit purported to be conferred by the law as it was extremely difficult to prove the existence of tenancy. When all efforts to mend tenancy failed, it was decided that tenancies should be ended. The new policy was that the leasing out of land should be prohibited and all tenants should be made owners of the land they had been cultivating, on payment of compensation. The shift in policy did not, however, yield better results. For the problem of proving the existence of tenancies continued. The main consequence of the new policy was to push tenancies underground.

Repercussions: What did our efforts spread over half-acentury to reform tenancy achieve? It has been estimated that at Independence over one half of the operated area was under tenancy. As a result of tenancy reform, tenants acquired ownership rights in about four per cent of the operated area in the country. The seven States of Assam, Gujarat, Himachal Pradesh, Karnataka, Kerala, Maharashtra and West Bengal account for 97 per cent of the beneficiaries. The superior tenants who became owners on the abolition of intermediaries are left out in this computation. In the case of West Bengal the bargadars whose rights were protected, but did not acquire ownership rights, have been taken into account. Everywhere the immediate consequence of tenancy reform was the large-scale ejectment of tenants. Sharecroppers derived little benefit from the programme except in West Bengal. Tenancy reform has led to a sharp fall in the area of land under tenancy. From over one half of the operated area at the time of Independence, tenancy, mostly concealed, has come down to about 15 per cent. The rural poor have lost access to about 30 per cent of the operated area as a result of tenancy reform. If tenancies are allowed legally, tenants can acquire rights in the land they cultivate and the rural poor will have access to a larger area of agricultural land. In many States, tenancy reform has also resulted in landowners leaving their land uncultivated. For, they fear that they may lose the land if they lease it out. The lifting of the ban on leasing may encourage such landowners to lease out their land. The result will be better utilization of the available land, fuller absorption of human labour and increased farm output.

Ceiling laws: To reduce the disparities in the ownership. of land and make some land available for distribution to the landless agricultural labourers and poor peasants with tiny holdings, the Second Five Year Plan recommended the imposition of ceilings on agricultural holdings. In accordance with that recommendation, by 1961 all States enacted ceiling laws. The Planning Commission had given only broad guidelines with considerable flexibility. The inevitable consequence was wide variations between the laws of different States in the matter of the level of ceiling, unit of application, exemptions, etc. The enactment of the ceiling laws was preceded by a public debate. Naturally, all alert landowners took steps in good time to distribute the surplus land among their relations, friends and dependents, and in some cases they made paper transactions showing transfer to fictitious trusts. Because of the ambivalence in the formulation of policy, the shortcomings and loopholes in the laws and inefficient implementation, the ceiling laws did not yield any worthwhile results. By the late sixties it had become clear that the ceiling laws would not achieve anything. Yet, in the context of the radical stance adopted by the then ruling party, land reforms in general, and ceilings in particular, received a great deal of attention in the late sixties and early seventies. After protracted deliberations, revised guidelines were issued in July 1972. The revised guidelines brought down the levels of ceiling, insisted upon the family being made the unit of application and did away with most exemptions. There was, however, no improvement in the quality of implementation. As a result of the implementation of the old and the revised laws, only less than two per cent of the agricultural land could be redistributed. The reasons for the poor performance were flaws in the policy, the built-in loopholes in the laws, absence of political will, frequent judicial interventions, administrative inadequacies and lack of organization on the part of the potential beneficiaries.

Consolidation & farm growth: Consolidation of holdings has been completed in Punjab, Haryana and Uttar Pradesh. The programme has not, however, made any headway in the other States. Consolidation of holdings played a significant role in facilitating fast agricultural growth in Punjab, Haryana and Western Uttar Pradesh.

To sum up, the programmes of land reform implemented since Independence did not lead to any significant redistribution of land, or, the removal of all the obstacles to increasing agricultural productivity. The laws for the abolition of intermediary interests were implemented fairly well, but in the case of tenancy reform and ceilings on holdings, the policies adopted were ambivalent and there were large gaps between policy and legislation and between legislation and implementation. We have seen that these two programmes taken together led to the redistribution of only about six per cent of the operated area. That was insignificant compared to the redistributive effect of the land reforms implemented in Japan, the People's Republic of China,

South Korea, Taiwan and Vietnam. The Indian land reform did not lead to any significant redistribution of land, nor did it succeed in removing some of the persisting obstacles to raising agricultural productivity. Yet, it will be a mistake to write it off as a non-event. It did bring about great changes. It did not make the actual tiller the owner of his land in all cases. But it did away with the numerous layers of parasitic intermediaries between the State and the cultivator. The Zamindari system with all its notorious abuses has disappeared yielding place to a new rural power structure in which the erstwhile landlords share power with their former substantial tenants. The balance of political power has shifted considerably. The reforms, however, left untouched the bottom layer of the agrarian structure consisting of agricultural labourers, share-croppers and rural artisans. They received little benefit from the reforms.

Post-reform scenario

When India become independent, agriculture had been stagnating for several decades at low levels of productivity. The prevailing pattern of rights in the land and sharing of the produce stood in the way of the adoption of modern farming practices and the application of optimum doses of labour, capital and other inputs. The period since the midsixties has witnessed a sea change in the situation. Indian agriculture is no longer stagnant. In fact, it has shown considerable dynamism during the last three decades. In the context of chronic food shortages and rising imports a new agricultural strategy was adopted in the mid-sixties. The essence of that strategy was to concentrate all efforts in selected districts with potential for rapid growth. The introduction of the new strategy coincided with the emergence of high yielding varieties of wheat seeds. Taking into account the great potential of the new seeds the strategy was modified laying emphasis on the introduction of those seeds and multiple cropping. The great spurt in food production that followed was hailed as the Green Revolution. The increase in food production was impressive by any standard. In the first phase of the Green Revolution, the spectacular growth in output was largely confined to one cereal-wheat, and one compact area—the western half of the Gangetic valley. There was a marked resistance to the spread of the Green Revolution to the equally well-endowed Eastern half of the Gangetic valley. The second phase of the Green Revolution witnessed marked increase in the output of rice and the spread of the Green Revolution to other well-endowed areas. There has been remarkable growth in output in the Eastern half of the Gangetic valley also, but the full potential is yet to be realized. The spectre of famine has vanished and a large buffer stock of food grains has been built up. There is, however, a dark side to this rosy picture. Because of the failure of land reforms and other programmes for the redistribution of assets, and the inadequate growth of employment, widespread poverty and unsatisfied hunger coexist with mounting stocks of food grains. Another unwelcome aspect of the so-called Green Revolution is the widening gap between the large farmers and the small holders and between regions. Though a number of such problems still remain, the agrarian scene today is totally different from what it was at Independence. It is high time that we took a fresh look at our land policy bearing in mind the great changes that have taken place during the last three decades.

It is not only the agrarian-situation that has changed. Significant changes have taken place in the political, socialand economic fields. If political will in favour of purposeful land reform was weak at Independence and weaker still later on, it is non-existent today. Land reform has gone out of the agenda of political parties. This was perhaps inevitable in the context of the great changes that have taken place in the social and economic fields. With the abolition of intermediary interests, the erstwhile superior tenants belonging mostly to the upper and middle castes acquired a higher social status. Rise in agricultural productivity, higher incomes from cultivation and steep rise in land values have greatly augmented their economic strength. Substantial land-1 owners who wield great authority in rural India are bitterly opposed to ceilings on agricultural holdings. They are able to have their way because no serious efforts have been made to organize the poor peasants in favour of progressive reforms. As far as tenancy is concerned, there is a certain commonality of interest between all landowners, whether they be large, small or even marginal. They are all passionately attached to their land and all of them are opposed to conferring benefits on insecure tenants. In the first round of land reform, only the intermediaries were adversely affected. They were few in number and were weak politically. They had also become unpopular by aligning themselves with,the colonial power. So it was easy enough to abolish intermediary interests. And it was done without hurting them much. But injuring the interests of the present class of landowners is a different proposition. They are numerous, they have become prosperous and they have considerable political. clout. At the time of Independence, they did not wield much political and economic power, and so with a modicum of political will the reforms could have been implemented. But now that the landowners have waxed strong, no political party would like to incur their wrath. The most opportune moment for progressive reforms passed long ago.

Revamping the policy: different views

There are also serious doubts about the wisdom of persisting with the old package of land policies. Though there is general agreement on the need to revise the land policy, there are sharp differences about the lines on which the policy should be recast. One school believes that the agrarian constraints no longer exist in the old form, and that even if they exist in some pockets, they can be overcome by the adoption of modern technology and necessary institutional support for the supply of credit and other inputs. They argue that the ceiling laws should be abrogated and that all

restrictions on the leasing of agricultural land should be removed. The second school also believes that there is the need to revise the land policy in the context of the changes that have taken place during the last four decades, but it will be unwise to abrogate the ceiling laws. The existing ceiling laws should be enforced and the surplus land should be distributed. No useful purpose will be served by scaling down the ceilings. As far as tenancy is concerned, this school is in favour of removing the restrictions on the leasing out of land and allowing clandestine tenancies to come to the surface. The third point of view is that despite all the changes that have taken place, it will not be possible to promote sustained agricultural growth commensurate with social and economic justice unless some minimal institutional reforms are carried out. Admittedly, the opportune moment for purposeful land reform passed long ago. It is also true that the technological breakthrough and the so-called Green Revolution have rendered the needed institutional reforms even more difficult. But instead of rendering land reform irrelevant, the adoption of new technology has, as a matter of fact, highlighted the urgent need for institutional changes.

While I am in complete agreement with the view that some measures of land reform are urgently needed for fostering agricultural growth, particularly in the eastern half of the Gangetic valley and some other well-endowed areas, I am not optimistic about the emergence of a climate favourable to land reform in the immediate future. In the present context, a constituency in favour of purposeful land reform can be created only by engineering a coalition to promote the self-interest of political parties, the captains of industry and the rural poor. As of now, such a development is only a theoretical possibility.

After having closely observed the formulation of land policy, the enactment of land reform laws and their implementation during the last 25 years, I have come to the conclusion that it is high time that we made some substantial changes in our land policy. My suggestions are given below.

Tenancy reform

The restrictions on the leasing out of land have only led to tenancies being pushed underground. As long as a class of landowners who shun physical labour and a large mass of indigent peasantry co-exist, any legal ban on tenancy will remain a dead letter. And in a situation in which employment opportunities are not expanding commensurate with the growth of the work-force, the landowners are in such a strong position that they find it easy to push up their share of the produce. In the context of the social and economic conditions that prevail at present, it is unrealistic to expect a ban on tenancies to be effective. In States like Kerala where the rural poor are politically conscious and well-organized, many landowners keep their land fallow or grow only one crop where two could be grown. They fear that they may lose the land if they lease it out. After considering

the pros and cons I have come to the conclusion that tenancies should be legalized. The revival of tenancies willimprove the access of the rural poor to agricultural land leading to enhanced employment and output. I would, however, suggest that in the Bihar plains, eastern Uttar Pradesh and the delta of the Mahanadi, instead of straightway legalizing tenancy, the first step should be to amend the laws on the lines of the West Bengal law for conferring limited rights on share-croppers. Thereafter, an intensive campaign should be mounted for recording the rights of share-croppers on the lines of West Bengal's Operation Barga.

The new leases should be strictly regulated. The lease should be for fixed periods of three to five years and should be renewable after the expiry of the stipulated period. The lease should be in writing and one copy of the document should be lodged with the Gram Panchayat and another with the Taluk office. The rent should not exceed the limit laid down in the law and the owner should be required to grant receipts. Where a farmer leases in land, the combined area of owned and leased in land should not exceed the ceiling limit applicable to him. Even if the law is amended on these lines, the landowners will still be reluctant to lease out their land. For they may harbour the fear of the law being amended again to confer ownership rights on tenants. So it will be necessary to give a solemn assurance that no such amendment will be made in future.

Ceiling on agricultural holdings

Despite the dynamism displayed by Indian agriculture and the sustained growth experienced in recent years, the agrarian structure continues to be beset by a host of serious problems. The pressure of population on land continues to rise steadily and there is no hope of a decline in the proportion of the work-force dependent on agriculture in the near future. There is no clear evidence of economies of scale in Indian agriculture. Nor is there any evidence of a positive correlation between increase in the area of the holding and employment. The size-class distribution of land holdings continues to be skewed and the number of small and marginal is growing year by year. In the context of rising agricultural productivity and soaring land prices, there would have been a greater concentration of land in the hands of rich farmers and speculators but for the ceiling laws. If the ceiling laws are relaxed, there will be a scramble for the purchase of land by rich farmers and speculators leading to a further rise in land prices. And the speculators may not be interested in putting the land to intensive use. The small and marginal farmers will find it even more difficult to expand their holdings by buying more land. Considering all these factors I am opposed to the repeal of the ceiling laws. The question of abrogating the ceiling laws can be considered when the rural population dependent on agriculture falls below, say, 20 per cent.

I am also opposed to any further lowering of the ceiling levels. Apart from the fact that a further reduction in the

levels of ceiling is not feasible politically, it is also doubtful if it will serve any useful purpose. In future, the State governments should concentrate on the implementation of the existing laws and the quick distribution of the surplus land. Better results can be obtained if attention is concentrated on the large landowners who have successfully evaded the law so far.

Absentee landowners

One of the principal aims of our land policy should be to take away the operation of agricultural land from the hands of absentee owners who do not take sufficient interest in cultivating their land. The strict enforcement of the ceiling law will be of some help in achieving this objective. The legalization of tenancy will also help. But these measures alone will not be enough. Another measure I would propose is the acquisition of the land of absentee landowners under the Land Acquisition Act for distribution to the rural poor.

Land reform for growth

Though the role of land reform in removing obstacles to raising agricultural production had been recognized right

from the beginning, the greater emphasis was always on its role in levelling down social and economic disparities. During the last five decades, we made a good deal of noise about land reform. Some efforts were also made. But the results have not been commensurate with the noise or the efforts. We have now stopped paying even lip service to the socialist or socialistic ideal. So there is no point in continuing to talk about the role of land reform in ushering in an egalitarian social order. The emphasis should now shift to the role of land reform in fostering agricultural growth and augmenting employment opportunities. Hence the need for revising the land policy.

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Land reforms yesterday and today

Tracing the evolution of land reforms from the days of the

freedom struggle, the author says that the idea originally

advanced by the Communists was taken over by the Congress

in a modified form. Even though a series of land reform

measures have been adopted in several States, they constituted

a measure of bringing capitalist relations in the essentially

feudal set-up. About the present scenario, the author is of

the view that the place originally occupied by the feudal

landlords for decades has now been taken over by the market



E.M.S. Namboodiripad



onsidering the land reforms scenario, one should take a look at the evolution of the idea from the days of the freedom struggle.

It was the emerging Communist Party of India that first raised the question of Agrarian Revolution. In the articles it wrote and the statements it published in the early 1920s, the

Party put forward the idea that for Indian freedom to be meaningful, the outdated system of landlordism should be totally abolished, the surplus land of the big landlords should be taken over and distributed to the landless and land hungry, the depressed and suppressed. Hindu castes should be liberated from the age-old social oppres-

sion and other radical measures taken to emancipate the mass of the Indian people from social oppression. Although at one with Mahatma Gandhi in considering the poor as God (Daridranarayan), the Communists differed from Gandhi with regard to the means to be adopted. While Gandhi was committed to the programme of class collaboration, the Communists stood for class revolution.

Accent of class collaboration

The idea originally advanced by the Communists was taken over by the Congress in a modified form, ie with accent on class collaboration, since that was necessary for the mobilisation of the rural poor in the struggle against imperialism. Even with the Congress plan of the class collaborationist land reforms, the idea of emancipation of peasants was incorporated first in the Resolution on Fundamental Rights adopted by the Karachi Congress in 1931 and in the Agrarian Resolution adopted by the Faizpur Congress in 1936. Though falling far short of the Communist idea of agrarian revolution, the Communists found it necessary and possible to make the Congress programme the basis for building a united front of all the anti-imperialist forces. That was how, while working within the Congress on the basis of the Karachi and Faizpur documents, the Communists, along with other leftists, formed the independent organisation of the fighting peasantry, the All-India Kisan Sabha

Impact on Congress policies

The educative and agitational activities based on these Congress documents and the independent ideological activ-

ity of the Party concerning the agrarian revolution had its impact on the Congress even in pre-Independence days, as is seen in some of the legislative measures adopted and reports formulated by the Congress governments in States in pre-War days. That tendency got further strengthened in the post-Independence days when a series of land

reform measures were adopted in several States. These were far from the carrying out of the agrarian revolution as envisaged by the Communist Party but they went to a great extent towards finding, temporary solution for the land problem. It would, however, be wrong to consider these land reform measures to be the implementation of the ideas put forward by the Congress itself in its Karachi and Faizpur documents. For, what these legislative measures did was to (a) transform the statutory feudal landlords into capitalist landlords, and (b) promote a small section of the upper peasantry into the position of landlords. They, therefore, constituted a measure of bringing capitalist relations in the essentially feudal set-up.

Dealing with the problem

It was within the framework of such a Congress programme of land reforms that, as the first Chief Minister of the newly formed Kerala State, I had to deal with the land problem. I made it clear that, as a Communist who stands for the revolutionary transformation of agrarian relations, I have my ideas of land reforms. However, since my colleagues and myself were operating within the framework of the Congress programme of land reforms, I did not propose, nor was I in a position, to bring in legislation on the basis of my Party programme.

Theory and practice: However, I went on. The Congress and the Central government themselves have adopted in theory certain reforms in land relations which, if implemented, would give temporary relief to the landless and land-hungry rural poor. The Central and State governments led by the Congress Party, however, refused to put these programmes into practice. I, therefore, made it clear that what our government would strive for is to implement those policy directives of the Congress government which, however, the Congress governments refused to put into practice.

A contrast

Since Left-led governments did come into existence and ruled for a few months once again in Kerala in 1967, in West Bengal in 1967 and again in the 70s and 80s, land reforms of the type envisaged in the Karachi and Faizpur resolutions were in modified ways adopted in Kerala and West Bengal. In the two States and Tripura where the Communist-led government was in power first for 10 years and after an interval of five years once again came back to office, the rural poor have been enabled to secure a limited measure of relief from landlordism as envisaged in the Congress documents.

In the rest of the country, either feudal landlord domination of the statutory type continues in operation as in Bihar and in Eastern UP or feudal landlordism has been converted into capitalist landlordism as in Western UP, Haryana, Rajasthan, Andhra Pradesh, etc. Even in those States where the Congress model of land reforms has been implemented, including the States where there have been Left-led governments, capitalist landlordism has been growing fast. The rural poor; therefore, have to bear the dual burden of the remnants of feudal landlordism and the growing capitalist landlordism.

Present scenario

Above all, the whole country has now been brought into the framework of world capitalism. This, in fact, is the meaning and significance of the measures adopted by the Narasimha Rao government through what are known as "globalisation" and "privatisation". The rural poor at large, ie both in the States where some measure of control has been exercised over the feudal landlords as well as in those States where feudal domination still continues in various forms, have thus been brought into the capitalist world market as well as domestic market. The place originally occupied by the feudal landlords for decades has now been taken over by the world and internal market. Agricultural workers, other wage and salary earning workers in the rural areas as well as the bulk of working peasants have now become the slaves of world and Indian capitalism though new forms of old feudal domination also simultaneously continue. This, in short, is the essence of the present land reforms scenario.

 The author is Veteran Marxist Leader and Former Chief Minister of Kerala.



Effective implementation of land reforms: need of the hour



Dr Javant Patil

and Reforms have continued to be on the national agenda of rural reconstruction since Independence. It has been viewed as a measure of redistributive justice and as a means to achieving higher levels of agricultural production and incomes of the rural areas. It is a well-accepted fact that given the present stage of agricultural technology, even a small farm can be viable, both in

terms of employment and income of a family. The need for land reforms was recognised at the time of Independence and has been reiterated in the successive Five Year Plans. The Seventh Five Year Plan included land reforms as an intrinsic part of the anti-poverty strategy.

Taking stock of the achievements in the field of land reforms in the country since Independence, the author says that providing security to oral tenants and share-croppers is one of the most important issues of agrarian reforms today. Stressing the need for detecting surplus lands, he has called for amendments in the law to curb the evasive tactics. Involving PRIs in the implementation of land reforms, tenancy reforms and other measures of agrarian reforms will reduce social tensions in the rural areas, he opines.

Providing security to tenants

Except the States of Meghalaya, Nagaland and Mizoram, all the States had tenancy laws at the time of the Eighth Five Year Plan. These provide for conferring of ownership on the tenants by the State, acquisition of ownership by tenants on payment of reasonable compensation, security of

tenure and fixation of fair

The national policy in this regard has been that the rent payable to the land- owner should not exceed one-fifth to onefourth of the gross produce; tenants should be given permanent rights to the land they cultivate subject to a limited right of re-

sumption to be given to landowners and that landlord-tenants relationships should be ended by conferring ownership rights on tenants in respect of non-resumable land. Certain categories such as widows, members of armed forces, minors, etc are treated separately under these laws. In certain other cases, provision is also made for a limited right of resumption. An estimated 112.92 lakh cultivators have been conferred ownership rights on 153.53 lakh acres of land.

The experience of implementation of these laws has been quite varied. West Bengal, Kerala and Karnataka, have achieved more success than the other States. The West Bengal model of 'Operation Barga' under which 14.60 lakh share-croppers have been recorded, has provided a replicable model for recording tenancies and securing the rights of tenants and share-croppers. Karnataka has set up land tribunals to settle tenancy issues. These have decided in favour of about three lakh tenants involving approximately 11 lakh acres of land. In Kerala, through the tenants' association applications of 24 lakh tenants for conferment of ownership were accepted.

Due to a loose definition of 'personal cultivation' in most States the tenancy laws have not been able to have the desired impact as the land owners continued to resume the land. Concealed and oral tenancies still continue to exist. The States have been advised to bring all the oral tenants

Considerable progress

At the national level, successive Five Year Plans have emphasised abolition of intermediaries, security of tenure of tenant cultivators, redistribution of land by imposition of ceiling on agricultural holdings, consolidation of holdings and updating of land records as important tenets of land reforms. Since land is a State subject, appropriate legislation incorporating most of these issues have been enacted by the State governments. Today when we take stock of what has been achieved in the sphere of land reforms, it is seen that land reforms as a strategy of agricultural development and for achieving the objective of an egalitarian pattern of society, has made considerable progress.

Most States have passed legislation abolishing intermediary tenures like Zamindari, Jagirdari, Inams and other tenures, as also the rent receiving interests of landlords, thus, bringing an estimated 20 million cultivators in direct relationship with the State. Occupancy or ownership rights were conferred on the tenants or cultivators of the land in pursuance of the government's policy of 'land to the tiller'. As a result of the abolition of Zamindari, 40 per cent of the land covered under this system was freed. Fifteen million acres of wasteland were also vested in the States. However, old Zamindars succeeded in retaining large tracts for self-cultivation.

and the share-croppers on record with the help of local Panchayats and voluntary agencies working in these areas. Thus, providing security to these category tenants is one of the most important issues of agrarian reforms today.

Limited success

Fixation of ceiling on agricultural holdings was taken up as a redistributive measure. The skewed distribution of land in India, with nearly a quarter of the rural households owning no land at all, and another one-fifth owning less than an acre each, provided ample social and economic reason for land ceiling as a means of redressing this imbalance. Legislation for ceiling on existing holdings and future acquisition were enacted in most States during the Second Plan period. Considering the differences in the legislation of the States, national guidelines were evolved in 1972. Except Goa and in the North-East region, ceiling legislation has been enacted in accordance with these guidelines. The land ceiling programme has suffered due to various loopholes and complexities in the legislation, lack of administrative effort and inadequate and inaccurate land records base. A limited success has been achieved in this programme with total area declared surplus up to March, 1995 being 74.09 lakh acres out of which 65.42 lakh acres have been taken possession of. An area of 51.46 lakh acres has been distributed to 49.94 lakh beneficiaries. This issue was considered by the Revenue Ministers and the Chief Ministers in their conference held in March, 1992 and October, 1992 respectively. The measures suggested to strengthen this programme include:

- (1) Setting up of tribunals to take up land ceiling cases;
- (2) Freeing 75 per cent of land involved in litigation, and making it available for distribution;
- (3) Survey of benami and farzi transactions; and
- (4) Computerisation of land records.

As mere allotment of ceiling surplus land does not ensure a proper and optimum utilisation by the allottees, a Centrally sponsored scheme for providing financial assistance to the assignees of ceiling surplus land, SC/ST allottees of Bhoodan land and government wastelands, and SC/ST who had been restored their alienated land after 1 April, 1985, was in operation from 1975-76 to 1992-93, after which it has been transferred to the States. In this scheme, an assistance of Rs. 2,500 per hectare is given to the beneficiary for land development, purchase of inputs and for meeting consumption needs.

Consolidation of holdings & security of tenure

Consolidation of holdings is necessary for efficiency and economy in agriculture and better development planning at the village level. It has been implemented successfully in some States like Punjab, Haryana, and Uttar Pradesh where differences in the quality of land and availability of irriga-

tion facilities were minimal, so that the farmers did not fear exchange of lands in the process of consolidation. It has been seen that consolidation of holdings has generally suffered in its progress because of the apprehensions of small farmers about getting a raw-deal in exchanging parcels of land for a consolidated holding. Since the process of fragmentation of holdings, is a continuous one, a one-time activity will not solve this problem. Attempts have to be made to convince the farmer that this measure will lead to an increase in agricultural production, in resolving land-based conflicts and will bring better harmony and social facilities to village life. In allaying the fears and apprehensions of the tenants and share-croppers, measures for tenancy reforms to give security of tenure to tenants are a pre-requisite before an effective programme of consolidation of land holdings can be implemented. It has been taken up in large areas of Bihar, Orissa, Maharashtra and Himachal Pradesh. Whereas, Andhra Pradesh, (Telengana area) and Assam have enacted legislative provisions for consolidation of land holdings, Tamil Nadu, Kerala and other North-Eastern States do not have any laws for this purpose. Some of the States have given it a voluntary character. Around 1528.76 lakh acres of land have been consolidated in the country so far.

Wasteland and Bhoodan land

There is approximately 320 million acres of wasteland in the country. So far, an area of 127.97 lakh acres of wasteland has been distributed. In a number of States, it has been observed in many instances that allottees of government wastelands have not been found in possession of the land given to them. In the case of Bhoodan land, as the original donations were made 25-30 years ago, the records of the donation are not available and the heirs of the original donees have challenged the donations. Of the 45.90 lakh acres of land donated as Bhoodan land, only 24.42 lakh acres have been distributed. A survey of Bhoodan lands and government wasteland available, should be made and priority given to distribution of these lands to SCs/STs. States like Andhra Pradesh, Madhya Pradesh, Uttar Pradesh and Orissa have performed well-in the distribution of Bhoodan land.

Updating land records

The Government of India has recognised the fact that in most cases land records are not up-to-date and even where land records are regularly maintained, the ground reality is often not reflected in them, particularly, regarding tenancy and share-croppers. Some States, specially, in the North-East do not have any land records system and neither have they been able to find sufficient resources to get the land resurveyed and get the records updated. The present state of affairs has arisen due to an inadequate machinery for regular updating of land records and insufficient financial provisions for this purpose from amongst the States' resources. The archaic system of preparing land records and updating them is reflected in their poor upkeep. Recognising the need

for updating the land records and for following methods of modern technology, a Centrally sponsored scheme for strengthening of revenue administration and updating of land records was begun from 1987-88 during the Seventh Five Year Plan. In this scheme, assistance is provided to the States for induction of modern technology in the maintenance and updating of land records, purchase of equipment, strengthening of training of personnel, infrastructure, etc. An amount of Rs. 96.91 crore had been released by the Central government as its share to the States/UTs between 1987-88 and 1994-95.

Computerisation: A pilot project for computerisation of land records was initiated in 1989. Since 1993-94, a Centrally sponsored scheme with 100 per cent Central assistance has been launched for computerisation of land records. Projects in 102 districts in the country have been sanctioned till 1994-95. One hundred new projects are proposed to be taken up during the current year. The experience of the States has been varied in the implementation of this scheme.

The other components of the strategy of land reforms which require special mention are: conferment of ownership of rights on homeless persons, taking special measure for protection of lands of SCs and STs, improving the access of land to women, and safeguarding of common property resources.

Eighth Plan strategy

The Eighth Plan aims at addressing itself to the factors that have come in the way of realising the goals of land reforms policy. It lays stress on ensuring that the actual cultivators are made aware of their rights and are enabled to claim their benefits. It also aims at encouraging steps for early detection of surplus land. The Eighth Plan recognises that the newly acquired land has to be brought under profitable agronomic practices to meet the twin objectives of poverty-alleviation and output growth. The management of land records and the skills and capabilities of the lower level machinery thus becomes important and needs the necessary support of resources and modernisation so that they help rather than hinder evolution of an equitable agrarian order.

Reward system: In order to create a reward system for the better performing States in these matters, an index of performance with regard to land records, has been set up which has been included in the Modified Gadgil Formula. Based on this indicator, it is possible to provide a portion of the general pool of Central assistance to the States.

Security of tenants: The Eighth Plan has highlighted issues relating to security of tenants:

First, there is a need of solidarity among the tenants so that they can counter the dominance of landed classes as well as make the revenue administration accountable to themselves. Secondly, transfer of title to the actual cultivators requires to be professional and sensitive.

Thirdly, it is important to ensure that the allottees receive the gains from the land with the help of improved technology and modern inputs.

Restricting the right to resumption, tackling absentee landlordism by defining personal cultivation more precisely and reviewing the provisions for regulating voluntary surrender are some of the issues highlighted in the Eighth Plan in the national perspective. There is also a need for organisation of tenants and share-croppers to assist in the detection of informal and concealed tenancies and to bring on records tenants and share-croppers.

Detecting surplus land: There is a need to detect surplus lands which have been unavailable due to evasive methods till now. It is also incumbent upon the State governments to take measures to ensure that the allottees take possession and there is severe penalty for dispossession. This may require certain amendments in the law to remove the lacunae.

Common property resources and NGOs

The question of common property resources, which have traditionally been a source of economic sustenance for the weaker sections of the society, is also engaging the attention of the policy-makers and planners. It is necessary to survey the extent of the common property resources in the rural areas and to remove encroachments by more influential sections, so as to increase their access to the weaker sections. This is another area where voluntary organisations and local democratic institutions have to be associated with the administrative machinery.

PRIs and land reforms

The process of democratic decentralisation and empowerment of local government institutions in the rural areas, has been given a constitutional status by the Constitution (73rd Amendment) Act, 1992. The scope of involving the Panchayati Raj institutions in the implementation of land reforms, has to be discussed and formalised in concrete terms. The 11th Schedule to the Constitution includes implementation of land reforms, land consolidation, land improvement and soil conservation as items of work which may be transferred to these institutions by the State governments. through statutory provisions. Referring to the experience of Operation Barga of West Bengal, there is a strong case for involving these local democratic institutions in this process so as to achieve the goals of the land reforms policy. Considering that the implementation of land reforms in the States has often generated social tensions in the rural areas, it is hoped that by the involvement of these institutions, tenancy reforms and other measures of agrarian reforms will be

(Contd. on page 23)



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		Residential Layout	59	90
	3.	Miyapur Residential Layou	t :	38
	4.	Shamshabad Residential L	ayout 110	QQ.
	5.	Nallagandla Residential La	yout 80)2
	Co	mmercial & Recreational	, Are	ea
	б.	Jubilee Hills		
		Commercial Complex	1 Acr	re
	7.	Maitrivihar		
		Commercial Complex	1 Ac	re
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HUDA Giving shape to the future

The slow progress of land reforms in India

While landlordism has been abolished, we have a new type

of 'absentee landlordism', temporary tenancy and subtenancy

leading to the exploitation of the poor peasantry, observes

the author. The larger issues of political will, bureaucratic

apathy and dilatory judicial process stand in the way of

providing security of tenure and preventing charging of

extortionist rents. Pointing out that the total investment in

agriculture has gone down in the wake of liberalisation, the

author says the question is whether the new economic policy

will strengthen or weaken the political resolve to push ahead



Dr P.D. Hajela

he principal upthrust of all policy measures in India has been to eradicate mass poverty. And since an overwhelming proportion of Indian population lives in villages, it has naturally meant focusing on how rural transformation can also help achieve this aim.

While people in the rural areas engage themselves in

non-agricultural activities as well for a living, agriculture is the axis around which all those activities revolve. So the peasant is really the pivotal producer and land is the most crucial factor of his production. What net return cultivation leaves him with is thus the stimulus which determines whether he will put in his best effort and thus influence his own and

everybody else's well-being in terms of adequate supply of food and raw materials. Agriculture may be a way of life for him but incentive is needed to enthuse him with a greater sense of dynamism.

with land reforms?

Absentee landlordism.

It is with such a rationale as this that the concern for land reform had begun to appear in India even during the freedom struggle. Since freedom, the concern has been translated into a number of steps including policy decisions and their implementation so that the objective of "land to the tiller" could be achieved. However, while landlordism has been abolished, we still have a new type of 'absentee landlordism', substantial amount of temporary tenancy and subtenancy in which the needy sections of poor peasantry have to part sometimes with 50 to 66 per cent of the produce to their landowners. Thus, though in the wake of Zamindari abolition more than 20 million tenants of zamindari land had by 1961 become directly related to the State, and the zamindars were deprived of 60 per cent of whatever land they had, the poor peasantry still continued to be exploited. In eastern UP, informal subletting embraced 29 per cent of the net cultivated area when formal subletting was shown to cover one per cent only. The landholders involved were 17 per cent of the total.

It is obvious that informal tenancy enables the owners to charge higher rents and makes for even more severe exploitation of the peasants.

Variations in rents

Attempts at regulating rents have been made with varia-

tions ranging from onethird of the gross produce in Punjab and 33.3 to 40 per cent in Tamil Nadu, a maximum of one-sixth in Gujarat, Maharashtra and Rajasthan and one-fourth to one-fifth in Assam, Karnataka, Manipur and Tripura. The likelihood of rents exceeding these limits becomes stronger the greater the extent of informal tenancy.

Another factor which could be helpful to peasants involved in informal or oral tenancy would be fixing rents in money and discouraging payments in kind, since payment in kind in situations of continuing inflation would benefit the receivers of rent more than the giver. Moreover, when many other payments which the peasant makes are in money, why should this also not be paid in money rather in kind?

The way out

A secure right of tenancy had rightly been considered as a way out of the problem. One usual technique of the landowners has been to threaten resumption of self-cultivation and thus create helplessness for the share-croppers. To counter the tendency, UP, Delhi and West Bengal have provided for full security of tenure to tenants and no right of personal cultivation to the owners. But most States—Madhya Pradesh, Rajasthan, Himachal Pradesh, Orissa, Maharashtra, Gujarat, Kerala, Assam and Punjab have provided for resumption of cultivation of a limited area with a minimum area being left with the tenant. Tripura, Manipur, Jammu and Kashmir allow for a limited resumtion of cultivation by landowners but there is no entitlement to the tenant for a minimum for his own cultivation.

Assuming that about 20 per cent of the tenants hold oral

leases, the extent of rack-renting and insecurity of tenure could make more than a marginal difference to the output in the agricultural sector and to the poverty and economic well-being of the affected peasants.

Security of tenure: The steps taken thus far to provide security of tenure and prevent charging of extortionist rents have been all in the right direction, the inter-State differences notwithstanding, but the larger issues of political will, bureaucratic apathy, dilatory judicial processes handicap their speedy implementation. The same forces might be holding back straightening and finalising of land records without which targeting the exploiters is even more difficult.

Ceiling limits: variations

We will revert to the basic issues presently. Meanwhile, we might refer to that related matter of ceiling on land-holdings which was intended to yield a surplus over ceiling, which could then be distributed to poor peasants and landless labourers in the country.

The ceiling unit which was the landholder himself until 1972, was changed to the family thereafter. However, the family unit's definition with husband, wife and three minor children leaves scope for a large variation in the ceiling if major children are allowed as large a land additionally as the family excluding them is allowed. The ceiling limits were also lowered thereafter with differences varying as between irrigated land with two crops, irrigated land with one crop and dry land. But exemptions for orchards, grazing land, cattle breeding farms, religious trusts, orchards, sugar-cane farms, etc have all tended to vary the ceiling and raise it substantially in many cases.

Problems galore

The surplus over ceiling available for distribution to small farmers, evicted tenants and the landless has been less than warranted because of various malpractices, checkmating of which is obviously administration's responsibility. However, the fulfilment of that responsibility is caught up in the general political milieu and again brings us back to the basic issues.

But problems of compensation to those whose surplus land is being acquired and recovery of this amount from those who are being given this land fall in a somewhat different category. These problems have both economic and legal aspects. The economic aspect arises from whether the small holder's return would be enough to provide for both the rent and the payment of the value of land acquired. The legal aspect could arise from whether the compensation meets the satisfaction of the party whose land is being taken away. That the latter has remained interested in involving surplus in litigation is confirmed by the fact that in comparison to the surplus land that is supposed to be left for distribution,

some eleven times that land is already involved in higation!

Need for political will: The issue of the burden of distributed land's price on the smallholder could be resolved within a time-horizon in which the annual land revenue on the produce and instalment of land price put together do not exceed the proportion of output statutorily chargeable as land revenue in the area. Evidently, this will mean that the land revenue charged from the smallholder will be less than the statutory maximum. This would have fiscal implications which would need to be sorted out in terms of larger macro policy considerations. And like many other issues having fiscal implications, this will also have to depend on the political will of the governments concerned.

The steps emphasised on a priority basis have been either shortening the judicial processes in relation to land reforms through setting up of special tribunals or benches of High Courts or through curtailing the powers of the judiciary in the matter. At least section 323 of the Constitution provides for the former and there is no reason why we should not take advantage of that provision.

Land records: The necessity of maintaining proper land records has always been felt and particularly since the success of West Bengal's Operation Barga, which is being widely commended. In fact, the Centre has provided for Rs. 24.48 crore for computerisation of land records and even otherwise, it is agreeable to share expenditure incurred on improving land records and revenue administration.

Efforts are also being made so that government avoids laying its own hands on surplus land and enables its distribution to the poorer sections of the rural population. There is also the suggestion to change laws in a manner that the tribals are not deprived of their land and in case their land has been taken away, it should be returned to them.

PRIs: a ray of hope?

With the Panchayats taking up position now, a chapter of hope on land reforms opens though it is unclear if issues like tardiness of the judicial process, the distortion of ceiling through manipulation of vested interests, the lack of political and administrative will, absence of comprehensive land records including those relating to batai or share-cropping would really be effectively tackled at the level of individual Panchayats. And where resource constraint is also a factor proving a handicap in the way of land reforms, it is particularly unclear how Panchayats would go about the problem.

Until now there is no indication how Panchayats will raise their resources and if they don't, how the Centre or the States are going to bail them out.

In this connection, one could refer to possibilities of action on a suggestion which has been frequently made, namely the desirability of organising the rural poor and the

landless so that they can force the emergence of a political will to implement land reforms seriously. Could Panchayats help forge such an organisation? Even if they did, will it be effective on a purely local, micro level?

Already there is increasing tendency to fight Panchayat elections too under known party banners and there is no evidence that any party or group articulating the interests of the rural poor is anywhere around. As for the existing parties, they are so anchored to the goal of just capturing political power that they hardly find time for focusing on the plight of the landless and the rural poor.

Social justice and economic growth

Does the approach of social justice through land reforms militate against the objective of economic growth in the agricultural sector?

The question would not have been raised when the case for land reforms started gathering momentum both in the pre-Independence and in the immediately post-Independence era. At that time, social justice was considered necessary for maximisation of economic growth in the economy as a whole and agriculture was no exception to an already widely held opinion in the country. But when the growth process began, vested interests saw great opportunities for maximisation of personal gain so that wherever they were, in the private corporate sector, public sector, political or administrative sector or the agricultural sector, they played up growth and played down distributive justice, so much so that even Pandit Nehru had to say that rather than distribute poverty we should first produce wealth and then bother about its distribution. Slowly but surely the general ethos began to slide back from social justice to just removal of poverty and it is no surprise, therefore, if in such an ethos the political will, weak even though it was at the best of times, began to get continually emasculated.

And so in the process, the fact that smaller farms were yielding better value added also began to be overlooked.

At least from the point of view of efficiency of production and growth of agricultural output, the bias in favour of redistribution and encouraging smaller farms could not be faulted.

Nor could the scale argument go far with the kind of technological change we have fruitfully ushered in the realm of agricultural production. The technology admits of a fairly high degree of divisibility of inputs and that is why the combination of that technology and self-employed labour enables the achievement of a higher value added on farms of smaller size.

Why is, then, there a demand now for raising land ceiling even from States like West Bengal? Because they say that would attract the private sector and make more resources available for the agricultural investment.

Liberalisation and agricultural sector

It is common knowledge that the total investment in agriculture has gone down in the wake of liberalisation. It is difficult for any government to concede such ill-consequences of its policy. On the other hand, the States are yet to do anything substantial to boost resources and make up the deficiency in agricultural investment. From inefficiency and lack of dynamism of public sector to the supposed opposite traits of the private sector, we may have made a directional movement which has left people guessing, some with optimism and hope and some with pessimism and dis appointment. But it is entirely unclear how with a persistent sluggishness in the savings to national income ratio, a more unbridled consumerism in the wake of liberalisation and a sustained effort to run away from taxation and, therefore, a declining pool of national resources, the private sector would a find resources which the public sector would not. And if that is unclear, how can the argument be used to reverse the basic thinking which has underlined our land reform programme thus far?

The question: The really likely possibility on the front of resources at least in the new economic policy scenario is to fish from the global rather than from the national pool of resources. But if that led to the possibility of foreign private participation in agriculture as is happening and is being sought to be encouraged in industry, will that strengthen or weaken the political resolve to push ahead with land reforms is the question?

True, the Government of India still continues to make noises about land reforms and against any raising of ceiling. But what does it have to offer by way of substantial resources except the advice that the States must put their fiscal house in order and try to raise themselves by their bootstraps—an advice which the Centre itself has to heed in view of its high fiscal deficit, high level of internal and external debts and the consequential high debt-servicing.

The purpose behind linking land reforms with the issue of resources for agricultural investment is both to point to a newly emerging anti-land reforms situation and to indicate how basic macro-approaches to economic policy could themselves imperceptibly accentuate the prejudices of the judiciary, the bureaucrats and the politicians. Thus understood, their prejudices may be less of a problem than the repeated attempts of economic policy to play down social justice which in turn, then, feed the prejudices. More specifically, the problem may be the creation of an ethos in which pampering to the vested interests of the rich itself begins to be regarded as the best means of achieving social justice!

 The author is former Vice-Chancellor, Allahabad and Sagar University and UGC Emeritus Fellow (482, SFS Sector-A, Pocket C, Vasant Kunj, New Delhi-110030).

Whither land reforms?

Dr Balraj Mehta

The author says that the economic and social relations in

the countryside have worsened since the mid-sixties. While

tenancy reforms and ceiling laws have failed miserably, the

consolidation of holdings has actually weakened the position

of the tenant and the actual cultivator. Stressing the need

for a new administrative machinery to effectively implement

any worthwhile land reforms programme, the author points

out that it would be possible only if the democratic awareness

here is still occasional talk of land reforms. Conferences too are periodically held by the Central and State governments where early completion of land reforms is urged. This is done primarily to put out of the

way a sore problem for official set-up to feel free and comfortable to devote itself to plans to give new, "modern" outlook to Indian agriculture. What is casually missed, however, is the tragic fact that failure to carry out radical land reforms has been the major factor in frustrating the plans for economic growth and social equity during

will gather further strength in the Indian polity and society and is not smoothened by vested interests under false pretence. even the era of planning. Under the regime of market-friendly structural adjustment of the Indian economy, the position is not likely to be any different. It, in fact, is likely to aggravate. The attempts, being made ingeniously, rather insidi-

Agricultural census

The first and only agricultural census in India was released in December 1978. It threw up valuable data on land relations in the agricultural sector of the economy. It showed that medium and large operational holdings covered more land under cultivation than the medium and large categories of farmowners. The position has since worsened because of increasing alienation of marginal farmer from land and greater concentration of farm land in large operational holdings. There were in 1970-71, 70 million operational holdings on an aggregate area of 162 million ha. Of these, 35 million, or one-half, were of a size less than one ha which covered only nine per cent of the total cultivated area. A 1953-55 survey had earlier found that 50 per cent of all small holdings accounted for 10.5 per cent of the total cultivated area. Thus, marginal holdings were found to be losing land. At the other extreme, holdings of 10 ha and above had grown in 1970-71 to command 30 per cent of the cultivated land. Cultivated area, meanwhile, had increased between 1953-54 and 1970-71 from 124 million ha to 162 million ha. This was an increase of 31 per cent. But in-

ously, to side-track the fundamental issue of land reform

are indeed misconceived and even dangerous.

crease in the number of operational holdings during this period was of the order of 40 per cent. It meant that fragmentation of land holdings had gone on and land had passed out of the hands of small holders, making them smaller still.

> This trend has accentuated since the mid-sixties when official policy started to promote commercial agriculture. But ironically enough, at about the same time, imposition of land ceiling and land redistribution too were mooted.

The first round of ceiling laws, however, resulted in the distribution of only 0.5 million ha when during the same period an additional 38 million ha of land had been brought under cultivation. The redistribution of only half-a-million ha under the ceiling laws could hardly change the land ownership and land holdings pattern in the country. When land ceiling idea was first mooted in the mid-fifties, it was calculated that with a ceiling put at 20 standard acres, 35 million ha of surplus land would become available for redistribution among the poor peasentry. The surplus for redistribution has since eroded at a fast pace. In 1970-71, even with lowering of the ceiling, it was estimated that only 20 million ha were available for redistribution. Subsequently, the estimates did not go beyond 7.5 million ha as the possible surplus under the ceiling laws. The latest is that hardly 40,000 ha are left to be redeemed for redistribution to the poor peasants. The ceiling laws have thus failed miserably to bring about a meaningful change in ownership pattern of land and social relations in the countryside.

Rich farmers and idle land

A finding of the agricultural census which may also be noted was that over 30 million acres of cultivable land was laying waste and half of this land was under large holdings. This showed that rich farmers did not find it convenient to bring all of their land under cultivation as it might not give returns considered adequate by them. But, there is every reason to think that poor peasantry and landless agricultural workers, if given even a small parcel of land, will bring it under cultivation. They will put their family labour on it to eke out at least subsistence from such land. This is indeed the most economic way for the utilisation of available land including what is classified as wasteland, as well as improving employment opportunities in the country. The fact is that gentlemen farmers do not display any interest in bring wasteland under cultivation and do not make investment especially from their own resources for this purpose. They prefer it to lie waste. They too prefer to maximise their profits from trading and usurious operations rather than improve production and productivity per acre of their holdings.

Landless agricultural labourers

Another important development in the countryside, because of the miserable failure to carry out land reforms, in particular land redistribution has been the growth in the number of agriculture labourers which had swelled to 29.98 per cent of the rural population by 1970-71 from 18.87 percent a decade earlier. This happened because of alienation of the poor farmer from land and concentration in land ownership. The number of owner-cultivators, side by side, declined from 60.32 per cent to 50.88 per cent in 1970. These trends have further accentuated, the periodic talk of land reforms and ceiling laws notwithstanding. The landless agricultural labourers who are estimated to number 160 million at present and poor peasants who after losing their uneconomic parcels of land, may still hanker after land for cultivation. But it has become clear enough that the principal issue for them now is one of wages-fair wages, that is. But they have also to reckon with strong feudalistic forms and practices that still govern social relations in the rural sector and the widespread unemployment in rural area in the absence of alternative avenues of gainful jobs for them in industry or the services sector.

A contradiction

This broadly is the position with respect to land relations in the agricultural sector. The nature and relevance of the much-advertised new agricultural policy launched in the mid-sixties, which is applauded for ushering in the Green Revolution, has to be examined in the light of the given pattern of land ownership, operational holdings and social relations in this sector. The new agriculture strategy frankly aimed at the promotion of commercial agriculture. By its very nature, it relied on the use of "modern" methods of agriculture. Priority was given to the application of material inputs, among them costly chemical fertilisers and pesticides rather than human labour and inputs that could be generated within the farm sector, among them organic manures. It was limited to selected farm and geographical areas and restricted sections of farmers—the rich farmers and the landed gentry in particular, who had been clamouring precisely for such a dispensation after the end of the

Zamindari system. The need and the compulsion for radical land reforms as a factor in lifting agriculture as a whole out of stagnation inevitably lost its rationale in an increasing measure under the new policy orientation.

Social and political tension

The concept of land reforms and redistribution of land on the basis of the principle of "land for the tiller" implies reliance on the poorer strata of peasantry, spreading out the network of assistance for farming over a larger and wider scale and unleashing of mass enthusiasm to get greater production through intensive labour mobilisation and utilisation of inputs readily available to them. Chemical fertilisers and pesticides and mechanisation has in this scheme of things to be introduced gradually, naturally, not as crach programme as was stipulated as the first condition for promoting commercial agriculture in India. The Indian ag ricultural policy, from the days of the freedom struggle and after Independence, was, however, conceived with a so cially broad-based approach to farming. It did not succeed as well as it might have to dramatically increase production and consumption of basic necessities of life for the mass of the people and wage goods for working people, not because it was inherently faulty but because it was not implemented with dedication and efficiency. But it might be right and proper to stress that, even with limitations, it had resulted in increasing agricultural production to an impressive extent. In respect of food grains, for instance, production increased from less than 60 million tonnes at the start of the fifties to nearly 88 million tonnes by 1967-68. A lot more could be achieved if the obstructions of vested interests had been overcome and policy and administrative instruments properly mobilised. It too is worth noting that the operation of the agricultural strategy to promote commercial agriculture since the mid-sixties has recorded an increase in food grains production at a rate not faster than in the previous period. An encouraging factor has been large public investment in irrigation till the mid-seventies, after which there has been deceleration in this crucial investment in agriculture. Benign nature, by way of good monsoons for seven years in a row too has helped. However, the advance of commercial agriculture has pushed large areas and a majority of peasantry to stagnation and decay. It has consolidated the grip of the rich peasant and the landlord on economic activity, social relations, even political alignments, in the rural areas of the country. These trends in the direction of rural development at a crucial stage of the development of the national economy was bound to have serious repercussions for the entire course of social and political life in India. Not only the much talked of egalitarian objective has tended to be made meaningless but any step towards this goal even in future has become more difficult. This is a state of affairs which is prone to inflame social and political tensions such as have tended often to erupt in the last two decades and assume violent forms and features.

Land to the tiller: a mirage

It is not amiss, therefore, to recall the 1973 report of the Task Force on Agrarian Relations. It was a strikingly candid document.

It said: "Enactment of progressive measures of land reforms and their efficient implementation call for hard political decisions and effective political support, direction and control. In the context of the socio-economic conditions prevailing in the field of land reform in the absence of the requisite political will, the sad truth is that this crucial factor has been wanting. The lack of political will is amply demonstrated by the large gaps between policy and legislation and between law and its implementation. In no sphere of public activity in our country since Independence has the hiatus between precept and practice, between policy pronouncements and actual execution, been as great as in the domain of land reforms. With resolve and unambiguous political will, all other shortcomings and difficulties could have been overcome; in the absence of such will even minor obstacles become formidable road blocks in the path of the Indian land reform. Considering the character of the political power structure obtaining in the country, it was only natural that the required political will was not forthcoming".

Referring in particular to the objective of "land to the tiller", the report said that this objective will never be achieved in the prevailing conditions of our society and polity.

Failures galore

The official land reform programme has indeed never been for "land to the tiller". What was done in the direction was aimed at the reduction in the "incidence of absentee ownership of land". The definition of "personal cultivation" in land laws, therefore, turned out to be a major factor in large-scale ejectment of tenants from land and making them agricultural labourers. The abolition of statutory zamindari system in the fifties helped to bring about 20 million intermediate tenants into direct contact with the State and large areas of privately-owned forest land, grazing land and culturable wasteland was vested in the State. But a compensation of about Rs. 600 crore for the Zamindars too was provided for. Even so, abolition of the Zamindari system could have made some positive impact on rural life and the agrarian structure with suitable follow-up action. But there was afterwards dithering over tenancy reforms and failure to enforce ceiling on holdings and redistrilution of land by legislation sans empowerment of the poor peasantry which nullified this hopeful outcome. The economic and social relations in the countryside have, therefore, actually worsened since the mid-sixties. While tenancy reforms and ceiling on land are known to have failed miserably, the report of the Task Force on Agrarian Relations pointed out that

even consolidation of holdings worked to strengthen the landowners' position and weaken that of the tenant and the actual cultivator. About consolidation of holdings, for instance, the Task Force said:

"A major weakenness of the programme was that consolidation was done without taking effective steps to ensure security of tenure to tenants, particularly sharecroppers. The result, consolidation of holdings has led to large-scale ejectment of tenants. For one thing, when holdings were fragmented even a resident landowner found it difficult to cultivate personally all the plots of land constituting his fragemented holdings and therefore, perforce he had to lease out some portions of his holdings to sharecroppers. After the holdings were consolidated, the landowner found it both feasible and profitable to cultivate 'personally' the entire area and he spared no effort to get rid of the sharecroppers. For another, the relationship of sharecropping tenancy subsisted in respect of a specific plot of land easily identified in the field. Once consolidtion was effected, the identity of the particular plot that the sharecropper had been cultivating was lost and he could be automatically ousted from the land. Thus the consolidation of holdings has often turned out to be the coup de grace for the sharecroppers."

Agrarian and social relations: PRIs' role

It is futile, however, to talk of political will coming into play in abstract terms. The fact to be reckoned with is that those who are wielding political power belong, by and large, to landed interests and like them many in the higher echelons of the administration are still substantial landowners themselves or they have close links with big landowners. It is imperative, therefore, that a new administrative machinery must evolve effectively to formulate and implement any worthwhile programme for land reforms. This requires "a certain degree of politicialisation of the poor peasantry on militant lines" as the Task Force on Agrarian Relations said in its report. Land reforms indeed cannot be the gift of a benign government. Experience, however, shows that wherever and whenever there is a sign of the poor peasantry and the deprived and exploited farm workers asserting their rights, the entire power of the established political-administrative order is brought into play to put them down. The administrative and law and order machinery is always found to be on the side of the landed gentry and rich peasants. Legal procedures and niceties are readily cast aside to protect the vested interests. This is in sharp contrast to the extremely judicial and cautious view that is taken in dealing with incidents which implicate the vested interests. Can the Panchayati Raj, as sanctified at last in the Constitution of India change this state of affairs? This is a moot point. But it will be useful and interesting to watch how the poor peasantry and farm workers organise themselves to assert their rights within the Panchayati Raj set-up. The Constitution has certainly given legal sanctions for wider scope and space for the poor peasantry and farm workers to organise and assert their rights; but there will still be pitfalls and conflicts in the way. Any worthwhile progress towards equity in agrarian and social relations in the countryside, indeed the contry as a whole, will not be smooth and painless. It will be possible only if the democratic awareness will gather further strength in the Indian polity and society and is not smothered by vested interestes under false pretences.

Farm workers: erosion of status

So far as farm workers are concerned, they constituted 9.7 per cent of total agraricultural labour households in 1950-51 and increased rapidly to 26.63 per cent because of "change" of erstwhile tenants into "attached labour" in order to thwart laws conferring security of tenure and better terms in share-cropping to tenants. This, in effect, meant reducing the status of tenants to that of bonded labourers or serfs. As for others who escaped this fate and for whom the wage system prevails, the position is equally grim. The minimum wages prescribed for farm workers is still pitifully low and there is evidence to show that there has been sharp erosion of the real value of wages in spite of increases in agricultural production and productivity and improvements in the terms of trade and procurement prices for agricultural produce. The gains of production and productivity in agriculture have, in fact, been monopolised by the landed interests and the rights of agricultural labourer have gone by default. In contrast to this, landed gentry and rich farmers have been pampered and their claims and ambitions have grown.

Conclusion

The landed gentry has been pampered since the midsixties. It has been further encouraged under the new policy political, market-friendly environment—and is now clamouring for industry status and application of what is called the "export principle" to agricultural production and marketing. This is an extension of the principle of "parity of prices" between what the surplus fariliers sell in the In cian market and what they buy from non-agricultural pro ducers. The idea is that the determination of prices of ag ricultural produce should be governed relative to the high est price which can be fetched in the global market and not in reference to the structure of relative price of goods o labour (ie wages) in the domestic market. A logical exten sion of this reasoning necessarily is that it would be right economically and socially to export agricultural commodi ties rather than use them for satisfaction of the consumption needs of those in the country who for want of adequate purchasing power are unable to provide a profitable market for them. It is not surprising in this environment that at tempts are already afoot to apply reverse gear to the ver concept of socially broad based land reforms. Not land to the tiller but "viable" farming, based on effective demand in the market is being elevated to the status of high prin ciple and economic wisdom. The official policy is graduall shifting the emphasis in favour of easing any ceiling or landownership and operational holdings. Exemptions and reservations are being devised to strengthen what is euphemistically called "viability" of operational holdings and "modern farming" by business corporations. The enforcement of the ceiling laws was thwarted by vested interests in many ingenious ways. But claims on land so established are now proposed to be given legal sanctions and protection This is an attempt to skip equitable land residtribution to create the essential pre-condition of a wide and meaninfgu social base for the socio-economic development process and go recklessly for what is called "modern" commercial agriculture which is bound to be counter-productive. It will meet with serious social and political opposition as well.

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(Contd. from page 15)

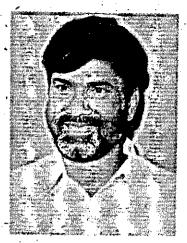
effected without any socially dissipative forces of tendencies coming to the fore.

Conclusion

It is true that land reforms are now being increasingly looked upon as part of rural development strategy because restructuring of agrarian relations is considered necessary for improving agricultural production and productivity and poverty alleviation. It is also equally true that in rural society, land apart from being a factor of production, provides a social status to its holder. A small piece of land also restores to the rural poor their human dignity and helps them in disengaging themselves from the exploitative rela-

tionship imposed by the landowners. This fact underscores the imperative need for effective implementation of land reforms in all parts of the country.

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ಶ್ರೆ ನಾರಾ ಕಂದ್ರಬಾಬು ನಾಯುಡು

ఆంధ్రప్రదేశ్ ముఖ్యమంత్రి

మహిళల మనోభిష్టానికి కట్టిన పట్టం ఆంధ్రప్రదేశ్ అంతటా సంపూర్ణ మద్య నిషేధం

మద్యం మంటల్లో కోట్లాది కాపురాలు కాలిబూడిద కాకుడదనే పావన లక్ష్యంతో రాష్ట్రమంతటా సంపూర్ణ మద్యనిషేధాన్ని ప్రకటించింది ఆంధ్రప్రదేశ్ ప్రభుత్యం. ఇది మహిళల మనోభిష్టానికి కట్టిన పట్టం మత్తులేని స్వచ్ఛమైన తెలుగునాడును నిర్మించేందుకు రాష్ట్ర ప్రభుత్వం తీసుకున్న విప్లవాత్మక నిర్ణయం.

మహాత్ముని కలలకు సాకారం - రాష్ట్ర చరిత్రలో సరికొత్త అధ్యయానికి శ్రీకారం . . . సంపూర్ణ మధ్యనిషేధ నిర్ణయం !

Tryst with implementing land reforms

Confirming the prevalence of Zamindari system in a disguised

form, the author, however, asserts that the country as a whole

has witnessed a definite fall in the exploitation and oppression

of tenants and tillers. Despite numerous bottlenecks and

constraints in the implementation of land reforms, the country

has scaled new heights by ushering in the Green Revolution.

There is an utter need for extending the Green Revolution to

small farmers all over the country. A new era of quantum

jump in agricultural progress could be heralded soon with

supplementary measures and plugging the loopholes in the

existing laws, he contends.



Dr Navin Chandra Josh

n India, the land reforms programme has remained one of the major policies for rural development ever since the inception of the planning process. The programme has been designed to break the old feudal socio-

economic structure of rural India to provide a greater fillip to agriculture and its productivity. It has also been intended to bring the largest possible number of poor farmers and farm workers in the mainstream of the process of economic development in the country.

As is well-known, possession of a plot of agricultural land, howsoever

small, carries with it a high psychological and social value. It helps raise the status of the weaker sections of the society and gives them a sense of belonging to the hub of social life. The land reforms programme has, therefore, been rightly viewed as not only an economic development measure but also as a tool for social uplift.

Objective of land reforms

The major objectives of land reforms in India, as identified in the Eighth Plan as well, are as follows:

- 1. Restructuring of agrarian relations to achieve egalitarian social structure;
- 2. Elimination of exploitation in land relations;
- 3. Actualisation of the goal of 'land to the tiller';
- Improvement of socio-economic conditions of the rural poor by widening their land base;
- 5. Increasing agricultural production and productivity;
- Facilitating land base development of the rural poor; and
- 7. Infusion of a greater measure of equality in local institutions.

Structural weakness

There is no doubt that Indian rural sector has been suf-

fering from certain structural weaknesses that have obstructed the rural people from availing themselves of the full benefits of liberalisation of the economy. Even today more than 76 per cent of land holdings in India are less than two ha

and two-thirds of these holdings are less than one ha. The holdings are fast becoming unoperational and uneconomical. With the reduced size of holdings, more than two-thirds of these farmers are net purchasers of agricultural commodities and even food grains. The sector could not effectively participate in the free market as the holdings are too small to become

'farm firms', a commercially viable proposition.

Revamping farm sector: total neglect

The reform process in the agricultural sector has been primarily concerned with the role of the market and easing the pressure that agriculture exerts on fiscal deficit, while the need for change in the agrariain structure has conveniently been ignored. For example, much of the traditional thinking on agrarian reforms is based on the principle that ownership is also control. This has blurred the distinction between a dominant landlord who leases out land to control tenants and a small owner who leases out land because he does not have the resources to cultivate. So far, an effective land market has not been created where agricultural land could be freely sold and purchased as well as leased out without fear of losing the right of ownership.

Aside from the socio-political aspects of land reforms, the economic logic is that only when the tiller of the land is made the owner of the soil which he tills, he would develop an incentive to get the best out of the land and try to maximise its yield or returns. The concept of economic size and viability of holdings should be applied to find out whether the beneficiaries of land reforms have adequate access to agricultural inputs like seeds, water, fertilizer and finance and the ability to market their output.

When the tenants are motivated in this manner, the total

agricultural output would increase, rural incomes would rise, leading to larger savings and higher levels of investment in the rural economy itself. Surely, a country which depends on the agricultural sector for a substantial part of its national income must improve it for an upsurge in national economic activities. In fact, more than anything else, such a measure would create all-round peace and harmony, cutting across communal barriers, castes and creeds.

Need for a uniform land use policy

The flip side of the story is that today about 175 million ha of about 329 million ha of the country's land is threatened by various types of land degradation and leading to ever-increasing depletion of productivity. Further, an area of 150 million ha is affected by water or wind erosion. Another 25 million ha area is affected by waterlogging, ravines, alkali and saline soils, shifting cultivation, etc. Further, about 40 million ha are affected by floods and 260 million ha are subject to drought, 'Wanton misuse' has led to the poor health of soil and land resources and an impoverished environment. Besides, frequent and regular floods and droughts in different parts of the country are evidence of improper use of land in the catchments and inadequate conservation and use of rain water. It is, therefore, imperative to have a uniform policy for land use through a uniform land reforms code to be adopted by all the States.

It is estimated that by AD 2000, marginal farms will increase by 33 per cent, while small, semi-medium and large farms will decrease by about 23, 29 and 50 per cent respectively. It is felt that the growing proportion of agricultural labour in the total work-force introduces a greater element of hired labour, thereby further accelerating the capitalistic relations in agricultural operations. Also, injustice has been done to small landowners under the tenancy laws. In some States, they were not allowed to resume land for self-cultivation. Widows and minors had not been given adequate protection. In Nagaland, nobody knows how much land one possessed. There is also no land revenue of any kind and sale/ purchase takes place without the intervention of the community. Land would not be generally sold to another tribe and there is no tenancy of any kind. The land disputes are settled by the tribal council.

Integrating land ownership with productivity

Land reforms have so far been looked at from the standpoint of land ownership, land ceiling and security of tenure. However, for enabling small and marginal farmers to produce more, land reform will have to be given an ownershipcum-production interpretation covering steps which will facilitate the more efficient use of land. For example, without land consolidation and levelling, it becomes difficult to manage water, supply and thereby full benefits from our investment on irrigation are not reaped. Hence, land reforms in our country should include steps not only relating to the equitable distribution of available land resources among all sections of the rural community but also measures such as consolidation of holdings, land-levelling and soil-health care which are essential for sustained agricultural productivity. Land ownership and land productivity should both become integral components of the land reform measures.

The slow progress in land reforms is largely attributed to the prevalence of benami land holdings which call for a countrywide movement against this illegal practice. Not only the acquisition and redistribution of surplus land, but even consolidation of holdings has become impossible because of benami lands. The area declared under the land ceiling laws as surplus is less than two per cent of the total cultivated acreage. A large part of this land, too, is held up due to litigation and is not available for distribution.

Against this background, land reforms need an integrated programme of measures meant to eliminate obstacles in socio-economic development that arise out of the defects in the agrarian structure. As such, for deriving maximum benefits from organisation of ownership of tenancy, policy efforts need to be directed towards improving terms of tenancy, reorganisation of availability of credit, providing the various agricultural inputs at reasonable rates, and the marketing facilities with the least inconvenience or any kind of exploitation. Surely, no socio-economic transformation can take place merely by a break-up of large landed properties in our rural sector and/or their redistribution to the landless labourers if there is no improvement in their economic viability.

Marginalisation of the poor: Enforcement of ceiling on land holdings has remained no more edifying than the abolition of intermediary tenures or the implementation of the tenancy reform measures. Even today, only 2.4 per cent landholders are operating 22.3 per cent of the area under cultivation. On the other hand, 74.5 per cent farmers are holding only 26.3 per cent of the area. This fact underscores the skewed pattern of land holdings in India at present. Holdings above 10 ha constituting 2.4 per cent operate as much as 22.87 per cent of the total area. All this signifies marginalisation of the poor peasant and effective concentration of land in a few, despite land ceiling laws. Surveys made recently have revealed that most of the redistributed land has reverted to the original owners.

Non-implementation of ceiling laws

The growing proportion of agricultural labour-in the total work-force has introduced a greater element of hired labour, thereby further accentuating the capitalistic relations in agricultural operations. Also, injustice has been done to small landowners under the tenancy laws. Intermediary tenancies have still to be completely abolished. What is worse, where intermediary tenancy has been abolished, concealed

tenancies have surfaced with no rights and security for such tenants. The efforts of the State governments to identify such tenants and record them in revenue registers have been dismal as also is the performance of the States in the implementation of the ceiling laws.

The biggest defect is the one pertaining to the permission to obtain land for 'personal cultivation'. The zamindars could even evict tenants for the purpose. 'Personal cultivation' has been defined loosely to include personal supervision by the zamindar or members of his family. Though the official documents claimed that zamindari has been completely abolished, the fact remained that it had only changed its garb. The previous zamindars acquired large areas for personal cultivation for agricultural operations with the help of hired agricultural labour. Yet, however, there is no denying the fact that exploitation and oppression of tenants and actual tillers of the soil declined steeply and the feudal structure crumbled down.

It is true that following the abolition of intermediary tenures like zamindars and jagirdars in most parts of the country, some 20 million tenants had come in direct contract with the State. However, in Andhra Pradsh (Andhra area), Bihar, Haryana, Punjab, Tamil Nadu, West Bengal, Orissa and Assam, ownership rights on tenants have still to be conferred either wholly or partially. While the 'Operation Barga' in West Bengal brought about 1.3 million bargadars (share-croppers) on records, similar attempts have not been made in Bihar or Tamil Nadu and the tenancies in these States are not laregly on record. Naturally, therefore, without bringing the tenants and share-croppers on records the security of tenurial rights cannot be ensured and these persons cannot get even a crop loan from credit institutions.

In the context of defective or absence of land records, the Wadhwa Committee appointed by the Planning Commission to evaluate the situation concerning record of rights in land, suggested the establishment of an autonomous statutory corporation called 'Land Title Corporation'. The committee also recommended a change-over from the present system of presumptive titles to land to conclusive titles.

Providing immunity

Experience so far has shown that land reforms could not be implemented adequately as either the laws were defective or implementation was stalled through litigation. In the matter of ceiling on holdings, the State governments just could not take possession of all the area declared surplus mainly due to litigation. To obviate such difficulties, the Constitution (49th Amendment) Act, 1983 was enacted by Parliament in August 1984. It put 14 land reform laws in the Ninth Schedule of the Constitution providing immunity to these measures from being challenged in a court of law. Again, the Constitution (81st) Amendment Bill, 1994 was passed in 1995 placing land reform laws in seven States under the Ninth Schedule. The States of Bihar, Karnataka.

Kerala, Orissa, Rajasthan, Tamil Nadu and West Bengal had sought the inclusion of some of their Acts relating to land reforms in the Ninth Schedule so that they are not challenged in court.

Distributing surplus land: The distribution of ceiling surplus land is an important programme under land reforms monitored by the Central government, as land reforms are basic to all rural development pprogrammes aimed at improving the lot of the rural poor. While most of the surplus land available without any dispute has been distributed, a large area is still covered by litigation. States have been advised to take special steps, including setting up of tribunals, to dispose of the pending cases in the High Courts and to speed up the distribution of the remaining ceiling surplus land. There should be a time-bound programme for distribution of ceiling surplus land.

Absence of proper land records

Laws relating to security of tenure could not be implemented effectively due to absence of correct and up-to-date land records. A person could not claim that he was a tenant if his name did not appear in the land records. As a result of laws conferring ownership rights on tenants in various States, about 40 lakh tenants acquired ownership rights over 90 lakh acres. This was much less than the number of tenants who were entitled to purchase ownership rights. Many tenants just could not afford to pay the purchase price while others were unwilling to purchase as landlords pressurised the tenants into submitting that they were not interested.

What is to be taken into account is that without bringing the tenants and share-croppers on record, security of tenurial rights cannot be ensured and these persons cannot get even a crop loan from credit institutions. In fact, one of the main reasons for inadequate growth in rice production in the eastern region has been the prevalence of share-croppers in Bihar and Orissa which, in turn, has led to inadequate flow of inputs and credit as well as inadequate development of land and exploitation of ground water.

Unfavourable power structure

Quite interestingly, while the feudal order has been done away with, the feudal elements emerged stronger and more powerful. As the present elite does not concede any steps that would undermine their economic and political power, any future policy alternative has necessarily to accept the present power structure in our villages. The power structure is heavily in favour of big owners of land who hold numerous position sin pupblic life. In fact, they have also created their vested interests through their own lobby in State Assemblies and Parliament.

The land reform measures become crucial in view of the fact that while the poor at the grass roots level suffered, the affluent at the top lived in splendid isolation. The government having rejected the trickle-down theory of rural and

agricultural development, there is a critical need to restructure the land relations in the village community. As is welknown, the cause of the downtrodden has always gone by default. All this has resulted in a total apathy of the government in the implementation of ceiling laws which have been enacted only to placate the feeling of the gullible farmers and the have-nots. If this state of affairs continues, then the pace of our agricultural progress and economic development of the country would be retarded further.

Need for special efforts

Efforts need to be made to bring the informal and oral tenants on record and to provide them security of tenures. Redetermination of ceiling limits, doing away with the exemptions provided for various categories in the laws and a stricter definition of family and personal cultivation are issues which call for urgent action. Special efforts have to be made in the remaining period of the Eighth Plan and in the Ninth Plan period to protect the rights of tenants and share-croppers, especially in the delineation of the consolidated areas. Correct and up-to-date land records are essential for effective implementation of land reforms.

It is true that land reforms, if implemented seriously, could enrich the content of the programmes for alleviation of poverty. There is ample evidence to show that small farms are cultivated more intensively than large farms. The Green Revolution should now be spread to the eastren States where land redistribution is a major problem. Likewise, there is an utter need for extending the Green Revolution to small farmers all over the country.

Tardy progress despite Plans: In Plan after Plan, the objectives relating to land reforms, the measures required to achieve them and the policy issues involved, including those pertaining to changes in law, have been discussed and delineated in detail but nothing much has really taken off the ground so far. The Sixth Plan, for example, comments that "If the progress of land reforms has been less than satisfactory, it has not been due to flaws in policy but to indifferent implementation." The Plan adds: "the necessary determination has been lacking due to ineffectively undertaken action, particularly in the matter of implementation of ceiling laws, consolidation of holdings and in not vigorously pursuing concealed tenancies and having them vested with tenancy occupancy rights as enjoined under the law." The same tenor of helplessness is evident in the subsequent Plans.

Protecting degraded land: Soon, in the face of the population explosion taking place in the country, which may raise the population to about one billion requiring 240 million tonnes of food grains by the end of this century, the need to control soil erosion and land degradation, besides restoring the health of the already degraded land, assumes great importance. For, no amount of investment in fertilizers, irrigation and other inputs can help in achieving the desired target of about six million tonnes increase in food grains

production every year, if the health of the basic inelastic resource is not adequately protected.

According to the available statistics, the per capita availability of land in the country is 0.5 ha, which is likely to decrease to 0.33 ha by the end of the century. Similarly, the per capita land available for cultivation will decline from the present 0.2 ha to 0.14 ha. On the other hand, an additional 60 million ha will be required to meet the demands for food, fodder and firewood and about 12 million ha for human settlements, roads, railways, industries, etc.

In sum, land reforms do not involve only redistribution of land as is commonly believed. It also involves issues like whose land is being redistributed, what type of land is there for the purpose, what is the objective of redistribution, etc. In many cases, formal take-over of land by the States has not been allowed by its demarcation into plots. There are instances of blocks of land having been allocated to a number of assignees without demarcating the share of each. Deeds of assignments do not clearly state which part of land has been assigned. No steps have been taken for recording the rights of the assignees in the record of rights or other relevant documents.

Ushering in growth & social justice

It is necessary to thoroughly reform the existing system and to plug the loopholes that perpetrate down the village level. Let us remember that a redistribution of five per cent of the cultivated area from holdings above five acres to small farmers and agricultural labour will have the effect of increasing incomes accuring to them by about 20 per cent. Hence, land reform measures must be accorded the highest priority in our scheme of things for economic development. Land reform legislation so far enacted can only be said to be the foundation for the measures that are yet to be taken up.

It is also true that in spite of non-implementation, defective implementation or non-existence of certain land reform measures, agricultural production has been increasing. However, if more supplementary measures of positive help to the vast majority of farmers through legislation or otherwise, along with plugging the existing loopholes in the present laws, are adopted, a new era of quantum jump in agricultural progress could be heralded soon.

Therefore, new measures should bring about economic efficiency and social justice. As a result of adoption of land reform measures so far, the current features of the Indian agrarian economy reveal the existence of three distinct sectors of Indian agriculture, coexisting and contending with one another. The first is the developed sector of modern entrepreneur farmers who are rich. The second one comprises the area under self-cultivation by medium, small and marginal farmers. The third sector is consisted of the vast area of land under utilisation by share-croppers and various

kinds of tenants and subtenants having no proprietary rights in land, no security of tenure, no share in the various aids and inputs distributed by the State or institutional agencies. It is this third sector which is the worst placed in the agrarian economy and is still subject to various forms of semifeudal exploitation such as rack-renting, usury, economic bondage and caste and social oppression.

Concluding observations

The principal components of an effective land reform strategy seem to be: (a) political commitment at the top, (b) administrative preparedness, including the improvement of the technical design of enactments, the provision of financial resources and the streamlining of the organisational machinery of implementation, (c) creation of necessary supporting services for the beneficiaries, and (d) the organisation of beneficiaries themselves. Tenancy reforms should be directed to the stage of finally breaking up the landlord-tenant nexus. Agriculture should be treated as a family occupation of the peasant-cultivator and not as a source of subsidiary unearned income. In a normal peasant-proprietor system, there is no place for absentee landlordism which should be discouraged and ultimately curbed.

The ceiling laws enacted by different States are designed to make a dent on the concentration of land ownership. It is necessary that these laws are enforced effectively and speedily. Firm measures are required against fictitious and benami transfers deliberately effected by big landowners to circumvent ceiling laws. It can be said that apart from fixing a ceiling, a floor level may also be decided but it may not be feasible to do so in view of the unemployment situation in the country. For people living below the poverty line, land, howsoever small it may be, is the only source of livelihood at present.

Finally, land reforms cannot be properly enforced without popular co-operation and support at all levels. Popular supervisory committees should, therefore, be constituted at all levels, consisting of people's representatives, including beneficiaries, officials and experts to exercise vigilance on implementation. These committees may be vested with certain statutory powers like that of inspection of records and sites, collection of evidence and so on. Their recommendations and suggestions should receive due weightage and full acceptance by the government.

It is also important that potential beneficiaries are made aware of the land reforms programme. The existing socioeconomic order in which the power base lies with the rural rich needs to be radicaly changed to a new order in which power balance will favour the rural poor. The recent developments in regard to biotechnology in agriculture have made the small-peasant agriculture potentially viable. Likewise, new institutional innovations in the field of research, price support, credit supply water management and other inputs are going to have immense impact on the totality of Indian agrarian structuré. In the ultimate analysis, land reforms would improve the future prospects in relation to raising farm productivity, income and employment through the creation of new incentives and opportunities for increased work and investment.

• The author is a prolific writer on economic issues. An author of 18 books on Indian economic problems and allied subjects, he has been teaching in Motilal Nehru College of Delhi University since 1963. A former Colombo Plan Reader, Dr Joshi is connected with several academic and social organisations in the country.



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Land reforms: issues and challenges

Land reforms as an issue is not likely to fade away as land

is central to village economy and about 80 per cent of the

rural people depend upon it for their survival, observes the

author. Providing some modicum of security to the tenants

is the most burning problem of agrarian reforms today. Issues ;

like redetermination of ceiling limits, doing away with the

exemptions provided for in the laws and a stricter definition

of 'family' and 'personal cultivation' will have to be

considered on a priority basis, he opines:



Dr B.N. Sahay

major concern of planning in India has been the development of rural areas and rural people. Rural development implies both the economic betterment of people as well as greater social transformation. Develop-

ment has to be participatory with people having the opportunity to enhance their capabilities. People's participation in

the developmental process would ensure its sustainability. Apart from increased participation of people in the rural development process, decentralisation of planning, better enforcement of land reforms, and greater access to credit and inputs would go a long way in providing better prospects

for economic development of the rural people.

Thus, redistributive land reforms become a vital instrument for alleviation of poverty and increasing productivity in agriculture as well. Although, most of the States have enacted legislation providing for security of tenure to the tenants, yet oral and informal tenancies with cultivating possession still exist without being brought on record in many areas of the country under the guise of "personal cultivation".

In fact, land reforms is a part of heritage of our national freedom movement. The poverty in our rural society and extreme exploitation of peasantry by intermediaries, moneylenders, and others, leading to their impoverishment and misery attracted the attention of national leaders during the freedom struggle. The comprehensive and reforms policy which thus evolved consisted of:

- (a) abolition of intermediaries and bringing of tenants in direct contact with the State;
- (b) tenancy reforms to provide security to actual cultivators of land against eviction;
- (c) redistribution of land by imposition of ceiling on agriculture holdings;
- (d) consolidation of holdings; and
- (e) updating of land records.

Abolition of intermediaries

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Abolition of intermediary tenure during 1950-55, essentially involved removal of the intermediary levels or layers of interests in land between the State and the actual cultivators, bringing the actual cultivator in direct relationship

with the State, giving permanent rights in land to them and rationalisation of the land revenue system. However, the original objective was diluted as some States took unduly long to bring the law on the statute-books. Even after it came into existence, its implementation was blocked by erstwhile land-

lords through prolonged legal battles. After the abolition of intermediaries and taking over of State, surveys and settlement of land have yet to be completed in many States. Further, under the law intermediaries were allowed to take with them a huge area of land under the garb of 'personal cultivation'. These lands continued to be operated by tenants and share-croppers who got no protection from these measures.

Tenancy reforms

The tenancy reform measures were built around: (a) rent payable to the landowner not to exceed one-fifth to one-fourth of gross produce; (b) tenants be given permanent right to the land they cultivate subject to a limited right of resumption to be given to landowners; and (c) landlord-tenant relationship be ended by conferring ownership rights on tenants in respect of non-resumable land.

Tenancy legislation were enacted by States incorporating some or all of the above features. However, tenancy reform does not seem to have made much impact, if the position is to be judged by the incidence of informal or oral tenancies today. Such tenancies have come up even where leasing has been expressly banned. Thus, providing some modicum of security to this category of tenants is the most burning problem of agrarian reform today which has persisted from British times despite more than four decades of land reform implementation.

Land ceiling

Fixation of ceiling on agricultural holdings was taken up predominantly as a redistributive measure. The compelling case of land ceiling arose from the absolute and permanent shortage of land. The idea basically was to ration land, a crucial asset, in such a way that, above a certain maximum, the surplus land is taken away from the present holders and is distributed to the landless or small holders in accordance with certain priorities. The skewed distribution of land in India with nearly a quarter of the rural households owning no land at all and another one-fifth owning less than an acre each provided ample social and economic reasons for the use of ceiling as a means of redressing this imbalance. The ceiling question gave rise to more debate and arguments than any other reform issue as it touched on the raw nerve of tampering with private property rights. Legislation for ceiling on the existing holdings and future acquisition were enacted in most States during the Second Plan period. The policy with reference to the enactment and implementation of ceiling legislation differed among the States. The ceiling limits were different because of different types of land and their income-giving capacity. There were also differences in the law on some other aspects. To bring about some degree of uniformity, the ceiling laws were revised on the basis of national guidelines evolved in 1972. Some States, however, have lower ceiling than those recommended in these guidelines. Judged by the quantum of land declared surplus, this reform measure has not achieved the desired objective fully. The provision of large number of exemptions from ceilings and many loopholes in the legislation led to frequent interventions by courts of law. The mala fide transfers reduced the quantum of surplus land.

Bhoodan movement: Quite independent of the ceiling legislation, almost preceding it, another attempt at redistribution of land was made through the *Bhoodan* (landgift) movement. Through this movement, Vinoba Bhave impressed upon the landowners to demonstrate their compassion by donating one-sixth of their holdings and envisaged that the land so collected would then be suitably redistributed. This movement, however, failed to have any appreciable impact on the problem of landlessness and inequitous distribution.

Consolidation of land holdings

Consolidation of fragmented land holdings though necessary for efficiency and economy in agriculture and better development planning at the village level is not essentially a redistributive measure. It is simply a rearrangement of land on the basis of existing rights. Even so, most States have not shown any enthusiasm for it. Some have either relegated it to a 'voluntary' character or have not enacted any law for it or have kept the already enacted law in abeyance. Apart from increasing pressure on land and lack of alternative employment opportunities outside the farm sector inhibiting the progress of this programme, consolida-

tion operations are generally feared to favour the more influential and substantial land owners. The small land owners, therefore, feel that they would not get a fair deal. Besides, experience has been that sub-tenants and sharecropers with no recorded evidence of their rights get evicted throug this process.

Consolidation of fragmented land holdings has already achieved a fair degree of success in increasing agricultural production resolving land-based conflicts and bringing better harmony and social facilities to village life in those parts of the country which are serviced by canal irrigation. In other parts of the country, it has not made much headway because of the feeling of insecurity among the small and marginal farmers, share-croppers and tenants on account of their apprehension that they may get an unfair deal. This sense of insecurity among the weaker sections could be allayed if prior to taking up consolidation, land reform measures pertaining to security of tenure etc are effectively implemented. Since consolidation of land holdings is considered necessary for overcoming the obstacles which come in the way of intensive cultivation and permanent improvement of land, it needs to be taken up on a priority basis in areas covered by stable irrigation system preceded by recording of tenants and share-croppers and updating of land records.

Land records: It is an admitted fact that in most States land records are not up-to-date and even where land records are regularly rewritten, the ground level reality is not reflected in them, particularly regarding tenancy and share-cropping. This has been largely due to pressures from land-owning classes with the specific objective of subverting legal provisions regarding protection to tenants and share-croppers. The State governments have been usually responsive to such pressures.

Plight of tenants

Despite the lack of desired success in achieving the objective set out for the comprehensive land reform policy, land reforms as an issue is not likely to just fade away. This is because land is central to village economy and about 80 per cent of rural people depend upon land for their survival. A large number of these people are either landless agricultural labourers or/and tenants and share-croppers working on oral leases which make them liable to eviction. Rents in most parts are commonly 50 or 60 per cent of the crop even when the landlord contributes only the land while all other factors of production are supplied by the tenants. In this situation of insecurity of tenure with high rents, neither any surplus is left with the cultivator to invest in land nor there is any incentive to put in more labour since the greater beneficiary of such an effort would be the landowner. Besides, in many cases, the margin of subsistence is so narrow that tenants can afford little risk; any innovation in productive practices that goes wrong may result in starvation. Apart from these crippling conditions, credit facilities

are not available to such share-croppers in the absence of any evidence of their status in the record of rights. For this very reason, even the benefits of the law regarding security of tenure do not accrue to them.

Land: a powerful tool

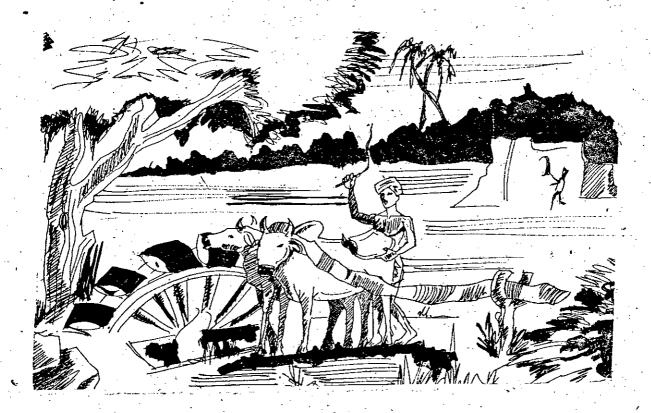
Land reforms have largely been looked upon as a part of rural development activities because restructuring of agrarian relation is considered necessary for improving agricultural production and productivity. It is not sufficiently realised that in our rural society, land is important not merely as a factor of production but it provides a social status to its holder. Even a small piece of land restores to the rural poor human dignity and helps them in disengaging themselves from the exploitative relationship imposed by the landowners. Land reforms, therefore, have in this context more than a mere economic rationale. They contribute to redistribution of social status and political power and help in establishment of a more egalitarian society. A more egalitarian social order would naturally permit the rural poor, the deprived and the weak to absorb benefits of various development programmes which may otherwise be cornered by the more powerful who socially and economically control the rural poor. In this sense also, effective implementation of land reforms cannot be avoided.

Conclusion

In the Eighth Five Year Plan (1992-97), a plan scheme

has been taken up for strengthening of revenue machinery and updating land records. Efforts are being made to cut down the cost of preparation, maintenance, and updating land records by introduction of science and technology inputs, modernisation of equipment, and increased efficiency of staff through better training. Greater openness in the administration to facilitate accessibility to information on land records to the public needed to be introduced. Bringing the informal and oral tenants on record and providing security of tenure to them had been the goal towards which all efforts were to be made. Redetermination of ceiling limits, doing away with the exemptions provided for various categories in the laws and a stricter definition of 'family' and 'personal cultivation' are the issues in the areas of land reforms which would have to be considered on a priority basis. Consolidation of land holdings will have to be taken up for improving the productivity and efficiency of land especially in irrigated areas, but at the same time special efforts will have to be made to protect the right of the tenants and share-croppers especially in the delineation of consolidated area. Correct and up-to-date land records are essential pre-conditions for effective implementation of land reforms, but this work had been neglected since it had been traditionally considered to be a non-plan activity.

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Stigma of non-implementation must go

S.C. Bhatt

Lamenting loudly over the dismal performance of the land

reforms programme in the country, the author says that many

of the politicians themselves being big landlords do not look

favourably upon the ceiling law operations. It is not enough to

pay lip service to the reforms. The old Zamindars continue to

hold sway over much of the land in the country. The back of the

old landlordism has to be broken if distributive justice is to be

t the Lucknow session of the Indian National Congress in 1916, Gandhiji was approached by a young farmer from Champaran to go there and help the struggling farmers suffering under the jackboot of the white

ensured, he opines.

indigo planters. Not yet a national leader, Gandhiji had acquired the reputation of a determined man of action in South Africa from where he had just returned. Shukla was so persistent that Gandhiji had to agree to go to Champaran after a scheduled visit to Calcutta.

The visit came off in

April 1917 and the rest is history. From Calcutta both men went first to Patna, the provincial capital, to consult a wellknow lawyer, Rajendra Babu, on the tenure system, who was out of town. Such was Gandhiji's thorough approach that he did not mind the indignity of staying in the compound of the lawyer's office. Later, Dr Rajendra Prasad was to become an ardent Gandhian and first President of the Republic in 1950. Gandhiji and Shukla stopped over in Muzaffarpur, headquarters of the Tirhut division of which Champaran (HQ Motihari) was a part, to consult other lawyers and take his friend, Prof. J.B. Kripalani, later Acharya Kripalani, from that town with him to Motihari. When finally, Gandhiji arrived in Motihari it became a cause celebre because by that time the district administration was already agog and served an externment order on him. He defied the order and in court pleaded guilty but by that time the Viceroy in Delhi had also sat up and told the Motihari people to let Gandhi do what he liked. The battery of lawyers who had come with him from Muzaffarpur haltingly soon were converted to Gandhian ways and lived a communal life and ate in a common kitchen.

Fighting for the tillers' rights.

In Acharya Kripalani's words, the problem could be understood if one knew the tenure system. "The zamindar was the practical owner of the land. He paid a fixed revenue to the government, settled in the days of Cornwallis. Most of the land belonged to the Raja of Bettiah. Some adventurous Englishmen induced the Raja to... lease out his land to them for long-terms of years at a low rent. They wanted to plant indigo, a very paying crop for which there was a good market in Europe. The

planters let out his land to the tenants on a fixed rental with the proviso that each of them would cultivate indigo on 3/20th of the land given to them. The cultivation of this crop required hard labour. It also exhausted the soil. The indigo crop was

From his success in Champaran, Gandhiji rushed to Gujarat where he had to lead a no-tax campaign on behalf of the farmers of Kheda district. This was the stuff of which the freedom movement was made. The national leaders

sold at a nominal price to the planter."

worked with the tillers of the soil to enable them to fight for their rights with the intermediaries and the government itself. Almost year after year the Congress at its annual session adopted some resolution or the other on the tenancy issue. Jawaharlal Nehru worked with the peasants in UP, then the United Provinces which later became Uttar Pradesh.

Emergence of absentee landlordism

It was not surprising that once freedom was won and the people's governments came to power in the States, the intermediaries between the tillers and the State, the zamindars, were done away with and the Zamindari system was abolished. That happened in States like UP which had inherited the absentee landlord system and the tillers had little stake in their land. The States like Bombay, (now split into Maharashtra and Gujarat, with northern Karnataka forming part of Karnataka State), where the raiyatwari system was in vogue, security of tenure was conferred on the cultivators and people who enjoyed an income from land, sitting in their homes in the same village or a city, were bought out.

This happened in several other States as egalitarianism guided the political leaders and both as a slogan and a platform this was convenient. But even in the raiyatwari States it was found that circumventing the law was a widely prevalent practice and the real cultivator was in several cases deprived of his land by the absentee landlord 'playing' the role of a tiller, with a pair of bullocks temporarily acquired, and showing his sons or other depandants as his tenants. The tiller was obliged to acquiresce in the situation as otherwise he would

not even get to cultivate the land as before on payment of a Need for radical steps share of the crop to the owner.

Pressure on land

The evasion of the law was practised on a much larger scale when the ceiling legislation was introduced. Land as an asset is highly prized, mainly because this is the only visible productive asset in rural India; and also for sentimental reasons. But what has not been sufficiently emphasised is that the population has been growing at a rapid pace and every succeeding generation brings in a further division of the available land which itself is a scarce commodity. One of the reasons for the comparative failure of land reforms in our country is that land available per head is totally inadequate in the context of large holdings which many countries can boast of. Along with it one has to bear in mind the rapidly rising population which even in terms of the latest census has added a large enough figure of 217 millions over the ten-year period. The pressure on the land which is scarce thus goes on mounting. (In 1951 the first census after Independence, India's population was only 361 million. While cultivable land has only marginally gone up, the population has more than doubled— 844 million).

Population growth is crucial to all our development effort and is of great importance in the context of the land problem in the rural areas. The political will that we speak of in the context of land reforms, that is, the will being largely absent, is of greater consequence in relation to population control. The rising population makes nonsense of land holdings which are crucial to land reforms and increasing the productivity of land. The father has got to cut his well-preserved consolidated land holding into three or more shares when he retires or is on the death bed. That means land holdings have to be consolidated again and again if the productivity of the land is to be maintained at a fairly high level.

Problem of migration

The rising population and the slow pace of rural development have combined to make millions seek succour in the urban areas where they have to live in jhuggi complexes along with the millions of Bangladeshis who have entered the country illegally but are sheltered by some political parties for their selfish ends. Why are the people migrating to the cities where the living conditions are far from happy? Simply because rural development can barely keep pace with the employment problem in the villages and the new entrants to the labour force have perforce to migrate along with their aged parents and other dependants to the metropolitan cities and other areas in search of livelihood. This they are likely to get in the cities but they cannot for the life of them hope to get living accommodation there except in the slums and the jhuggi clusters more and more of which come up at every wave of migration.

This is related to land reforms which has again to be viewed, both from the point of view of distributive justice (some people call it redistributive justice, perhaps not realising that justice cannot be redistributed) as well as productivity. If the tiller is assured of ownership rights and freedom from exploitation, that is if he is sure that whatever he produces is his only, he is more likely to accept the new cultivation techniques and raise his output to the maximum extent. The Nation is interested in higher output as well as ensuring justice to the tiller.

One reason why the food production is not going up by a much higher percentage every year is that the regions where land consolidation has been carried out-Punjab, Haryana and others—are fully applying irrigation and fertiliser techniques of modern cultivation and their output cannot be increased much more unless other radical methods like much better seeds can be used. So, you have to step up the production in the other States where irrigation has to be provided on a much larger scale and land reforms have to be carried out.

Cultivators: declining trend

The cold census figures have their own story to tell. The fact that land reforms have not made a sufficient and visible impact on the rural areas is proved by the decline in the percentage of cultivators among the rural people. In 1981, the figure was 51.10; but by 1991 the percentage had come down to 48.47. The number of cultivators has thus suffered a decline instead of going up as would be the case if more land was given to the farmhands and marginal farmers. Obviously, they turned to the next best thing, working on others' farms as agricultural labourers. Their percentage rose from 29.88 to 31.77 in this decade, more women working as farmhands than men, a fact which is of relevance to women's contribution to the farm output, female literacy and acceptance of the small family norm. In any case, it is a sad occurrence that land cultivatorsowners had to become farmhands.

Promises and promises!

In the early sixties, a foreigner studying the agrarian system in several countries including India was told by a respected Indian economist that non-implementation of land reforms has been a single most important feature of the tenure system! In 1965, the then Prime Minister told the annual session of the ruling Congress that "the implementation of land reforms has to be completed before the end of the Third Plan (in 1966)". We are now in the latter half of the Eighth Plan and yet the promised completion is far from accomplished. The implementation is tardy; where the land is declared surplus it is not distributed fast enough to the cultivators, and where 'paper' distribution takes place the actual possession of the land by the tiller is delayed.

For example, up to November 30, 1994, the total quantum of ceiling land, declared surplus, was 73.42 lakh acres out of which 51.03 lakh acres were actually distributed to the tillers.

The gap between the tand declared surplus and that distributed is wide enough and is explained by the slowness of the system, legal hurdles, many lawyers having made ceiling cases their staple diet, political and administrative lethargy and corruption. If a little below one-third of the available land cannot be transferred to the tillers it is a sad reflection on our system. In fact, an area of 64.82 lakh acres of land was actually taken possession from the owners as surplus, but more than 20 per cent of it could not just be given over to the cultivators.

Paying lip service

There is a crying need for the politicians to apply their minds to this problem and ensure that the land which the owners do not and cannot legally possess, because of the operation of the ceiling laws, must be transferred to the cultivators. It is not enough to pay lip service to the reforms or to give fullthroated support to the Constitution Amendment measures intended to protect land legislation of States against frivolous litigation, although that is most welcome. Many of the politicians, of the ruling party and some other parties too, are themselves big landlords which does not make them look favourably upon the ceiling law operations. Add to that the tardy administrative system and the widespread corruption, both political and administrative, and you have some measure of the problem facing the reformers.

Bhoodan movement

The Bhoodan movement launched by Acharya Vinoba Bhave in the early fifties generated a good response and considerable amount of land was made available free for distribution to the tillers. The tempo, however, was not sustained. Vinoba himself was not the best of organisers and the failure to distribute the land in time put a damper on the movement. Vinoba's movement was, however, a Gandhian response to the violent agitation that was raging in the old Hyderabad State (now part of Andhra Pradesh). While the movement was in progress, the violence subsided but afterwards there was a strong reaction in several other parts and the affected Andhra areas too. Again there were attempts to put down the violent activities by organised police action but only a proper distribution of land to the tillers was the answer to the problem. Violence, of course, is no answer, although the State has to put it down with a firm hand, but the underlying problem has also to be tackled. Only in those areas where the right solution has been found or sought, the movement has subsided or even died a natural death. In other places, it raises its ugly head now and then and many innocent people, including those really interested in reforms, are victimised or killed.

Role of PRIs

Will the Panchayats, under the new dispensation, provide an answer? If the Panchayati Raj set-up is allowed to function in the right spirit of the rural people finding a solution to their problems, with the senior officials only helping and guiding them and the politicians from the district headquarters or the

State capital playing the role of elder statesmen, the miracles it can work are unlimited. Land reforms, with the additional powers proposed for the Panchayats, can also hope to gain in a large measure if the system works. As we have seen, mere allocations and legislative support are not enough, although they are essential to get the system going. So, with casteism running riot and political parties and the media looking upon the Panchayati Raj institutions as reflecting the way the political winds are blowing, with the administration being what it is and the village level system being too much under the thumb of the local strongman and being corrupt, we have to keep our fingers crossed when we talk of the expectations from the system.

Improving land records

By the end of the financial year 1993-94, the Centre had released to the States nearly Rs. 80 crore for improvement of the land records system, buying and operating of computers and taking up projects for computerising the land records. At the political level also much emphasis has been laid on updating and proper maintenance of land records so that the transfer of land taking place under the ceiling laws is reflected in the records and the tenant-cultivators are protected. Since 1993-94, the Centre has been fully subsidising the computerisation of land records and many districts are being covered under a number of projects launched every year.

Anything which modernises the archaic system is welcome and land records are crucial to the success of the reforms. In several States, a majority of districts are being brought under the computerisation programme. All this, however, has to go down to the tillers and the computerised statements of land holdings have to be distributed to them who must also understand the significance of the computerised system. Who is going to do all that and help the largely illiterate, but not unintelligent, cultivators in the process? Have the NGO organisations meant to help the tenants come up in required strength? Here again, the Panchayat leaders, if they are infused with the sense of serving the people, can play a notable part and the official machinery can also contribute much if the young administrative service officers really want to serve the villagers.

In the absence of a good delivery system, the computers can remain where they are and the tillers may not get much or even a modicum of the advantage. It is good to talk of projects completed and of allocations of funds made and utilised but are we sure that the benefits are filtered down to the needy, the real intended beneficiary? The point which has been relevant in the past in respect of other schemes is equally relevant to the computerisation of land records.

Zamindars still hold sway

Despite all that has been done in the days since the zamindari system was abolished and the first steps taken in conferring

(Contd. on page 41)

Land reforms in India



Palat Mohandas

n India, the rural sector, which accounts for about three-fourths of the country's population, is the mainstay of the majority of the people. For the rural society, land is the most relevant source of living for a large section of the people. The land, however small in area, confers socio-economic status and dignity to the landhold-

ers. Land reforms are, therefore, considered to be the very basic programme in the whole range of rural development activities and, accordingly these have been on the national agenda of rural reconstruction since Independence and their need have been constantly recognised in the successive Five Year Plans.

The major objectives of land reforms consist of reordering agrarian relations to achieve an egalitarian social structure; elimination of exploitation in land relations; realising the age-old goal of "land to the tiller"; enlarging the landbase of the rural poor; increasing agricultural productivity and production. These objects have been sought to be achieved by adopting a comprehensive strategy consisting of the following components:

- i) Abolition of intermediary tenures;
- ii) Tenancy reforms to provide for conferment of ownership, security of tenure and fair rent;
- iii) Ceiling on ownership of agricultural holdings and distribution of surplus land to the landless poor;
- Distribution of government wastelands including Bhoodan land;
- Modernisation and updating of land records system
 for better implementation of land reforms;
- vi) Special measures for protection of land of tribals and for restoration of alienated land; and
- vii) Consolidation of holdings.

The work relating to abolition of intermediary tenures has been completed and 20 million cultivators have been

brought into direct contact with the State. An estimated 150 lakh acres of waste, fallow and other classes of land have been vested in the State.

Tenancy reforms

Assessing the impact of the land reform measures in the

country, the author contends that there is certainly an

improvement in the social and financial status of the families

who have been alloted ceiling surplus land. Still a lot more,

is required to be done particularly to speed up the

implementation of the programme. Although the States are ,

co-operating and implementing the measures earnestly, yet

some more thrust is needed for the effective implementation

of the policy for the benefit of the poor, he opines:

Land to the tiller is the accepted national policy and as

such tenancy reforms have been considered one of the key components of land reforms. There are incidences of oral and insecure tenancies at will which lead to low investment, lack of stake by the tenants in the land, low productivity leading to severe restraint on the growth process in the rural areas. Factors like

absentee landlordism and leaving the land fallow by large and medium landholders lead to general impoverishment of the rural areas. Tenancy reforms, therefore, assume considerable importance.

The following have been the basic objectives of tenancy reforms as outlined in the Five Year Plans and accepted by the government:

- (a) Rent should not exceed the level of one-fifth to one-fourth of the gross produce.
- (b) There should be security to the subtenants/underraiyats/share-croppers against eviction at will.
- (c) The subtenants/under-raiyats/share-croppers should enjoy a degree of permanence in respect of the land being cultivated by them.
- (d) The landlord tenant relationship, except, in the case of a few categories should end in conferment of the ownership rights upon the tenant.
- (e) Tenants should be accorded permanent rights in the land that they cultivate subject to the special right of resumption to be exercised by some privileged categories of landholders.

Legislative provisions have been made in extensive areas of the country providing for conferment of ownership rights

on tenants or allowing cultivating tenants to acquire ownership rights on payment of a reasonable compensation to the landlords. Some of the States have acquired ownership of land from the landlords and have transferred it to the tenants who have to pay certain amount of premium to the State. As a result of this, an estimated 112.13 lakh cultivators have been conferred with ownerhsip rights or their rights have been protected on 153.32 lakh acres of land. All tenants are generally protected except for those of widows, members of armed forces, minors, unmarried women, persons suffering from disability and similar categories. Any mention of tenancy reforms would be incomplete if the success achieved in West Bengal is not highlighted wherein under "Operation Barga" a drive launched in the State, to record Bargadars (share-croppers). About 14.60 lakh Bargadars were recorded. In view of this spectacular achievement, the Minister of Rural Areas and Employment has urged other States to undertake similar drive so that the interests of tenants/share-croppers are adequately protected.

Ceiling on agricultural holdings and distribution of ceiling surplus land

One of the basic objectives of land reforms is to bring about a more equitable distribution of land. The main instrument for realising this objective was the imposition of ceiling on land. In line with the prescription of the Five Year Plans, laws on imposition of ceiling on agricultural holdings were enacted by several States during the fifties and sixties. The national guidelines on land ceiling were evolved in 1972 after a conference of Chief Ministers. The level of ceiling applicable to a family, as recommended in these guidelines, generally varied from 10 to 18 acres for the best category of land, capable of producing two crops a year to 54 acres of dry land. The State-wise limits of the land ceilings are given in the following Table.

LAND CEILINGS—STATE-WISE LIMITS

(in acres)

State	Irrigated with two crops	Irrigated with one crop	Dry land
Andhra Pradesh	10 to 18	15 to 27	35 _e to 54
Assam	17	17	17
Bihar	15 to 18	25 ,	30 to 45
Gujarat,	10 to 18	15 to 27	20 to 54
Haryana	18	27	54
Himachal Pradesh	. 10	15	30 to 70
Jammu & Kashmir	9 to 12.5	9 to 12.5	15 to 23 (in Ladakh 19)
Kamataka	10 to 20	25 to 30	54
Kerala	12 to 15	12 to 15	12 to 15
Madhya Pradesh	18	27	54
Maharashtra	18.	27	54
Manipur	- 12	12	15
Orissa	10	15	30 to 45
Punjab	17	27	51

12.5 \	12.5	50
12	-30	60
10	10	30
.18	27	45
12	· 12 -	17
	12 10 18	12 30 10 10 18 27

The estimates of surplus area in the country have been arrived at on the basis of certain assumptions which are as follows:

SURPLUS LAND: ESTIMATES

		(in lakh acres)
1. 16th Round of NSS (1960-61)		220
2. Agricultural Census (1970-71)		300
3. 26th Round of NSS (1971-72)	1	120
4. Agricultural Census (1976-77)		200
5. Agricultural Census (1980-81)		150
6. Agricultural Census (1985-86)	. ;	125

The total area so far declared surplus under the programme for distribution of ceiling surplus land is 74.10 lakh acres out of which 65.42 lakh acres have been taken possession of. A total of 51.46 lakh acres have been distributed to 49.94 lakh beneficiaries, of whom 36 per cent belong to the Scheduled Castes and 14 per cent to the Scheduled Tribes.

It would be observed from the above that the extent of area declared surplus is much less than the estimated surplus which is mainly on account of the following reasons:

- (a) Provision for holding land up to twice the ceiling limit by families with over five members.
- (b) Provision to give separate ceiling limit for major sons in the family.
- (c) Provision for treating every shareholder of a joint family under applicable personal law as a separate unit for ceiling limits.
- (d) Exemption of tea, coffee, rubber, cardamom and cocoa plantation and of lands held by religious and charitable institutions beyond normal ceiling limits.
- (e) Benami and Farzi transfers to defeat the ceiling law.
 - (f) Misuse of exemptions and misclassifications of land.
 - (g) Non-application of appropriate ceilings for lands irrigated by public investment.

The subject of distribution of ceiling surplus land has been discussed and reviewed from time to time at various fora including the conferences of Revenue Ministers and Chief Ministers and on the basis of the decisions taken in these conferences, the States are advised to speed up/reorient their land distribution programme. A special drive

for distribution of ceiling surplus land was launched in October 1991 and an area of 3.14 lakh acres was distributed. during a short span of two and-a-half years, viz October, 1991 to March, 1994. The Minister for Rural Areas and Employment also recently focused on the need for expeditious distribution of surplus land by the State governments besides setting up of Land Tribunals under Article 323-B of the Constitution for quick disposal of land ceiling cases.

To assess the impact of the distribution programme on the socio-economic conditions of the allottees, certain systematic studies have been conducted which have revealed that there is certainly an improvement in the social and financial status of the families who were allotted ceiling the distribution programme was originally launched is being achieved satisfactorily.

Distribution of government wasteland and Bhoodan land

Distribution of government wasteland and Bhoodan land has been one of the important strategies of land reforms. There is approximately 32 million acres of wasteland and 45.90 lakh acres of Bhoodan land in the country. It has been the accepted policy that wasteland at the disposal of the government and the land donated under the Bhoodan movement should be distributed amongst the eligible rural poor. So far, an area of 127.97 lakh acres of wasteland and 24.42 lakh acres of Bhoodan land has been distributed. State governments have been requested to take requisite steps for distribution of all available wasteland and Bhoodan land expeditiously.

Since much of the land distributed under the ceiling laws is of poor quality, the assignees were being provided with financial assistance under a Centrally sponsored scheme at the rate of Rs. 2,500 per hectare. Up to 1992-93, financial assistance by way of grant to the tune of Rs. 59.72 crore as Central share was released to States/Union-Territories under the scheme. Now the scheme stands transferred to the State sector. The assignees are, however, accorded priority under other on-going rural development programmes, viz IRDP and the Jawahar Rozgar Yojana.

Land records

Updated land records are crucial for implementation of land reform measures and various rural development programmes. The cause of rural conflicts have often been traced to improper maintenance of land records. It has been noticed that inaccurate land records have become a means of manipulation for influential and powerful sections of the society in order to defeat the progressive provisions of law.

Although the importance of a proper land records system has been emphasised right from the First Five Year Plan, yet land records are in a state of neglect. Even in the States

which could boast of a sound land record system in the past, the quality of record keeping and updating has gone down. This is primarily due to the neglect of revenue and land record administration. Allocation of inadequate funds, insufficient staff with unduly large jurisdiction, poor infrastructure and office facilities, lack of equipment, lack of training facilities, etc have contributed to the deterioration of land records administration. The work of preparation and updating of land records has also been hampered by the use of outdated equipment and high cost and time-consuming methods. The entire survey work is done manually and is highly staff oriented.

Therefore, to assist the States/UTs in the task of updatsurplus land. Thus, the purpose and the objective with which v ing of land records, a Centrally sponsored scheme for strengthening of revenue administration and updating of land records was started in 1987-88 on 50:50 sharing basis between the Centre and the States. The main objectives of the scheme are:

- i) Strengthening of survey and settlement organisation for early completion and preparation of land records in areas where this work still remains to be done;
- Setting up of survey and settlement organisation especially in the North-Eastern region, where no land records exist;
- iii) Pre-service and in-service training of revenue, survey and settlement staff and strengthening of training infrastructure for this purpose;
- iv) Facilities for modernisation of survey and settlement operations, printing of survey maps, reports/documents and for storage, copying and updating of land and crop records using, among other things, science and technology inputs; and
- Strengthening of revenue machinery at village and immediate supervisory levels on a selective basis to make the workload of these functionaries manage-

Since the inception of the scheme, an amount of Rs. 104.73 crore has been allocated to States/UTs towards Central share.

Computerisation: The Land records system currently being followed has remained unchanged since the late 19th century. After Independence, significant structural and tenurial changes have taken place-Abolition of intermediary tenures, protection of rights of the tenants and conferment of ownership to tenants. The programme of land ceiling and consolidation requires dynamic system of land management. It calls for not only greater efficiency in data storage and retrieval but also processing of this data and its integration into the development planning process. The application of computer technology to various fields of administration, particularly in the field of land reforms and land records management will bring in modernisation of this system.

With the above objective in view, 24 districts in the country were selected for implementation of computerisation programme on a pilot project basis. During 1993-94 and 1994-95, the programme was extended to cover 76 more districts. In addition, funds to the UTs have also been provided under the programme. Thus 102 projects have been taken up and an amount of Rs. 24.28 crore has been provided to the States/UTs under this programme.

Committee on Revitalisation of Land Revenue Administration

As stated in the preceding paragraphs land revenue administration has not been receiving the attention it actually deserves. Therefore, in order that the revenue administration is revamped so that it functions as an effective instrument of national development and for fulfilling people's aspirations, the Government of India had appointed a sevenmember committee on Revitalisation of Land Revenue Administration under the Chairmanship of Mr P.S. Appu, former Chief Secretary, Government of Bihar, in August, 1993. The Committee submitted its report in March, 1995 and has made a number of recommendations which are expected to go a long way in improving the existing status of land revenue administration in the country. These recommendations are under consideration.

Protection of tribal land

Article 46 of the Constitution enjoins an obligation upon the States to promote the interests of the Scheduled Castes and the Scheduled Tribes and to protect them from social injustice and all forms of exploitation.

The major concentration of tribal population is in the States of Bihar, Madhya Pradesh, Orissa, Andhra Pradesh, Rajasthan, and West Bengal, apart from the North-Eastern region. The economy of the tribals continues to be land-based, with agriculture forming the mainstay of the tribal life. This land has been in the process of getting alienated in the wake of migration of population to the tribal areas in search of employment and for exploitation of industrial and job opportunities. There have also been deep incursions into the tribal land and life for the exploitation of the mineral resources, land, labour and industrial activities. This has given rise to severe discontent in the area. It is, therefore, necessary that the land issue which forms the crux of the problem must be effectively attended to.

The State governments have accepted the policy to prohibit transfer of land from tribals to non-tribals and for restoration of the alienated land to the tribals. The States with large tribal population have enacted laws prohibiting alienation of tribal land and for restoration of alienated land. These provisions are, however, generally applicable to the tribals living within the scheduled and notified areas. Though as a consequence of the efforts undertaken by different States for restoration of tribal lands some results have been forthcoming, yet the task still remains unfulfilled. States

having tribal population have, therefore, been requested to adopt certain legal, administrative and other socio-economic measures which are crucial to the successful implementation of tribal and rural development programmes so that the interests of the tribals are adequately protected.

Consolidation of holdings

Consolidation of agricultural holdings is considered necessary for planned development of villages and achieving efficiency and economy in agriculture. The measure assumes added importance in the context that the average size of the operational holdings in the country is very low and these undersized holdings are highly fragmented. This programme, therefore, forms an integral part of land reforms policy and the Five Year Plans have accordingly been laying stress on the importance of its implementation. In pursuance of this strategy, a number of States have enacted legislation for carrying out consolidation of holdings but all of them have not pursued its implementation with equal vigour.

Fifteen States and two Union Territories, viz Andhra Pradesh (Telengana area), Assam, Bihar, Gujarat, Haryana, Himachal Pradesh, Jammu and Kashmir, Karnataka, Madhya Pradesh, Maharashtra, Orissa, Punjab, Rajasthan, Uttar Pradesh, West Bengal, Delhi and Dadra and Nagar Haveli have legislative provisions for undertaking consolidation of holdings. The Andhra area of Andhra Pradesh, Goa, Kerala, Manipur, Tamil Nadu and Tripura do not have law for undertaking such operations. Conditions in the north-eastern States like Arunachal Pradesh, Meghalaya, Mizoram and Nagaland do not offer sufficient scope for consolidation. In Sikkim also, 80 per cent of the land holdings are such that they do not require consolidation.

Andhra Pradesh, Jammu and Kashmir, Karnataka and Rajasthan had undertaken consolidation work earlier but presently there is no scheme in operation in these States. In Bihar, Gujarat, Haryana, Himachal Pradesh, Madhya Pradesh, Maharashtra, Orissa, Punjab, Uttar Pradesh, and Delhi the consolidation of holdings is either currently or till recently was in progress. Of these States, Bihar, Haryana, Orissa, Punjab, Uttar Pradesh and Delhi have provisions for compulsory consolidation while in Gujarat and Maharashtra, though the provisions provide for compulsory consolidation, in practice the scheme is undertaken on a voluntary basis. In Madhya Pradesh, the scheme is voluntary.

Consolidation of holdings has, however, made great impact in Punjab, Haryana and Uttar Pradesh, while in Bihar, Orissa, Maharashtra and Himachal Pradesh it has been taken up in large areas. Around 1556.12 lakh acres of land have so far been consolidated in the country. The States where this programme is being implemented have been advised to make adequate arrangements to ensure that the interests of small and marginal farmers and tenants and share-croppers are fully protected in the process of consolidation of agricultural holdings to enlist their active co-operation. How-

ever, there are certain factors which work against the consolidation of holdings, eg fear of displacement among tenants and share-croppers, apprehension that bigger farmers would get a better deal, specially when lands are not homogenous etc.

The benefits of consolidation have no effect if the process of fragmentation by inheritance and otherwise goes on unabated. Many States do have provisions in the State laws for prevention of fragmentation but these mostly regulate transfer and partition but do not govern inheritance. The Eighth Five Year Plan document has, therefore, laid emphasis on the need for attention on the following two aspects:

- (a) The smaller farmers harbour strong apprehensions about getting a raw deal in the process of exchanging parcels of land towards the consolidation of holdings; and
- (b) The process of breaking up of holdings is a continuous one and a one-time settlement does not really solve the problem.

The Plan document, therefore, suggests that the solution will be in making the farmer recognise that it is advantageous to share income from land rather than the land itself. The modality of bringing these aims into the land related customs and practices will be more effective than the passing of laws.

Since consolidation has not made much headway in many of the States and in some States not even its feasibility has been considered so far, the Minister (Rural Areas & Employment), therefore, recently stressed the need for effective implementation of this programme by the State governments.

Though land reform measures so far undertaken have, no doubt, yielded considerable success, yet a lot more is re-

quired to be done particularly to speed up the implementation of the programme as still a large chunk of ceiling surplus as well as wasteland and *Bhoodan* land is yet to be distributed, a substantial amount of ceiling surplus area is locked in litigation at various levels, concealed tenancies are still in vogue, the position of land record system continues to be unsatisfactory, alienation of tribal land is going on unabated and large areas in various States need to be consolidated.

Needless to say that land is a State subject and accordingly, it is the State governments who are actually executing the policies and programmes on land reforms. The Government of India has an advisory and co-ordinating role to perform in the implementation of land reform programmes. Though, the States are fully co-operating and implementing the land reform measures with all their earnestness, yet it is felt that some more thrust is needed for effective and expeditious implementation of the land reform policy in the country so that the benefits accrued therefrom reach the target group. The Ministry of Rural Areas and Employment is, therefore, advising the States from time to time on various aspects of land reforms and also suggesting action plan for achieving the objectives of the policy. The Ministry is also closely monitoring the progress in this regard. Also, for giving further fillip to the programme, conferences of Revenue Secretaries, Revenue Ministers and Chief Ministers are organised from time to time where the progress made under various components of the land reform policy is reviewed and the States and other agencies concerned are advised on the steps necessary for effective implementation of the land reform ineasures.

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(Contd. from page 36)

security of tenure on the tillers in the ryotwari areas, we are far from reaching our goal. The old zamindars continue to hold sway over much of the land in the country and are the virtual rulers of the countryside. Even the statistics speak of an iniquitous system. In the country as a whole, 71 per cent of the land is owned by 23.8 per cent of landowners and 87.3 million small and marginal farmers own 29 per cent of the land. The broad picture on the ground must conform to the figures but that itself is not very encouraging. What has been achieved is, of course, significant but the system has not altered to a substantial extent.

Conclusion

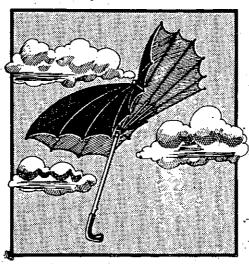
The planners, administrators and the leaders of the people, at the national, State and district levels, as well as the village

leaders, have to put their shoulders to the wheel if we have to see results in the near future. The back of the old landlordism has to be broken. But for that to happen, first the reforms have to be carried out. We cannot overemphasise the importance of the administrator—the senior man who not only sets an example but also makes the lower functionaries work honestly and efficiently—and the political leader at different levels have both together to make the programme of rural development click and land reforms, which would ensure a just and fair distribution of land, the only visible asset in rural India, have to be seen as an integral part of the entire scheme.

 The author is a veteran journalist (21, Maitri Apartments, A-3, Paschim Vihar, New Delhi-110063).

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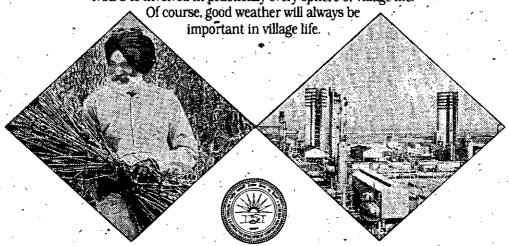
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Indian farmer: going up or down?

Dr Ajit Singh Saroha

Presenting a general critique of the agrarian reforms in the

country, the author says the agrarian scenario is not at all

encouraging. Only in a few agriculturally developed States

there is a gradual improvement in the rural life. Big

landowners circumvented the land ceilings and only the

Lilliputions' were caught in the web. Consolidation of land

holdings should be done every 25 years and the co-operation

of the landowners in this regard is a must, he maintains.

ndia is a predominantly agrarian country where about three-fourths of 'the population depend directly or indirectly on agriculture to earn their livelihood. It is

not surprising that 'peasantry' constitutes the most important class in this country. The problems of this class have always been accounted for, but very little has really been done to assuage them.

Any attempt to solve the problems of the peasantry could fall in the realm of

'agrarian reforms'. In a paper about land reforms (1951), the United Nations has defined it as: "An integrated programme with aim to remove barriers for economic and social development, which follow from the defects in agrarian structure." In 1970, the UN proposed 'Structural reform' as a more appropriate term.

Post-Independence initiatives

Soon after Independence, an attempt to reform the agrarian structure was made by the ruling party. In order to relieve the toiling millions from the exploitative hands of the Zamindars, a manifold programme was proposed. The main features of the post-Independence agrarian reforms in India are:

- a) Abolition of intermediaries:
- b) Abolition or regulation of tenancy;
- c) Fixation of ceilings on land holdings;
- d) Consolidation of land holdings; and
- e) Choice of appropriate farm organisation.

The agrarian relations on which the above mentioned reforms were to work can be classified into three:

- a) Relations of labour to land including the relation when labourers work as tenants;
- Relations of owners to land including the relation when owners are not producers and producers are either labourers working as tenants or capitalists working as tenants; and
- c) Relations of State to land.

India inherited from the British a feudal agrarian structure which was marked on the one hand by the concentration of landownership in the hands of a parasitic class who

played no positive role in production and on the other, the divorce from landownership of the vast mass of peasants who were the actual cultivators. According to the National Commission on Agriculture (1976), this became the root cause of the state of chronic crisis in which In-

dian agricultural economy was enmeshed before the attainment of freedom.

Appraisal of the agrarian reform measures

If we look at the government reports and the secondary sources based on these reports, we shall feel contented about the progress of reform measures in their various aspects. But if we go to the field and see the practical reality in the rural settings, the results are far from satisfactory. The reports of the government seem to be overenthusiastic and superfluous. This paper is an attempt for an objective appraisal of the agrarian reforms in the country.

Abolition of intermediaries

The Britishers had introduced three different types of revenue settlement patterns (Zamindari, Ryotwari and Mahalwari) in the country; the emerging agrarian relations also varied. The Zamindari system was greatly exploitative and asymmetrical in nature with the landlords controlling vast holdings at one end and an everincreasing number of landless agricultural labourers at the other. In between, in varying degrees of hierarchy, were numerous intermediaries ... tenants, poor peasants, share-croppers, etc. Revenue was collected by the Zamindar who acquired the status of a landlord. This system was prevalent in Bengal, Bihar, Orissa, Uttar Pradesh, Andhra Pradesh, Rajasthan and parts of Madhya Pradesh covering 57 per cent of the privately owned agricultural land in British India where statutory landlordism was created in the latter part of the 18th century.

The ryotwari and mahalwari systems did not legally

recognize any kind of intermediary between the cultivator and the State and covered 38 per cent and five per cent of the total privately owned agricultural land respectively. Under the ryotwari system, the occupiers of small independent holdings paid revenue directly to the State. This system was initially introduced in Madras province and later extended to Bombay province, Bihar, some parts of East Punjab, Assam and Coorg, gave individual ryots full rights regarding sale, transfer and leasing of land. Similarly, the mahalwari system which was predominant in parts of Madhya Pradesh, Punjab, Agra and Awadh treated the whole village as a unit for land revenue. But due to infiltration of. traders and money-lenders into agriculture and lease by them of their lands to tenants, intermediaries of the Zamindari type could be seen even in areas where the ryotwari and mahalwari systems prevailed.

Abolition of intermediary tenures was the most important part of the copious land legislation in India. All rights of revenue collection and the land titles stood abolished by the early 1950s.

Purpose defeated: A practical assessment of the legislation shows that the State governments slowed down the implementation of legislation giving the landlords enough time to protect their interests by other means. This may be due to the concentration of political power in the hands of these landlords, besides the fact that policy-makers at that time largely came from this stratum of the society. Secondly, hundreds of crores of rupees were given as compensation to these blood-sucking Zamindars which enabled them to keep their social standing and sometimes even their assets undisturbed. (Cf. Mukherji, K., 1952, pp. 73-80).

Abolition/regulation of tenancy

The Second Five Year Plan indicated that the objective of the tenancy reform is to be achieved in the following way:

"The abolition of intermediaries and the protection given to the tenants are intended to give tiller of the soil his rightful place in the agrarian system and by reducing or eliminating burdens he has borne in the past, to provide him with fuller incentives for increasing agricultural production. Similarly, to bring tenants into direct relation with the state and to put an end to the tenant-landlord nexus are essential steps in the establishment of a stable rural economy."

It was thus intended to give some 'security' to the tenants as an incentive but, the term 'security' seems to have been given different connotations in different States. Dantwala (1957, pp. 67-68) remarks in this context that:

"If the idea is to thereby promote genuine owner-cultivation, the obvious flaws in the definition have not only prevented its fulfilment, but has encouraged extension of cultivation through hired labourers. From the point of

view of land tenure reform, the result has, therefore, been retrogressive."

One of the important implications of Zamindari abolition was 'ejectment of tenants'. In order to take care of this implication, the State governments enacted various security of tenure Acts. These Acts were very easily circumvented by the rich landowners making the tenancy deals oral and obligatory.

Fixation of ceilings on land holdings

This part of the legislation is highly controversial and debatable. One school of thought comprising eminent economists like Krishna, Raj. (1959); Dantwala, M.L. (1960), Dandekar and Rath (1971); Minhas, B.S. (1970) and others opposed the idea outrightly. The second school of thought having the support of Joshi, P.C. (1960), Hanumantha Rao C.H. (1972), Ladejinsky, W.I. (1969), Prasad (1973) and several others held the view that land ceiling and redistribution was an enduring measure for the solution of rural poverty.

The government records give a satisfactory report of the effective implementation of the Acts. The fact remains that only the 'Lilliputians' were caught in the web and most of the big landowners circumvented it and even if the land was taken from them, it was not redistributed and the possession still remains with this leonine chunk of the agrarian society.

Consolidation of land holdings

Consolidation of land holdings means an attempt to reunite the scattered pieces of land that a household owns. This was done by evaluating the price of the land and giving a proportionate amount of land to the household at one place. This could make the cultivation of that land economically more viable and the usage of infrastructure more rational.

Consolidation of land holdings could be done only if effective co-operation is offered by the landowners and if this co-operation is not sought, it can lead to many disputes and factions. Although, it was a rational exercise, the scene didn't change permanently as was intended; the main cause being natural devolution and further purchase or exchange of small pieces of land. It would be good enough, if consolidation is done after every 25 years or so.

This feature of the land legislation was an all-positive effort to increase the production and reduce the cost of operation.

Choice of appropriate farm organisation

We have a considerable amount of literature after decades of experience on various types of co-operative farming. The impression gathered from these reports is that many of these co-operatives were formed by absentee landholders to evade the consequences of the land reform legislation.

Most of the members did not participate in the work on the farm or confined themselves to supervision and management, necessitating employment of hired labour. In sum, these co-operative farming societies are a travesty and a total distortion of the ideal of co-operation. And it can be said that they are obviously not a step towards expected achievements of land reforms and better agrarian conditions, but away from them. (Jha, S.C., 1971, p. 35)

The idea of forming co-operatives carried enough weight just after Independence, may be due to the patriotic feelings. Later it paved the way for individualism and the only option left was 'individual peasant farm'. Today, we find almost no examples of other efficient types of farm organisation.

Technology and agrarian society

The availability of the modern technology left the Indian farmer with two options—(i) capital-intensive agriculture and (ii) conventional labour-intensive agriculture. On a general plane, either of them was not ideal for the farmer. The farmers owning average land holdings could not afford capital-intensive agriculture, neither could they ignore the technological gains. Therefore, in simple terms, Green Revolution in India was a happy note for the big landowners owning more than ten acres of well-irrigated land but in the case of small and marginal farmers, although the technological change increased production but it had some latent implications:

First, farming in India has not been a surplus generating business. It is just a means of subsistence for the farmers owning average land holdings (5-10 acres). Therefore, it, becomes difficult for an average farmer to purchase various production-increasing inputs like tractors, fertilizers, hybrid seeds, etc. The only way to avail himself of these facilities was to take loan from various agencies and render his status as 'debtor' or 'loan defaulter'.

Secondly, Green Revolution clicked only in Punjab and some parts of Haryana and Uttar Pradesh where irrigation facilities were adequate and the land permitted multiple cropping. But, India is a country of wide regional disparities and much should be done in these areas before we start expecting immense increase in production and thereby reducing the wide income gaps.

Conclusion

The failure of land reforms in India is only one of the causes of rural misery. Population pressure, illiteracy and ignorance magnify the problem many times.

Malthus was correct in his essay on population in this context. He expected the population to double in 25 years, if not checked. This was more or less true in post-Independence years in India. The land holdings are thus fragmented to the uncultivable limits. Gadgil (1954) talked about a

floor on the land holdings which now seems to be very much relevant. On the one hand, the land holding per family is constantly decreasing and on the other, the demands on the peasant family are increasing, ie, the cost of living is increasing in rural societies. The other aspects such as costly education, expensive seeds, fertilizers, machinery and other infrastructure diminished the surplus generated, if any.

The second factor of illiteracy and ignorance has an important bearing on the life of the Indian farmer. The problems that crop up due to this factor are: (i) ill-management of the farm, (ii) lack of awareness of government policies and programmes, (iii) poor living styles, (iv) lack of entrepreneurship, and (v) exploitation at the hands of traders and money-lenders, etc. In the agriculturally developed States of Punjab, Haryana and (Western) Uttar Pradesh, there is a gradual improvement in all the three facets of the society. The rural masses in this region are becoming politically more articulate, economically more sound and socially more rational. (Cf. Chadha, G.K., 1986). Yet, this perception cannot be generalized for the whole country, which has huge dimensions and regional variations. In general, the situation in the agrarian structure in the country is not encouraging at all.

Hence, the question of whether the various agrarian reforms and technological advancement has improved the condition of the Indian farmer vis-a-vis his urban neighbours, is still in search of a precise answer.

Finally, we can just hope that if some entrepreneurship is inculcated in the Indian farmer and the promises kept by the government regarding the GATT (General Agreement on Tariffs and Trades) are true, he shall prosper as never before.

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Change in Publication Schedule of Kurukshetra

There is a change in our publication programme for December, 1995.

The theme "Role of the Media in Rural Development" has been shifted from December, 1995 to January-February 1996.

The January-February 1996 combined edition of *Kurukshetra* will be a Special Issue on the role of the Media in Rural Development. The issue is priced Rs. 7.

The December 1995 edition of Kurukshetra will be a general issue priced Rs. 5.

Where is the tribal land alienation?

Discussing the issue of tribal land alienation in depth, the

author points out that although tribal land alienation

continues to be an issue of common conern, in reality it is

very different from what it may have been decades ago.

Protective laws and regulations, tribal development

programmes and rise of political consciousness and tribal

movements, have all combined to change the tribal land

alienation scenario. It is time the commonly held belief that

tribal land alienation is endemic and widespread, is given



Dr S.N. Mishra

fter about half a century of Independence, during which time almost all the States and Union Territories came to have laws and regulations to prevent alienation of tribal land to non-tribals and to restore the lands alienated over specified periods of time, tribal land alienation continues to be an issue of common concern. Among politicians and emotionally attached anthropologists,

it has indeed become a folklore. Reality, however, is quite different from such perceptions, and from what it may have been decades ago. Besides the protection and restoration measures, a number of developments have taken place which have changed the scenario for the better. Special programmes of tribal development under Five Year

Plans, increasing integration of tribal economies into the market system, penetration of market forces into the economic basis of the tribal communities, leading to economic differentiation within them, rise of political consciousness crystallising into violent and non-violent tribal movements for self-protection (ethnic identity), for autonomy, for separate State formation, and even for secession in some cases of the North-East, have all contributed to the changed scenario. An important underlying factor that has also played a role is the increasing pressure of tribal population itself on tribal lands, as reflected in the relatively higher growth rate of tribal population compared to the general population of the country. (Table-1).

up, he maintains.

Since historically the pressure of non-tribal population on tribal lands has not been uniform in all the regions of tribal concentration, the problem of alienation is best considered in the regional historical perspective. A brief account of that perspective is provided in subsequent lines. Whereas land laws and regulations have cared for alienation of tribal lands to non-tribal, for a number of reasons, the scope of alienation has widened to include State demand on tribal lands and private demand on tribal community land. It is, therefore, necessary to have a comprehensive view of tribal land alienation process. Such a view is

presented in a separate section. The incidence or the extent of land alienation at all-India level and in the regions of tribal concentration has been discussed subsequently. Our conclusions are given in the last section.

Regional historical perspective

The tribal population of the country (68 million accord-

ing to 1991 census) is found in three major regional concentrations: the Central Indian belt, the North-East and the Peninsular South. The Central Indian belt, stretching from sea-to-sea on the east-west axis, edging on the Ganga-Yamuna plains to the north, bound by the Godavari to the South, separated from the Thar desert by the

Aravalis, and spanned by the Vindhya and Satpura ranges with plains, plateaus and river valleys scattered all around, accounts for as large as 83 per cent of the country's tribal population. This region has been like a frontier land of the country, where immigrants have been moving since ancient times. During the medieval and the modern colonial period the native States and the colonial government encouraged non-tribal peasants to settle in the region with a view to maximize land revenue (Kosambi, 1956; S.N. Mishra, 1989; Janardan Rao, 1987). In the post-Independence period this region has become the hub of India's upcoming industrial civilisation endowed as it is with all sorts of minerals, metals and coal reserves. As a concomitant, non-tribals have been moving in along with industrial and mining development projects. Furthermore, the projects themselves have been putting up additional demand for land resulting in tribal land alienation to the State.

In contrast to the Central Indian region, areas of tribal concentration in the North-East, which accounts for 12 per cent of the country's population, has virtually remained a cul-de-sac until after Independence when State agencies began moving in with modern development plans. And, the partition of the country created an exceptional situation in Tripura where non-tribal settlers from East Bengal over-

whelmed the tribal population of the State. The inaccessibility of tribal areas in the North-East to non-tribal was formalised when the British introduced the 'Inner Line Regulation' late last century. That Regulation is still in force in the States of Arunachal Pradesh, Nagaland and Mizoram. Whatever non-tribal is there in the tribal majority States is almost wholly urban, having little to do with land and land cultivation, or for that matter with alienation of tribal land to non-tribal. However, there is another type of land alienation that has been taking place in these States, namely alienation of common community lands into private hands. As a result of programmes of converting land under shifting

cultivation to permanent cultivation and horticulture, there is aggressive urge to acquire private property in land at the expense of community lands (\$.N. Mishra, 1985, 1987).

The third region of tribal concentration, the Peninsular South, along the Eastern and Western Ghats and the Nilgiri Hills accounts for four per cent of the country's tribal population. Historically, few if any of this region's tribes had developed to the stage of settled agriculture. While some had reached the stage of shifting agriculture, most had lived by foodgathering, hunting, fishing and collection of forest produce. In the post-Independence period effort has been made under the tribal development plans to transform the

TABLE 1
Regional Growth Pattern of Tribal Population in India, 1971-91

Reg	ions	Po	pulation (lakhs	s) , ;	Per	cent to to	tal		growth er cent)
		1971	1981	1991	1971	1981	1991	1971-81	1981-91
I.	Central Indian Belt	354.56	448.76	561.33	86.16	90.06	82.84	. 2.65	2.50
	1. Andhra Pradesh	22.26	31.76	42.00		•		4.27	3.22
	2. Bihar .	49.33	58.11	66.17	• .			1.78	1.38
	3. Gujarat	37:57	48.49	61.62				2.91	. 2.70
	4. M.P.	98.15	- 119.87	153.99	-		٠.	2.21	2.84
2	5. · Maharashtra	34.41	57.72	73.18	. •			1.62	2.67
	6. Orissa	50.75	59.15	70.32				1.66	1.88
	7. Rajasthan	31.35	41.83	54.75				.3.34	3.08
	8. W.B.	26.03	30.71	38.09				1.80	2.40
	9. Goa, Damman, Diu	0.07	0.11	_ 0.12				5.71	0.90
	10. Dadra & Nagar Haveli	0.64	0.82	1.09	•		. •	2.81	3.29
II.	Peninsular South And				4	•			
11.	Oceanic Group	9.53	8.41	28.86	2.32	1.69	4.25	2.17	1.53
	11. Karnataka	2.62	. —	19.16		· .	,		
-	12. Kerala	1.93	2.61	3.21			• •	3.51	2.29
	13. Tamil Nadu	4.50	5:20	5.74	•		:	1.56	1.03
	14 Andaman & Nicobar Is.	0.18	0.22	0.27				2.22.	2.27
	15. Lakshadweep	0.30	0.38	0.48				2.67	2.63
Ш	North West Himalayas	3,41	4.30	5.06	0.83	0.87	0.75	2.61	1.76
	16. H.P.	1.40	1.97	2.18				3.87.	1.06
,	17. U.P.	1.99	2.33	2.88	-	•		1.71	2.36
JV.	North-East India	43.98	36.76	82.33	10.69	7.38	12.15	3.17	4.57
	18. Assam	16.07	٠,	28.74		-			-
	19. Manipur	3.34	3.88	6.32	• •		,	1.62	6.28
~	20. Meghalaya	8.14	10.76	15.18		•		. 3.26	4.10
	21. Nagaland	4.58	6.51	10.61		_	. •	4.21	6.29
	22. Sikkim	0.52	0.75	0.91	•			4.23	2.13
	23. Tripura	4.51	5.84	8.53		-		2.95	4.60
	24. Arunachal Pradesh	3.69	4.41	5.50		-		4.76	4.15
٠	25. Mizoram	3.13	4.62	6.54	·		•	<u>.</u>	
	India (Total) Excluding Assam &	411.48		677.58		-	• •		
-	Karnataka	392.79	498.04	629.68	•			2.51	2.64

Source: Census of India (Series 1) 1971, 1981, 1991.

Note: Data for Assam and Karnataka for the year 1981 are 28.74, 18.25 lakhs respectively, which is absurdly high.

tribes into settled cultivators by allotment of lands at the peripheries of their forest habitat, and by providing other kinds of required support. At best the effort has produced mixed results (P.K. Mishra, 1982). Several of the tribes with their forest-dwelling culture did not have the motivation nor could develop the skill of settled cultivation. The result is that their land has been alienated to their better endowed tribal neighbours or non-tribals. My own personal observation of a Chenchu rehabilitation settlement called Bairluti at the foot of the Eastern Ghat, on the road from Srisailam to Kurnool in Andhra Pradesh confirms this. The Chenchus of the settlement had either sold out, mortgaged or given their land to the Lambada tribals on rent at the time of my visit in 1983.

Thus, we see that the three regions of tribal concentration because of differences of history, geographical loca-

TABLE 2
Percentage of tribal and non-tribal households reporting disposal
of land by State/UT

S1. No.	State/UT/ Region	Hour rep disp	ntage of seholds orting osal of and	No. of sample reporting disposal of land			
	:	Tribal*	Non- Tribal	Tribal	Non- Tribal		
1.	Andhra Pradesh .	0.8	3.8	. 8	35		
2.	Bihar	1.3	6.1	20	41		
3.	Gujarat	1.3	0.6	17	. 5		
4.	Madhya Pradesh	0.5	2.5	14	31		
5 .	Maharashtra	. 1.0	4.2	13	35		
6.	Orissa	2.3	9.3	27	59		
7.	Rajasthan	1.0	1.7	. 6	12		
8.	West Bengal	4.7	9.8	34	62		
9.	Dadra & Nagar Haveli	0.8		2	0.		
10.	Central Tribal belt	. 1.7	4.9				
11.	Arunachai Pradesh	2.0	,'	. 9	0		
12.	Assam	1.3	1.2	- 7	4		
13.	Meghalaya	1.7	7.1	. 6	3		
14.	Mizoram	0.2	· —	. · . , 1	0		
15.	Sikkim ·	0.2	0.6	. 1	. 2		
16.	Tripura	1.3	0.1	. 5	1		
17.	North-East Region	1.4	1.2	· · ·			
18.	Himachal Pradesh	1.7	3.6	3	7		
19.	Kamataka	— .	1.7	. 0	11		
20.	Kerala	5.3	8.7	. 8	. 35		
21.	Tamil Nadu	4.8	3.6	4	16		
22.	Uttar Pradesh	3.9	4.3	6	7		
23.	Andaman & Nicobar Is	. <u> </u>		. 0.	. 0		
24.	Lakshadweep	3.0	2.4	3	.1		
25.	Other State/U.T.	2.9	3.5				
26.	All-India	1.4	4,4	194	367		
					g		

Source: NSSO, Report No. 380, Statement (14) Department of Statistics, Government of India, 1991.

tion, stage of development along the ladder from total dependence on forest for food to food production by practice of settled cultivation present very different picture in respect of actual or potential alienation of tribal lands. Whereas the Central Indian region has been the main theatre of tribal land alienation to non-tribals, except for Tripura the North-East has been closed to such alienation, and remains as such. In the Peninsular South, tribal land alienation is largely a post-Independence phenomenon.

Land alienation process

In its simplest form and as a one shot affair, land alienation is disposal of land by formal or informal sale, gift or transfer for a price or compensation. Since protective laws prohibit sale or transfer of tribal land to non-tribal, if it takes place, it takes place formally to other tribal and informally to non-tribal. Rather than this form of simple transaction, usually the process of land alienation follows a circuitous route. It begins by an advance of consumption loan to a tribal household, followed by further advance, accumulation of debt, failure to repay the debt, and finally mortgage of land against the debt. Failure to redeem the mortgage results into sale or permanent transfer. Usufruct mortgage of land for a loan if unredeemed produces the same result. Leasing-out of land to a non-tribal household, if not resumed for self-cultivation or any other use over a long period of time may turn into perpetual lease amounting to permanent possession of the lessee, although, ordinarily leasing out of land is not covered under land alienation, since the lessor retains the ownership rights. Besides these economic processes of land alienation, extra-economic methods of encroachment on tribal land of its forcible occupation also amount to land alienation.

As we alluded to in the preceding section, acquisition of tribal land by the State for purposes of development projects is another form of tribal land alienation that has entered the scene in the post-Independence period, even though its incidence may be relatively small. In the North-East, specifically due to change over to permanent settled cultivation, common community lands are transferred to private possession and ownership of the tribal households, with or without common consent of the villagers. Whereas in the case of State acquisition of tribal land, there is compensation for the land alienated, in the North-Eastern case, there is no evidence that the tribal village community is compensated for its alienated lands (Mishra, 1987).

Until the late 1980s, available studies on tribal land alienation were done by individual scholars and Tribal Research Institutes at micro level for specific tribes. For the first time, a countrywide survey on the incidence and mode of tribal land alienation was, *inter alia*, done by the National Sample Survey Organisation (NSSO) in its 44th Round, July 1988-June 1989. The author had played some role in the designing of the survey by submitting a note in a manner suitable to the preparation of the questionnaire sched-

ules, on the request of the then Chairman of the NSSO, Prof. B.S. Minhas. Limitations of the space do not permit me to go into the survey details. The schedules on 'Tribal Survey' covered 1,128 villages in districts and blocks of tribal concentration in the country. The stratified sample of households was so chosen as to make it representative. The result of the survey on tribal land alienation are now available in the NSSO Report No. 380 (1991). In the following section, our discussion is based on these survey results.

Incidence of tribal land alienation

The results of the Survey are given in the Table 2. The tribal and non-tribal respondents belonging to the rural sample households in the areas of tribal concentration of the States and Union Territories were asked whether they had disposed of (alienated) land during the last five years; to whom they had disposed and what was the mode of disposal? The persons and agencies to whom disposed were specified as: own tribal, other tribal, non-tribal, government agency, private agency and others. Similarly, modes of disposal were specified as: sale, gift, transfer to settle debt, acquisition by government/public bodies, unauthorised occupation and others. Answer to many more details, for instance, area alienated, were also sought. However, since the number of households reporting disposal being very small, the data have not been tabulated according to those details and characteristics (NSSO, Report No. 380, pp. 58-61). All we have is the percentage of households reporting disposal of land during the last five years, and limited information on persons/agencies to whom the land had been disposed (Report No. 380, Statement 15, p. 61).

It is clear from the Table 2 that tribal land alienation in the country during the mid-1980s was almost negligible. At the all-India level the proportion of tribal households reporting disposal of land was no more than 1.4 per cent of the total. Small in itself, this proportion is smaller even compared to 4.4 per cent of non-tribal households who reported disposal of land. There is no significant difference in the incidence of alienation as between the Central Indian belt and the North-East region. Whereas the proportion of tribal households reporting disposal in the Central tribal belt was 1.7 per cent, in the North-East it was 1.4 per cent. Across States and Union Territories, the maximum reported was five per cent or close to five per cent from Kerala, Tamil Nadu and West Bengal. Notably, Kerala and Tamil Nadu belong to the Peninsular South region of tribal concentration in the country.

The NSSO Report gives information on persons/ agencies to whom land was alienated by the tribal and non-tribal households at the all-India level and for a few States. This is given in Table 3. The reader will notice that of the 1.4 per cent of tribal households reporting land disposal at the all-India level, only 13 per cent disposed it to non-tribal. A majority of tribal (58%) disposed of land to tribal themselves, the remaining 28 per cent disposed it to 'others' which is inclusive of government and other agencies as well. What is equally, and perhaps more interesting is the fact that in the areas of tribal concentration relatively more non-tribal (4.4 per cent) disposed of land and among those who did, as many as 78 per cent disposed it to tribals. Thus, in the areas of tribal concentration in the country, if at all there was land alienation, most of it was in favour of tribals during mid-1980.

Conclusion

The issue of tribal land alienation has been one of per-

TABLE 3
Number of households disposing land to various agencies per 1000 household reporting disposal of land

				*		·		Rural	
S1.	State/UT	1.			Agency to which	disposed of		No. of sample households	
:No.		group group	disposal of land	Tribal	Non- Tribal	Others	Total	i c	
<u> </u>	Andhra Pradesh	Non-Tribal	3.8	665	76	259 * `	1000	35	
2.	Bihar	Tribal	1.3	. 121	67	812	1000 -	20	
-:		Non-Tribal	6.1	· 787 .	104	109	1000	41	
3.	Kerala	Non-Tribal	8.7	907	. 29	64	1000	35	
4.	Madhya Pradesh	Non-Tribal	2.5	997	. 3	· <u> </u>	1000	31	
5.	Maharashtra	Non-Tribal	4.2	733	143	159	1000	35	
6.	Orissa "	Tribal	2.3	. 729	· 77	194	1000	, 27	
		Non-Tribal	9.3 _	·. 789	115	96	1000	59	
<i>i</i> .	West Bengal	Tribal	4.7	822	107	71	1000	34	
		Non-Tribal	9.8	758	71	171	1000	62	
8.	All-India	Tribal	1.4	- 583	134	281	1000	194	
	,	Non-Tribal	4.4	776	95	138 - 1	1000	367	

Source: NSSO, Report No. 380, Statement (15), Department of Statistics, Government of India, 1991.

sistent concern among planners, policy-makers and to some extent among the intelligentsia. There is no doubt that historically the Central Indian tribal belt has been a region of non-tribal immigration and settlement. In course of time this led to alienation of tribal lands to non-tribal in this region. In the post-Independence period, protective laws and regulations, special programmes of tribal development, and not in the least rise of political consciousness and its crystallization into tribal movements for self-protection, all have combined to change the scenario in respect of tribal land alienation. By the middle of 1980s its incidence had become negligible. More importantly, if at all there was land alienation, it was mostly from non-tribal to tribal in the areas of tribal concentration in the country. Clearly, the tribal communities in these areas has succeeded in developing and consolidating their power and position. It is time the commonly held belief that tribal land alienation is endemic as well as widespread be given up.

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Land reforms and distributive justice: an empirical perspective

Emphasising the need for reduction of inequality and

promotion of distributive justice, the author says that the

social and economic objectives of land policies are equally

important. Analysing the land reforms scenario in the States

of Haryana, Karnataka and West Bengal, he calls for effective

legislative, administrative and developmental measures for

effective distribution of surplus ceiling land. The existing

statutory limit for assigning land to the poor need be

increased. Stressing the need for result-oriented follow-up

action, he suggests that the government assistance to the

beneficiaries should be given in kind, and not in cash.



Prof. S.N. Mishra

arely does a study on Indian economics open its chapter on agriculture without making a drastic criticism of Indian agrarian structure, and rarely

does it end without some proposal or other on land reforms.

Land reform proposals occupied the pride of place in the economic programme of Indian National Congress as early as in the beginning of the present century. Credit must go to Gandhiji that the peasant movement became an integral part of the national movement for Independence. The agitation for political independence became, therefore, not a mere

expression of national sentiments, but the manifestation of the urge for reforming the socio-economic structure to eliminate injustice and inequality and give a better deal to the poor rural masses.

After the attainment of Independence, the evils of the tenancy system and absentee landlordism were repeatedly pointed out, the virtues of peasant proprietorship were extolled and the suggestion of co-operative farming was put forth as the solution for the problem of uneconomic holdings. It is against this background that any aspect of land reform in India will have to be examined. The slogan of "Land to the Tillers", implies the surrender of land which one cannot personally—with his own and family labour—cultivate.

After Independence, the Indian National Congress through its various committees stressed the need for ceiling on land-holding to avoid social injustice. The whole idea revolved round the assumption that supply of land in relation to the population was so limited and that the present technique of cultivation, managerial skills and financial resources were such that the optimum size ought to be fairly low.

The principles of distributive justice appear to be the main argument in favour of imposing a ceiling on landholdings. Further the 'Directive Principles of State Policy' which perforce provide inspiration to economic planning in India,

call upon the State to promote the welfare of the people by creating a social order in which justice—social, economic and political—will prevail.

Thus the emphasis on reduction of inequality and pro-

motion of distributive justice is obvious and its influence on Indian planning is natural and inevitable. It can be rightly suggested that the objectives of land policy form the social aspect which is not less important than the economic. A policy for land may be considered adequate in the measures to be taken by government in which, now and in the coming years, it

reduces disparities in all respects and finally promises equality of status and opportunity to different sections of the rural masses. The land policy under the Five Year Plans, besides emphasising distributive aspect of justice, does stress the economic efficiency aspect also.

A careful observation of the objectives of land reform speaks of two factors: First, to remove such impediments upon agricultural production as arise from the character of the agrarian structure, and secondly, to create conditions for evolving as speedily as may be possible an agrarian economy with high lèvels of efficiency and productivity.

Keeping these facts in view the land ceiling Acts of different States provide for acquisition of surplus land by the government and redistributing it among the landless agricultural labours. The basic objective behind this is to alleviate poverty in rural India. However, the results on these fronts have been far from satisfactory basically because of the fact that State governments have not been in a position to implement land reform policies as effectively as it was desired. In this background, the present study is a humble attempt to analyse the micro scenario of three States—Haryana, Karnataka and West Bengal. After obtaining the micro view of the prevailing socio-economic condition of assignees of surplus ceiling land the study suggests some legislative and administrative measures which may help accelerate speedy implementation of land reforms.

Relevance of the study

The relevance of the present study lies in the fact that surrendering of surplus land by the big farmers and land acquired under the Bhoodan movement as also the unused government land has a direct bearing on the land reform policies of the Government of India in general and State governments in particular. Further, it has been noticed that hundreds and thousands acres of land have been acquired by the State governments under the Ceiling Act (both actual acquisition and acquisition on paper only). But either the surplus land has not yet been distributed or distributed, if at all, in a haphazard manner. Again, it has been noticed that if the land has been distributed among the landless, in course of time, they have been dispossessed of land either under economic pressure or by force, both social and political. Similarly, in certain States it has been noticed that the surplus land has been distributed among such beneficiaries who had their own parental land and were engaged in cultivation. As such, it is in the fitness of things that some study should be conducted to bring to light the factors which help or hinder in improving the socio-economic condition of the rural landless by assigning them the surplus ceiling

The usefulness of the study lies in the fact that the conclusions arrived at and suggestions made may help the government to recast its land reform policies and to adopt a new strategy of planning and implementation of land reform policies. As regards the nature of the study it is specific rather than general.

The paper is an abridged form of a major study conducted by the author to assess the socio-economic condition of the assignees of surplus ceiling land in two districts each, ie Bhiwani and Narnaul, Mysore and Thunkur and Murshidabad and Nodia, respectively of the States of Haryana, Karnataka and West bengal. The study was commissioned by the Ministry of Rural Development, Government of India and the findings and recommendations of the study are based on the empirical survey and interview with the beneficiaries of the States concerned.

Objectives

The major objectives of the study were as follows:

- i) To examine the criteria of assigning the land to the landless;
- ii) To ascertain whether the assignees cultivate the land or have been dispossessed of it;
- iii) If dispossessed of land, to ascertain whether it was a result of social and political forces or economic necessities;
- iv) If the beneficiaries are cultivating the land, what financial assistance they get from government and other financing agencies;

- v) To examine the effectiveness of land reform Acts in protecting the beneficiaries from dispossession and exploitation;
- vi) Based on time-scheduled data, to assess their socioeconomic condition after becoming the surplus land beneficiaries;
- vii) To compare and contrast their economic condition with those who have not been benefited from surplus ceiling land;
- viii) To locate the bottlenecks which exist in proper implementation of land reform and judicious distribution of surplus ceiling land; and
- ix) Finally, based on empirical enquiry, to suggest ways and means for effective and better utilisation of assigned land by the beneficiaries.

Findings and fulfilment of the objectives

On the basis of our findings in regard to economic condition of assignees of ceiling land in the three States concerned, ie Haryana, Karnataka, and West Bengal, the objectives of the study so designed and their fulfilment could be summarised as follows:

In regard to the first objective, ie 'criteria for assigning the land to the landless', there is a common and uniform guideline to be followed in the whole of the country. The following categories of people are entitled to get surplus ceiling land assigned in their names:

- (i) Dispossessed tenants who are not registered as occupants;
- (ii) Displaced tenants having no land;
- (iii) Landless agricultural labourers;
- (iv) Landless persons and ex-military personnel whose gross annual income does not exceed Rs. 2,000;
- (v) Released bonded labourers; and
- (vi) Other persons residing in villages in the same Panchayat and whose gross annual income does not exceed Rs. 2,000.

By and large, in all the three States the above criteria were followed. However, in some cases either due to political pressure or some sort of favouritism a negligible percentage of people who do not fall in the above category got the land assigned in their names. But, such type of cases were reported in greater number in Haryana in comparison to Karnataka and West Bengal. When asked about such irregularities the officials reported that they honestly tried their best to follow the criteria strictly, but undue political interference compelled them to deviate from the set principles. In West Bengal, the criteria used to be followed strictly but due to political pressure some favours were

reported to have been shown to those beneficiaries who were committed to the political ideology of the ruling party, and, naturally some innocent and non-committed genuine beneficiaries are denied the opportunity. In Haryana, a few cases came to our notice in which persons belonging to different villages and different Panchayats had been allotted surplus ceiling land in distant Panchayat areas, which were against and in violation of the set principles. But, they were insignificant in number.

On the whole, it could be said that by and large, the first objective of the study was achieved in the sense, that the officials tried to adhere, as far as possible, to the guidelines fixed for allotment of surplus ceiling land.

Coming to the second objective, it is heartening to note that, if given the actual possession of the land, beneficiaries generally cultivated the land. This was uniformly, by and large, noticed in all the three States under study. But, this objective may not be said to be fulfilled in the sense that in certain cases in all the three States the actual possession was not given to beneficiaries and as such, the question of cultivating the land by beneficiaries did not arise. The reason for not giving the actual possession of the land was litigation on the said plot as reported by officials.

Only in rare cases the incidence of dispossession was reported by the beneficiaries. In West Bengal, even after giving actual possession of the land in some cases, beneficiaries did not cultivate the land and the reason assigned by them was that the land was so small and there was such a dearth of facility of irrigation that they could not cultivate on the assigned land. Again, in West Bengal it was reported by a number of beneficiaries that some of the beneficiaries of surplus ceiling land had let out the assigned land to share-croppers which was against and in violation of the rule. Such cases were reported to the government officials by the Research Team during its field visit. In Haryana, it also came to the notice of the Research Team that some beneficiaries had sold their assigned land to the small and big farmers and out of that sale proceeds they had started some business. In some cases, land was assigned to those who were genuine beneficiaries, but were not interested in cultivation.

Ir regard to the third objective, ie 'if dispossessed of land, to ascertain, whether it was a result of social and political forces or economic necessities', it could be said that, if at all there was any dispossession, it was the result of both social and political pressure and economic necessity. However, dispossession on account of economic necessities was negligible as per our observations and findings.

The fifth objective was 'to examine the effectiveness of Land Reform Acts in protecting the beneficiaries from dispossession and exploitation. In this connection it could be said that the Land Reform Acts of all the three States under study provide sufficient protection for the beneficiaries from dispossession and exploitation provided that they are genuinely enforced and the bureaucracy is committed to safeguard the general interests of the beneficiaries. By and large, the bureaucracy seeks to protect the beneficiaries but if some cases of exploitation and dispossession come to the notice they may not be treated as a matter of serious concern as they are very small in number and in a vast society like ours such negligible cases cannot be ruled out altogether.

'As regards the sixth objective, ie 'based on time schedule data, to assess their economic condition after becoming the beneficiaries of surplus ceiling land', it can be said that undoubtedly the beneficiaries, who are in actual possession of the land and cultivating it, have improved their socioeconomic conditions substantial.y. The improvement in socio-economic conditions of the beneficiaries is a common phenomenon in all the three States under study. A marked change could be noticed in their food-habits, dress-habits and living conditions. They have not only improved their economic condition but a noticeable change in their social status could also be observed. Now they could freely mix up with lower middle class and could dare speak against the high-handedness of affluent and dominant sections of the society. Not only this, they also enjoy better social position among those people living below the poverty line and have not become the beneficiaries of surplus ceiling land.

As regards the seventh objective, ie 'whether the beneficiaries of surplus ceiling land are better off as compared to non-beneficiaries' no formal data were collected on this account as it was out of purview of the present study. However, informal discussion was held with non-beneficiaries and the beneficiaries themselves were pointedly asked as to whether they were in better financial and social position in comparison to non-beneficiaries.

Our informal discussion with non-beneficiaries and personal observation as also the reply of the beneficiaries suggest that certainly they have improved their social and economic position and they have gone ahead of non-beneficiaries.

The eighth objective was 'to locate the bottlenecks which exist in proper implementation of land reform measures and judicious distribution of surplus ceiling land'. As regards fulfilment of this objective, it is disheartening to note that due to undue political interference and administrative negligence some bottlenecks existed. For example, in Karnataka, in two to three cases it was noticed that land was assigned to three particular beneficiaries but they were not allowed to enter into their field for cultivation by some dominant people. Had the administration been alive to its responsibilities, the poor beneficiaries would not have been deprived of cultivating their land. Again, in Haryana some exammy men had been allotted land but were not given formal

possession of the land due to some procedural problems. In West Bengal, in two to three cases, it was noticed that the land which was purchased by some beneficiaries some 10 to 15 years back was declared surplus by the ex-landlords, and as a result, the poor fellows had to become the beneficiaries of surplus land though they had paid for the land. Similarly, in regard to judicious distribution of surplus ceiling land the political and administrative bottlenecks were located in a few cases in all the three States under study.

Finally, based on our empirical enquiry, the last objective was to suggest ways and means for effective and better utilization of assigned land by the beneficiaries. The fulfilment of the present objective finds a detailed discussion in the form of recommendations.

Recommendations

In view of the fulfilment of objectives of the study and the salient findings obtained, we recommend the following measures for effective distribution of surplus ceiling land and improving the socio-economic condition of assignees of surplus ceiling land. The recommendations have been divided into three heads which are as follows.

I. Legislative measures

- 1. The following criteria may be adopted for identifying the beneficiaries for assigning surplus ceiling land:
 - (i) Poorest of the poor;
 - (ii) Landless agricultural labourers not engaged in any other business or profession and willing to bring the land (in the case of agricultural land) under personal cultivation;
 - (iii) The beneficiary must be the resident of the village in which land has to be assigned.

Among the eligible persons, so identified, preference may be given to the tenants/subtenants/actual cultivators of the vested land and also to the persons belonging to Scheduled Castes/Scheduled Tribes or those who form co-operative societies for the said purpose.

- 2. The deserving and genuine landless persons who are really interested in cultivation may be given as much quantity of land as required for minimum economic holding. At the same time, if necessary, the existing statutory ceiling limit for assigning land to the landless poor peasants may be increased.
- For the land vested in government and to be settled in the name of the beneficiary, no premium should be charged.
- 4. Every State, in its Land Reform Act, should incorporate adequate punitive measures (such as eviction from the land) against the beneficiaries who fail to cultivate the land personally for consecutive three seasons and to prevent illegal transfer of land by the beneficiaries. For

- enforcement of such statutory measures, necessary steps should also be taken.
- 5. Since the big landlords often take shelter in the court of law and put resistance to the vesting of land in the State government, it may be suggested that the movement of landlords against vesting of land should be restricted to the revenue courts only and adequate steps should be taken for speedy disposal of such cases.
- 6. After bringing the tenants and share-croppers on the record, ownership rights may be conferred upon them. Wherever such legislative provisions are non-existant, they should be made as early as possible. After leaving sources of reasonable income for religious institutions, the State may consider conferment of ownership rights on tenants of the surplus land held by these institutions. Alternatively, a provision of an ammunity to compensate for possible loss of land be made. While conferring ownership rights on tenants, State may also consider barring lawyers from the proceedings.
- 7. After entering the surplus ceiling land in the record and making physical demarcation of the land, the assignees of surplus ceiling land may be given physical possession. Adequate legislative provisions should be made to provide the beneficiaries with security from eviction and to ensure prompt action for restoration of the evicted land.
- Whenever the surplus ceiling land is assigned by the government, legal provision may be made for giving joint patta in the name of both husband and wife.
- Necessary legislative provisions may be made in regard to patta pass with legal status and to be issued to land owners as well as tenants.
- 10. To identify the non-cultivable government land, the revenue department may seek the co-operation of Panchayats or the communities. The list of, so identified land, may be forwarded to DRDA/block to take up social forestry with firewood, fruit and fodder species. Legislative provisions should also be made for granting tree pattas/leases giving usufructurary rights on trees planted and looked after by individuals on such wastelands with government, Panchayats or communities in order to involve the people in the massive greening programme of social forestry and to give them necessary incentives.

II. Administrative measures

 There should be a separate cell in the settlement/block development office for maintaining the detailed records relating to the acquisition and distribution of surplus ceiling land. Such records should be maintained in pucca register separately for agricultural and non-agricultural land as also for the land used for public purposes and necessary arrangements be made for their periodical scrutiny.

- 2. The field study of West Bengal demonstrates the potentiality of local bodies in the implementation of land reforms. It is, therefore, suggested that the elected Panchayats should be activised to assist the administration at the grass roots level in identification, acquisition and distribution of benami and surplus ceiling land. The Panchayats may also help the government officials in protecting the beneficiaries' rights and interests against illegal dispossession or transfer of land.
- 3. Necessary steps should be taken for genuine selection of beneficiaries. Like Bhoomi Sahayak Samiti of the Gram Panchayats in West Bengal, there should be a separate committee of the Panchayat in every village to prepare the list of eligible beneficiaries of the locality on the criteria mentioned above. Subject to thorough verification and approval of the State government officials concerned, surplus ceiling land, as and when available, should be distributed strictly on the basis of the prepared list.
- 4. The government machinery at the district and block levels should keep a close and constant vigil with the help of Panchayats and local bodies so that the beneficiaries of vested land are not evicted from or dispossessed of the land. Necessary administrative and legal actions should be taken immediately after any such case of eviction or dispossession comes to the notice of the State government, officials concerned.
- To ascertain the actual state of illegal or forceful dispossession and disposal of assigned land as also the factors responsible for them, periodical sample survey should be conducted.
- 6. Specially for the expeditious disposal of pending cases of litigation with revenue and other courts, an analysis of the gaps between estimated surplus, declared surplus, possession taken, land distributed as well as the disposal of pending returns should be undertaken for a time-bound remedial action.
- To have a manageable area jurisdiction, there is a need to strengthen the revenue machinery at the village and immediate supervisory levels.
- 8. There is also a need for training of these persons as well as the staff engaged in survey settlement.
- There is also a need for modernization including computerization of land and crop based statistics on a pilot basis.

III. Developmental measures

 Our study suggests that despite some marginal improvement in the socio-economic conditions of the deprived and downtrodden beneficiaries in terms of enhancement of their social status and the sense of diginity, distribution of surplus ceiling land has nowhere resulted in considerable and apparently visible improvement in the economic condition of the beneficiaries mainly because of the lack of follow-up actions. We, therefore, strongly recommend for taking follow-up actions to improve the economic condition of the beneficiaries. Such actions should include, inter-alia, regular and timely supply of seeds, manures, pesticides, and other agricultural inputs to the needy and deserving beneficiaries, extension of credit facilities for the purchase of costly agricultural implements and extension of irrigation facilities, particularly in drought-prone areas.

- It is also suggested that financial subsidies of Central/
 State governments should be increased to make the
 follow-up action meaningful and result oriented.
- 3. A majority of the assignees of surplus ceiling lands who were interviewed, appeared to be ignorant of the credit facilities, whatsoever, available to them. It is, therefore, suggested that Panchayats and voluntary agencies should be encouraged to come up for providing necessary information to the beneficiaries about the availability of credit facilities and also helping them in completing necessary formalities to get such facilities.
- 4. We strongly feel that the government assistance be given in kind, and not in cash. Following the suit of Karnataka, other States may also arrange for distribution of agricultural implements to the needy and deserving assignees through the co-operative stores. However, a small amount in cash may be given to the beneficiaries towards development of the land for agricultural purposes.
- 5. Where the quantity of lands available for distribution is less than the number of eligible beneficiaries, emphasis should be given on co-operative farming. However, in such cases the State government should ensure that the co-operative farms are provided with modern and so-phisticated agricultural implements necessary for increasing the productivity of the land.
- To enable the beneficiaries to improve the cultivable land, special assistance should be given to those assignees who have been assigned inferior quality of land.
- In order to integrate the land reforms with IRDP/JRY/ DPAP/DLDP, the scheme of financial assistance to the assignees of surplus ceiling land may be implemented through the DRDAs under the full control and supervision of the PRIs.

The Ministry of Agriculture, Department of Rural Development, Government of India, as also the State governments-might have taken various measures to make the land reforms a success. But, our concern here is confined only to giving physical possession of the surplus ceiling land to the

beneficiaries, getting the mutation completed, providing agricultural inputs and ensuring the beneficiaries against forceful eviction from assigned land. We sincerely hope that if recommendations put forward here are taken into account annot implemented without further delay, the economic condition of assignees of surplus ceiling land will certainly improve and they will be in a position to get two square meals for their families. In course of time, this will also improve their social status in a tradition-bound society like ours where affluence decides the social status of an individual.

Specific recommendations

Here we would like to give some specific recommendations which may be taken care of in respect of the States covered under the study. This relates to some changes in the Land Reforms Acts of the States concerned and some general problems relating to beneficiaries of the surplus ceiling land. They are as follows:

A. West Bengal Act

- As regards the preference to be given among the eligible persons, percentage of reservation for allotment of surplus lands to the SC/ST/Backward Classes should be specifically laid down int he Act. Section 49(1) should be amended accordingly.
- The deserving and genuine landless peasants who are really interested in cultivation should be given as much quantity of land as required for minimum economic holding. The quantity of minimum economic holding should be specifically laid down in the Act.

B. Karnataka Act

- Among the eligible persons for assigning surplus ceiling lands as laid down in Section 77(1), preference should be given to those who form co-operative societies for the purpose of cultivation of the assigned land.
- 2. For the land vested in government and to be settled in the name of the beneficiary, no premium (recoverable as arrears of land revenue or otherwise), or purchase price should be charged. Section 78 of the Act along with related rules or provisions should be amended accordingly.

C. Haryana Act

- Among the eligible persons for assigning surplus ceiling lands, as laid down in Section 15(2), preference should be given to those who form co-operative societies for the purpose of cultivation of the assigned lands.
- For the land vested in government and to be settled in name of the beneficiary, no premium (recoverable as

- arrears of land revenue or otherwise), or purchaser price should be charged. Section 9 of the Act along with other related provision or rules should be amended accordingly.
- 3. Like the West Bengal and Karnataka Acts, elaborate provisions should be laid down for formation of cooperative farms and giving them certain concessions and facilities, such as reduction of land revenues, reduction of and exemption from agricultural income tax, free technical advice, financial aids and grant of subsidies and loans with or without interest and priority in irrigation from State irrigation works.

General

The criteria for assigning surplus ceiling and to the beneficiaries should be the same as given under the head 'Legistative measures' on page 19.

The suggestions put forward under the head "Development Measure" are quite elaborate and may be applicable in the case of all the three States under study.

As regards the rational scale of assistance, we recommend that Rs. 5,000 be given to the DRAP beneficiaries and Rs. 4,000 to the non-DPAP beneficiaries. However, we strongly feel that a sum of Rs. 500 only should be given in cash towards development of land and the remaining amount should be given in kind, ie in the form of agricultural inputs through the block-taluk office/co-operative societies.

At the time of survey no production credit was available to beneficiaries. Banks did not co-operate and of course there were some co-operative societies in the selected districts but they did not care for the beneficiaries of surplus ceiling land.

In only rare cases, beneficiaries were assisted under the schemes of IRDP, JRY, etc. As a matter of fact, IRDP was not linked up with land reforms.

Apart from the financial assistance, the most important assistance required was the following-up action of the beneficiaries and counselling from time to time. The local level bureaucratic organizations as also the enlightened citizens and NGOs can play this role most effectively.

Finally, if the recommendations given are taken into account by the government and sincerely implemented the land reforms measures may serve the purpose of social justice to a great extent.

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Social justice and rurban habitat

Equal distribution of land is at best one of many paths towards

social justice, but it is not social justice itself, says the author.

Traditional land reforms are no solution for making rural

prosperity keep pace with urban progress: Stressing the need

for a minimum farm size for improving agricultural efficiency

he calls for a new kind of land reforms which would transform

rural economy from an agricultural to a largely non-

agricultural one ensuring non-farm employment in rural



Prof. P.V. Indiresan

ebates on social justice evoke considerable passion—often to the extent of clouding logical judgement. The disputation concerning land reforms is no exception. In India, many powerful group of activists hold it as a self-evident truth that redistribution of land to the tiller is a must, no one should be allowed to hold much

land, corporatisation of agriculture is a sin, and that the ideal is zero landless labour. All this presupposes that those who are currently engaged in agriculture should continue to do so, and that they and their progeny should do so forever and forever. Rarely is the question asked whether perpetuation of agricultural

employment on the present scale is desirable—or even feasible. However blasphemous that may sound, there are a number of reasons why it is desirable to abandon the traditional fondness for giving land to the tiller.

areas uself.

- * One, the history of modern economic development shows that in every country, without exception, agricultural employment shrinks rapidly as development proceeds. In the most advanced countries of the world, employment in agriculture is often barely two per cent of the total—and yet they have enough agricultural surplus to export, and at much lower prices than predominantly agricultural countries.
- Two, it is an inescapable rule that as an economy progresses, people spend proportionately less and less on farm products, and more and more on industrial products and on services. So, the share of the kitty that agriculture commands inexorably diminishes as the economy advances. Then, suppose, agriculture's share is reduced to 10 per cent of GNP, farmers can have the same per capita income as others if and only if, farm employment shrinks to 10 per cent of the total. So, a just economic development demands that farm workers be increasingly diverted to non-farm employment, or, diverting agricultural labour is superior to any scheme of redistributing the shrinking agricultural kitty. Then, land reforms become a secondary issue; the primary concern is how to

find attractive and profitable non-farm employment for redundant agricultural labour.

- * Three, India is currently saddled with a grain mountain of over 30 million tonnes, food is rotting in the godowns and yet little of this vast surplus can be exported because
 - our prices are too high. The only feasible solution to this odd problem is to bring down costs, and that may be done only by increasing agricultural productivity—by reducing the number employed in agriculture.
 - * Four, the industrial and service sectors of the economy have started
 - growing at substantial rates, eight per cent per year or more. In contrast, there is little or no hope that agricultural production can increase faster than two per cent or more. If this disparity continues, either farm incomes will *relatively* halve every decade, or farm prices should double every ten years. Neither option is sustainable.
- * Five, the "moral" ground on which land reforms have been advocated—that "rich" farmers monopolise scarce land—is strictly not tenable: there is no comparable limit on non-farm income. It cannot be that only intra-rural disparity is immoral, and not rural-urban disparity! The truth is not that rich farmers are rich but that poor farm labourers are abysmally poor. That tragedy cannot be averted by doling out an acre or two of land (ie all that is possible with the resources available) but by getting them profitable alternative employment.
- * Six, in a different vein, we do need land distribution of an entirely different type: land resettlement in such a way that each farmer gets contiguous tracts of land of viable size. Due to our inheritance laws, land has been so badly divided and subdivided that each farmer has a number of tiny disjointed bits of land. That makes it impractical for a farmer to cultivate land efficiently. In fact, one important reason why Punjab's agriculture has been as successful as it is, is because of systematic land resettlement into farms of viable size. To the extent, land

resettlement improves agricultural efficiency, it will aid both farmers and farm labourers. In other words, as a parallel to minimum wage, we also need a minimum farm size—which once again means that more and more farm labour should be diverted to non-agricultural pursuits.

The rural-urban divide

However, diversion of farm labour has one drawback—it leads to rural-urban migration, and the consequential trauma of social dislocation. In addition, the resultant urban explosion leads to wasteful use of scarce financial, material and human resources; causes considerable ecological damage in the bargain. Recent developments in information technology make rural-urban migration unnecessary. It would be wise to exploit such technological advancements to avoid the trauma of rural-urban migration, and the consequent drain of able and ambitious minds from villages. Instead, non-farm employment should be generated in rural areas itself. Hence, the kind of land reforms we need now are those which would transform rural economy from an agricultural to a largely non-agricultural one.

So, before we jump onto the bandwagon of land redistribution, we would be well advised to consider what our ultimate objective is: is it equal distribution of land, or is it prosperity for rural people. Equal distribution is at best one of many paths towards social justice, but it is not social justice itself. Rural social justice requires villagers to be as prosperous as townspeople; further that rural prosperity keeps pace with urban progress. Traditional land reforms are no solution for such a broad objective; instead, we need a scheme that will enable villages to generate modern industrial and service employment as well as towns and cities do.

To a certain extent, there is a realisation that redistribution of employment is necessary for economic progress, but few realise that generation of non-farm employment should be the primary goal of social justice, and that everything else-including land reforms-is secondary. In South Korea, which is the latest country to be accepted as a developed country, the share of agricultural employment dwindled from 66 per cent in 1960 to 17 per cent in 1990-a five per cent reduction per year. Currently, India is at the same economic level South Korea was in 1966: current agricultural employment is 62 per cent—almost the same as the South Korean figure for 1960. Following the historical trend set not only by South Korea but by all developed countries, we too should systematically shrink agricultural employment. Further, if we are to develop as fast as South Korea has done, we too should aim for a five per cent annual decrease in agriculture employment, ie transfer about 10 million agricultural labourers each year. Such reorganisation is not a purely a rural problem; it is basically a question of rural-urban competitiveness. That is the crux of the problem: villages cannot attract businessmen and generate jobs as well as cities do.

Rurban habitat

To appreciate the nature of the problem, consider an idealised cluster of villages spread over an area some 20 km by 20 km. Typically, that will have a population of 50 to 100 thousand people—the population of medium-sized towns. Invariably, this cluster of villages will not have the variety of services and urban amenities that a town with the same population will have, and hence, will not generate employment on the same scale. The reason for this rural-urban divide is:

NOT lack of finance because it is actually cheaper to construct schools, hospitals, commercial buildings and the like in a rural area than in an expensive town;

NOT lack of human resources because towns and cities are importers of human capital, which they can get only from villages;

NOT insufficient material resources because towns and cities usually have no raw materials at all, and rural areas have plenty.

The basic cause is, the town has a well-connected business area, a central business district, and the village cluster has none such. Because of the connectivity towns enjoy, they can economically support a variety of social and commercial services, generate a wide range of non-farm employment. Conversely, if a cluster of villages can be designed to have a well-connected business area—an area which can be speedily, conveniently and cheaply accessed by every one in the cluster—villages too will be able to support services, industry and commerce the same way towns do. For this purpose, consider the following scheme:

- ★ Let a dedicated bus lane be established inside the village cluster in the form of a closed loop²—typically of a total length of some 50-60 km.
- * Let frequent (say, every five minutes), bus services be run along this loop. As the bus lane is dedicated—it has no interfering cross traffic except at a few controlled points—the service can be fast, with average speeds of 40-50 km per hour (in our cities, bus speeds are typically no faster than 15 km per hour).

With such speeds, buses will complete the 50-60 km loop in about 80 minutes, or the maximum time distance between any two points on the bus loop will be barely 40 minutes. So, all villagers residing in the villages directly on the loop can reach any point on the bus loop within a total MAXIMUM travel time of no more than 40 minutes or so. With a smaller loop, the maximum time will be correspondingly even less.

As a result, the bus loop becomes a convenient location for a central business district. If offices, markets, industries, schools, hospitals, cinemas and the like are located on the loop, all of them will be well-connected to each other, and to substantial, urban sized populations. Hence, a large variety of service and business activity can be profitably located along the bus route. Thereby, it becomes feasible to sustain a large amount of non-agricultural employment inside what is otherwise a predominantly-rural area. Such a village cluster which has a zone of high connectivity, and hence has the capability to support a large variety of urban activities, may be described as a rurban habitat. Once rurban habitats become available, there will be no need for unemployed farm labourers to migrate to cities to get jobs; they will have plenty of opportunities virtually at their own doorstep: At the most, they will have to move to a neighbouring village to get right inside a business district.

Land reforms for rurban habitat

The development of rurban habitats of this type involves three preparatory steps:

- Installation of a dedicated bus lane with frequent, high speed services.
- Planned development of some 100 metres of space on either side of the bus loop in such a manner that bus movements are in no way impeded, and yet, the large number of businessmen and workers who will inevitably be attracted to such a location are well-accommodated.
- * As additional seeds of development, upgradation of schools, hospitals and such other basic services all along the bus loop.

This scheme has two basic land management problems:

One, fair compensation for agricultural land diverted for rurban activities.

Two, acquisition of such land without inordinate delays.

In India, both these problems have proved intractable with bitter accusations and counter-accusations between the bureaucracy and the people. As a result, development projects get delayed for years, and become even uneconomical only because of mounting costs of delay. That is one problem; another is, how to divert investment currently concentrated in rurban areas to these bus loops. In other words, rurban development requires a land policy which makes investment in rurban areas more attractive than in cities and towns. To resolve these difficulties, consider:

We want zero bureaucratic interference, zero disputes:
Then, let all property owners be asked to declare the surrender value of their property, the amount for which they would be willing and obliged to hand over their property to the government for any designated public cause. The owners are free to fix any value they like, however high or low; the value chosen need not have any relation to the actual cost of that property. Further, no government official can question the figure selected. So, there is no possibility of any dispute or bureaucratic interference at this stage.

- * Black-marketeers are a hindrance to fast and fair development; so we want no black-market in property: Then, make the surrender value of all properties a freely available public information; allow any one to find out what it is. Next, make it obligatory for the owner to sell the property to any one who offers, say, 20 per cent more than the stated surrender value. (However, the owner can opt to retain the property by raising the surrender value to the amount that has been bid). Then, owners will be constrained by the market not to fix the surrender value at too low a level; so the black-market will collapse.
- * The surrender value should not be so high as to affect public welfare projects: Then, make the taxable value of the property a function of the surrender value.
- * Investors should be persuaded to move out of congested urban areas: Make the taxable value equal to the surrender value multiplied by three factors: one, the Floor-Plot Space Ratio (commonly known as FSR or FAR); two, by the Floor-Common Property Ratio (the ratio of built up area to publicly owned space in the neighbourhood); three, an ad valorem cess if the building opens on to a thoroughfare on which public transport buses ply. Then, the tax is strictly rule based with a ten-twenty fold escalation in congested areas.

Implications.

Let us consider some implications of this scheme of things. First, a palace in a village can be safely rated at a small fraction of its cost, will have its tax value further reduced because it is bound to have low FSR. In contrast, a small flat in a crowded city will be taxed at a value much higher than its cost, and that will be further aggravated because it will almost definitely be a building with high FSR. As bus routes are more common in cities, the tax load can go up even more for those who reside on busy roads. Thus tax on tax piles up as the city gets more and more congested, making it increasingly worthwhile for businessmen to shift to uncongested rurban areas where taxes will be much lower, and yet the connectivity is comparable, at any rate, sufficiently good. Then, provided the rate of congestion tax is high enough, rurban-rural reverse migration of business becomes more attractive than further escalation of urban congestion. In this manner, investment in rurban areas becomes more attractive than in congested towns and

Second, as explained, the primary basis of rurban attraction is the existence of a fast bus loop. Unfortunately, any such well-connected area is liable to get encroached—thereby choking off connectivity. However, the higher tax proposed on buildings opening on to bus routes will act as a deterrent against such encroachment.

Third, the option given to the owner to choose his or her own surrender value ensures that no property is expropriated by the government for a frivolous compensation, nor can an owner be harassed through long years of litigation.

Likewise, fourth, no owner can hold up a public cause by making extortionate demands and delay development through tendentious litigation.

Fifth, the tax affects essentially built up land only—farm land has zero FAR and hence attracts zero tax.³ So, this wealth tax should generate no resistance in rural areas.

Conclusion

This wealth tax scheme will make publicly transparent one of the murkiest transactions in land development, and will also greatly expedite more efficient land use by diverting investment from very expensive cities to much more economical rurban areas. However, we encounter here a peculiar chicken and egg problem: which should come firsthigh quality transport or demand for the same? It is a temptation to have a nominal transport service at the start, and to expand it only after demand develops. That would be a fatal mistake: a high quality transport system along the bus loop, and the high connectivity it offers are essential prerequisites for rurban development. So, a full-fledged bus service should be established right from the start, initial losses should be accepted as unavoidable costs of development. In other words, quality transport service is the seed for rapid rurban growth.

The thrust of the argument here is: rural poor can prosper only by shifting to non-farm employment, but it is best if, for that reason, they are not forced to migrate to cities. Then, villages should generate non-farm employment as well as cities do. That is possible only when villages can locate a marketplace which is as well connected as city markets are. The solution suggested for this problem has three components:

- * one, linking a number of villages through a closed bus loop with frequent and fast bus services. Then, any business located on this loop will command a high connectivity—as large as large towns and cities. However, establishing such an rurban area is not enough. So:
- * two, businessmen should be induced to shift from congested cities to the wide open spaces that only rurban habitats can offer. For that purpose a congestion tax is imposed. Such a tax will be effective only when it is transparent and free from litigation. So:
- three, the tax is based on a voluntarily disclosed surrender value for each property and the tax is so designed that businessmen are induced to move to rurban areas.

These three, in short, are the novelties of this scheme. It can be shown that habitat development along a bus loop will, ideally, halve infrastructure costs—but people should

get out of the mental fixation that cities can only be in a confined space, should be prepared to accept that it can also be in the shape of a ring. Considering how expensive infrastructure is, any reduction in its cost will undoubtedly be of great value. However, the effectiveness of the bus loop depends on how fast and frequent the bus services are. Then, encroachment of the bus lane is a critical problem. The form of congestion tax proposed here is designed to prevent such encroachment—and also to induce businessmen to divert their investment from congested cities to rurban areas. Further, once the idea of a mandatory surrender value for immovable property is accepted, a variety of legal and land management complications will tend to fade awayand so will the associated tax evasion and blackmarketing. Together, they will make rural areas as attractive as medium-sized cities, and curtail rural-urban migration significantly. They will also put a damper on the cancerous growth of cities. So, this three-part solution of a fast unencroachable bus loop, congestion tax and voluntary surrender value for property, is offered as an alternative to traditional land reforms.

Footnotes

- For our purpose, connectivity may be defined as the number of people who can reach the market place within a total travel time (time to reach from home to the nearest bus-stop plus waiting time to get a bus plus travel time plus transfer time whenever a vehicle has to be changed) of, say, one hour.
- 2. It can be shown that a habitat development in the form of a ring along a fast loop of public transport will halve all infrastructure lengths for a given amount of habitat area. Correspondingly, infrastructure costs too come down. Further, in such a habitat design, the business district gets circularly distributed—instead of the congested central business district usual in conventional city designs. That permits all workers to live within close walking distance of their place of work—a virtual impossibility in conventional cities. So, the great expense of servicing commuter traffic is all but avoided with this arrangement. For further details, see: P.V. Indiresan, Managing Development: Decentralisation, Geographical Socialism and Urban Replication, Sage, New Delhi.
- 3. However, many thoughtful people feel that it was a mistake to abolish land revenue, because that has made it difficult for the poor to prove the ownership of land. Then, this wealth tax may be used as a substitute by setting a minimum value for FAR—equal to say, one per cent. Then, the tax amount will be minuscule, but that minuscule wealth tax—like erstwhile land revenue tax—becomes solid proof of ownership—will minimise the risk of land grabbing.
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Role of land reform in rural development in the wake of economic liberalisation

Analysing how land reforms could be complementary to the

economic reform programme, the author says the process of

capitalistic transformation of agriculture would be painful

for millions of marginal and small farmers. The series of

land reform measures during the past four decades have

not improved the pattern of land distribution. The economic

reforms may deprive the poor of equal participation in the

democratic process. Stressing the need for pressurising the

large owning class to leave agriculture and undertake non-

agricultural occupation, the author maintains that market-led

economic reform does not provide an alternative to radical land



Dr T. Haque

n the wake of the economic reform programme launched by the Government of India in recent years, land reforms seem to have taken a back seat. This is so despite various pronouncements by the Ministry of Rural Areas and

Employment that land reform continues to be one of the policy instruments for alleviation of rural poverty. Several State governments have modified their ceiling laws to exempt orchards, fish ponds, etc. There is also a move to open up tenancy for encouraging private investment in agriculture and industry. In fact, some economists argue that land market needs to be far more activised and liberalised for

commercialisation of agriculture and export led/demand driven agricultural growth. According to them, land reforms in the traditional sense stand against the spirit of economic reform programme which intends to promote laissez-faire/market led growth through liberalisation of production and trade barriers. In reality, however, radical land reforms could be an effective aid to market led economic transformation. The present paper makes an attempt to analyse how land reform could be complementary to the economic reform programme to help build market led economic growth in India.

reforms.

Limited success

During the past five decades or so, the agrarian structure in India has undergone a remarkable change in the sense that all large intermediaries have been abolished and ownership right has been conferred on a considerable number of tenants. Nevertheless, the basic character of the agrarian economy with high concentration of landholdings in the hands of a few land owners on the one hand and growing number of marginal farmers and landless labourers on the other, remains more or less unaltered. The percentage share of agriculture in GDP declined from about 60 per cent in the early fifties to 30 per cent in 1992. But the proportion of agricultural labour force to total labour force decreased only marginally from 72 per cent in the early fifties to 66 per cent in 1992. Since Independence, a number of redistributive land reform measures have been

undertaken to reduce the concentration ratio in the ownership and cultivation of land. But there has been limited measure of success in this regard. Not only the small and marginal farmers and landless labourers form a vast majority of the rural

population, but also there is a rising trend towards marginalisation of farms and casualisation of labour force. Furthermore, in the wake of the recent economic liberalisation programme, even the philosophy of redistributive land reform is being questioned. It is often agrued that the existing land reform laws restrict the growth of capitalistic/corporate farming which is necessary for market led

growth. According to the protagonists of economic liberalisation, feudalistic agrarian relations have largely disappeared, without giving way to capitalistic form of farm organization, allegedly under the impact of restrictive ceiling and tenancy laws. It has also failed to promote a socialistic or co-operative order in the agrarian economy.

Issues involved

In view of the abovementioned facts, a number of questions arise in our mind. First of all, the most pertinent question would be: what kind of agrarian structure do we visualise for future? Do we still believe that there is need for reduction in the concentration of landholding through further redistributive land reform measures? If so, what is the scope of such redistributive land reform in future and how do we achieve this goal when we have largely failed in the past? Can we really think of the emergence of small, albeit efficient 'family farms' as the main form of farm organisation, by allowing large as well as marginal farms to disappear through appropriate policy changes. Alternatively, can we accept the reality of a growing capitalistic pattern of agrarian society in which land holdings would tend to remain concentrated in a few hands, while a majority of small and marginal farmers would be slowly converted into landless labourers? There is no denying the fact that the process of capitalistic transformation of agriculture would be painful for millions of marginal and small farmers,

TABLE 1
Changes in the Distribution of Land Holdings in India Over Time (Per cent share of each size group)

Year	U	Marginal Farm < 1 ha		Small Farm 1-2 ha		nedium ! ha		ım Farm 10 ha	Large Farm above 10 ha		
•	No.	Area.	No.	Area	~ No.	Area	No.	Area	No.	Area	
1950-51	38.4	6.0	21.7	10.2	19.2	18.2	15.3	31.6	5.4	34.0	
1960-61	40.7	6.7	22.3	12.2	18.9	20.0	13.4	30.4	4.7	30.7	
1970-71	50.6	9.0	19.1	11.9	15.2	18.5	11.2	29.7	3.9	30.9	
1976-77	54.6	10.7	- 18.0	12.8	. 14.3	19.9	10.1	30.4	3.0	26.2	
1980-81	56.4	12.1	- 18.1 -	14.1	14.0	21.2	19.1	29.6	2.4	23.0	
1985-86	57.8	13.4	18.4	15.6	13.6	22.3	8.2	28.6	2.0	20.1	
1990-91	59.0	14.9	19.0	17:3	13.2	- 23.2	7.2	27.2	1.6	17.4	

particularly when the existing farm and off-farm employment opportunities are inadequate to provide living income to the growing millions. Therefore, can we plan for viability and sustainability of small farms at least during the transition period? In fact, a number of institutional, technological and policy questions would have to be addressed to resolve these issues.

Distribution of holdings: changing pattern

It could be seen from Table 1 that in 1950-51, about 38 per cent of operational holdings in the country were marginal holdings which operated only six per cent of the total operated area, while 5.4 per cent of the large farms above 10 ha, cultivated 34 per cent of the total area. According to the 1990-91 agricultural census, the proportions of marginal farms increased to 59 per cent which shared about 15 per cent of the total area. But large farms formed only 1.6 per cent of the total holdings and 17.4 per cent of the total area. Still only about 8.6 per cent of large and medium farms at the top bracket cultivate nearly 45 per cent of the total land. Thus, even if we compare the pre-land reform year of 1950-51 with 1990-91, the series of land reform measures during the past four decades do not seem to have improved the pattern of land distribution. In. 1990-91, about 1.6 per cent of farms at the top bracket cultivated 17.4 per cent of the total land, whereas in 1950-51, nearly 5.4 per cent of farms at the top bracket operated 34 percent of the total land. In fact, the pattern of land distribution seems to have been more skewed in recent years. It could be further seen from Table-2 that the average size of land of various size groups of farms did not significantly change over time. During the last two agricultural census periods, however, the average sizes of large as well as marginal and small farms slightly increased, while that of medium-sized group of farms declined. Table-3 shows the average size of marginal, small and large farms in various States over time. Tables 4 and 5 indicate the continued skewness in the pattern of distribution of operational holdings in various States during 1970-71 to 1990-91. The results of various rounds of National Sample Survey (Table-6) also show similar rising trends in the concentration ratio of ownership and operational holdings over time.

Growth of landlessness

According to the recent rounds of National Sample Survey,

the proportions of landless households increased from 9.6 per cent in 1971-72 to 14.4 per cent in 1987-88. Table 7, however, shows that during 1981 to 1987, the proportions of landless households to total rural households declined in several States including Assam, Jammu & Kashmir, Karnataka, Kerala, Madhya Pradesh, Manipur, Orissa, Tripura and West Bengal. In all other States, there was a slightly rising trend in the proportion of landless households. Also, in several States including Andhra Pradesh, Bihar, Gujarat, Madhya Pradesh, Maharashtra, Punjab and Tamil Nadu, more than 10 per cent of rural households did not possess owned homestead land. Recent rounds of National Sample Survey data further revealed that the proportion of casual labour to the total rural work-force increased from 22 per cent in 1972-73 to 31.4 per cent in 1987-88 in the case of male work-force and from 31.4 per cent to 35.5 per cent in the case of female workers. Thus, given the past trends to continue, the increasing number of marginal farmers and landless labourers including casual labourers would swell the rank of rural poor. Small and semimedium farms also numbered about 32 per cent and cultivated above 41 per cent of the total land. In fact, it is the strong attachment of small and semi-medium farmers with land who also happen to maintain their farm efficiency at relatively higher levels which prevent the rapid growth of capitalist farming and not so much the restrictive land reform laws which in any way remained mostly ineffective.

Land reforms and economic liberalisation

As India's IInd Five Year Plan put it, the major objectives

TABLE 2
Changes in the Average Size of Operational Holdings
Over Time in India

Size Group	1960-61	1970-71	Averag 1976-77		1985-86	1990-91
Marginal	0.44	. 0.41	0.39	0.39	0.38	0.40
(< 1 ha)			•		٠.	
Small	1.47	1.44	1.42	1.44	1.43	1.44
(1-2 ha)				1.		
Semi-Medium	2.84	2.81	2.78	. 2.78	2.76	2.76
(2-4 ha)			_			
Medium	6.10	6.08	6.04	6.(14	5.94	5.90
(4-10 ha)						
Large	17.48	18.07	17.57	17.41	17.20	17.33
(Above 10 ha)		•			٠.	
Overall	2.69	2.30	2.00	1.84	1.69	1.57

TABLE 3
Changes in the Average Size of Marginal Small and Large Holdings by State
Average Size (ha)

		Marginal (less than 1 ha)			nali ? ha)	٠,٠	La (above	rge 10 ha)	Average of all groups		
.=	•	1970-71	1990-91	1970-71	1990-91		1970-71	1990-91	1970-71	1990-91	
1.	Andhra Pradesh	0.44	0.45	1.44	1.43		17.87	25.61	2.31	1.51	
2.	Assam	0.45	0.41	1.42	1.39		57.31	78.08	1.47	1.31	
3	Bihar	0.40	0.37	1.40	1.41		17.50	15.99	1.50	0.93	
4.	Gujarat	0.52	0.53	1.47	1.47		15.56	16.41	4.11	2.93	
5.	Haryana	0.49	0.47	1.44	1.52		15.86	. 15.43	3.77	2.43	
6.	Himachal Pradesh	0.38	0.41	1.48	1.36	•	23.78	18.11	1.53	1.20	
7.	. Jammu & Kashmir	0.41	0.38	. 1.46	1.38		18.75	23.00	Ó.94	0.83	
8.	Karnataka	0.51	0.47	1.45	1.46		16.44	15.22	3.20	2.13	
9.	Kerala	0:23	0.18	1.31	1.36	•	46.67	55.74	0.57	0.33	
10.	Madhya Pradesh	0.40	0.45	1.50	1.45	,	17.60	16.46	4.00	2.63	
11.∙	Maharashtra	0.47	0.49	1.46	1.46	-	16.47	15.17	4.28	2.21	
12.	Manipur	0.53	0.55	1.18	1.37		14.04	12.16	1.15	1.23	
13.	Meghalaya	0.70	0.54	1.50	1.32		10.70	14.25	1.70	1.76	
4.	Nagaland	0.65	0.64	1.23	1.40		18.4	16.63	5.40	6.84	
15.	Orissa	0.52	0.49	1.53	1.38		16.43	16.61	1.89	1.34	
16.	Punjab	0.44	0.56	1.43	1.61		15.49	16.03	2.89	3.61	
17.	Rajasthan	0.49	0.48	1.45	1.44		22.30	19.13	5.46	4.11	
18.	Tamil Nadu	0.42	0.36	1.42	1.41	. '	16.94	18.44	1.45	0.93	
19.	Tripura	0.40	0.40	1.41	1.53		33.53	121.57	1.02′	0.97	
20.	UP	0.37	0.38	1.40	1.41		16.08	15.34	1.16	0.90	
21.	West Bengal	0.43	0.45	1.38	1.53		64.20	156.99	1.20	0.90	
	All-India	0.40	_0.40∻	1.44	1.44		18.15	17.33	2.28	1.57	

of agrarian reforms are: (i) to provide the social, economic and institutional framework for agricultural growth with social justice, (ii) remove such impediments to agricultural production as arise from the character of the agrarian structure, and (iii) to create conditions for, as speedily as possible, an agrarian economy with high levels of efficiency and productivity. Now on similar grounds of efficiency and productivity

growth in agriculture, the role of market led economic reform is being emphasised. The proclaimed objectives of both land reform and ongoing economic reform programmes are to liberate the productive forces in agriculture and develop an efficient agricultural production system. However, the routes and implications of land reform and economic reform programmes are different. First, while land reform intends to

TABLE 4
Changes in the Number of Operational Holdings Over Time (by State)

	State		% Share in	the number	of total o _l	perational hold	ings				-
		Mar 1970	ginal 1990	Sn 1970	iall 1990	Semi-m 1970	edium 1990 .	Me 1970	dium 1990	· Là	rge 1990
1.	Andhra Pradesh	46.0	56.1	19.6	21.2	17.4	14.5	12.7	6.9	4.3	1.3
2.	Assam	57.0	60.0	23.8	22.6	- 14.0	13.4	4.8	3.8	0.4	0.2
3.	Bihar	64.3	76.6 .	14.6	11.3	12.1	8.1	7.2	3.4	• 1.8	0.4
4.	Gujarat	23.8	26.3	19.1	26.0	22.8	35.3	24.7	19.0	9.6	3.4
5	Haryana	27.4	40.7	18.9	19.9	22.5	20.0	23.1	14.5	8:1	3.0
6.	-Himachal Pradesh	58.2	63.7	20.2	19.9	14.2	11.4	6.3	4.4	1.1	0.7
7.	Jammu & Kashmir	72.8	74.1	15.8	16.2	8.8	8.0 .	2.5	1.6	0.1	0.1
8.	Karnataka	39.2	23.6	27.5	22.2	20.1	17.5	11.0	6.2	2.2	
9.	Kerala	84.9	92.6	9.5	5.2	4.5	1.8	0.9	0.4	0.2	0.1
10.	Madhya Pradesh	31.8	37.3	16.8	22.8	20.1	20.7	20.0	15.3	9.3	3.8
11.	Maharashtra	25.1	34.6	. 17.7	28.8	22.0	22.4	24.8	12.4	12.4	1.8
12.	Meghalaya '		36.8	34.5	34.6	29.8	24.1	26.9	4.3	7.6	
13.	Orissa	43.3	53.6	32.9	26.2	13.3	15.0	9.1	4.7	1.4	0.4
14.	Punjab	37.6	26.5	18.9	18.3	20.4	25.9	18.0	23.4	5.0	6.0
15.	Rajasthan	29.7	18.5	20.0	20.7	20.8	21.5	19.9	14.0	9.7	
16.	Tamil Nadu	58.8	73.1	20.9	15.9	13.1	7.7	6.1	2.9	1.1	0.4
17.	UL	66.8	73.8	17.2	15.5	10.6	7.7	4.7	2.7	2.7	0.2
18.	West Bengal	60.0	73.8	22.3	17.6	13.2	7.3	4.4	1.3	0.1	0.02
	All-India	50.9	59.0	18.9	19.0	15.0	13.2	11.4	7.2	3.8	1.6

promote both agricultural growth and equity, the economic reform programme does not talk about equity. Secondly, land reform intends to release initiatives for development of both agriculture and industry through development of internal market, local entrepreneurship and democratisation of the rural society, whereas the present economic reform programme relies more on global entrepreneurship including multinationals and export led agricultural growth. The most pertinent question is under what conditions of social organisation and in which institutional system does the market work more efficiently. Given the unequal agrarian structure and imperfect market in rural India, economic reforms may benefit traders, multinational corporations and large farmers and would in all probability harm the interest of small and marginal farmers and landless people would become more helpless and dependent on big farmers and contractors, thereby leaving no scope for equal participation of the poor in the democratic functioning of the country. Besides, because of capital-intensive nature of industrial growth and lack of necessary skill on

tively by coercing the landless and marginal farmers who do not have necessary skills and resources to take up new things more effectively (who in all probability contribute to urban slums only) or pressurise the rural rich to migrate who have relatively greater access to human as well as financial resources which are so necessary for any efficient entry into new areas. The landlords have often high levels of income which place them on the backward bending position of their supply of effort function. With radical land distribution, there will occur wealth redistribution which would impel the former land owning class to rely for income creation on their entrepreneurial abilities rather than their wealth.

The experience of countries like Japan and Korea shows that land reform can help in the faster and more sustainable development of capitalism, without creating so much pain for the working class. But market led economic reform without being accompanied by land reform would be painful for the rural working class and may not sustain in the long run. In

TABLE 5
Changes in the Area of Operational Holdings Over Time (by State)

	* State		% Share in	the area of 1	<u> </u>						
		Mar 1970-71	ginal 1990-91	Sn 1970-71	nall 1990-91	Semi-r 1970-71	nedium 1990-91	Med 1970-71	dium 1990-91		rge 1990-91
	Andhra Pradesh	8.0	16.4	11.3	19.6	.19.2	25.2	30.8	26.1	30.7	12.8
2.	Assam	17.7	19.0	22.9	24.1	26.3	27.6	18.0	15.2	15.1	14.1
3.	Bihar	16.0	30.3	13.6	17.1	22.1	23.8	27.6	21.0	20.7 -	7.7
4.	Gujarat	3.0	4.8	6.8	13.0	16.0	24.4	37.8	38.9	36.5	18.9
5.	Haryana	3.5	7.9	7.2	12.5	17.0	25.4	37.1	35.0	34.2	19.1
6.	Himachal Pradesh	14.5	21.5	19.0	22.5	25.7	25.7	23.7	20.4	17.1	9.9
7.	Jammu & Kashmir	32.1	34.2	24.6	26.8	26.1	26.0	14.7	10.7	2.5	2.3
۶. 8.	Karnataka	4.8	8.7	- 10.7	18:7	19.4	26.0	33.4	30.6	31.7	16.0
9.	Kerala	34.4	48.8	. 22.7	21.1	21.1	14.1	9.3	6.3	12.5	9.7
	Madhya Pradesh	3.4	6.4	6.2	12.6	14.5	21.9	34.7	39.1	41.2	24.0
10. 11.	Maharashtra	2.7.	7.7	6.1	19.0	14.8	. 28.1	36.4	32.8	40.0	12.4
12.	Meghalaya		14.9	10.6	3Ĭ.1	. 22.5	38.9	38.7	13.8	23.8	
12. 13.	Orissa	12.0	19.7	26.6	26.9	21.1	29.5	27.8	19.1	12.5	- 4.8
15. 14.	Punjab	5.7	4.1		8.1	20.0	20	38.1	40.2	26.9	26.7
14. 15.	Rajasthan . • •	2.2	3.5	4.9	7.0	11.0	14.4	24.7	30.2	52.2	44.9
15. 16.	Tamil Nadu	17.1	28.3	20.5	24.0	24.8	22.6	24.6	17.6	13.0	7.7
16. 17.	UP:	21.1	31.4	20.8	24.4	25.0	24.4	23.2	16.9	9.0	3.9
17. 18.	West Bengal	21.5	36.5	25.7	30.0	28.9	28.4	29.2	7.5	4.7	5.6
•	All-India	9.0	14.9	11.9	17.3	18.5	23.2	29.7	27.2	30.9	17.4

the part of the poor village workers, there may not be enough scope for migration and absorption of the growing rural workforce in the industrial sector. Hence the best proposition would be to implement land reforms for allowing the agricultural labourers to cultivate land and pressurise the land owning class to leave agriculture and undertake non-agricultural occupation. Even if we assume that there is a limit beyond which agriculture cannot absorb and contain such a huge proportion of small and marginal farmers as well as landless labourers and that there is need for rapid transfer of population from agriculture to non-agriculture, our policy goal should be made far more clear whether we can influence migration more effec-

other words, market led economic reform does not provide an alternative to radical land reform. In fact, land reform should precede market reform as a means for rapid and balanced economic development. It needs to be clearly borne in mind that rural underdevelopment in India is not merely a function of resource allocation as determined by the market mechanism. It is more a product of unequal agrarian structure, including the power structure.

It has been observed that in about 70 per cent cases, the countries which introduced structural adjustment programme (SAP) since 1980, have witnessed a decline in food production

per capita (Ghonemy, 1990). Studies by Cornia et al (1987) and Singh (1986) show that countries like China, Botswana, Egypt, South Korea and Zimbabwe which have relatively egalitarian agrarian structures due to implementation of land reforms, maintained a good record of food production, economic growth and high levels of public expenditure on health and education. But countries like Argentina, Brazil, Chile, Costa Rica and Kenya (where the concentration ratio of ownership and cultivation of land were very high), poverty and income distribution worsened. The poor suffered due to three to four digits inflation and drastic reduction in food subsidies as well as public expenditure on health and education. The decline in food production also constrained the overall pace of rural development. Another recent study (Amponsah and Hushak, 1992), shows that in subsaharan Africa, formal macroeconomic structural adjustment may not be a necessary requirement in effecting efficient performance in the agriculture sector. Moreover, offering national treatment to foreign investors may create conditions for greater drain of foreign exchange resources, thereby defeating the main objective of SAP. (EPW, Jan. 25, 1992). Many of the Latin American countries continue to be in the heavy debt trap, despite their several years of structural reform experience.

Scope for further reform

The available data suggest that there are hardly one lakh acres of ceiling surplus land available for redistribution. Even if we include the surplus land under litigation or reserved for

TABLE 6
Changes in the Concentration Ratio (Gini coefficient) of Ownership and Operational Holdings from 1971 to 1991

Stat	e	٠,	Gini coefficient					
			Ownership Holdings				Operational	
		•			Holdings			
		1971	1981	1991	1971	1981	1991	
1,	Andhra Pradesh	0.732	0.736	0.740	0.606	0.599	0.592	
2.	Assam	0.622	0.556	0.490	0.422	0.519	0.616	
3.	Bihar	. 0.719	0.686	0.653	0.556	0.606	0.656	
4.	Gujarat	0.683	0.696	0.703	0.540	0.558	0.576	
5.	Haryana	0.753	0.699	0.645	0.464	0.598	0.732	
6.	Himachal Pradesh	0.546	0.541	0.536	0.586	0.468	0.356	
7.	Jammu & Kashmir	0.425	0.519	0.613	0.397	0.460	0.523	
8.	Kamataka	0.663	0.685	0.707	0.527	0.581	0.635	
9.	Kerala	0.702	0.681	0.660	0.647	0.649	0.651	
10.	Madhya Pradesh	0.621	0.647	0.673	0.533	0.535	0.537	
11.	Maharashtra	0.687	0.697	0.712	0.526	0.571	0.616	
12.	Meghalaya	0.476	0.480	0.484	0.383	0.436	0.489	
13.	Orissa	. 0.645	0.614	0.583	0.501	0.526	0.551	
14.	Punjab	0.776	0.767	0.758	0.418	0.702	0.986	
15.	Rajasthan	0.607	0.616	0.625	0.564	0.604	0.644	
16.	Tamil Nadu	0.751	0.756	0.760	0.516	0.640	0.764	
17.	Tripura	0.539	0.609	0.879	0.472	0.547	0.622	
18.	UP	0.631	0.604	0.577	0.495	0.565	0.635	
19.	West Bengal	0.672	0.633	0.594	0.490	0.597	0.704	
	All-India	0.710	0.713	0.716	0.586	0.629	0:672	

TABLE 7
Changes in the Proportions of Landless Labourers by State

-	State	Proportion of landless rural households				
		1971-72 Total	1981 Total	Total	87-88 without owned homestead	
.1 .	Andhra Pradesh	46.6	11.9	15.30	10.9	
2.	Assam	25.0	7.5	2.5	2.3	
3.	Bihar	4.3	4.1	12.0	10.6	
4.	Gujarat	13.4	16.8	27.3	17.8	
5.	Haryana	i 1.9	6.1	7.5	6.1	
6.	Himachal Pradesh	· 4.4	7.7	8.8	7.8	
7.	Jammu & Kashmir	1.0	6.8	3.4	3.3	
8.	Karnataka	12.5	13.7	12.6	7.7	
9	Kerala	15.7	12.8	5.3	5.0	
10.	Madhya Pradesh	9.6	14.4	13.1	12.2	
11.	Maharashtra	10.4	21.2	27.0	20.9	
12.	Manipur	5.8	2.1	0.6	0.5	
13.	Orissa	10.6	7.7	5.1	4.6	
14.	Punjab	. 7.1	6.4	27.5	24.6	
15.	Rajasthan	/2.9	8.1	. 9.7	7.5	
16.	Tamil Nadu	17.0	19.1	20.3	18.4	
17.	Tripura	11.4	14.9	9.1	8.9	
18.	UP	4.6	4.9	11.5	7.8	
19.	West Bengal	9.8	16.2	13.4	9.6	
	All-India	9.6	11.3	14.4 .	11.1	

public purposes, this will make hardly 2.57 lakh acres of land available for redistribution. But if the ceiling law is partly revised and lowered, the acreage under ceiling surplus lànd could be enhanced. According to a rough estimate, if the ceiling is fixed at four ha uniformly, there will be about 36.7 million ha of land above ceiling, according to 1990-91 agricultural census. At the top bracket, there are about 9.3 million holdings, operating nearly 73.9 million ha of land. If we leave four ha with each of such holdings, the surplus land would be of that high order. But at present, there is no 'political will' on the part of various State governments to go in for such revision of ceiling laws. In fact, uniform ceiling of four ha would prevent manipulation through change of land classification and would also make it possible for the small, albeit family farm norms to emerge. Table 9 shows the estimated ceiling surplus land by State, on the basis of the above criterion. Besides, there are about 15 million ha of government wasteland which can be liberated from illegal encroachment and redistributed among the landless and semi-landless poor. This would enhance their economic capabilities and overall sustainability.

Viability and sustainability of small farms

In view of the predominance of efficient small family farms in the agrarian structure, it is necessary to ensure the viability and sustainability of small farms. Our recent survey results from eight selected districts of Anantpur and West Godavari (AP) Bhagalpur and Patna (Bihar) Bhiwani and Karnal (Haryana) and Sri Ganganagar and Bikaner (Rajasthan) show that small and medium farms still produce comparatively more per unit of land than large as well as marginal farms in most

TABLE 8
Progress in the Implementation of Ceiling Laws (up to December 1994)

State	Area declared surplus	Area distributed	No. of beneficiates	Area reserved transferred for Public Purposes	Total area in courts	Area unfit for . cultivation	Net area available for distribution
Andhra Pradesh	806.9	555.4	483.9	21.9	175.2	10.6	7.6
Assam	612.4	491.5	434.1	17.2	38. 5	13.1	38.0
Bihar	489.4	295.0	359.0	1.7	161.0	18.6	4.5
Gujarat	246.2	132.2	30.6	9.2	. 80.7	1.1	22.8
Haryana	92.3	`82.1	25.6	· · · —	5.7	0	4.5
Himachal Pradesh	284.0	3.3	4.4	0.2	2.6	214.1	4.2
Jammu & Kashmir	455.6	450.0	_	0	0 · ·	5.6	
Karnataka	273.1	116.5	30.8	14.0	142.5	0 +	0
Kerala	136.9	64.2	144.5	20.4	28.0,	0	2.0
Madhya Pradesh	291.5	85.1	72.1	5.5	73.0	20.2	0.9
Maharashtra	727.6	551.4	140.1	100.6	37.4	19.9	0.2
Manipur	1.8	. 1.7	1.3	0	0.05	. 0	0
Orissa	174.5	152.7	132.6	3.0	11.1	2.2	0.7
Punjab	132.6	102.5	26.7		30.0	0 .	0.1
Rajasthan	599.6	441.8	77.1	68.0	66.6.	10.0	8.2
Tamil Nadu	188.4	154.2	128.9	9.7	34.2	0	0.1
Tripura	2.0	1.6	1.4	0.2.	0.4	0.06	0
UP	544.9	371.4	32.4	34.6	173.5	0.9	0.9
West Bengal	1,271.0	947.7	2,085.0	78.3	9 323.2	69.0	0.1
D&N Haveli	9.4	6.9	3.4	.1.3	2.5	0.8	0.3
Delhi	- 1.1	0.4	0.9	· <u> </u>	0.7	0	0.16
Pondicherry	2.4	1.0	1.4	 *	1.3	0	0.03
All-India	7,343.3	5,108.8	5,957.1	385.8	1,186.7	380.5	100.7

1. Area = '000 acres; 2. No. = '000 persons.

places. Nevertheless, marginal and small farmers invariably stay below the poverty line in all the selected districts, excepting in the relatively developed district of Karnal in Haryana and West Godavari in Andhra Pradesh (Haque, NIRD, 1993). In other words, small farms turn out to be viable and sustainable only in those areas where irrigation facilities are available and help in improving the cropping intensity and technology absorption capacity of small farms. Besides, small farms which diversified their activities including the cultivation of cereals, fruit, vegetables, plantations, sericulture and livestock farming earned comparatively more and stable income than those who depended mainly on cereal crops.

Integrating small farms with non-farm development: Agriculture cannot sustain the growing millions of marginal and small farmers. Therefore, it would be necessary to integrate small farms with non-farm development. However, the latest available data show that the proportion of non-farm workers in rural areas increased only marginally from 18.9 per cent in 1981 to 19.8 per cent in 1991.

Conclusion

In view of the slow growth of capitalistic farming, small and marginal family farms would continue to be the most dominant form of farm organisation in India in the years to come. Therefore, appropriate technological, institutional, organisational and policy changes for ensuring viability and

sustainability of small farms would be necessary. The following points may serve as guidelines in this direction:

- 1. The results of ICAR's National Demonstrations show that there is huge untapped technological/yield potentials in respect of various crops in almost all parts of the country. Bridging of such technological gap by increasing the small farmers' access to improved technology would enhance the viability of small farms. Therefore, identification and bridging of technological gaps in both irrigated and unirrigated areas by involving small farms and development of appropriate technologies for dry/rainfed areas should be given topmost priority in the strategy of future agricultural development.
- 2. Given the present pressure of population on land to continue, the average size of small and marginal farms may decline. Radical redistribution of land could have helped in improving the marginal farmer's access to land. But the past experience in this regard has not been very satisfactory. According to the latest available data (as of December, 1994), there are hardly one lakh acres of ceiling surplus land available for redistribution, excluding the 1.57 million acres of lands which are under litigation or reserved for public purposes. However, wastelands constitute nearly 20 per cent of the total geographical area in India which could be reclaimed and distributed among the landless and semi-landless people,

for crop farming, agro-forestry and social forestry. There are about 15 million ha of culturable wastelands and 26 million ha of fallow lands which can be acquired. reclaimed and distributed for providing adequate income and employment opportunities to the marginal farmers and landless labourers. It has been estimated that on an average, it requires about Rs. 5,486 to reclaim one ha of culturable wasteland and put it into cultivation. Thus, with about Rs. 22,000 crore of investment, we can convert all our 62 million marginal farms into small farms above one ha and alternatively, if these wastelands are distributed among small farms, it would increase their viability. In the absence of adequate ceiling surplus land, regeneration and redistribution of wasteland and fallow lands would be the only way to increase small and marginal farmer's access to land for their viability.

TABLE 9
Estimates of Ceiling Surplus land by State
(Area '000 ha)

State	Area declared surplus (upto Dec., 1994)	Area estimated to be ceiling surplus*	
Andhra Pradesh	327	2,577	
Assam	• 248	534	
Bihar	198	1.308	
Gujarat	997	2,798	
Нагуала	37	937	
Himachal Pradesh	115	135	
Jammu & Kashmir	184	47	
Karnataka :	111	2.682	
Kerala	55 '	191	
Madhya Pradesh	118	6,641	
Maharashtra	295	4,076	
Orissa	71	460	
Punjab	54	1,387	
Rajasthan	243	9,716	
Tamil Nadu	76	839	
Uttar Pradesh	221	1,364	
West Bengal	515	309	
All-India	2,973	36,746	

^{*} Based on 4 ha as the uniform ceiling on all types of land.

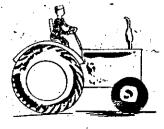
3. In order to sustain, small and marginal farmers must switch over to the cultivation of high value crops, including horticulture, vegetables, sericulture, agroforestry, fishing, etc. Small farms in Kerala are said to be viable mainly because of their involvement in high value

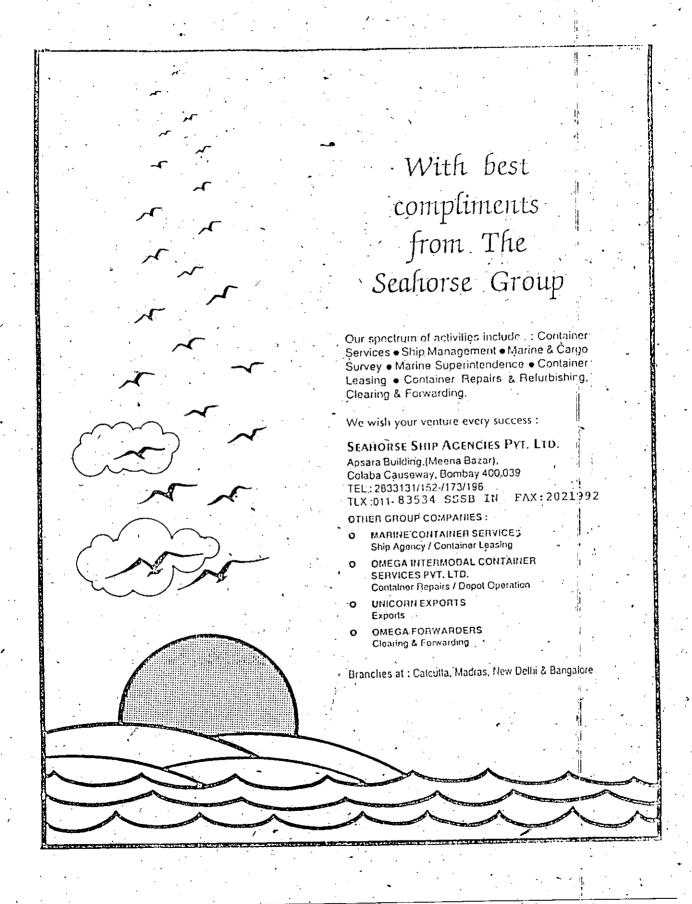
TABLE 10
Proportion of Wasteland to Total Geographical Area by State

'		5-18. updica: /irea by State		
	State	% of Wasteland_		
1.	Andhra Pradesh	19.6		
2.	Assam	57.0		
3.	Bihar	17.4		
4.	- Gujarat	17.6		
5.	Haryana	5.4		
6	Himachal Pradesh	37.7		
7	Jammu & Kashmir	47.7		
8.	Karnataka	15.2		
9.	Kerala	5.3		
10.	Madhya Pradesh	* 20.9		
11.	Maharashtra	20.8		
12 <u>.</u>	Manipur ,	54.2		
13.	Nagaland	- 53.5		
14.	Orissa	. 16.0		
15.	Punjab	2.5		
16.	Rajasthan	34.0		
17.	Tamil Nadu	16.0		
18.	Uttar Pradesh	10.2		
19.	West Bengal	7.8		
	All-India	20.1		

plantation crops. However, strong government as well as co-operative support for technology, training, capital, market, transportation and other infrastructures would be essential for such diversification of small farms.

- 4. Agricultural sector in India can hardly afford to sustain all its growing population and therefore, vertical diversification of small farms is all the more important, involving adequate development of non-farm activities. But the investment and organisational requirements of such vertical diversification in the form of participation of small farms in agro-industry, agri-business, agro-processing and services would be even greater. Also, this may require the emergence of contract farming without compromising with small farmers' security of land ownership and co-operative/collaborative efforts of government, private corporate sector, farmers' co-operatives and NGOs for such vertical diversification to bear fruits.
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Land reforms and the changing agrarian scenario

Ý.V. Krishna Rao

Refuting the contention that land reforms have no relevance.

in the liberalised, free market economy, the author avers

that the relevance has, in fact, increased more than ever

before. Stressing the need for a responsive administration

for the effective implementation of land reforms, he maintains

that the determined struggles of the poor and the landless

would set the pace of their implementation. Warning against

the pressure of the corporate sector on the government for

further concessions, he calls for the empowerment of the

poor, the depressed and the downtrodden for the radical

implementation of land reforms.

hough we had a number of occasions to discuss the subject of land reforms from different angles, this subject has added significance in the context of fast-

changing agrarian scenario and also because of the New Economic Policies initiated in June, 1991, by the Narasimha Rao government. Because of the liberalised trade policies, concerted efforts to increase our exports—particularly agricultural and allied sector products—are being made and a new thrust is being given to the development of agro and

food-processing industries and horticulture, aquaculture, flouriculture and sericulture. Though these policies have been in operation for the last four years, the results of these policies in the agricultural sector have now become visible and the change is now gathering momentum.

Liberalisation and land reforms

In the wake of the liberalisation, decontrol and globalisation of our trade and the integration of our economy with the global economy, a concerted attempt is being made by some economists who generally agree with International Monetary Fund (IMF) and World Bank policy prescriptions, and by the Corporate sector against the land reforms and particularly, against the land ceiling legislation. They say that land reforms have no relevance in the liberalised, free-market economy. We are strongly oppsed to these views and we humbly submit that, in fact, land reforms have much more relevance in the present context of the attempts for rapid industrialisation of the country.

Some people while suggesting the example of the newly industrialised countries of Asia like South Korea, Taiwan, etc totally forget that in those countries thorough going agrarian reforms were carried out which not only helped the expansion of their domestic market, but also helped for the increased incomes of the rural families. The experience of Japan and China also forcibly corroborate these points.

This paper is a modest attempt to review the implementation of-land reforms as also the response of the administration in their implementation and suggest ways and means

of completing the unfinished task in the near fu-

State power structure

Land reform is not like any other social reforms, but it is such a social measure which, if radically and strictly implemented, will change the social composition at the ground level and change the class rela-

tions, with consequent results on the different power structures of the State. This absolute truth has been demonstrated ever since the French Revolution.

Further, the contrast in the implementation of thoroughgoing land reforms in countries like China and Vietnam where the governments were wedded to a particular philosophy and the half-hearted implementation of land reforms in our own country is quite sharp. Further, the experience of Kerala and West Bengal under the Left Front governments, where radical land reforms were implemented, and the experience in other States where non-left and rightist governments were in power are totally in contrast.

Role of administration

• The role of administration and judiciary cannot be differentiated from the role of the State power. Some people argue that administration is not a homogenous category. Though it is true to some extent, it cannot change the character of the administration taken as a whole.

It is very difficult to get a responsive administration in the present, politico-economic and social set-up, though there may be some individual officers who have been responsive to the implementation of land reforms.

Case of West Bengal: In West Bengal, the Left Front government made serious and sincere efforts to make the

administration responsive to the implementation of land reforms. It did not stop there. The government effectively involved the beneficiaries who played an active role in the implementation of land reforms. Besides this, the active and decisive role played by the Kisan Sabha units and the party cadres in the mobilisation of popular support for implementation of land reforms should be kept in mind.

The legislature adopts land reforms measures broadly depending on its composition and composition of the government; and also on the strength and sweep of the struggle of the landless. Once a law is adopted by the legislature, the role of the administration comes in. The role of the bureaucracy is well summed up in the following para extracted from Political Economy of India—a Study of Land Reforms Policy in Andhra Pradesh (Edited by B.A.V. Sharma, Light and Life Publications).

"Given the role which the bureaucracy plays in the field of formulation of public policy and its implementation, its social character and composition will have a great influence on the implementation process. A factor of great importance in promoting land reforms policy is whether the professionalised administration is independent of the dominant landed groups or themselves belong to the land-owing groups. The domination of lower castes who belong to landless classes in the administration is considered to be more favourable to the process of the implementation of land reforms policy. It is, however, firmly believed that not only the political leadership comes from the land-owning classes but even those who occupy the key positions in the administration are themselves land-owners or have established close links with the land-owners. This is equally true of the villagelevel functionaries who are invariably petty land-owners."

Role of the judiciary

Judiciary is also an organ of State power and generally it goes along with the other organs of the State power structure. The attitude of the Judiciary is demonstratively striking in its interpretation of the land reform measures and the judgments passed, particularly in relation to the land ceiling legislation in different States including Andhra Pradesh.

In the first place, it was against the concept of taking over of private properties notwithstanding the provisions contained in Articles 39(b) and (c) of the Constitution of India, which clearly states:

"The State shall in particular, direct its policy towards security—(b) that the ownership and control of the material resources of the community are so distributed as best to subserve common good; (c) that the operation of the economic system does not result in the concentration of wealth and means of production to the common detriment."

Acts made for abolition of *zamindaries* and other land reforms including imposition of ceilings on land holdings were declared as void either on the ground that the procedure under the Act violated Article 14 or on the ground that the compensation offered was not adequate. This went on till Parliament resorted to the method of granting to those Acts constitutional protection through their inclusion in the Ninth Schedule.

In the course of the implementation of the Andhra Pradesh Land Reforms (Ceiling on Agricultural Holdings) Act, 1975, the following judgments show a clear bias in favour of the property owners:

 Lands classified as double crop wet lands if shown to have been growing one crop in a year, were classified by courts as single crop wet lands in a very liberal manner;

While the lands classified as single crop wet lands even if they were shown to have been raising two crops, on a strict interpretation of the provision, were never treated as double crop wet lands.

- 2. Potkharab lands, wastelands, land covered by bunds, tank bed lands, lands covered by boulders, lands covered by fresh water tanks raised for pisciculture, lands owned by the deity but in possession of the land-holder, and lands used for cattle or where cattle feed was stored or compost was gathered, and claimed to be used for purposes other than agriculture were all liberally excluded from the holding of the landholder for mere asking.
- Lands in possession of others in an undefined capacity and not in possession of the landholder, such as the lands in possession of others legally but not illegally for a specified period are excluded from the holding of the landholder.
- Lands claimed to be sold under agreement of sale were excluded from the holding of the landholder.
- Lands claimed by daughters as having been given to them towards *Pasupu kumkuma* were excluded from the holdings even though there is no document, either registered or unregistered.
- Land claimed to have been given to a Brahmin at the time of the obsequies of father where the extent was small was excluded from the holdings of the declarer.
- 7. Lands claimed to have been in possession of others including mother (a) foster daughter, (b) under oral partitions, unregistered settlement deeds, memoranda of property lists were excluded from the holding of the landholder.
- 8. Lands claimed by illattom son-in-law were excluded

from the holding of the fathers-in-law and brothers-in-law without insisting on any pre-illatttom agreements.

Where it is claimed that an *illattom* son-in-law was admitted into the family prior to the coming into force of the Ceiling Act, 1975 and marriage celebrated after the Act came into force, the *illattom* son-in-law's share was excluded from the holding of the landholder.

- In the case where lands are held by partnership firms, each of the partner was allowed an extent equal to a holding.
- 10. Where the declarer had to explain the bona fide character of the alienation effected by him between 24.1.1971 to 1.1.1975, absence of suspicious circumstances was held to be enough to establish the bona fides of the transaction.

Determined struggles of the landless

Our own experience in the course of implementation of various land reforms and land occupation struggles waged in the pre-Independence and also post-Independence periods amply proves the above postulates regarding the role of the administration and judiciary. Further, in the course of these struggles, we have come across a number of instances where officers, who were honestly implementing the land reform measures, were harassed and arbitrarily transferred.

It is not the good pronouncements of the government about implementing the land reforms, but the hard facts of life show that it is the consciousness, organisation and determined struggles of the poor and the landless that sets the pace of implementation of land reforms. It is here that the key role of the voluntary organisations like Kisan Sabhas, Khet Mazdoor units and such other voluntary organisations comes in.

The ongoing struggle: A land occupation struggle was jointly launched by the State unit of the E.K.M.U., Agricultural Labour Union and Ryotucooly Sangham in June 1994 in Andhra Pradesh to occupy government wastelands, ceiling surplus lands, degraded forest lands, etc. This movement, despite the heavy odds has succeeded. More than one lakh acres of land were occupied by the poor people in the operation.

Changes in agrarian structure

The agrarian structure is fast changing with the passage of time, as broadly indicated by the quinquennial agricultural census. The broad trends of these changes show that the number of small and marginal land holdings owned as well as operated are increasing. The absolute as well as percentage area of these holdings also is increasing. There

is perceptible decrease in the number of large-sized holdings and total area. There is increase in the number and area of land holdings of the semi and medium-sized farmers. This is the general picture of the land holdings structure at the macro level with some differences in various States.

A new trend: While the concentration ratio of ownership holdings was nearly stationary in 1981 compared to 1971, a new trend of increase in the concentration of pure operational holdings was observed in all the States except Andhra Pradesh and Himachal Pradesh in 1981, compared to 1971. This increase was significant in Assam, Bihar, Rajasthan, Tamil Nadu, UP, West Bengal, Haryana and Punjab. In Punjab, Assam, Jammu and Kashmir, Manipur, Tripura, West Bengal, Haryana and Tamil Nadu, operational holdings above 10 acres increased in 1980-81, compared to 1970-71. This shows that the large farmers are extending their operational area.

Leased area on increase: Submarginal, marginal and small holdings together accounted for more than 50 per cent of area leased in ten States—Andhra Pradesh, Assam, Bihar, Jammu and Kashmir, Kerala, MP, Orissa, Tamil Nadu, UP and West Bengal. In the remaining six States—Gujarat, Karnataka, Maharashtra, Punjab, Haryana and Rajasthan—the share of medium and large holdings in leased in area increased during the seventies. It was around 50 per cent or more in 1982.

This phenomenon clearly shows that small and marginal farmers, finding it difficult to carry on efficient cultivation, with increased costs or lured by the attractive rents, which the substantial holders are paying are either leasing out their lands to the substantial owners and themselves joining the agricultural labourers or pursuing other jobs. In Punjab and Haryana, this trend is significant. The phenomenon which may increase in the coming days calls for a special development plan to make the small farms economically viable.

Changing agrárian scenario

With the new thrust that is being given to the development of horticulture, floriculture, aquaculture, dairy and Poultry as also agro and food processing industries, the Indian corporate sector and the multinationals are entering these low capital-based but high profit-yielding sectors to make quick profit.

Along with this, urban capital from middle and upper middle class sections is coming into agricultural and allied sectors. Rural landlords also are investing in these fields. Thus a lot of capital is being invested leading to a new dynamism and a lot of activity in the rural areas. Corporatism in the agriculture and allied sectors is on the increase.

Emergence of large farms: These companies are demanding that they should have their own captive large farms, to assure uninterrupted and adequate supply of the raw materials needed. Already sufficient pressure is being brought

on the Central and State governments to relax the Tenancy and Ceiling legislation. Several State governments have already relaxed the rules and are allowing the corporate sector to own farms of 250 acres or so. These companies are purchasing the lands of the small and marginal farmers, of course at high prices or taking the land on long-term lease. In a very few cases, the small and marginal farmers are offered shares in the enterprises and their lands are consolidated into a large-sized farm.

Small Farmers' Consortium

The Government of India has formed a 'Small Farmers' Agri-Business Consortium' to help the small and marginal farmers to develop their small farms and derive the benefits of the latest technology and modern methods of cultivation.

Some registered public limited companies have set up their offices in all States. They have taken up development of orchards and teak plantations in Tamil Nadu, Karnataka, Andhra Pradesh and Maharashtra and are extending their operations to other States. As mentioned in the foregoing paragraphs, the urban middle class people are investing in these ventures. The company farm will be big, but ownership belongs to thousands of people. These companies enter into technical collaboration with Isreal and adopt drip irrigation and other latest modern methods to develop these gardens.

Unless the small and marginal farmers are organised into co-operative companies to pool their resources, they cannot derive the benefits of large-sized farms and latest technologies of production, conservation of energy and benefits of modern management. Simultaneously, the government should actively intervene and make the farmers shareholders in the agri-business and processing industries. The activities of the Small Farmers Agri-Business Consortium should be speeded up and extended to all areas in the country.

Land consolidation

To organise such large-sized farms of small and mar-

ginal farms, a two-stage consolidation of agricultural land is urgently need. The small and marginal farms should be consolidated and formed into separate blocks of 250 to 500 acres.

Land use policy: Speedy preparation and implementation of a comprehensive land use policy to reclaim all the waste, fallow and degraded lands (about 50 million), degraded forest land (about 40 million), involving the local landless people and also the corporate sector to some extent, is needed.

Land revenue records: Updating and authentic preparation of land records is a must for locating the *benami* lands and also for proper implementation of land reforms and also to utilise these records for obtaining the inputs for agricultural development.

Conclusion

Strong pressure from the landless poor and by the voluntary organisations interested in land reforms and a democratic rural set-up, for the speedy and strict implementation of the land reforms is very much needed. Otherwise, the pressure of the corporate sector on the government for relaxing ceiling legislation will be on the increase. Empowerment of the economically poor, socially depressed and downtrodden sections of all castes and communities is very much needed for implementation of radical land reforms and for building a just social order. Along with these steps, it is necessary to organise the small and marginal farmers into co-operative companies. Land Consolidation and preparation of up-to-date land records are also necessary. The implementation of land reforms, and the question of responsive administration should be reviewed in the context of the fast changing agrarian scenario.

• The author is President, All India Kisan Sabha, New Delhi-110001. The article is based on the paper presented by him at a national seminar held in Hyderabad last year.

"People used to criticise 'bhoodan' as tending to break up the land into very small fragments. I replied that my work is not to break up the land, but to join together divided parts. This union of hearts is the chief aim of 'bhoodan', once we achieve it everything will follow."

—Vinoba Bhave

Role of Panchayats in land reforms: the West Bengal experiment

Highlighting the crucial role played by Panchayats in West

Bengal long before the enactment of the Constitution (73rd

Amendment) Act, 1992, the author says that "Operation

Barga" was a significant step towards organising agriculture

on modern lines as envisaged by the Constitution. Its laudable

achievement can hardly be undermined in view of its

enormous scope and coverage notwithstanding the lapses.

Stressing the need for involving peasants' organisations and

NGOs in the effective implementation of land reforms, the

author says that political will is the first and foremost

prerequisite for the success of land reforms programme.



Dr Jaytilak Guha Roy

est Bengal is one of the leading States where Panchayats had been playing a major role in rural development long before the enactment of the Constitution (73rd Amendment) Act, 1992. A year after the

first Marxist-led Left Front government came to power in this State in 1977, regular elections are being held after every five years in allthe three-tier Panchayati Raj bodies-Gram Panchayat, Panchayat Samiti (earlier known as Anchalik and Zilla Parishad) Parishad. The fourth Panchayat elections were held in all the districts of West Bengal, except

Darjeeling, on 30 May, 1993 on the basis of reservation of seats for Scheduled Castes, Scheduled Tribes and Women as provided under the 73rd Amendment Act. Necessary amendments were also made in the West Bengal Panchayat Act, 1973 during the last two years to bring it in conformity with the Central Act and also to enable the Panchayats to, function as more responsive and effective institutions of rural self-government.

Power to the people

The Constitution (73rd Amendment) Act, 1992 seeks to bring about far-reaching changes in the Panchayati Raj system. The basic objective of the new system of governance at the district and subdistrict levels is to enable and empower these institutions plan and implement the programmes of rural development listed in the Eleventh Schedule. This new Schedule contains as many as 29 subjects including "implementation of land reforms". Thus, India is on the threshold of a historic transition of political and economic powers to the grass roots. Consequently, the country is now expected to be governed by 22.5 lakh elected representatives instead of the 5,000 odd elected representatives who have so far run the government at the Centre and in the States. Unlike the Panchayats in the earlier period, the new Panchavats have been constitutionally empowered with economic resources too. Apart from availability of funds from the Centre and the States under various schemes, the

Panchayats would also be able to tap the locally available resources such as wasteland development, farm forestry, etc so as to augment their revenue earnings. What is even more significant, popular participation in development, under the

> new system of Panchayati Rai, has to be regarded as

> several constraints still operating in different areas and at different levels. In many States, the Pan-

chayati Raj system was not in operation during the past several years; nor had there been regular elections to the PRIs in these States. It is against this backdrop that the role of Panchayats in the implementation of land reforms programme in West Bengal need to be discussed and evaluated as the learning lessons for other States. This paper is a modest endeavour to this direction. It seeks to highlight the collaborative role of the Panchayats and local administration in the effective imple-

mentation of one of the most important land reform

programmes of the Government of West Bengal.

Operation Barga

The share-cropping or barga system of cultivation existed in Bengal long ago although it received formal recognition in law only after Independence. The first major breakthrough in this sphere came with the enactment of the West Bengal Land Reforms Act, 1955. This Act, while repealing the earlier West Bengal Bargadars Act, 1950, has sought to protect the interests of the bargadar or share-cropper by incorporating his rights and liabilities. It also provides for, a mechanism of administrative adjudication to resolve disputes between him and his landowner, and lays down explicit provisions for termination of share-cultivation by the competent authority. Thus, under the existing share-cropping system of cultivation based on this Act, the produce of any land cultivated by a share-cropper has to be divided between him and his landowner in the proportion of 50:50.

in a case where plough, cattle, manure and seeds necessary for cultivation are supplied by the owner; and 75:25 in all other cases.

Till 1979, the statutory provisions in regard to this share-cropping system of cultivation used to have been observed more in breach than in compliance. Consequently, the actual share-croppers were by and large reluctant to get their names incorporated in the settlement record-of-right for fear of being harassed and evicted from land by the powerful and influential landowners. Recording of false barga had been the most common practice.

It was against this background that the Operation Barga programme was launched by the first Marxist-led Left Front government in West Bengal in 1979. Earlier, in his budget speech in the State Assembly on 13 March 1978, Mr Benov Krishna Choudhury, Minister-in-charge of Land and Land Reforms Department announced the twin priorities of the government in respect of land reform programmes, viz recovery of benami lands and recording of the names of bargadars. In so far as the second priority was concerned, the major problem before the authorities was that though there were a large number of unrecorded bargadars in the State who were subjected to a great deal of exploitation by their landowners; there had been no effective method of recording their names. There was thus "a strong search" for an appropriate strategy for the effective implementation of the government policy, and the answer was found in what was subsequently known as Operation Barga. It was indeed a significant step in the direction of organising agriculture on modern lines as envisaged by the Constitution of India under the 'Directive Principles of State Policy'.

Implementation strategy

The Operation Barga programme aimed at recording the maximum number of bargadars through the concerted efforts by the field functionaries and involvement of the representatives of the Panchayati Raj institutions. It also involved actual survey of share-cropping arrangements and formalisation of share-cropping contracts in order to "safeguard the rights and interests of the bargadars as provided in the law." Speedy disposal of pending petitions for barga recording, hastening of disposal of petitions during the routine operation of revisional settlement, evening meetings with the bargadars in priority pockets, and field—verifications followed by instant recording of bargadars were all parts of this programme.

It was clearly stated in the policy decision of the State government that "field verification is very important in as much as the recording of bargadars will be based primarily on this verification", and that "any additional information regarding barga cultivation received during the field enquiry should also be noted for further follow-up action, the presumption being in favour of bargadars". The policy decision directed further that "a certificate should be issued to the bargadar immediately after his name has been noted

down after enquiry for being brought into records, and immediately on return to the base camp the revenue officer will incorporate the name of the bargadar in the records and issue a Parcha (fair copy of certificate) to him. In short, the speedy recording of the maximum number of bargadars in priority pockets, ie the areas with large concentration of bargadars, was sought to be achieved as per the following work schedule:

First day (D-1): Holding of an evening meeting with due notice, by a squad of officers consisting of junior land reforms officers and *Kanungos* at a place of habitual congregation of *bargadars*. The purpose of the meeting was to discuss, *inter alia*, legal and economic benefits that would accrue to recorded *bargadars*, and thereafter enlist the name of tentative *bargadars*.

Second day (D-2): Making field enquiry and verification and displaying the verified list at a place so that objections, if any, could be raised.

Third day (D-3): Noting down the names of bargadars for being brought into the settlement record-of-right (ROR) and distribution of bargadar's certificate to them after hearing objections.

Next step: Incorporating the name of these bargadars in the ROR and issue of parchas or fair copies of barga certificates to them.

As part of the implementation strategy, a large number of government functionaries engaged in this operation were imparted adequate training at different levels. At the State level, a land reforms workshop, presided over by the Minister-in-charge, was held. In this workshop, the functionaries, such as charge officers in the Settlement wing and senior land reforms officers in the Management wing were briefed by the Land Reforms Commissioner and other senior officers. At the district level, the senior officers had to brief their subordinate staff and officers. At the subdistrict level, the PRIs were geared up to perform the following important tasks in collaboration with the peasants' organisations and non-governmental organisations (NGOs):

- 1. Giving wide publicity to the programme;
- 2. Creating awareness amongst the bargadars in regard to their rights and interests;
- 3. Organising the poor and mute bargadars; and
- 4. Helping the government functionaries in the identification of priority pockets with large concentration of bargadars, preparation of the lists of unrecorded bargadars during the evening meetings, field verification and distribution of barga certificates to the eligible bargadars.

Thus, for the first time, "the process of contact between the bargadars and the officials was reversed". The bargadars were no longer required to come to the officials. On the contrary, the officials had to go to the place where there was large concentration of bargadars: During the three-day schedule of Operation Barga, the squad of officials were to stay in the village, usually in a school building or in the Panchayat office.

Achievement and aberration

Operation Barga was a special campaign which was actually advanced with so much of energy and enthusiasm that by the end of 1980 more than 10 lakh bargadars had been officially recorded. The figure rose to 13.25 lakh by the middle of 1985. This was indeed a great achievement as compared to earlier operations. For instance, during the Second Survey and Settlement Operation which started after the abolition of Zamindari or intermediary ownership of land by the West Bengal Estates Acquisition Act, 1953, a total of 6.85 lakh bargadars could be recorded as of July, 1958. Again, during the Third Survey and Settlement Operation which started in 1971 under the West Bengal Land Reforms Act, 1955, the total number of bargadars recorded by June 1978, ie just before the launching of Operation Barga, was approximately four lakh.

There are, of course, certain administrative aberrations and lapses in the process of speedy implementation of the programme. A large number of complaints in regard to false recording of bargadars are still pending before the courts of law. In some cases, even the courts' orders have allegedly not been carried out by the administration under political pressures. Despite all these, the laudable achievement of Operation Barga can hardly be undermined, particularly in view of its enormous scope and coverage.

Learning lessons

From our foregoing discussion, we may draw certain learning lessons which could help a large number of State governments in utilising the services of the new Panchayati Raj institutions for the effective implementation of their land reform programmes. These learning lessons may be summarised as follows:

- Political will is the first and foremost prerequisite for the success of a land reform programme.
- 2. Political will need to be clearly expressed in the relevant policy decision of the government:
- The officials concerned at all levels should be suitably briefed in the workshops, seminars and/or training camps prior to the commencement of the programme.
- The Panchayati Raj institutions, if geared up and encouraged, could help the administration immensely in the accomplishment of its targets and tasks.
- The collaboration with the peasants' organisations and NGOs would not only strengthen the PRIs but also help them in performing their role more effectively.

6. For the success of land reforms programmes, it is necessary to reverse the process of contact between the prospective beneficiaries and the officials concerned. In other words, the officials need to go to the beneficiaries instead of the beneficiaries coming to them.

These apart, some lessons can also be drawn specifically from administrative aberrations and lapses. In fact, a case study of administrative and operational aspects of *Operation Barga* programme conducted by this writer in the Midnapore district of West Bengal has brought out the following learning lessons for the administration regarding implementation of land reforms programme:

- Speedy programme—implementation is always desirable; but, the administration is also required to act judiciously in order to avoid unnecessary complications in future.
- Despite political will and administrative enthusiasm, effective implementation of a programme can hardly be achieved without co-ordination in the functioning of the departments concerned.
- While safeguarding the legitimate rights and interests
 of the poor and illiterate peasants, the administration
 should always act in accordance with the law without
 any presumption being in favour of any party in dispute.
- 4. The canons of administrative justice require that every administrative decision or action must be "just, reasonable and fair".

Notes and references

- 1. For further details on implementation strategy, see Tushar Kanti Ghosh, Operation Barga and Land Reforms, Delhi, B.R. Publishing Corpn, 1986 Chap. III.
- Jaytilak Guha Roy; "Operation Barga: A Case Study of Administrative and Operational Aspects of Land Reforms Programme in West Bengal" in Case Studies in Administration Vol. IV., Training Division, DOP & T., Govt. of India, 1989, pp. 54-60.
- The author is a Senior Member of the Faculty of the Indian Institute of Public Administration, Ring Road, New Delhi-110002. Author of two books and a large number of research papers, book reviews, articles, etc he has presented papers in many national and international seminars and conferences. Dr Roy undertook a number of research projects and case studies in different areas in public administration sponsored by various ministries of the Government of India. He also has wide experience of organising training programmes for senior and middle level civil servants and judicial officers.

hile land has been the prime source of sustenance

Land reforms—a need and challenge

Prof A. Lahiry

to the people of India since time immemorial, the need of land reforms as we know it, is comparatively of recent origin. In fact, it is one of the unfortunate and disastrous legacies of British imperialism. This has been attested by celebrated members of the

In the minute of evidence taken before the select committee of the House of Commons on the affairs of East India Company in 1832, Sir Charles Metcaffe reported:

erstwhile ruling class itself.

Evaluating the land reforms scenario obtaining in several northern States, the author stresses the need for strong political will to take stern action against those who have been obstructing the progress. Failure to provide timely remedy to the injustices and deprivation suffered by the rural poor is tantamount to ignoring a smouldering volcano which might erupt any time. The rulers at the Centre and the States can no longer rest in peace by passing enactments and executive orders. The entire administrative machinery has to be revamped to meet the challenge, he observes.

"The village communities are little republics having nearly everything they want within themselves. They seem to last where nothing else lasts; dynasty after dynasty tumbles down, revolution succeeds to revolution; Hindu. Pathan, Mogul, Mahratta, Sikh, English are masters inturn, but the village communities remain the same. The union of village communities, each one forming a separate state in itself has... contributed more than any other cause to the preservation of the people of India through all the revolution and changes they have suffered." (Report III Revenue App. 84 p. 831).

In one of the most authentic accounts of India during the early 19th century (Modern India; London 1852, p.5). George Campbell wrote:

"As a rule, farming is not carried on by hired labours".

Again, Sir Thomas Munro reported as Census Commissioner in 1892 that 'there were no landless peasants in India.'

It is possible to quote numerous other accounts and reports to demonstrate that the problem as we know it today, is of recent origin and the reasons have to be found in the policies and measures taken by the British rulers for furtherance of their own interest.

The policies and measures which most affected the vastrural sector of India were the following:

- 1. The introduction of the system of Zamindari;
- 2. The collection of land revenue in cash rather than in kind; and
- 3. Devitalisation of the Panchayat system by the Brit-

ish administration and the law courts.

When the East India Company came to acquire effective political control of India, it found that there were mainly two types of land settlements in India:

1) Ryotwari settlement under which the individual cultivators were responsible for the payment of land revenue, 2) Joint vil-

lage settlements under which the land was held communally and the revenue was paid collectively.

In both the systems, the village Panchayat wielded effective power. In the latter system, the responsibility for the collection of revenue was entrusted with them. The rulers of the country were mainly interested in the collection of revenue in kind.

Even in the *Ryotwari* system, as per Baden Powell's findings, the village headman exercised influence in the matter of revenue collection, besides other matters. The areas under the *Ryotwari* settlement were North-East India, Central India, South and South-West, ie Bengal, Assam, Bihar, Orissa, Central Provinces (Madhya Pradesh), Bombay (Maharashtra) and Madras (Tamil Nadu). The settlement of land revenue under this system was done on a temporary basis. In Madhya Pradesh for 20 years, in Bombay for 30 years and in Madras and Uttar pradesh for 40 years.

The joint village or the Mahalwari system applied to North of the Vindhya, Uttar Pradesh, Madhya Pradesh, Punjab—practically the whole of upper India.

Emergence of Zamindars

Some change in the above two patterns was already occurring. Because of the innovations of Sher Shah Suri and Akabar, a class of intermediaries was emerging. Initially mere government servants, these intermediaries began to

assert their power after the death of Aurangazeb. Besides revenue collection, they started exercising administrative and magisterial powers too.

The East India Company found these Zamindars well entrenched. Though their political claims on their ryots were not acceptable to the Company, it decided to make use of them in the matter of revenue collection. They were virtually accepted as the owners of land. Zamindars virtually became the absolute proprietors of land and the cultivators became tenants-at-will after the Permanent Settlement of 1793.

The British government tried to extend the same system to the rest of the country, but later decided to retain the *Mahalwari* and *Ryotwari* systems in name. Needless to say, these landlords developed vested interests in the continuance of British rule.

The cultivator was made individually responsible for the payment of land revenue as the system of communal ownership of land was done away with, and the cultivator became the owner of the land.

Transfer of ownership

The land revenue was no longer collected in kind but in cash. As most of the transactions in villages were carried out by barter, the cultivators had to go to the money-lender to get the needed money.

In the initial euphoria generated by the sense of possession of landed property, the village cultivator realised that he was now in a position to get higher amounts of loan, by just signing or affixing his thumb impression over a piece of paper. Little did he know that he was thus mortgaging his land.

The British courts, where he was drawn by the moneylenders eventually, had no respect for the village tradition of *Damdupat* whereby a loan was cancelled if double the amount of loan was paid even by way of interest. The courts were not deterred by any considerations of communal responsibility.

Landless labourers

A new class of agricultural landless labourers started emerging. Their numbers increased with increasing speed. The Census Commission of 1931 was compelled to the conclusion that the change in ratio as compared to 1921 was 'remarkable'. For every 1,000 cultivators, there were 466 agricultural labourers where as in 1921, the ratio was 1,000 to 290.

According to the estimates of the Ministry of Agriculture in India, the number of agricultural labourers in India was 28.1 millions in 1931 and 33.9 millions in 1948.

Because of the laws of inheritance, subdivision and frag-

mentation of land proceeded at a pace which made most of the holdings unviable. Consolidation of holding, therefore, became a subject of high priority. Tenancy again was of three types—occupancy tenants, tenants-at-will, and subtenants

Post-Independence period

Land reform was accorded highest priority after the country gained Independence. The National Land Reform Policy has had five principal objectives. These are: abolition of intermediary tenures; tenancy reforms, aimed at security of tenures; regulation of rent and conferment of ownership rights on tenants; ceiling on land holdings and distribution of ceiling surplus lands, consolidation of holdings, compilation and updating of land records.

The abolition of intermediaries like Zamindars and others, has always been the topmost priority as this system was responsible for ruthless exploitation of the poor villagers. Enactments were, therefore, passed in some States by 1951. In temporary settled areas like Uttar Pradesh and Madhya Pradesh the land records were adequate and the administrative machinery also existed. Thus the task was expected to be easier. But in permanently settled areas like Bihar, Orissa and West Bengal land records had to be built up from nothing. This was a time-consuming process. Same was the case with Rajasthan and Saurashtra which had Jagirdari system.

The administrative machinery used for the purpose was the same as had been left by the British masters. This machinery had been designed to perpetuate the rule of the foreign masters and also the system which suited them most. The administrators, both at the higher and lower, echelons, had always been pampered and benefited by the Zamindars and other rural elites. The intermediaries, fully aware of the impending doom, were prepared to go to any length to salvage the maximum possible for themselves and their families.

On the other hand, the mass of the rural poor—whether occupancy tenants, tenants-at-will or subtenants—were unaware of the 'Manna' which was supposed to fall on them.

It is significant that no social or political organisation operated in rural regions to spread the awareness or to organise the villagers to assert their rights under the new enactments.

Loopholes of the system

The enactments relating to the abolition of intermediaries and ceiling on landholdings were full of loopholes—the system which the landlords exploited to the fullest extent with the help of the astute lawyers they could afford to engage.

The permission to obtain land for 'personal cultivation' made it possible for the land owners to even evict tenants.

Personal cultivation was defined in a rather loose way to include personal supervision by *Zamindars* or members of his family. This enabled them to grab large areas of fertile land.

The process of legislation took a long time. In Uttar Pradesh, it took as long as four-and-half years. This, in itself, gave enough time to the land owners to defeat the purpose of the enactments. So much so that, when the enactments were finally completed by the end of First Five Year Plan, the landowners had made all the moves to keep the best of lands in their possession.

Regulation of rent: The legislation for the regulation of rent have also been violated because of the helplessness of share-croppers and the tillers of the soil. For instance; in Bihar, Bengal, and Orissa the share-croppers have been reported to pay 50 per cent of the produce of the soil instead of 25 per cent as required by the law. In Punjab, Haryana and Jammu and Kashmir also the provisions of fairment are exceeded.

Security of tenure: The provision for security of tenure is flouted because share-croppers are not treated as tenants in all parts of the country. Personal cultivation together with right of resumption makes the position of tenants extremely insecure. The permission for voluntary surrender also strengthens the hands of the landowner rather than the tenant. In most cases, the surrender is anything but voluntary.

Ceiling on land: Initially, the ceiling on land was imposed on future acquisitions. The Second Plan however, recommended ceiling on existing holdings too. The States were to lay down their own policies and regulations regarding the area of land and the modes of compensation. There have been widespread transfers of land which have largely defeated the purpose of the enactments.

Consolidation process: Consolidation of holdings has also been partially implemented—about on one third of the total cropped area of the country. The bulk of this consolidation has taken place in Punjab, Haryana, Uttar Pradesh, Bihar and Orissa. Some of the States have yet to pass enactments. However, this process will remain incomplete till laws are passed to prevent future fragmentation of the land.

It is admitted by all investigators—official or independent—that the progress of land reform measures has been unsatisfactory, to say the least.

This is borne out in the mid-term appraisal of the Seventh Plan published by the Planning Commission of Government of India as given in the right column.

In all the successive Five Year Plans, mention has been made about the slow progress of land reforms and proposals made for speeding them up. The Eighth Plan also identifies the main tasks as follows:

		TABLE	P		
В.	Percentage distribution of Area owned/operated	1971-72	1982 I	970-71	1980-81
1.	Marginal (less than 1 ha)	9.8	12.2	9.0	. 12.1
2.	Small (1-2 ha)	14.7	16.6	11.9	14.1
3.	Others (above 2 ha)	75.5	71.2	79.1	73.8
C.	Average size of holding (ha	a) 2.	28		1.84

Source: Planning Commission, Govt. of India Table 2.1 (p.30)

- (i) Ensuring that an atmosphere is created whereby the actual cultivators are made aware of their rights and enabled to claim their benefits;
- (ii) Encouraging steps to be taken for early detection of surplus lands;
- (iii) Ensuring that the newly acquired lands are brought under profitable agronomic practices, thus meeting the twin objectives of poverty alleviation and output growth; and
- (iv) Improving the system of land records.

Guidelines

To achieve these tasks calls for a tremendous political will, determined to take a hard line against those who have been obstructing the progress of land reforms. The land owners are spread across all political parties including the party-in-power.

Secondly, the task should be entrusted with dedicated administrators with well-developed social conscience and sufficient training necessary for the task. There should be a system of twin incentives—reward and punishment—to the administrators entrusted with the task. The incentive of additional grants to States for better performance is not enough if it is not passed on to the personnel.

Thirdly, the land records must be updated within a specified time. Merely stressing the need will not serve much purpose.

Involving social organisations: Most important of all, social organisations should be encouraged to operate at the village level to educate the rural poor about their rights and to organise them to create pressure groups which would monitor the activities of the officials and create an atmosphere in which the land owners will be effectively deterred from sabotaging the progress of land reforms.

It is noteworthy that in some parts of the country, the absence of such social organisations gave rise to militant outfits under the common banner of Naxalism. In the Bastar division of Madhya Pradesh and in Andhra Pradesh such militancy is gaining the support of the poor, because there is no one else for them to turn to. It is also worth noticing that land

GANDHI 126



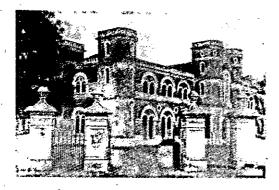
The main entrance of the house where Gandhiji was born.



At the age of 7



With his brother, Laxmidas Gandhi, 1886.



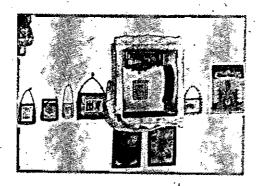
The Alfred High School, Rajkot which Gandhiji attended.



A class in the primary school at Rajkot where Gandhiji had his early education.



Gandhiji's sister, Raliya Behn.



Gandhiji's room



As Law student in London.



At Johannesburg, 1900.



Gandhiji and Kasturba with P.K. Naidu & his family With C.F Andrews & W.W. Pearson, in South Africa, 1912.





With other Satyagrahis during the last phase of the struggle in South Africa.



Gandhiji and Kasturba in South Africa, 1913.



With the Indian Ambulance Corps during the Boer War, 1899.



In the uniform of a group-leader of the Stretcherbearer Corps.



At the reception to Gokhale in Durban South Africa in 1912.



Gandhiji (centre) in a group outside his South African office in 1913.



As a Satyagrahi in South Africa.



With Kasturba on their return to India from South Africa.



With Muhammed Yakub Hasan and G.A. Natesan, Madras, 1915.



At a civic reception during his first visit to Karachi, 1916.



During the Kheda Satyagraha days, 1918.



Gandhiji with the "Gandhi Cap".



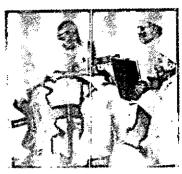
With Annie Besant, Srinivasa Sastri and Satyamurthi.



During his 21 day fast against communal disturbances, Delhi, 1924.



Gandhiji, Tagore and C.F. Andrews at Santiniketan, 1924.



Addressring a meeting, Madras 1925, S. Srinivasa Iyengar is also seen.



'In Darjeeling, in the centre behind Gandhiji is C.R.



With Sardar Patel at a public meeting, 1929.



In a genial mood with Abbas Tyabji.



Dandi March, 1930.



With Sarojini Naidu at Dandi.



Gandhiji riding a bicycle.



In a contemplative mood, sabarmati, 1931.



At the Karachi Congress, 1931.



With his son Devadas and C.F. Andrews at Marseilles with French pressmen.



With C.F. Andrews, Ms. M. Lester, Mahadev Desai, Miraben, at Marseilles.

During his visit to Simla in August 1931 prior to his departure for England.



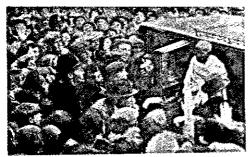
At the second Round Table Conference, London, 1931.



At 10 Dowing street after a meeting with the British Prime Minister, Mr Ramasay Macdonald.



Gandhiji addressing Friends Society meeting in London.



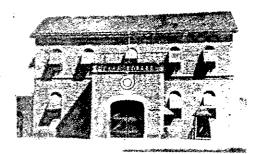
Londoners mobbing Gandhiji on his arrival at the flat of an Indian friend to meet Charlie Chaplin.



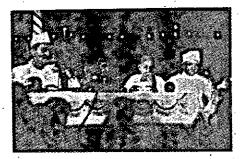
With Charlie Chaplin in London, 1931.



With Romain Rolland at Villeneuve, Switzerland.



The Central Prison, Yerveda, where Gandhiji was interned more than once.



With Dr Rajendra Prasad and Pandit Malviya at Bombay Congress, 1934.



At Sevagram.



Sevagram



Kasturba bathing Gandhiji's feet.



With C. Rajagopalachari at Basin Bridge junction station during his visit to Madras, April, 1937.



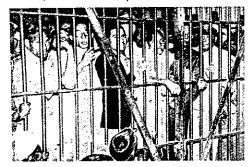
At Faizpur Congress, 1936



With Subhas Chandra Bose, Haripura Congress, 1938.



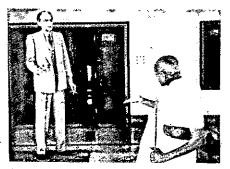
With Khan Abdul Gaffer Khan at Taxila



At the Dum Dum Jail, near Calcutta after a visit to security prisoners, 1939.



With Satyvati Devi and Bhulabhai Desai, New Delhi.



Gandhiji and Mohammed Ali Jinnah during the talks with the Viceroy, November, 1939.



Gandhiji, Nehru, Mahadev Desai and Dr.Pattabhi Sitaramayya, at AICC, Wardha, 1940.



On his way to meet the Viceroy, Simla, September, 1940.



Warning a photographer against taking his picture, Simla, with him is Rajkumari Amrit Kaur.



Arriving in Simla - Simla Conference.



With Jamnalal Bajaj collecting funds for Dalit welfare at Delhi, 1940.



With Rabindranath Tagore at Shanti Niketan 1940.



With Nadalal Bose at the Kala Bhavan, Shanti Niketan.



Studying a report with Pandit Madan Mohan Malaviya.



Arguing a point with Jawaharlal Nehru.



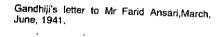
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With Marshal Chiang Kai-Shek, Calcutta, February, 1942. ~



With Sir Stafford Cripps, March, 1942.





At work with Dr. Rajendra Prasad.



With Acharya Vinoba Bhave at Sevagram, 1941.



In a happy mood with Sardar Patel.



The historic AICC meeting, August 8, 1942 - "Quit India" Resolution adopted.



At the Samadhis of Kasturba and Mahadev Desai.



At Juhu with Thakkar Bapa, one of his close associates, 1944.



At the spinning wheel, Bombay, 1945.



During Gandhi - Jinnah talks in Bombay, September, 1944.



With Sarat Chandra Bose at Bhangi Colony, New Delhi.



Addressing members of the INA at the Bhangi Colony, 1945.



Arriving at a prayer meeting in Delhi, 1945.



Coming out of the Viceregal Lodge after a meeting with H.E. the Viceroy, June 23, 1945.



Gandhiji, Sardar Patel and Maniben Patel, Simia, July 1945.



Surrounded by pressman, Simla, 1945.



Appealing for silence.



Gandhiji at the room of Subhas Chandra Bose, 1946.



With Lord Pethwick-Lawrence, Secretary of State, April 18, 1946.



Collecting funds for Dalits at a railway station in Bengal, 1946.



Gandhiji with a child.



With Maulana Abul Kalam Azad.



Speaking at Madras, 1946.



With Acharya Kripalani.



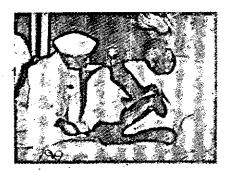
In conversation with the British Parliamentary Delegation, 1946.



With Pandit Madan Mohan Malviya in Delhi (last meeting with him), 1946.



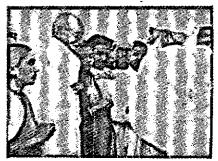
With C. Rajagopalachari, Delhi 1946.



With Jawaharlal Nehru and Sardar Patel at the AICC meeting in Bombay.



On his way to Noakhali, East Begnal, November, 1946.



With Maulana Anwarulla of Noakhali, January, 1947



Walking through a paddy field.



Talking to a villager during his tour of Bihar after the communal riots, 1947



AICC meeting, Delhi, 1947.



Gandhiji helping Amtus Salaam to end her 25 day fast.



With Begum Abdullah (left) and Ms Khalida Abdullah (right), Srinagar, 1947.



With Lord and Lady Mountbatten.



Visiting the National hospital, Srinagar. Dr (Miss) Nayyar is on his right, August, 1947.



Addressing the Asian Relations Conference, New Delhi; March 1947.



With Mr. Thakin Nu, Prime Minister, Burma New Delhi, December, 1947.



At a prayer meeting, Khan Abul Gaffer Khan After a broadcast to the refugges, AIR, New addressing the audience. Delhi, Nov. 12, 1947.





Addressing refugees from the Punjab, . Haridwar, June 1947.



At Lahore Railway Station on his way to Kashmir, july 1947.



With H.E. Mr R.G. Casey, Governor of Bengal during a meeting at Calcutta.



Spinning at Birla House, New Delhi in his famous "Naokhali hat".



With Sardar Patel & Mahadev Desai, during a meeting at Bombay.



The last day of the fast, Birla House, New Delhi, January 18, 1948.



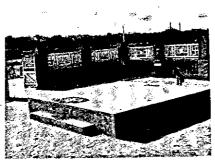
Walking to a prayer meeting at Birla House, January 29, 1948, one of the last photos of Gandhiji.



Gandhiji's body lying in State, at Birla House, New Delhi.



The funeral pyre at Rajghat 4.55 P.M., January 31, 1948.



Rajghat.



Gandhiji's earthly possessions.

reforms have achieved comparatively more success in States which are ruled by political parties with leftist leanings.

Role of PRIs: Theoritically, the recently ushered in Panchayati Raj should be able to deliver the goods. But it would be naive to expect too much from it as its ranks are more than likely to be filled by the people who are 'important' in the village hierarchy. In Madhya Pradesh, they are fighting for their own perks and privileges rather than for issues which affect the people of their areas. The scene may not be much different in other States.

Distribution of surplus land: An important policy decision is also necessary regarding the distribution of surplus land among landless agricultural labourers.

As per the census figures of 1991, there were already seven crore rural landless agricultural workers and about 87 million marginal landowners. The number of landless labourers is expected to rise at the rate of 20 lakh every year. Is it possible to acquire enough surplus land to distribute viable farming units to such large and rising numbers? Even the most optimistic estimates cannot guarantee that.

So a way must be found to accommodate as many of them as possible in the agricultural sector which should include, besides farming; dairy, poultry-farming and also agro-based industries.

The Israeli experience: We can take advantage of the experience of Israel in this matter. In that country, several families of immigrants were alloted a common piece of land to be developed and farmed on communal basis. This farm became the nucleus of spreading employment as dairies, poultries and other agro-based industries developed. Thus a kibbutz which ordinarily would have met the need of only one family provided reasonable sustenance to many more families.

Role of co-operatives: The failure of co-operative societies in our country has naturally made us sceptic about all such joint ventures. Especially the report of the Programme Evaluation Committee and the Nijalingappa Committee have served to dampen the spirit. But the truth of the matter is that the co-operative system has never been tried in the real spirit. Mostly

these were formed by large land owners to reap all the benefits given by the government. The system suggested here has to be different from these. These should not be 'too small and too poor', to use the words of Charles Bettleheim.

A co-operative society without access to the essential inputs can never hope to succeed. There has to be a Rural Development Agency which would not only provide the necessary inputs but also monitor their utilisation and every step of the way up to the marketing of the produce, and recovery of the loan. The different poverty alleviation schemes can be integrated with this agency. This scheme, if managed with efficiency, can usher in a new era in the rural sector of India.

The need of social organisations to mobilise the rural people cannot be overemphasized. Failure to provide timely remedy to the injustice and depriva ion suffered by the vast mass of rural poor would be the same as to ignore a smouldering volcano which might erupt into flames any time.

Conclusion

The rulers at the Centre and the States can no longer rest in peace by passing enactments and executive orders. The entire fabric of administrative structure has to be revamped and charged with a social consciousness which would bring them nearer to the aspirations of the people.

There has, no doubt, been a remarkable improvement in agricultural productivity over the years. But the benefits have gone largely to the richer sections. Now is the time to spread the gains in an even manner, in accordance with the canons of social and economic justice.

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Land reforms: key to rural uplift in North-East India

Making a survey of the land reform scenario in North-East

India, the author says that any new policy on land for the

uplift of the people of the area cannot ignore the cultural

sensitiveness of the tribal society. The Assam Land Holding

Act, 1974 which is a landmark in the history of land reform

provides for a single system of land holders. The land reform

to be effective in North-East India should not be divorced

from land utilisation policy, she opines.



Dr Niru Hazarika

he basic fact that rural uplift in North-East India in particular and our country in general cannot be divorced from land reforms, is realised by all of us today. It may be noted that one of the demands made by

different ethnic groups in Assam while launching the campaign for autonomy, is the protection of their land. This region is very fertile for horticulture, sericulture and small-scale industries. All these are directly connected with land. Further, Assam occupies a unique position in the world for

production of tea and more than 80 per cent rural people depend on agriculture and allied activities for their liveli- . tection or land distribution among the rural people: hood. This paper is an attempt to analyse the problem of rural uplift and land reforms in North-East India.

North-East India, situated in a corner of India, has natural frontiers on three sides. Her northern frontier from the Sankosh river on the west to the entrance of the mighty Brahmaputra is guarded by the Assam Himalayas. The Macmahon Line separates North-East India from Tibet. In the west, the region is bounded by Bhutan, Tibet and China in the north-east, Burma in the south-east and Bangladesh in the south:

GEOGRAPHICAL AREA

State		Area (sq km)		
Arunachal Pradesh		-		83,740
Assam				78,523
Manipur				22,356
Meghalaya				22,429
Mizoram				21,087
Nagaland				16,531
Tripura -				10,478
North-East India	-,			2,55,144

North-East India accounts for 7.7 per cent of the country's total land area and has a population representing 3.88 per cent of the country's total population. The hill area covers 70 per cent of the total land area of the region.

It may be noted that though the region is well-known for its physical, social, economic and political diversities, but there is a common factor which permeates the whole region. That common factor is the underdevelopment of the rural

area. The bulk of the rural sector has remained untouched by the developmental programmes carried out for more than four decades. A little more than 80 per cent workers are engaged in agriculture and allied activities for their livelihood. Therefore, the uplift of tural areas in the

North-East region is dependent on land reform or land pro-

DISTRIBUTION OF POPULATION: RURAL AND URBAN

State	Total	Rural	Urban	% of Urban population
Arunachal				
Pradesh	6,31,839	5.90,411	41,428	6.56
Assam	1,98,96,843	1,78,49,657	10,47,186	10.29
Manipur	14,20,953	10,45,493	3,75,460	26.42
Meghalaya	13,35,819	10,94.486	2,41,333	18.07
Mizoram	4,93,757	3,71,943	1,21,814	24.67
Nagaland	7,74,930	6,54,969	1,20,234	15.52
Tripura	20,52,058	8,27,460	2,25,568	10.99

Community ownership of land

In most hill areas of North-East India, the land is owned by the community as a whole. However, individual ownership of land is recognized in certain areas, but such ownership is usually confined to homestead and settled farm land. Generally, each village is considered as one unit and within the village the village headman or the Council is the authority to distribute land for cultivation among the individual families.

Role of headman: A brief survey shows that among the Karbis and some tribes of Arunachal Pradesh, though there is the provision for community ownership, one can cultivate a plot of land according to his choice. The village headman generally settles disputes relating to sharing of jhum land among the villagers. Sometimes if a particular group is not satisfied with the decision of the headman it leaves the original village and establishes a new village with a new headman. In the Garo Hills of Meghalaya, the hill mouzas are divided into several aking and each aking is placed under the control of a Nokma (headman). He owns land on behalf of his clansmen. He can distribute the land among the clansmen for jhuming. The district of Khasi Hills of Meghalaya is divided into Rajs ruled by Siems, Lyndoh, Pator and Sardar. Each member of the Raj is entitled to cultivate any vacant land. As long as he cultivates, the vacant land belongs to him. If a man does not cultivate the land under his control for three years continuously, he, loses right to cultivate in it and the land becomes the property of Raj.

Jhuming: In the hill areas, the shifting cultivation or jhuming is a system of production and a way of life of the people. This system was followed for a long time as a regular system by the inhabitants of Africa, America, Sweden, Brazil, etc. In India, shifting cultivation is practised throughout the hill areas covering the States in North-East India, Sikkim, Orissa, Bihar, Madhya Pradesh, Andhra Pradesh, Tamil Nadu, Maharashtra and Kerala.

The shifting cultivation involves cutting and burning of weed, even forests, growing of a mixture of different crops, viz paddy, maize, cotton, millet and vegetables of various kinds on the cleared land with lowest possible technology under rainfed condition and shifting to a new site next year. The burning causes substantial reduction in organic matter content of the soil. Again leaving land in fallow for a couple of years means a great national waste. It also widens the gap between the food grains production under *jhum* cultivation and the number of *jhumias* dependent on it.

The North-Eastern Council in its Fifth Plan took up eight pilot projects for the settlement of *jhumias* at a cost of Rs. 497 lakh till March 1979. The governments of Assam, Arunachal Pradesh, Nagaland, Meghalaya, Mizoram and Tripura have also tried in several ways to eliminate *jhuming*. Despite all the efforts of the State governments and the North-Eastern Council, *jhum* cultivation remains as a serious problem and calls for a well integrated and co-ordinated approach involving disciplines of horticulture, agriculture, animal husbandry, forestry, soil and water conservation, engineering, technology, rural sociology, etc.

Thus the whole gamut of the rural society in hill areas is interwoven by this shifting cultivation system. It is deeprooted in their social culture. The hill tribes of North-East India produce various agricultural products in their *jhum* field. They produce food grains, vegetables and also cash crops. On the other hand, it damages the forest. It dries up the springs of the hills, causes soil waste and erosion and destroys valuable forests.

Tribal ethos & land reforms: The difficulty lies in the

formulation of a new policy relating to land in two factors:

1) The evaluation of economic benefit out of production in *jhum* field and the damage caused by it to forests and soil,

2) Socio-cultural aspect of the hill tribes. Any new policy on land for their uplift cannot ignore the cultural sensitiveness of the tribal society.

The Assam scenario

In Assam, the rural people in the plain areas depend on agriculture and allied activities which constitute their main provision and it involves land as a primary factor for their uplift. During the Ahom rule in the State, the system of State ownership of lands was prevalent. The Ahom king used to grant lands to idols, Brahmins, religious institutions and elite groups devoted to learning and administration. All the grants were grouped into three categories: 1) Debottor, dedication to idols or temples. This grant was further subdivided into two groups—Bhogdani and Paikan. The owners of Bhogdani land had to supply daily ration to the temple and the owners of the Paikan land had to render personal service to the kingdom; 2) Dharmottor, dedication to person for service, to be rendered to the temples; 3) Brahmottor dedication to priests.

Besides, there was the Paik system organised by Momai Tamuly Barbaruah. Under this system, every male adult with good physical health had to render free service to the State, either as a labourer or soldier or as supplier of certain quantity of produce in lieu there of. He was called Paik. The Paiks were organised into Gets. Each Get contained three or four Paiks. Each Paik rendered service to the king on rotation. In return, each Paik was allotted eight bighas of rice land. He was also given land for his house and gardens, called bari and bari land.

The British, at the time of annexation of Assam, welcomed the State ownership system. The British brought into existence the historic permanent settlement confirming decennial settlement of Bengal. The *zamindari* privileges continued to exist till the enactment of the State Acquisition of Zamindari Act, 1951.

Assam tenancy reforms legislation

In Independent India, land reforms received top priority in order to put an end to the zamindari system and the landed intermediaries together with conferment of tenancy rights to ryots bringing them in direct relationship with the State instead. While the rest of Assam where temporary settled estates existed, the comprehensive Tenancy reforms were carried out under the Assam (Temporarily settled Areas) Tenancy Act, 1971 and it was extended to Goalpara also. The Assam Land Holding Act, 1974 was enacted with the aim of bringing tenants under the direct relationship with the State.

The Assam Land Holding Act, 1974 is a landmark in the history of land reform in particular and rural uplift in gen-

eral. It provides for a single system of landholders under which owners of land have been put under contract with the State as settlement holder directly enjoying rights and privileges and with the obligation of payment of land revenue direct to the State instead of any zamindar. Thus it may be seen that efforts have been made by the government to simplify the land tenure system in Assam.

Land ceiling and distribution: Coming to the ceiling law, an area of 50 bighas has been considered as a standard area for the livelihood of an average family. As a result, whoever has more lands than 50 bighas has a surplus. The government acquires this surplus and then distributes it among persons with no lands or with lands less than the ceiling.

Till now, 6,12,380 acres of land have been declared surplus and of these, 5,75,837 acres have been acquired by the government. So far, 4,91,301.70 acres have been distributed. The following table shows the details:

SURPLUS LAND DISTRIBUTION

			(in acres)
No. of families	,		Area distributed
S.Cs.	: 42,490		44,360.03
S.Ts.	: 41,291	• .	57.794.54
Others	3,49,519		3,67,960.59
Institutions	: 610		-21,186.54
Total		- <u> </u>	4,91,301.70
Area unfit for di	stribution	• :	13,106.00
Area under litigation		:	38,461.00
Àrea under encri	oachment	:	10.275:00
Area reserved fo	r public use	:	17.250.00
Area under mișo	ellaneous reasons	- :	4.006.00
Area available fo	or distribution		37,980.30

Source: Status paper for the workshop on land reforms held on 3-5 April, 1995 submitted by Mr N.K. Chetia, Director of Land Requisition and Reform; Govt. of Assam.

Floods: a major problem

Rural uplift is severely affected in the plain areas of Assam due to floods of which the mighty Brahmaputra and Barak are the main sources. The Brahmaputra flows in the western direction through the Assam valley receiving other important tributaries like the Subansiri, the Manas, the Sankosh and the Tirtha from the north, the Buridihing, the Disang, the Dikhon, the Dhansiri, the Kopili from the south. The Brahmaputra traverses the Assam valley for 450 miles and its channel oscilating from side to side over a bed of six miles wide. The Barak, after traversing for a distance of about 60 miles from Tipaimukh, debouches into plains at Lakhipur where it turns west in the plains district of Cachar through which it flows. No body can deny the fact that one of the major problems of the North-East is the recurring floods in the Brahmaputra Valley and Barak Valley. The

damage caused by floods and erosion of land annually in average is about Rs. 10 crore and on an average about 8,000 hectares area affected annually.

Pisciculture: Fish farming requires special attention for rural upliftment. Due to floods and high rainfall, an extensive cultivable water area is left unexploited every year. Lakes are ideal for fish farming in this region. The total cultivable water area available for fish farming is much high in Assam. There is a gradual decline of the indegenous fish population due to change in the ecology of this region. This led to price hike.

Sericulture: Another aspect of rural uplift in the North-East is sericulture. Though it is unknown as to when silk industry was introduced in India, some authorities claim that it was first introduced in Assam. The ancient kings of Assam took personal interest for the growth of sericulture. Because of the patronage, there was an advancement; it was obligatory for every village house to weave silk fabric. In the North-East, women were famous for weaving. But with the process of modernization, this household industry, which is an important aspect of rural uplift, especially of women is on the decline. With the help of modern technique, without destroying the culture, a lot can be contributed to the growth of this domesticated industry.

Handicrafts: The whole of the North-East region is well-known for the useful and fashionable articles made out of cane, wood and bamboo. Chairs, tables and various other kinds of furniture are made out of cane. It is also a raw material for paper industry in Assam. Similarly, the shortfall in the supply of sugar-cane is leading to low production in the sugar mills in the State.

Shortage of technical manpower

The land reform policy to be effective in North-East India should not be divorced from land utilisation policy. This part of the policy requires technical manpower. In this region, the major constraint in rural uplift is the extreme inadequacy of trained manpower. Since Independence, this deficiency has been realised not only by the people of this region but also by the governments and different bodies like the North-Eastern Council, deeply involved in the development of this region. The North-Eastern Council since its inception has been seized of the problem of trained manpower-technical and non-technical-in the region. A series of discussions and studies were also undertaken under the auspices of the Council. But no effective measures have been taken to solve it. Schools, colleges and universities are coming up for imparting general education. Even in rural areas, general education institutions have been established in large numbers. But sufficient educational institutions on the vocational line to develop trained manpower are still not coming up. The schools and colleges, particularly in the rural areas are not having adequate facilities or infrastructure to render the service effectively. The most pertinent

point is the lack of supervision over these basic institutions by the government or the authorities concerned. This has to be looked into immediately.

PRIs and people's participation

Mention may be made of the late Rajiv Gandhi's efforts for rural uplift through the Panchayati Raj system as envisaged in the Constitution (73rd Amendment) Act, 1992. The Panchayat institutions may be involved in the planning, formulation and implementation processes. The members of the Panchayat with the help of voluntary organisations may mobilise and organise the villagers to demand for quality service and it may also generate community-based accountability on the performance of village level machineries for rural uplift. It will also help not merely to know as to how indigenous resources are being destroyed and wasted but also to explore ways for utilization of human resource, local knowledge and skill for rural uplift. Thus greater community participation in the State's administration can be generated. The scope of direct participation in administration will certainly minimise to a great extent the feeling of deprivation, exploitation, distrust among the rural people and will help the establishment of mutual trust and understanding between the government and the rurual masses. The Panchayati Raj institution will be a village based controlling authority with the position of commanding loyalty of the villagers.

Women's access to land

In the traditional patriarchal family life, woman did not have independent access to land. One of the main reasons attributed for this was the division of work based on physical differences. This tradition is so deep-rooted that still it is practised even by the enlightened families. However, there is a practical difficulty in these rural societies that after marriage the girl goes away to her husband's home. So this practice may cause some administrative difficulties. This custom and women's independent access to land cannot go together.

Lastly, deep-rooted corruption is one of the serious prob-

lems affecting the process of rural uplift in the North-East. There are several instances of involvement of political leaders and administrators in rice scandal, land scandal, smuggling of forest resource, etc. which adversely affected the rural uplift programme in the region.

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Land reforms scenario in Orissa

Reviewing the land reform programme in Orissa, the author

observes that some of the laws enacted to protect the interests

of the tenants were counter-productive. Tenancy has not

weakened; on the contrary it has shown an upward trend.

The vested interests had dominated all through twisting

decisions in their favour. Stressing the need for involving the

village community and the potential beneficiaries to make

the programme a success, the author maintains that structural

change is the only key to agrarian malcontents. We have to

approach the problems afresh from the lessons of the past,

drawn.

he adds.



Giridhari Dash

t is heartening to note that there is revival of interest in land reforms in the recent years. The term 'land reforms' has a wider connotation. It is not a mere programme of poverty alleviation but a programme to re-

structure the truncated agrarian structure which India had inherited from the colonial administration. There were certain features in our agrarian system which had inhibited the process of activisation of agricultural performance and perpetuated social injustice. Since Independence, measures are underway to remove the impediments to the growth of ag-

riculture, to eliminate elements of exploitation and to ensure social justice within the system itself. To achieve these primary aims of land reforms, namely social justice and efficient utilisation of land resources, measures like (a) abolition of intermediary interests, (b) regulation of rent, security of tenure to tenants and share-croppers, (c) conferment of ownership right on share-croppers, subtenants, temporary lessees of vested estate, (d) imposition of land ceiling on agricultural landholding and distribution of surplus land to agricultural workers and small holders of land (e) consolidation of landholdings and preparation and updating of land records have been undertaken in Orissa. To achieve these objectives under the framework of law, legislation have been enacted in different times and are under implementation.

Community and agrarian structure

The land in Orissa up to the advent of colonial rule had belonged to the community and the community had always the right to regulate it in its own interest. It had always been accepted in principle that the king or the ruler had exercised his right over the land as the representative of the community. The individual cultivator had the right to occupy and use the land and nobody not even the king could turn him out of it as long as he observed the rules of good husbandry and discharged the king's dues. This right of private property which had been recognised by the king or the ruler was in no way in derogation of the right of the community

because all the rights in land had always been subjected to it. Occasionally, when the right of the intermediary between the cultivator and the king was recognised, that right too had been invariably functional in character and remained

confined to proprietorship over "revenue but not over land". This very ancient principle receded to the background in actual operation of the system set up by the British. What, however, they sought to do, by a series of tenancy legislation, was to declare the rights of raiyats under the private proprietors and provided for their protection. Legislative measures

were enacted defining the rights of raiyats and the private proprietors but the ancient principle that the community had an overriding right or interest over the rights of both the private proprietor and the raiyat, and for that matter over all private rights in land, was thrown into the background. In the aftermath of Independence, the whole controversy regarding agrarian reforms in India centred round the relative right of the raigot and his relationship with the State sidelining the role of the community in agrarian structure and its relationship with the individual cultivator. While drawing up the schedule of rural reconstruction, due emphasis was not given to the question, "how the community including the cultivating classes was going to gain by the change. what duties or responsibilities the individual cultivator should have towards the community in the scheme of reforms and how to enforce these duties and responsibilities". Instead, our early planners concerned themselves only with the questions, "what additional rights the cultivators were going to get or what liabilities or responsibilities they were going to be relieved of." The agenda of reforms was accordingly

Land reform Acts: Three major laws to remove the drawbacks of our early agrarian system have been enacted in the State since Independence. They are (1) The Orissa Estate Abolition Act, 1951 to abolish all intermediary interests in between the State and the tiller of the land, and to

bring the tenants under the direct control of the State, (2) The Orissa Land Reforms Act, 1960 a comprehensive Act, dealing with rights and liabilities of *raiyats*, subtenants, share-croppers, regulation of rent and fixation and distribution of surplus agricultural land, and (3) The Consolidation of Holdings and prevention of fragmentation of Land Act, 1972. This provides for consolidation of fragmented holdings.

In this paper, I propose to highlight the major components of each programme and the achievements.

Abolition of intermediaries

The first and major land reforms programme undertaken in the State in the early years of Independence was the abolition of fedual system, a relic of the past. The process of abolition started in 1952 and was completed on March 18, 1974. In all, 4,23,700 estates, big or small including 18,000 trust estates have been vested in the State in pursuance of notifications issued from time to time. It was widely accepted that the measure was a great success as the process was completed without much resistance and the abolition brought a few lakhs of tenants directly under the State. If we ponder over the entire gamut of the operation strategy, I am afraid much of the claim would appear to be based on wrong assumptions.

Contrary effects: The abolition law envisages settlement of all khas possession agricultural and horticultural lands on the date of vesting with the ex-intermediataries as raiyats under the State government and payment of hefty compensation. The word 'khas possession', not including "residence in the village" as an ingredient, sanctioned absentee proprietorship which ran counter to basic postulates of agrarian policy—'Land to the tiller of the soil'. The settlement of khas possession lands which ran to a few thousand acres of good agricultural land as personal property of the landlords, negatived to a large measure the beneficient effects of reform measures and helped to keep alive, albeit, in restricted dimensions, the social and economic base of the feudal vested interests in the countryside. In effect, the bigger landlords manoeuvred to recarve out for themselves their new areas of influence, though smaller in size by getting recorded as much land as they could in their names and resorting to mass eviction of tenants and share-croppers. The law like the Orissa Tenants Protection Act, 1948 and Tenants Relief Act, 1956 which were enacted to protect the interests of tenants produced results contrary to the objectives of legislation. As observed by the Administration Enquiry Committee in their report2, the effect of the legislation in certain areas was "to carry coals to Newcastle". The implementation of the law had a baneful effect on the agrarian society and attracted widespread criti-

Compensation frittered away: The payment of compensation for acquisition of estates at an exhorbitant scale defies all explanation, particularly for those with large income. "An extravagant charity" was the observation of Mr Jagannath Mishra, a member of Land Revenue and Land Tenure Committee³. It was expected that the large sums of money paid as compensation to the erstwhile landlords would be profitably used by them in the nation-building activities. No statistical investigation has been conducted as to how the money was spent by them, but experience shows that the bulk of compensation was frittered away by them in consumption or spent in buying urban property or other items of expenditure. Only a small percentage was relayed to step up agricultural production. And this happened at a time when the country was experiencing serious difficulties in finding resources for implementation of plan programmes.

A sad story: By enlarging the scope of 'intermediary' the law brought under the definition of 'intermediary' innumerable small holders of land, which included even the small inamdars. These small holders were required to apply to the State government for settlement of all their khas possession land. In the course of settlement operation which proceeded simultaneously with follow up action in the zamindari abolition, these small holders, since had not got the khas possession land settled and recorded in their names as raiyats, were recorded under an illusory khatian. "Bebandobasti" for facility of settlement at a later stage by a separate agency, the agency meant for maintenance and administration of land records. Though a period of more than 40 years has passed from the time of zamindari abolition, these persons continue till today as such, neither paying rent to any one nor enjoying any security cover over the land. The government is oblivious to their predicament and has indicated its intention to evict them from the land unless they prove satisfactorily their bona fides with valid documents in the revenue courts. This is a sad story of our reform process which has brought insecurity to lakhs of cultivators over their land which they have been enjoying for decades.

Tenancy reforms

The tenancy reform primarily centres round three major areas of agrarian structure. Those are: (1) security of tenures, (2) conferment of right of ownership on tenants and (3) regulation of rent. Legislation have been enacted and modified from time to time to reform the tenancy system. The laws provide for total security to tenants in the tenanted lands, acquisition of full ownership right with full powers to heritability and transferability and payment of rent not more than one-fourth of the gross produce or the value thereof to the landlord in respect of tenanted land and eviction of tenants under certain specified grounds. The law bans tenancy after 1 October 1965, but exempts two categories of tenants who are designated as persons under disability and privileged raiyats from certain provisions relating to tenancy reforms. The laws are in operation since 7 December, 1965. A question may be asked what benefit the tenancy reform measures have provided to the agrarian

structure and whether the structure has adopted to the change?

The following Tables would give an indication of the tenancy profile of the State.

.. TABLE 1
Tenancy Profile

_				f .
1.	Percentage of landless household		•	7.66
2.	Average area owned per household owning I	and '		1.09 (ha)
3.	Percentage of area leased out to area owned			5.45
4.	Percentage of area leased into area owned		-	8.04
. 5.	Percentage of households leased in			16.70
6.	Percentage of households leased out			6.67
				sed out 0.05 ed out 6.62)
-				

TABLE 2
Dimension of Tenancy Households (Percentage)

Size group	, Hous	seholds					
	Leased in	Leas	Leased out		<u>Area</u>		
	1	fully	partly	leased in	leased out		
Landless	61.45	_	- ,	· ·	_		
Marginal	∴ 13.33 . 1	0.05	6.41	19.46	5.35 partly 0.005 fully		
Small	13.91	0.07	9.19	4.99	6.52 partly 0.049 fully		
Semi-medium	13.41	_	8.11	2.79	5,76		
Medium	10.98	.—	3.5	2.28	1.02		
Large	6.5	. —	34.31	0.37	13.36 ·		
Total	16.7	0.045	6.62	8.04	5.43 partly		
•	1.	or 0.050		•	0.2 fully		

Source N.S.S. report — 37th round 1982 Sarbekshana Issue No. 33

(The percentage given above indicates percentage within the group).

Analysis of the tables: The above Tables reveal that out of the total households numbering 40.6 lakhs; 16.70 per cent households were leasing in households, whose number was estimated to be 6.92 lakhs in 1982. The distribution of leasing-in households category-wise shows a large concentration among the landless' (61.45%). The other categories represent marginal (13.33%), small (13.91%), semi-medium (13.41%) and medium (10.33%). Those who leased out (2.72 lakhs) comprised 6.67 per cent of the total households, 0.05 per cent fully leased out and 6.62 per cent partly leased out households. The share of large segment in the leased out holdings though comprised 34.31 per cent the participation of marginal, small and medium were not insignificant. Those who leased out fully (pure rentiers) formed only 0.045 per cent of the total rentiers. As regards the area of agricultural land under lease contracts, 8.04 per cent of the total area were involved under lease contracts. In the lease contract, crop sharing was reported to be the dominant mode.

Available trend: The tenancy profile as above gives a

disquieting picture and is a cause of much concern. The profile brings to light that tenancy has not ebbed despite legislation to control it; on the contrary it has shown an upward trend as would appear from the following table. Orissa was ranked as the seventh highest tenancy State in the country in 1982.

TABLE 3

Comparative Picture of Tenancy Households in Area

	1945.	1976	1982
1.	Percentage of families living mainly as share-	Tenanted holding	g Lease in households
	croppers. 3.5%	5.38%	16.7%
	(Vide report of Land Revenue & Land Tenure Committee—1946)	(Agricultural census 1976)	Lease in area 8.04%

(N.S.S. 37th round)

The association of higher landholding group in the lease market is understandable, but it is intriguing that the small holders have entered into the market.

Tenancy reform: performance appraisal

The dominant cause for the poor showing of the tenancy policy is that the policy is not in conformity with the ground realities. The policy was drawn up on the presumption that once the tenants are declared owners of land, the tenancy will come to an end and thereby exploitation will cease. This very presumption failed to take notice of the fact that tenancy has not come into being in one year or in a few years but has been in the Indian agrarian landscape from the time land was considered as a property worth owning or even before that, when land donations to charitable or religious institutions were made by the supreme power towards maintenance of the institution, or, to obtain religious merit. There are evidences to suggest that land disputes, specially disputes regarding land cultivation were frequent in the Maurya era.

Traditional agricultural system having proved to be inefficient, a trend has developed in the countryside, which is amply supported by the statistics indicated above, to get whatever return available from land by leasing out the land. The disinclination of peasants for self-cultivation is quite visible from the tables and is indicative of apparent contradiction between the spirit of law and the ground realities, which is unrelated to the former.

In the matter of regulation of rent in crop-sharing tenancy contracts, though the law provides for not more than 25 per cent of the gross produce or the cash equivalent thereof, the dominant mode continues to be 50 per cent of the gross produce.

Fixation of ceiling and distribution of land

The ceiling legislation aimed at minimising the gap between the rich and the poor in the matter of ownership of land and to provide the landless a permanent base to improve his economic status by taking up land-based and other supplementary income generating activities. The laws under the Orissa Land Reforms Act, 1960, provide for a maximum extent of 10 standard acres of land, which is equivalent to 10 acres of double-cropped irrigated land, 15 acres of single-cropped irrigated land, 30 acres of rainfed paddy land and 45 acres of other land for a family of five members, to exceed by two acres for each additional members so as not to exceed 18 standard acres for the family. The laws further prescribe for distribution of in the maximum 0.7 standard acres of surplus land to a landless family. The laws are under implementation since 7 January, 1972 and have undergone amendments from time to time. Though in the earlier years of introduction of ceiling laws, the result was not as expected, it produced excellent results in the years 1977 and 1978. Since then, the momentum has slowed down and the total achievement till March 1995 was to the tune of 1.58 lakh acres. The performance is poor by any standard for a State in which feudalism reigned supreme in the colonial days and a conservative estimate of 4.5 lakh acres of surplus land on a higher ceiling of free family holdings (31.5 standard acres) was made.

TABLE 4
Pattern of Land Holdings

(Comparative analysis of number and area of operational holdings)— 1970-71 and 1990-91

(Number in lakh; area in lakh ha)

	•	•	area	in lakn na	
Size class	1970-71		1990-91		
	No.	Area	No.	Area	
Marginal	14.7 · (43.2).	7.7	21.18	10.45	
(below 1 ha)		(11.9)	(53.65)	(19.73)	
Small	11.2	17.1	10.35	14.26	
(1-2 ha)	(33.0)	(26.5)	(26.10)	(26.93)	
Semi-medium	4.5	13.6	5.94	15.61	
(2-4 ha)	(13.2)	(21.1)	- (15.05)	(29.48)	
Medium - (4-10 ha)	3.1	18.0	1.86	10.12	
	(9.1)	(27.9)	(4.71)	(19.11)	
Large	0.5	8.1	0.15	2.52	
(More than 10 h	a) (1.5)	(12.6)	(0.38)	(4.76)	

Source: Agricultural Census Commissioner, Board of Revenue. (Figures in brackets indicate percentage to total).

Analysis of table: A glance at the pattern of land holdings in 1990-91 tells that land concentration has not broken to the desired extent. During the periods, 1970-71 and 1990-91 though the small and marginal holdings had increased in number by 5.63 lakhs, the area they accupied came down by 0.09 lakh hectares. Another trend which is available is that though the medium and large holdings which consti-

tuted only 5.09 per cent continued to yield considerable influence on the agrarian structure having under their control nearly 24 per cent of the total operated area of 52.96 lakh hectares. The analysis thus highlights that the benefit of land reforms is yet to reach the small and marginal holders, the semi-medium holders have benefited considerably and land reforms programme has not succeeded in reducing the gap between the rich and the poor.

Ceiling laws: performance appraisal

Land redistribution was marked by hesitation and misconceptions. The initial hesitation and protracted legislation delayed the introduction of ceiling provisions for more than seven years. Though the legislation regarding tenancy came into effect in 1965, the provisions relating to land distribution was made effective from 1972 which gave unlimited scope to the surplus holders to enter into benami transactions and family partitions, etc to circumvent the law. A large chunk of surplus land escaped in this process. Political will or lack of it in the redistributive process has contributed largely to the implementation of law. The phenomenal distribution of 86,663 acres in 1976-77 was on account of strong and uncompromising political will. The frequent changes in law had an adverse impact on the implementation process for want of proper communication, interpretation and adequate training facilities for field level functionaries.

Yet another reason why redistribution reforms did not achieve much was non-involvement of village community and the potential beneficiaries in the process. The vested interests had dominated all through and availed themselves of all possible mediums to twist decisions in their favour, taking advantage of non-participation of volatile segment in the process of distribution and their lukewarm attitude for fear of alienating the vocal and dominant group in the rural structure. Added to this, the inbuilt deficiencies in the laws, tokenism in implementation, bureaucratic inertia, absene of strong organisations of the rural poor have contributed in no small measure to the disastrous performance of ceiling laws. Above all, the grass roots level community of people, the principal component of rural culture, was deprived of a positive and decisive role in the restructuring process.

In assessing the results of land reforms, one is reminded of the observations of the Task Force on Agrarian Reforms of 1973. The Task Force observed: "In no sphere of public activity in our country since Independence has the hiatus between precept and practice, between policy pronouncement and its actual implementation has been as great as in the domain of land reforms". The observation holds good as much today as they were then and summarised our overall achievement. It is difficult to single out any one or more than one factor for the state of affairs. If the track record is poor, it is because of the combination of all the factors.

Conclusion

A question which is uppermost in everybody's mind is whether land reforms has lost its relevance. Is it worthwhile to hinge on to the programme in the present socio-economic environment of the country? It is our experience that technological improvement on land has its limitations, since we cannot expect land to behave in equal fashion for all time to come with similar or increased inputs. Thus structural change remains the only key to agrarian malcontents. But we have to approach the problems afresh from the lessons of the past. Planned structural changes need to be conceived keeping in view the socio-economic content of the country, realities of rural situation and development of Indian politics.

I have indicated in the previous paragraph that we committed a blunder in not associating the village community in the reform process, in not defining their role vis-a-vis individual cultivator. The non-involvement of the community has cost us heavily. They deserve a positive and decisive role.

The efficiency of tenancy, even share-cropping tenancy need not be suspect. It has been established in several recent studies that there is not much difference between owner farms and tenant frams in quality production. A few studies have even revealed higher level of output on share-tenant farms than on owner-operated farms. Thus, a fresh change of perception is required on the whole gamut of tenancy profile. The Union Finance Minister, Dr Manmohan Singh's observation in the Conference of Economic Editors (Times of India dated 22 September, 1994) that land market in India deserves a flexible approach deserves serious consideration. The tenancy, if made open under reasonable terms and conditions will allow a greater access to tenants on land, provide a sense of security to the tenants and a certain degree of confidence to land owners.

In the distribution of surplus land, weightage should be given to a person's ability to devote his energy to farming as owner-farmer, availability with him of farming techniques, tools and equipment, supplementary inputs and the size of the holdings for a rational exploitation.

It is unrealistic to assume that all rural poor can be accommodated in agriculture as owner-cultivator. The strategy has to be multidimensional. Those living in poverty need to be classified under three categories, namely destitute, very poor and poor. Depending upon resource base, income level, and skill availability within the family, intervention may have to be advocated either individually or in combination. The priority in the distribution of land has to be given to those who have requisite skill and expertise in agriculture.

Notes

- Trust Estate—Trust Estate is defined in the Orissa Estate Abolition
 Act to mean an estate, the net income of which is exclusively utilised
 for any charitable or religious purpose of a public nature without any
 pecuniary benefit to any individual.
- 2. Report of the Administration Enquiry Committee, page 155.
- 3. Report of Land Revenue and Land Tenure Committee, Page 107.
- The author, was intimately associated with land and land-related organisations for over 20 years. A former IAS officer, Mr Das was a member of the NABARD subcommittee on share-croppers in the eastern and north-eastern regions. An author of two books on land reforms, he regularly contributes articles on land reforms to national magazines and newspapers. He is presently engaged as a guest lecturer on land reforms/revenue laws in the Gopabandhu Academy of Administration, Govt. of Orissa.



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Land reforms in Andhra Pradesh



Dr S.P. Ranga Rao

and reforms has been a priority item on the national agenda ever since the country attained freedom. Restructuring of agrarian relations in rural India is considered to be a major step in the emergence of an egalitarian social order. Land reforms seek not only to provide a dependable source of livelihood in the form of a perma-

nent asset to the rural poor but confer on them the much needed social status and economic security which enhance their status in the society. Land ownership provides a new confidence in the weaker sections which is an essential step in the modernisation of the agrarian structure of rural India. In the context of our war on rural poverty, land reforms

programme has gained added significance. Experiences in the implementation of land reforms during the last two decades provides us with ample proof of improvement in the socio-economic conditions of the rural poor wherever land ownership is conferred on them followed by financial assistance of government to keep the ball rolling. As a first step towards agrarian reform, intermediaries were removed and the interests of the tenants protected throughout the country. Thereafter, the crucial programme of fixing a ceiling on land holdings and distribution of excess land to the rural poor was undertaken. Unfortunately, the implementation of this aspect of land reforms in almost all our States has been half-hearted, tardy, uncoordinated, ineffective and inefficient.

, In a broad sense, land reforms mean and include abolition of intermediary tenures, protection and security of tenancy, distribution of vacant government land to the landless, ceiling on landholding and distribution of surplus land to the poor, consolidation of holdings, modernisation of land records, protection of land in tribal areas, etc. However, the present article covers only the highlights in the implementation of land reforms in Andhra Pradesh in regard to the identification of surplus land and its distribution to the poor, while touching on the other aspects only to the

extent needed for the discussion. In particular, it is proposed to identify the various factors at play for the tardy implementation of land reforms in Andhra Pradesh.

Half the income from farms

Andhra Pradesh stands fifth both in population size and

area-wise in the Indian Union. The State is predominantly rural in character even today with 70 per cent of the population depending on agriculture and allied avocations for their livelihood. In spite of significant industrial growth, agriculture continues to contribute 45 to 50 per cent of the net income of the State. Of the total geographical area of 677.7

Fixing of ceiling on land holdings and distribution of surplus land to the rural poor have been half-hearted and ineffective in almost all the States, says the author. Notwithstanding several drawbacks, the implementation of land reforms in Andhra Pradesh is by no means unimpressive compared to other States. The State is second in position in respect of area declared surplus and taken possession of and third in regard to distribution of land to the rural poor. Commenting on the hurdles, the author cautions that land reforms in the State may reach the end of the road unless effective steps are taken as per the Centre's suggestions.

million acreas of the State, gross cropped area accounts for 325.7 million acres.

Andhra Pradesh Land Reforms Act 1973

The Chief Ministers' conference held at Delhi in July 1972, discussed the issue of land reforms thoroughly and made a number of recommendations based on which the Government of India issued a set of national guidelines for revising and/or enacting fresh land ceiling laws by the States. Accordingly, the State legislature adopted the Andhra Pradesh Land Reforms (Ceiling on Agricultural Holdings) Act, 1973 (herein called the Act). After recieving the assent of the President and the framing of statutory rules the Act came into force on 1 January, 1975.

Land tribunals: Originally, under the Act a family consisting of the husband, wife, major sons and unmarried daughters was the unit which could hold one standard holding. Where there were more than five members, the family could hold two standard holdings. Through an amendment to the Act in 1977, provision was made for each major son to hold a standard unit independently. Significantly enough, the Amendment was given retrospective effect from the date on which the Act came into force. The area of the standard unit of holding depends upon the fertility of the soil, the

irrigation facilities, etc. In the case of wet lands yielding two crops a year, the ceiling ranged from 10 to 18 acres while for those yielding only one crop, the ceiling is fixed between 15 and 27 acres. For rain-fed dry lands, the ceiling ranged from 35 to 54 acres with an additional margin of 12.5 acres for drought-prone areas. Under the Act, all those owning more than 10 acres of wet land and 25 acres of dry land are required to submit a declaration to the Land Reforms Tribunal. The government has created 65 such Tribunals in the State at the rate of one each for the revenue divisions. The Deputy Collector acting as the Tribunal has to examine the declarations made by each of the landlords and determine the surplus land. Appellate Tribunals were also created for each district with the District Judge as the Chairman and PA (Special grade) to the collector acting as a member. Appeals against the decisions of the Appellate Tribunals are entertained by the High Court against whose decisions the Supreme Court heard appeals. The attempts of the Government of India to insulate the land reform laws from the purview of the courts by including them in the IX Schedule of the Constitution was also defeated as the High Court and the Supreme Court felt competent to hear appeals in land matters.

4.5 lakh declarations in the first year: In order to expedite the work relating to land reforms, special revenue staff was appointed in 1975 and even the regular revenue officers were asked to assist the special staff whenever they are free from revenue collection work. Rigorous implementation of the reforms law during the first year of its implementation yielded satisfactory results. Thus by February 1976, 4.40 lakh declarations were filed by the landlords out of which 2:34 lakh were verified by the revenue staff. Ninety-four thousand cases were disposed of by the Tribunals which identified 80,000 acres of surplus land. Show cause notices were also issued to about a lakh of land owners who did not file declarations as required under the Act.¹

Irregularities galore

The developments that took place during that crucial period of the early seventies are of special significance for the understanding of agrarian reform. The Act was passed in 1973 but came into force on 1 January 1975. The gap provided ample opportunity for the landlords for considerable manipulation. Many of them sold away their excess land. Some had adopted children to increase the number of members in the family. Date of births were changed to show minor sons as majors and married daughters were shown as unmarried. Old stamp papers were in great demand on which pre-dated agreement for sale of land were entered into. Partition deeds were hastily executed showing major sons as separate units. Benami transactions for transfer of land took place on a large scale. At one stage the High Court held that agreements entered into on plain papers were also valid.2 Hundreds of couples in the coastal

region obtained legal separation to claim two separate units of holding for the family, even though they continued to live as husband and wife under the same roof. It went on for some time until the government announced that such divorces of convenience would not be recognised for purposes of the reform law. As part of the evasive tactics of the landlords, false declarations were made by some, while many others failed to declare their holdings. This accounts for the large discrepancy between the number of holdings in the State as shown in the revenue records and the actual number of declarations. The attitude of the local revenue staff to these irregularities could be understood from the fact that nobody was prosecuted for false or non-declaration of holdings as envisaged under the Act.

Rural unrest and rise of leftist movements

There was an undercurrent of rural unrest during the period. Most landlords with the sentimental attachment to their ancestral property were prepared to go to any extent to save the holdings for their families. It is believed by many that the agitation for a separate Andhra State in 1972 was supported and financed by the rich landlords of the coastal region who managed to get the revenue records burnt by unruly mobs to defeat the ensuing land reform law which was under the consideration of the government at that time. Consequently, at several places the Tribunals had to depend upon the memory of the village officers and other revenue staff most of whom are not known for their honesty and integrity. On the other hand, the rural poor whose expectations of land ownership were roused watched the developments helplessly as more and more landlords managed to retain ownership of large holdings. No wonder, many of them started subscribing to the leftist ideology and support the land grab movement. As victims of age-old feudal oppression, the rural poor of Telengana were particularly sympathetic to the leftist movements.

Political pressure: dwindling surplus land

All the time, there was indirect sympathy and political support for the landlords. With more than 70 per cent of the MLAs belonging to the land-owning families, political pressure mounted to such an extent that as mentioned earlier the law was amended in 1977 under which each major son in the family could get a separate unit of holding. No wonder, starting with 20 lakh acres, the estimate of excess land came down to 16 lakh acres and later to 10 lakh acres only. Not only the major sons could own separate holdings, but the Tribunals had to admit the claims of several landlords due to loopholes in the Act. Some others could get their claims admitted in the Appellate Tribunals etc. Consequently, after 20 years of the implementation of the land reforms law, the surplus land is finally estimated at 8.07 lakh acres.

The following Table shows the progress of land reforms in Andhra Pradesh during the last two decades:

TABLE 1

S. No:	Year	No. of declarations in lakhs,	Surplus land in takhs of acres	Land taken possession of in lakhs of acres	Land Distributed in lakhs of acres	No. of Beneficiaries
1.	1976	4.40	0.80		_	_
2.	1 98 9	4.42	7.58	5.20	3.99	3.32
3.	1992	- 442.07	7.29	5.49	5.04	4.19
4.	1995	4,448 (4,447 disposed of)	8.07	6.28	5.83	5.06

Impressive performance

In spite of several drawbacks and disappointments, the implementation of land reforms in Andhra Pradesh is by no means unimpressive compared to the other States in India. Thus, it is only second to West Bengal (12.01 lakh acres) in respect of area declared surplus and area taken possession of. The State stands third after West Bengal and Maharashtra in regard to the area distributed to the rural poor. Similarly, Andhra Pradesh accounts for about 10 per cent of the various national achievements relating to land reforms as shown in the following table:

TABLE 2

			7.
S No.	Item	Andhra Pradesh	All-India
1.	Number of declarations filed (in lakes)	4.448	15.99
2,	Number of declarations disposed of (in lakhs)	. 4.447	15.82
3.	Area declared surplus (in lakhs of acres)	8.07	74.10
4. ,	Area taken possession of (in lakhs of acres)	6.28	65.42
5.	Area involved in litigation (in lakhs of acres)	1.47	10.65
6.	Area distributed (in lakhs of acres)	5.83	51.46
7.	Number of beneficiaries (in lakhs)	5.06	49.94
8.	Area declared surplus but not distributed (in lakhs of acres)	2.23	22.63
9. •	Area not available for distribution (in lakhs of acres)	2.10	11.56
10.	Area unfit for cultivation	10.554	4.41 lakhs
11.	Area available for distribution	12.916	1.02 lakhs

Misleading figures: One interesting aspect relates to the number of declarations submitted before the Tribunals. While for the entire country it is 15.99 lakh returns, Andhra Pradesh alone accounts for about 4.4 lakhs. It lends credence to the allegation that a large number of declarations are either false or bogus, submitted to mislead the revenue authorities. Only an intensive study of the problem would reveal the mystery behind the variations in statistics relating to land reforms published by different agencies from time to time.

Unfortunately, an extent of 1.66 acres of surplus land is involved in litigation in the State as shown in the following Table:

TABLE 3

S. No.	Name of the court	Number of cases	Area involved (in acres)
ŧ.	Lower courts	35	2,997
2.	Land Reforms Tribunals (Revenue courts)	506	.40,221
3.	Land Reforms Appellate Tribunals (Revenue courts)	677	42,594 /
4.	High Court of Andhra Pradesh .	2,007	54,412
5.	Supreme Court	651	25,786
	Total .	3,876	1,66,011

End of the road?

The Government of India while reviewing the progress of land reforms have time and again stressed the need to expedite the disposal of cases under litigation by constituting Tribunals under Article 323-B of the Constitution and by creating special benches of the High Courts, 3 Recently, in September 1995 the new Chief Minister of Andhra Pradesh announced his intention to form Special Tribunals under the Constitution for the speedy disposal of land cases. He also announced the distribution of 11,997 acres of surplus land to the landless poor. The statistics provided shows that in 12 of the 23 districts not even a cent of land is available for distribution. In another seven districts, the total land available is only 342 acres. The rest of 11,665 acres is available only in the three Telengana districts of Warangal (2,083), Rangareddy (8,483) and Medak (785). Thus, it is clear that (except the 166 lakh acres under litigation) land reforms in Andhra Pradesh may almost reach the end of the road, unless the State is prepared to undertake some of the measures suggested by the Government of India from time to time.

Suggestions by the Centre

As part of its constitutional obligation under Entry No. 42 of the Concurrent List, the Union Government is acting as a nodal agency to monitor and promote land reforms in the country. 4 Various suggestions are made by the Union Ministry of Rural Development to obtain more surplus land for distribution to the rural landless. 5

First, the law may be amended whereby major sons may be included in the definition of a family. Secondly, lands under religious, educational and charitable institutions should also be brought under the ceiling law. Thirdly, conversion of dry land to wet category should be effected wherever improvement takes place through public investment. Fourthly, wherever the surplus land acquired is found to be unfit for cultivation, the State should have the legal prover to take alternative land from the landowner. No doubt, these progressive mea-

sures are going to make land reforms more realistic, purposeful and effective. But the State leadership needs considerable courage to disturb the composition of the families or the interests of the religious institutions in the present social and political context. Unless strong political will is supported by rigorous administrative action, it is not possible to carry out the suggestions such as the above.

Plugging the loopholes: In many Andhra villages, it is found that even after pattas are issued to the assignees, land continues to be under the possession of the landlords. The poor are afraid to complain to the authorities about the illegal occupation by the influential landlords and even where complaints are made no action is taken by the revenue authorities: Secondly, land reforms work in Andhra Pradesh may be said to be incomplete as the work relating to consolidation of holdings stands suspended. Thirdly, joint pattas in the name of the assignees and their wives are not issued as proposed by the Union government as a measure of enhancing the status of rural women. Fourthly, there is an urgent need for a resurvey of lands in Andhra Pradesh. The State has prepared plans for a survey through remote sensing method, for which Central assistance is sought. Fifthly, the survey should be followed by modernisation of the land records system as envisaged under the 20-point programme. Successive Chief Ministers of the State have announced time and again that land records in the State would be computerised, but no decisive action is taken so far in this regard.

Effective role of Panchayats

The need to associate the Panchayats with the implementation of land reforms is stressed time and again by several people. The item is now included in the Eleventh Schedule of the Constitution. In fact, it is the association of a special committee of the Panchayat Samiti in West Bengal that is said to be responsible for the success of land reforms in that State. With their firsthand knowledge of the locality, the Panchayats are ideally suited to advise the authorities on the implementation of land laws. Records relating to declarations made, the type of lands involved, the excess lands identified and the names of the assignees of lands should be made available to the Panchayats as well as the public. With the empowerment of the weaker sections and women, the Panchayats are today in a competent position to verify the actual possession of land by

the poor and cases of their harassment by the neighbouring rich landlords, etc. They may also identify cases where the assignees of land are not able to stand on their own in spite of the assistance of the government for reasons beyond their control. The Panchayats should recommend the reopening of land reform cases by the revenue authorities wherever there is improvement of land and/or change in the status of families, etc.

Conclusion

Land reforms in Andhra Pradesh have been implemented reasonably well though not to the extent desired. It is unfortunately true that several landlords are able to keep large chunks of land through dubious means. But with the growing unrest in rural Andhra Pradesh, sooner or later the State government would be compelled to undertake the unfinished task of land reforms.

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The Karnataka Land Reforms (Amendment) Bill, 1995 : a critique



M.K. Ramesh

he Karnataka Land Reforms (Amendment) Bill, 1995 was passed by the legislature without a debate. This was accomplished in a matter of two days, as the Opposition chose to stay away from the deliberations. This has

virtually stirred a hornet's nest. While the official line has been to stoutly defend the change as very essential "to achieve overall development of the State by giving impetus to its economic growth", its detractors have dubbed it as anti-people. The raging debate on the subject has thrown up several questions. Some of the questions that are of seminal significance relate to its constitutional validity; the conso-

nance of its objects with those of the amended legislation and the justification for the passage of such an important piece of legislation without undergoing the democratic process of consultation, deliberation and debate. This paper is an attempt to analyze the latest law with the hope of finding answers to the nagging queries. This necessitates a comparative analysis of the objects and the relevant contents of the amending legislation with that of the Karnataka Land Reforms Act, 1961.

Background and objects

The Land Reforms Act, 1961, that came into force in 1965, was an important limb of agrarian reforms which aimed at relieving concentration of agricultural lands, providing for acquisition of surplus land and its distribution to landless people. The major thrust of agrarian reforms consisted of reforms of land tenure, that formed the very foundation of the agrarian structure. The reforms were effected in stages. In the first stage, Zamindari, Jahagirdari and Inamdari systems of land tenure were abolished and ownership of land was conferred on the actual tillers so as to enable them to enjoy the fruits of their labour. At the second stage, provision was made for securing tenure and protection from eviction from the lands held by them to the tenants. In the final stage, all intermediaries between the State and the cultivators were sought to be eliminated by extinguishing the rights of the landlords in tenanted lands and conferring on the tenants full ownership or

occupancy rights in such lands. Concentration of holding lands in the hands of only a few was sought to be eliminated by imposing ceiling limits as to the extent of land that could be held by individual persons and families. The surplus land

taken from them was distributed among displaced tenants and the landless. The 1961 Act sought to bring about land reforms envisaged in the third stage of agrarian reforms. This was perfectly in consonance with the constitutional concerns of bringing about a change in the agricultural economy and facilitate agrarian reforms (as envisaged under Art. 31-A(1)(a) of the fundamental law of the land.

The Act aimed at furthering the Directive Principle of State Policy of securing distribution of ownership and control of material resources of the community in an equitable manner besides ensuring the operation of the economic system did not result in concentration of wealth and means of production to the common detriment (Art. 39(b) & (c)). The Act was secured by placing it in the Ninth Schedule of the Constitution under Art. 31-B that insulated it from being challenged on the grounds of contravening the Fundamental Rights to equality (Art. 14) and fundamental freedoms (Art. 19). This is significant as the protection from any challenge of violating Fundamental Rights is not available to a law, as laid down in K.K. Kochunni v State of Madras (AIR 1960 SC 1080), which seeks to modify the rights of the owner without any reference to agrarian reforms. Against this backdrop of the constitutional bases of the 1961 legislation, the provocations for and the contents of the 1995 amending effort need have to be examined.

Strange argument: In the statement of objects and reasons, there is mention of industries found "resorting to various indirect methods of obtaining lands for their requirement", which, at times tended "to defeat the very purpose of the Land Reforms Law", as one of the reasons for effecting amendments in the law. The changes were intended to make it possible for the industry to obtain land easily. The logic advanced appears

quite strange. When in the working of any law, resorting to devious means of circumventing it is attempted by any one, it is legislative logic to effect such changes as would minimise instances of deviance. Instead, what one finds here is an attempt to facilitate further deviance and accord the stamp of legitimacy to such acts that were making a mockery of land reforms.

A paradox: It is further stated that the restrictions imposed in the acquisition of land in the Act affected the development of agro-based industries and the law did not inspire attracting investment from outside the State into and for the expansion of industries based on aquaculture, horticulture, and housing industry and hence the Amendment. It is argued that the change facilitates the farmer alienate unproductive land and make some money: If one examines the restrictions imposed in the law as it stood before, as to income and land holding limits, one finds that the object was to prevent the entry of black money into the sphere of agriculture. The law sought to inhibit the tenant falling prey to the temptation of alienating the land for a higher price. It also served to exclude from the sphere of agriculture, the businessmen who tended to exploit land for profit without promoting social justice or equality. Thus, one finds it quite strange as the reasons advanced for the Amendment appear to run counter to those of the original legislation. Repeal of the old law by the current one, perhaps, would have made more sense! Further, enabling housing industry to acquire land through this legislative efforts makes it enter a very shaky ground. In P.V. Mudaliar v Special Deputy Collector, Madras (AIR 1965 SC 1017) the Supreme Court had held the Land Acquisition (Madras Amendment) Act, 1961, providing for the acquisition of lands for a housing scheme, as not a law with reference to any agrarian reforms and hence was not protected by Art. 31-A. Since the 1961 Act is protected by the very same constitutional provision, the amending legislation does not get such a support from what has been stated in the objects and reasons.

From the statement of objects and reasons for the new law, one tends to get the impression that the amended law was an obstacle for industrial expansion and not providing a congenial environment for "economic liberalization sweeping the country". As could be made out, the land reforms law was a device for ushering in an egalitarian social order by providing the much needed economic spine to one of the marginalised sections of the society. It is also a known fact that no obstacle exists for the State to acquire land and make available the same to the industry, under a different set of laws. Hence the objects stated and the impression created for amending the law appear suspect.

Income limit: The 1961 Act, prohibited acquisition of ownership of agricultural land by persons earning an annual income of over Rs. 12,000 from sources other than agriculture. This was later relaxed to Rs. 50,000. The 1995 Amendment further relaxes the limit to Rs. 2,00,000 (Section 79-A). The raison d'etre of prescribing the limit on income from sources

other than agriculture to Rs. 12,000 and then to Rs. 50,000 was to ensure the poor and landless had access to land and help genuine farmers. The higher income limit prescribed, it is surmised, would keep land beyond the reach of the poorer sections of the society, for whose benefit the land reform legislation was made.

Ceiling on holding: While it was the maximum of 27 standard acres prescribed for anyone to hold when the law was first enacted in 1961, it was later fixed at 10 units per family in 1974. This, in effect, meant that anyone cannot hold more than 54 acres (D category) of land. The objective was the take over of surplus land above the ceiling and distribute the same to the landless who belonged to the economically weaker sections of the society. The law laid down that 50 per cent of the land, available for distribution thus, should be reserved for being given to persons belonging to the Scheduled Castes and Scheduled Tribes. Now, through the Amendment, the ceiling limit has been raised to 40 units for a person (Section 63) which, in effect, would mean that one can hold land to a maximum of 216 acres (D category). The relaxation, it is feared, would help a big farmer and industries only. Further, by allowing one to hold more land than permitted under the old law, the availability of surplus land to distribute among the have-nots-which is the basic goal of the land reforms lawto that extent gets reduced.

Restriction on transfer of land: The 1961 Act as amended in 1974 abolished leasing of land by anyone (with the exception of soldiers and seamen). The concession that was extended to small holders, widows, minors, the disabled and the like were cancelled. The law also gave no scope whatsoever for one to enjoy the yield without personal cultivation by any person. Abolition effected was complete and without any concession. Another significant aspect of the law was the total elimination of the right of resumption. No landlord, except a soldier or a seaman, was permitted to resume tenanted land, however genuine his willingness or interest to take up personal cultivation or his need or desire to put the land to nonagricultural use. Further, persons giving out land on lease in contravention of the law, stood to lose the land. Giving the land on lease placed it on a one-way journey out of the land owner's hands. Such was the rigour of the law. The expectation was one would either cultivate the land by one-self or the cultivation of the land was under one's direct supervision. If neither was possible, the land would go to the State so as to make it available for cultivation by the poor and the landless. By the change effected in the law now, there is scope for leasing the land by the owner to a registered occupant, in the districts of Dakshina Kannada and Uttara Kannada, for a period of not exceeding 20 years, for the purpose of utilization of the land for aquaculture (Section 5 (2)(b)).

There is, thus, relaxation of restriction on land transfers as far as aquaculture in the above mentioned districts of Karnataka under the amended law. Aquaculture is made an aspect of agriculture by amending the definition clause

(Section,2). The changes effected to facilitate aquacultural operations in a very big way have far-reaching consequences, which cannot be lost sight of. In defence of the move there is the argument that aquaculture is a real money-spinner and encouragement to that would enhance the economic condition of the farmer immensely. Even unproductive land could be put to most profitable use. The potential for attracting outside investment could be tapped through this effort. The reality, on the other hand, paints a very grim picture. If one can draw a lesson from the experience elsewhere, (especially the Philippines) aquaculture; practised even with the most modern methods, has resulted in ecological disasters. Intense cultivation has led to salination, rendering the land useless over a period of time. The underground water table got polluted making the water unfit for human consumption. Closer home, we have the unfortunate experience of the cultivators on the east coast who went into aquaculture in a very big way. They are still trying to get out of the economic disaster caused by the virus that has affected many aquaculture projects in the region. The adverse impact is not confined to the land where aquaculture is taken up. The neighbouring areas are also saliniated as to affect agricultural production. Besides being an environmental hazard and resulting in reduced agricultural production, aquaculturist will be liable to be proceeded against under tort law. The tort law principle, sic utere tuout non alienum loedas, requires one to use one's property as not to cause harm to others. But since, aquaculture has adverse impact on neighbour's land as well, the aquaculturist cannot escape liability, Further, it has been scientifically established that the west coast is unsuitable for aquaculture. Such being the facts, it is baffling that the legislators in their prudence came up with this Amendment to the land reforms law, with the hope of achieving economic advancement for the State with facts pointing to the contrary. Nothing short of a miracle can achieve what the lawmakers have dreamt of.

There is another aspect to this. The Amendment, in reality, reintroduces tenancy, that was banned under the existing law. The provision of lease for 20 years makes it possible for the lessor to become owners after 12 years of tenancy since the relevant provisions of the law in that regard have not been deleted. The question then is, whether the amending exercise is intended to keep the door wide open for the return of the old zamindari system, which was shown the door by the 1961 Act?

Amendment of Section 109: This has given the government unlimited powers to exempt any extent of land for any specific purpose in "public interest". This has virtually the effect of making inapplicable the land ceiling limits prescribed in the amendment, if the government gets into the act of utilization of the available land in "public interest". The Act does not define the expression wnat amounts to "public interest" is left to the sweet will and as determined by the State. The scope for unbridled exercise of discretionary power by the State gives enough room for abuse.

Common property resources (CPRs): Another very sig-

nificant impact of the amendment is with regard to common property resources and access to them for the poor. It is common knowledge that the CPRs, like grazing lands, tanks, village woodlots, etc have been the source of sustenance to the poor and the landless. They have enabled these people to common animal husbandry and eke out a living. Enjoyment of traditional rights over the CPRs has thus benefited the marginalised sections of the society. There has been an increasing tendency of encroaching these lands by the powerful sections of the society and legislative measures in regularising such efforts have also acted to the detriment of the weaker sections. The instant legislative efforts that relaxes the restrictions of the original land reforms law is bound to reduce the area of CPRs. While the Act of 1961 stands on the plank of making land available to the poor, indigent and landless, it is a paradox that the working of the amended law would close the very access for sustenance the target group enjoyed, as a matter of right, for so long.

The speed with which the legislative changes were effected and the role of the opposition in "facilitating" the "smooth passage" of the law gives room for suspicion. Contrast this with the scenario prevalent at the time when the law was first enacted in 1961 and amended in 1974. It is reported that the legislature of that period had numerous occasions to debate the land reforms. All the available of avenues for raising a discussion were explored and brought into play. "Every speaker possessed personal knowledge of the Act and its implementation in his constituency", asserts Mr M.A.S. Rajan who, as Revenue Commissioner, saw through the making and implementation of the law. Notwithstanding the disclaimers galore the political parties have come up with, subsequent to the making of the law, this is one clear case of abdication of one's sacred duty by the legislators, when it mattered most.

73rd Amendment to the Constitution: This major amendment to the Constitution ushered in the Panchayati Raj System of governance. The amendment envisioned democratic decentralization of power and strengthening of local bodies in the decision-making process. The Land Reforms (Amendment) Bill of 1995, unfortunately appears not to have taken note of this constitutional mandate of requiring the nod of local institutions on matters that impinge on the lives of those under their governance. Agrarian reforms, as described by Justice Krishna Iyer has the target of "the village man" and "his welfare". (in State of Kerala v. Gwalior Rayon Silk Manufacturing (Wvg.) Co. Lid. (AIR 1973 SC 2734). As such, in the absence of evidence to the contrary, the State legislature appears to have not performed its constitutional duty.

It is, thus, evident that the stated objectives and the provisions amending the existing land reforms law, which is in the Ninth Schedule, are inconsistent with the provisions of the Constitution and so cannot be saved under Article 31-A and protected by Article 31-B. There is, thus, the imperative need for the legislature to re-examine the entire amending exercise

(Contd. on page 143)

An approach to land reforms legislation

Dr V.N. Autkar

owards the end of the British rule, there existed a number of land systems and land tenures evolved over a period of 100 years. The result was a bewildering variety of land systems and land tenures all over the country.

History of tenancy reforms

During the early period of East India Company rule between 1793 and 1859, the British rule was more or less concerned with safeguarding the flow of revenue to the exchequer. The problems of the tillers of the soil did not bother the British so much. Lord Canning in 1859, for the first time, defined the right of occupancy and laid down the law between the landlord and the tenant. For the first time in the history of land tenancy in India, a point was made in an Act empowering the government to take action for the adequate protection of raiyats.

Land revenue system and land tenures

The systems of land tenure in India exhibits almost conceivable variation from thousands of tenants' minute holdings of well under an acre in size. It is nevertheless possible to classify in fairly well-defined groups. The tenures then existed can be classified in which these holdings are grouped are: (1) Raiyatwari, (2) Zamindari, and (3) Malguzari.

All over Berar, Raiyatwari tenure which prevailed in Khaisa was the most common, but there are also a few jagir Izara, Palamput and Inam villages.

TABLE 1
Classification of Villages According to the Types of Tenures in Vidarbha.

Types of tenure system	No. of villages	% of total villages	% of total area
Khalsa	5,977	88.80	86.43
Forest	159	2.36	2.64
Izara	394	5.85	7.21
Jagir	185	2.75	` 3.51
Palamput	∠16	0.24	0.21
Total	6,731	100.00	100.00

A short description of these villages and rights enjoyed thereunder would not be out of place and hence given below."

- (1) Raiyatwari tenure: According to this system, government deals not with the head of villages, but with individual holders of separate fields. The cultivator possesses the right to occupy the land permanently. He is free to sell, mortgage, surrender or dispose it of, in any way he likes.
- (2) Zamindari tenure: In Zamindari areas, the whole village or group of villages was the property of single individual or a group of individuals. This individual or group of individuals wielded considerable power over the social, economic condition of the cultivators in those areas. The cultivators held land not directly from the government as peasant proprietors but from the estate holder either as subordinate owner or as a tenant. The estate holder could create tenancy and regulate the use of or waste and forest lands, often to the detriment of the village community. The Zamindari tenures existed in the eastern districts of the State.
- (3) Malguzari tenure: This system found mostly in coastal areas. In Vidarbha region, the Malguzari system was also found in Nagpur district.
- (4) Jagir tenure: Almost all jagirs in Berar were given either by Delhi emperors or Nizam. A jagirdar held a whole village, sometimes, making no payment whatsoever to the government; sometimes; paying fixed rent and sometimes a certain proportion (40, 50, 60 per cent) of ordinary share. The rent of the proportion of revenue was fixed permanently.
- (5) Izara tenure: Izara villages are held under the wasteland rules of 1865. These formed a system according to which the whole was were leased out to individuals at a low rental for a period of 30 years or less, at the end of which the lease was given an option, provided he had brought one-third of the land under cultivation or keeping the village in perpetuity, on payment of one-half of the fair assessment. The object was to encourage cultivation.
- (6) Palamput tenure: The word 'Palamput' is said to mean a lease, for protection or development, eg a village 'Kata' in Akola district was granted in the year 1837 by a lease signed by Raju Chandulal upon a fixed payment. Under the British government, careful calculations were made of holder's profits, which included dues on produce, oil presses and marriages. These dues were abolished and it was ordered that after certain allowances had been made for village expenses and other matters, government shared 60 per cent and palamputdars 40 per cent of ordinary assessment.

(7) Inam tenure: A large number of *Inam* grants have been made by different governments. There are *Inam* fields and no *Inam* villages. These fields were granted as *Inams* usually for the purpose of securing the maintenance of temples and tombs. An *Inam* is sometimes held free of assessment and sometimes on the payment of a fraction of the ordinary assessment.

Land reforms legislation since Independence

The need for agrarian reforms arises out of the existing defects in the agrarian structure. After Independence, the government's policy, in the first instance, was directed against various intermediaries—Malguzars, Zamindars, Maktedars, Mokasdars, Jagirdars, Izardars and Palamputdars, etc. These intermediaries were relic of the feudal past; they acted as fetters on agriculture. According to the MP Abolition of Proprietary Rights (Estates, Mahals, Alienated Lands) Act of 1950, all the proprietary interests were completely abolished. Consequently, the various categories of tenants or antiquity and permanent tenants become the direct lessee of the government. The Act also provided for acquisition of all ownership rights by these tenants on payment of certain premium. The Act provided for payment of compensation for the abolition of proprietary interests. The Act did not touch land ownership and the proprietors continued to be the biggest landlords in most villages.

The Berar Regulation of Agricultural Lease Act, 1951

The first important tenancy legislation that was passed after Independence to ensure fixity of tenure in the interest of efficient agriculture in Berar was, the Berar Regulation of Agricultural Lease Act, 1951. According to this Act, every tenant holding land up to 50 acres during 1951-52 was declared a protected tenant. A protected tenant, even after expiry of the specified period, was given the right to renew the lease by following a certain procedure. Under certain conditions, according to the Act, the landlord was given the right to terminate the tenancy, subject to verification by the government. The Act provided for the maximum rent, the reasonable rent and commutation of crop share or service or labour into cash rent. The Act made it obligatory on the part of the landlord to pass receipts in favour of the tenants for the rent received. The Act gave wide powers to the government officials to settle the disputes arising out of the implementation of the Act.

The Madhya Pradesh Land Revenue Code, 1954

The Madhya Pradesh Land Revenue Code, 1954, was the first attempt for codification after Independence. As far as land tenure and tenancies were concerned, the code made an attempt to simplify them.

According to the code, all previous land tenures were converted into two categories: (1) Bhumiswami and (2) Bhumidhari. The former category included Malik Makbhuza,

Rayyat Malik, absolute occupany tenant and the occupant, the ante-alination tenant and the tenant of antiquity in Berar districts. The latter category Bhumidhari included the occupancy tenant, the Rayyat Sarkar and other persons who held the land as a leassee of the State government according to the Madhya Pradesh Abolition of Proprietary Rights Act, 1950, but had not acquired full ownership rights. The code introduced two types of tenancies: (1) ordinary and (2) occupancy. The ordinary tenant is one who held the land for agricultural purposes from a tenure holder and was neither an occupancy tenant as defined bythe code nor a protected tenant (as defined by the Berar Regulation of Agricultural Lease Act of 1951). The terms of tenancy of ordinary tenants were governed by private contract between landlord and the tenants. This was heritable right according to personal law. The occupancy tenant was given certain rights and responsibilities by the code. An ordinary tenant was given he right to become an occupancy tenant if he had habitually leased in the land for a total period of five or more years during any consecutive period prior to the coming into force of the code was taking into account. The right was not to accrue to the ordinary tenant automatically. He was required to follow certain procedure in case he wanted to become occupancy tenant. The occupancy tenant was entitled to ownership right on payment of a sum equal to ten or seven times the rent according to whether the land was purchased from Bhumiswami or Bhumidhari.

The Bhumidhari right was somewhat restricted as comapred to the Bhumiswami right. The latter was a full ownership right. According to the code, the Bhumidhari was given an option to become a Bhumiswami by paying three times of the land revenue on his holdings.

The Bombay Tenancy and Agricultural Lands Act, 1958 (Vidarbha region and Kutch area)

The Act came into force on 30 December, 1958. The enactment of the present tenancy law is a step advanced by the State of Maharashtra towards the goal of "Socialistic Pattern of the Society". At present in the whole of Maharashtra, the State government has brought three different enactments in regions as under:

- (1) The Bombay Tenancy and Agricultural Land Act, 1948 for Western Maharashtra region (Pune, Nasik and Bombay divisions).
- (2) The Hyderabad Tenancy and Agricultural Lands Act, 1950 in force in Marathwada region (Aurangabad division).
- (3) The Bombay Tenancy and Agricultural Lands Act, 1958, for Vidarbha region.

The object and intention of all these enactments is, in short, to protect the tenants and as far as possible to make the tenants the owners of land. This is an important process of law wherein the dormant landlords are converted into landless. The dream of the landless becoming landowner is being brought

into a reality. The intention of the tenancy legislation was to give security of tenure to all tenants including share-croppers, ie those who were paying rent to the landlord by way of share in crop, and to fix a ceiling on rents. Tenancy was not terminable by efflux of time. The rent payable by the tenants was not to exceed the limits prescribed by law, ie three to five times the land revenue. The laws were amended subsequently. By these amendments, the "land to the tiller" policy was adopted by the government. All tenants (except where landlord or tenant was a minor, a widow or a disabled person or a member of armed forces) have been declared owners in respect of the lands under their cultivating possession subject to terms and conditions.

For the land in respect of which tenants have been declared statutory owners, they have to pay purchase price to their landlords as determined by Agricultural Land Tribunals. The purchase price payable by them is multiple of agricultural assessment ranging between 20 and 200 times the assessment. These tenant purchasers are given option to pay the purchase price in lump sum or annual instalments not exceeding 12, with interest at 4.5 per cent per annum. For enabling the poor tenant purchasers, they are advanced tagai loans. In respect of tenant purchasers belonging to the Scheduled Tribes, they are given financial assistance to pay off the purchase price.

TABLE 2
Progress of Tenancy Reforms in Maharashtra

Serial * No.	Number	Area (in ha)
(1) No. of landlords allowed to resume land for personal	88,858	1,88,000
cultivation (2) No of tenants declared owners	14.92 lakhs	. •
(3) Purchase price fixed	Rs. 61.35 crore	
(4) Purchase price recovered	Rs. 55.81 crore	·

In Maharashtra, 14.92 lakh tenants were declared owners of land on 25.12 lakh ha. The average size of holding per beneficiary worked out to 1.68 ha, just an emergent pattern of small farmers.

The Maharashtra Agricultural Lands (Ceiling and Holding) Act, 1961

The Act was the culmination of the important land reforms legislation after Independence. The purpose of the Act which came into force on 16 January, 1962 was to impose a maximum limit on holdings of agricultural land. The Act provided for acquisition of land held in excess of maximum limit and its distribution among the landless and other persons. In order to ensure proper implementation, the Act made certain transfers and partition void and imposed restrictions on transfer or acquisition of land in excess of ceiling.

The Ceiling Act was amended on 2 October, 1975. In the second Act, the range of ceiling on land varied from 18 to 54 acres depending on classes of land according to irrigation, facilities and cropping pattern.

TABLE 3
Progress of Land Ceiling in Maharashtra

SI.	Particulars ·	No./ha/%
No		
1.	Total number of returns field till March, 1994	1.09 lakh
2.		1.08 lakh
3	Percentage of cases decided to returns field	99.03 per cent
4	Land declared surplus till March, 1994	2.85 lakh ha
	Land distribution	2.25 lakh ha
6.	Percentage of land distributed to land declared as surplus	78.94 per cent
7.	No. of beneficiaries to whom land granted till March, 1994	1.45 lakh
8.	as the second and the second	1.55 ha
	No. of beneficiaries from SC/ST	- 0.93 lakh
10	Land granted to weaker sections	1.24 lakh ha
	Land involved in litigation	0.35 lakh ha

It is revealed from Table 3 that in Maharashtra, about 1.45 lakh landless people became the landowners by getting the share of land distributed. The average size of land distributed per beneficiary worked out to 1.55 ha. Out of the 1.45 lakh beneficiaries, 41.33 per cent were from the weaker sections of the society.

Now there is no surplus land available for distribution excepting the land involved in litigation.

In respect of the land involved in litigation, orders were issued to all Collectors and Commissioners of divisions to dispose of all cases pending with them and revenue officers before 31 March 1994. The High Court Bench in the State was requested to dispose of pending cases on priority.

Financial assistance to beneficiaries

Under this scheme, financial assistance is granted to the assignees of surplus land for (a) construction of wells, (b) purchase of agricultural implements, and (c) development of land. The quantum of assistance granted, when the scheme was introduced in 1975-76, was Rs. 1,000 per ha. The maximum assistance granted per family was to the extent of three heactares only. The assistance was revised to Rs. 2,500 per ha from 1984-85. The expenditure is to be shared by the Centre and the State government on 50:50 basis.

It must be emphasized that land reforms laws, if effectively implemented, would go a long way in changing the agrarian scenario which can achieve social distributive justice, socioeconomic equity, stability and possibility of uplifting the rural masses above the poverty line through land distribution assets.

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Land reforms experiences: Bangladesh and India

Making a comparative study of the land reforms in Bangladesh

and India, the author says Bangladesh, with a low land/man

ratio, has a surprisingly low proportion of landless farmers.

About the Indian scenario, the author is of the view that

frequent amendments and changes have made land legislation

more complex and rigid. New arguments are advanced instead

of distributing land to the tiller. Stressing the need for a

modernised system of land records, the author says that a

separate land reforms administration is the need of the hour.



Dr IN Tiwari

he purpose of this article is to present the way of looking at the land reforms as available in unstable, unfortunate Bangladesh and stable, yet conservative society of India. In Bangladesh, practically hardly

any land legislation for giving a new shape to land units is available. Only the master survey of 1960 and agriculture census conducted in 1968 provide some information regarding marginal tenurial transformation. In India, we have romantic legislative fullness but hard-hitting consequential measures are

lacking for giving a new shape to highly feudalized land ownership which would be the basis of pushing India to the status of first rate productive world power. Since hardly any comparable data is available for the two subcontinental partners, we present in a discreet way the land situation separately available in Bangladesh and India.

Bangladesh experience

The pattern of ownership distribution according to the 1960 agricultural census and the 1968 master survey of agriculture are shown in Table 1. Compared to the agricultural census, the more recent master survey shows a general decline in average farm size, leading to a higher proportion of small farms and a lower proportion of medium and large farms. This is partly explained by the fact that the agricultural census defines farm size as total area including both cultivated and uncultivated land, while the master survey defines it as cultivated area only. It is also likely that because of the inexorable operation of the inheritance law, farm size declined significantly over an eight-year period during which population increased by nearly 30 per cent.

The Agricultural census indicates that an average farm size was 3.54 acres in 1960. It is considerably smaller. The total cultivated area probably stands at 22.5 million acres. Applying the 1968 master survey estimates of farm households as percentage of rural households (73%) and average rural family size (5.65) to benchmark rural popu-

lation, one gets an estimate of 8.69 million agricultural families including those owning no land. The average size turns out to be 2.59 acres per agricultural household (including the non-owning ones). Taking only the owning

farm households, the average would be 3.14 acres.

The unique feature of the ownership distribution is that a vast proportion of farms are small by any standard while a very small proportion can really be regarded as big. The 1968 survey shows only 30,000 farms are bigger than 25

acres. Together they account for less than 4.5 per cent of cultivable land³.

TABLE 1
Distribution of Farms by Size²

1	Ag. Census 1960		Master S	Master Survey 1968	
Size of farms in acres	% of farm area	% of farms	% of farm area	% of farm	
Under 1	3.24	24.31	4.24	24.96	
I to under 2.5	13.01	27.32	17.08	31.67	
2.5 to under 5	26.40	26.31	29.97	26.32	
5 to under 7.5	19.30	11.38	17.77	9.20	
7.5 to under 12.5	19.14	7.21	15.52	5.25	
12.5 to under 25	14.11	3.06	10.95	2.16	
25 to under 40	2.91	0.35	3.30	0.36	
40 and above	1.89	0.08	1.17	0.08	

On the other hand, it would not make sense to continue to be guided by the conventional notion of bigness, derived in the context of a substantially more favourable land/man ratio, when the average size is only 2.59 acres and nearly two-thirds of the farms are below average in size. The ownership distribution, is highly unequal upwards. In the given context, those with three to four times the average size must be treated as very large indeed!

To look at another aspect of the land system, summarised in Table 2, an overwhelming proportion of farms are ei-

ther owner-operated or owner-cum-tenant-operated. A negligible proportion of farms are operated by landless farmers on a share-cropping or renting basis.

One curious aspect of the system is that the average size of the owner-cum-tenant-operated farms is very much larger than that of the owner-operated farms. It seems that the medium owners operate as farmers on their own land while a good many of the larger owners rent out their land to be operated by smaller owners and to a very small extent, by landless farmers. Thus, it is said that large ownership tends to result in greater resort to share-cropping than to capitalist farming based on modern technology.

TABLE 2 Aspects of Land Tenure

61	Owner-operated farms	82
37	Tenant operated : Share-cropping	16
2	Cash renting	2
		:
	3-1 acres	
	4-3 acres	• .
	. 2-4 acres	
	37	37 Tenant operated : Share-cropping 2 Cash renting 3-1 acres 4-3 acres

Distribution of ownership is, however, no index of the size distribution of the consolidated operating units. This is because of the extensive fragmentation of holdings. Ninetysix per cent of farm land is held in fragmented holdings. Table 3 shows the situation according to the 1960 agricultural census. Now it must be even worse.

Only about 10 per cent of farms and four per cent of farm land are unfragmented. A higher proportion of larger farms are fragmented as compared to small farms. It would clearly be misleading to think that bigger ownership units also mean equally bigger consolidated operating units.

Share-cropping

How widely prevalent is share-cropping? A decade ago, no more than 16 per cent of the total land area was operated under this system. In the discussion of agricultural development, this system is frequently identified with inefficiency. The argument is that it resembles a system of very high proportional taxation and hence is responsible for a great deal of disincentive on the part of the operator. While the system is prevalent over a significant proportion of land area, it can certainly not be described as the dominant mode of production.

TABLE 3 Fragmentation of Farms in Bangladesh

Percentage of total number of farms		
10 "		
21		
17		
23		
29		
Fragmented farms as per- centage of all farms in the size class		
83		
97		
97		

The land tenure and ownership pattern may be summarised as follows:

For a country with such low land/man ratio, Bangladesh has a surprisingly low proportion of landless farmers. However, there is a massive proportion of 'near landless' farmers. Also, there is a considerable degree of inequality in so far as over 30 per cent of land is held in ownership units three times or more than the average size of ownership. It appears that the larger owners tend to let land out for share-cropping to small farmers and that such arrangements cover a significant, though not overwhelming, proportion of cultivated land.

The Indian scenario

In India, the old concepts of mahalwari, zamindari, halwari appear to be converted into some kind of growth, cancerous formation on the landscape of national society. Now we have a series of new concepts which appear to legitimise the non-rational formation on land. Not only we have mandirwari, talabwari like zamindari, mahalwari but we have a number of modernized version of feudalized structure. Disproportionate possession of land has been justified in the name of farmwari, talabwari, udhyamwari, beejwari, vikaswari and awaswari. Even it is said the railway possesses millions of hactares of land and it may be termed as railwari. Thus apparently and formally zamindari seems to be abolished; but in fact, far more devastating and pernicious concepts have been developed for rationalising the so-called modernized formation of land.

Various dimensions

The objective of land reform is to achieve an egalitarian social structure so that land must be possessed by the tiller of the soil. That land functions as ultimate variable of agricultural productivity and as such it has a negative dimension. Abolition of intermediaries, ceiling on agricultural holdings, consolidation of land, conferring right on homeless persons, protection of land rights of SCs, STs and access of land to women participants are some dimensions of land reform. As a matter of fact, land reform becomes a symbol of establishing social justice. Land reforms have positive dimensions also which touch points like improvement of fertility of land, application of better seeds, better manure, better soil management, better management of water and irrigation and increasing productivity of land. However, despite seeming surplus of food grains, India can hardly affect the gigantic interaction in the world food market and despite the apparent surplus no one knows when we would face crisis due to scarcity.

Impediments

After the enactment of land ceiling and land consolidation Act, it is hoped that the landless millions would receive reasonable portion of land which would sustain their life pattern. For this purpose, a number of policy measure have been taken but not only the country is fractious, the family in India is a fractious variable and real ceiling limit is yet to be discovered. The size of the family is yet to be defined and whatever is defined is not operational. It also concerns the position of the old parents, elder son, crippled child and migratory daughters. Further, as indicated earlier, title on land in India is permanent but the owners appear to be migratory, absentee landlords. The ceiling is violated because of the exemption for tea, coffee, rubber, cardamom farming and cocoa plantation. Religious and charitable institutions possess beyond normal land ceiling limit. Millions of acres of benami land affect land ceiling adversely and 75 per cent area of the land are under litigation.

Tardy progress

Farjee transfers defeat the very purpose of land ceiling law and as we know delay is treated as part of fathomless patience of Indian culture. Here administrative and judicial tribunals do not appear to be active in disposing of the land cases. By now, 73 lakh acres of land have been declared surplus. Out of this, nearly 64 lakh acres have been taken under governmental possession. So far, 50 lakh acres have been distributed to 48 lakh beneficiaries.

It is generally believed that technology liberates, but in this case application of technology by the landlord for more production has deepened the dimensions of slavery as more production helps the landlords to justify the new zamindari. But more production does not help the poor landless peasants.

Complex and rigid system

Since the motive is not transparent and government

itself is not sure of its policy, the will of the national community is found paralysed. Frequent amendments and changes have made land legislation more complex and rigid. New arguments are advanced instead of distributing the land to the tiller. The concepts of land management and land development have been forwarded when we know that only the capables can be the managers of the land not the poor, when we know development develops the developable not the underdeveloped and this theory seems to be a reality at macro and micro levels. America never believes that India is an underdeveloped country as we never believe that the poor are poorer in India.

Casual approach

A definite date has to be fixed by which land records would be prepared, ceiling laws will be implemented, consolidation will be effected and surplus land will be distributed to the landless tillers. A number of officers from . divisional to village levels have been frequently asked to give top priority to land reforms. Hence no administrative accountability. Such casual priority cannot enforce casual policy like land reforms. A separate land reforms administration is the need of the hour. No administrative responsibility can be fixed unless a definite verifiable land reform system is created as even today we have most intensive anarchy in a village society. A feudal lord has his house on an area of two acres and a poor family muster courage to live on hardly 20 yards; even the title of that 20 yards is doubtful. It is said that the government has 3.82 lakh acres of land for public purposes but the purpose of such land in hardly defined. The government is spending millions of rupees on scheme like IRDP, JRY, DPA, TRYSEM, Indira Awaas Yojana, Prime Minister's Rozgar Yojana so that the poor tillers who have received land should enhance their productive capability. They may appear doing so but the gap between, the rich and the poor, the life perception of capable and incapable appear to be measureless. Such a situation is responsible for the ever-groing frustation among the people.

Very often it is said that local self-government—Gram Panchayat, Kshetra Samiti, Zilla Panchayat should be empowered to implement land reforms; but even for implementation the State government does not have adequate funds as implementation is a process of detailed verification and it costs more and more ultimately. In such case, the expenditure has to flow from the Centre to the smaller units. Hence the ultimate initiative does not lie with the decentralized system as whosoever controls the purse also controls the policy. In totality, a paternal system can never be a fraternal system which is very much needed in land reform process. Much less a participative system. Emphasis is given for updating the land records; but what is unfortunate is even the super computer is given to the meteorological department rather than to the land reform wing of the ministry concerned. In fact, in the absence of land records, we have anarchy on land and such anarchy is bound to be explosive as the non-distributive prosperity in Punjab has demonstrated. Data are not reliable, records of land are not available, officers are afraid of land survey, the process of land survey has been described as lengthy, laborious and expensive, trained man-power is hardly available. Every farmer doesn't have a patta or a land passbook. Logically, talking of land reform with the help of computer becomes more idealistic and self-defeating.

Let us see how our political system has responded to the crucial question of land reform.

TABLE 5
Achievements in Implementation of Land Ceilings

As on 30 June, 1992	All India (in lakhs
Returns filed (in nos.)	15.92
Returns disposed of (in nos.)	15.67
Area declared surplus (acres)	72.81
Area taken possession of (acres)	63.53
Area distributed (acres)	49.75
Area declared surplus but not distributed (acres)	23.06
No. of beneficiaries	47.59
Area not available (acres)	10.71
Litigation at various levels	10.71
Reserved/Transferred for public purposes	3.82
Unfit for cultivation	5.03
Misc. reasons like inclusion within municipal	
limits, order of return by the superior court, etc.	2.61
Net area available for distribution (acres)	0.89

The very fact that in the process of implementation of land ceiling Acts, thirteen type of concepts have been developed indicate one thing definitely. That we are more interested in rationalizing the process which by nature eats up the vitals of the promotional programmes.

TABLE 6
Special Drive for Distribution of Surplus Land

State/UT		Land distributed in acre (Oct. 91 to Aug. 92
Andhra Pradesh	·	74,321
Assam		30,507
Bihar ,		10,072
Gujarat		8,407
Haryana		, • 77 .
Himachal Pradesh	• .	Nil
Jammu & Kashmir	•	Nil
Karnataka		1,019
Kerala	•	791
Madhya Pradesh		7,135
Maharashtra		2,349
Manipur	·.	Nil
Orissa		2,784
Punjab		264
Rajasthan		5,323
Tamil Nadu	• •	4,504
Tripura	, a	Nil

Total			1,68,963
Delhi Pondicherry		:	Nil 01
D&N Haveli			61
Uttar Pradesh West Bengal	•		4,306 17,006

The special drive apparently proves to be significantly rewarding but who would be the beneficiaries is the real question. By the time the distribution is effected among the appropriate human unit, greater advantage may accrue to the vested interests.

TABLE 7
Distribution of Government Wasteland

State/UT	Area distributed (lakh acres)
Andhra Pradesh	30.40
Assam	3.75
Bihar	9.75
Goa, Daman & Diu	0.09
Gujarat	13.73
Haryana	- 0.03
Himachal Pradesh	0.17
Karnataka	13.22
Kerala	2.73
Madhya Pradesh	0.79
Maharashtra	10.23
Manipur	.0.32
Mizoram	0.74
Orissa	6.64
Punjab	1.10
Rajasthan -	0.93
Tamil Nadu	2.07
Tripura	1.32
Uttar Pradesh	22.28
West Bengal	4.32

The data available indicate that at least a portion of government wasteland has been distributed. Even if it is true, it is highly deceptive as we do not know what the proportion of this distribution is. Also, ultimately who has received such distributed land deen, the atideen or the deen-atideen. May be these three classes have not received any unit of such distributed land, and the richest among the poor appropriate such land.

TABLE 8
Distribution of Bhoodan Land

			1. 1	(Lakh acres)
State .	Donated	Distri- buted	Balance	Percen- tage
Andhra Pradesh	1.96	1.00	0.96	51.0
Assam	· N	legligible	*,1	-
Bihar	21.18	6.95	14.23	32.81
Guiarat .	0.34	0.27	0.07	79.41
Haryana	0.02	0.02	0.00	100.00
Himachal Pradesh	· 1	legligible		
Jammu & Kashmir	· N	legligible		•
Karnataka	^ 0.11	0.05	0.06	45:45
Kerala	0.02	0.01	0.01	50.00
Madhya Pradesh	4.10	2.43	1:67	59.27

Madhya Pradesh	1.10 0.83	0.27	75.45
Orissa	6.39 . 5.80	0.59	90.76
Punjab	0.05 0.01	0.04	20.00
Rajasthan	6.02 1.41	4.61	23.42
Tamil Nadu 🕠	0.24 0.24	0.00	100.00
Uttar Pradesh	4.37 4.21	0.16	96.33
West Bengal	Negligible		. •
TOTAL	45.90 23.23	22.67	
			•

Certainly the non-violent land reform movement raised enormous expectation, but unfortunately the whole movement because of its romantic approach turned out to be highly conservative and explosive in implication.

Policy intervention

The conference of Revenue Ministers held on 14 March, 1992 at New Delhi had appointed a subcommittee of Revenue Ministers to go into the entire range of problems related to *Bhoodan* lands. The subcommittee has made a set of important recommendations which are less likely to be consequential for the poor class of the national society.

Administrative:

- i) The original *Bhoodan* donation was made 25 to 30 years ago. Many of the records of donation are not available. Many heirs of original donees had challenged such donations. In many cases although land was recorded as *Bhoodan* the possession could not be taken over. In some States, there are no records of *Gram Dhan* lands, as a result of which residents are being denied assistance under other government programmes. All these problems need to be dealt with by the State governments by taking necessary remedial action.
- ii) The subcommittee suggested that a detailed survey should be made in respect of *Bhoodan* land along with government wasteland available for allotment. The survey should include identification of the land donated, records and should also identify the problems if any in allotting the land.
- iii) A time-bound frame of action should be decided, thereafter, for amendment of the Act, for taking of possession of land, for allotment, for handing over of possession and for development of the land. It is recommended that this should be done by March, 1993.
- The progress should be monitored regularly at the district, divisional and State headquarters levels.
- v) The Ministry of Rural Development should collect Bhoodan Acts from the various States. Since it may take some time, the Bhoodan Acts of the States with a better record in allotment of land should be immediately procured and circulated to all. These States with better record include Andhra Pradesh, Madhya Pradesh, Uttar Pradesh and Orissa.

Legal:

The committee analysed the data on distribution of Bhoodan land by the various States. The results show a great deal of variation between the States. The major portion of unalloted land is in Bihar and Rajasthan. It is obvious from the deliberations that one of the major impediments in actually making allotment of lands was the Bhoodan samiti. It was felt that allotment has been successfully done in such States where alternative arrangements for allotment of land had been provided for in the law in case the Bhoodan samiti was not able to do the needful within the stipulated time. It is imperative, therefore, that all the States examine the relevant Acts to take remedial action. Some of the amendments suggested were:

- i) The government should have the power to arrange for allotment of the land through the district collector in case the *Bhoodan samiti* is not able to do the needful within a reasonable period.
- ii) The distribution of *Bhoodan* land should be made to the landless on the same criteria as adopted for cerling surplus government wasteland. Priority should be given to SCs and STs.
- iii) The jurisdiction of courts should be barred, as prolonged litigation leads to delay in handing over possession to the allottees. Similarly, writ jurisdiction should also be barred to ensure transfer of land to the allottees. An amendment should be made in the Act to provide the successful litigant with financial compensation in lieu of the *Bhoodan* land, compulsorily taken possession of.
- iv) Forest, horticulture, animal husbandry and other related occupations should also be defined as agriculture for purpose of the *Bhoodan* Act. Exchange of unculturable land fit for forestry with culturable land available with the forest department should be permitted.
- Unauthorised possession over Bh rodan land should be made a cognizable offence triable by an executive magistrate.
- vi) Cancellation of allotment shou'd also be provided for in the *Bhoodan* Act so that irregular allotment could be remedied.
- vii) The allottee should be given: Il rights of a tenant except that of transfer.
- viii) Special courts, special officers, tribunals should be set up to examine disputes regarding donation of *Bhoodan* land and its un awful possession and allotments. Trial in these secial courts should be summary.
- ix) Land allotted should be n economically viable sizes to ensure that the llottees are able to obtain a livelihood from cu tivation.

Financial:

- i) Allotment of *Bhoodan* land is to be made to landless persons with special preference to SCs/STs. Many such allottees do not have resources to enable them to take up cultivation. Some of the available land is also marginally culturable, part of it being alkaline (usar) or saline. The Centrally sponsored scheme for financial assistance to allottees of ceiling surplus land is also available to *Bhoodan* allottees. This assistance should be enhanced and continued.
- ii) A suggestion was made that unculturable *Bhoodan* land, wherever feasible, should be upgraded for agriculture and for allied purposes by land improvements. For this purpose, the State government or government corporations could be provided assistance. Alternatively, funds could be provided to the allottees for upgrading the land to make it culturable and useful.¹⁰

Conclusion

These recommendations again seem to be part of our philosophic satisfaction. However, every moment rural In-

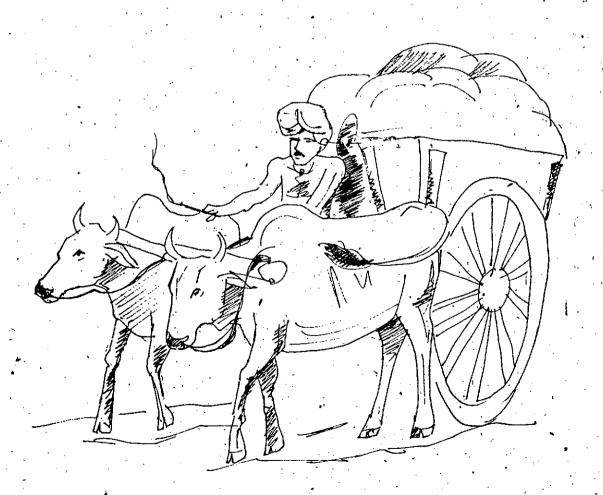
dia is facing deepening crisis due to increasing inequalities in the process of modernization. Lest we act with a sense of urgency, Mother India may be found in a chaotic condition.

Nothing else, only the tide of rising social consciousness in the subcontinent may help us in restructuring our space for speedier pace of development.

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No time to lose

Drawing attention to the concern voiced by Mahatma Gandhi

and Vinoba Bhave for the landless poor in the country, the

author says that the Gramdan movement did not sustain

thanks to the lack of support from the government and

political parties. Sounding a note of caution against the large-

scale activities of aquafarm companies in the wake of

liberalisation, he calls for effective implementation of the

land reform measures to achieve power equilibrium in the

village community. Panchayati Raj institutions and voluntary

agencies have a major role to play in making distributive

justice a reality, he maintains.



K.M. Natarajan

hen the Nation celebrates the 126th birthday of the Father of the Nation, Mahatma Gandhi and the centenary of Acharya Vinoba Bhave, the *Bhoodan*

leader, it is fitting to remember their contribution to the

solution of the vexed land question that demands priority of our attention.

Gandhiji's approach

On 8 June, 1942 Gandhiji gave an interview to the renowned American journalist, Louis Fischer. When elaborating on the impending civil disobedience movement he said that the peasants' next step would be to seize the land. Gandhiji fur-

ther said that there might be violence, but the landlords might co-operate by fleeing. When Louis Fischer said that the landlords might organize violent resistance, Gandhiji's immediate reply was: "There may be 15 days of chaos, but I think we could soon bring that under control." He added that it would be financially impossible for anybody to compensate the landlords. This is how Gandhiji conceived of the shape of civil disobedience. His view on the land problem and its solution was more radical than any other school of thought.

Vinobaji's campaign

Vinobaji walked through the length and breadth of the country for 14 years covering about 80,000 Km and obtained 42 lakh acres of land in Bhoodan. In some States, the land obtained in Bhoodan was more than the land got by the government as surplus land over and above the ceiling. More than this, Vinobaji's spreading of the idea of land ownership is significant in that the possession of large extent of lands lost its status symbol. Land, like air, water and sun should become common to all. Private ownership on land should go. Land belongs to the village community instead of the State. The peasants who are actually working the land should have the cultivation right. And they can bequeath their land to their progeny provided they actually work on the land. The Gram Sabha composed of all adult members of the village would look after the management of the land and plan for agriculture. to satisfy their basic needs of food and clothing. Those who

have got enough land should part with 1/20th of their land to be shared with the landless living in the same village. Alienation of land should be controlled by the *Gram Sabha* so that land would not be gradually owned by the absentees. This is

because land being the primary instrument of production should be retained in the village and not to be mortgaged or sold away to the outsiders. This concept of *Gramdan* can compare with any other radical approach to the land problem. By this, Vinobaji wanted to build the community spirit in the village. He rightly described *Gramdan* as a defence measure. Though

the leaders of all political parties including Jawarharlal Nehru, E.M.S. Namboodiripad, and others declared their support to the *Gramdan* movement at the Elval conference in 1957, unfortunately it was not translated into reality. Thousands of villages in Bihar, Orissa and Tamil Nadu came forward to accept this idea and declared their villages as *Gramdans*.

It could not sustain because of the lack of follow-up action and want of support from the State governments by way of enactment of suitable laws and provision of financial support to meet the immediate requirements of the villagers for agricultural operation etc. Thus the *Grandan* concept was given a decent burial.

Now that Panchayati Raj has got constitutional backing by the 73rd Amendment to the Constitution there is a vast scope for realising Gandhiji's dream of *Gram Swaraj*. The programme of *Gramdan* will have to be revived and it should be given a fair trial to create a harmonious village. A just and equitable economic condition of the people can be a strong foundation upon which the Panchayati Raj will function as a self-governing unit. We should not forget the fact that Vinobaji was talking about flooring rather than ceiling on land holding as an intermediary step. In his discussion with the political party leaders and the Planning Commission members he insisted on the minimum holding a peasant should own. In other words, he emphasised the concept of land to the tillers.

Japanese experience

There was a doubt that small land holdings of peasants would not be viable and improved agricultural tools and machines cannot be dreamt of when the holding is so small as two acres or three acres. This doubt has been cleared by the Japanese experience. Japan promulgated in 1946 and within three years implemented a prgramme which gave the land to the landless. General Mac Arthur in his famous land reforms directive of 15 December, 1945 ordered the Japanese government "To take measures to ensure that those who till the soil of Japan shall have a more equal opportunity to enjoy the fruits of their labour".

The legal provisions into which this directive was embodied in October 1946 called for:

- (a) the compulsory sale at fixed government prices of all the land of the absentee landlords;
- (b) the compulsory sale of all the land of the resident landlords save for the permissible retention of 2.5 acres, the average size of a Japanese farm; and
- (c) cash rentals and security of tenure for those remaining on the land as tenants.

These were the principal measures conceived with an eye for the widespread ownership of land among the tenants. According to Wolf Ladejinsky, this directive of Mac Arthur went beyond the redistribution of land. It was also a means to remove economic obstacles to the revival and strengthening of democratic tendencies, establish respect for the dignity of man, and destroy the economic bondage which had enslaved the Japanese farmer to centuries of feudal oppression. In the years 1947-1949, the Japanese government succeeded in buying and reselling 5.8 million acres of land, whereas before the reform, 54 per cent of the cultivated land was owneroperated, after the reform, 92 per cent of the land was owned by the farmers of Japan. Within three years of implementation of this programme three million farmers acquired 'souls' because to a Japanese farmer "A farmer without land is like a man without a soul". Individual ownership of land rather than tenancy became the hallmark of rural Japan. The outstanding feature of the Japanese village after the reform was the upsurge of farm mechanisation and emphasis on labour productivity and land productivity. Farmers had been spending twice as much as they did before the war on productive and consumer goods. The Japanese village became an important market for Japan's industrial output. Many a farmer did not deny himself a motorcycle, tiled kitchen, running water, a refrigerator and washing machine, sometimes television set and not the least, putting aside some money for a son's or daughter's college education. The industrial growth and economic boom in Japan. can be attributed to this landmark reform.

Indian scenario: utter failure

We have miserably failed to learn from the encouraging experience of Japan in this regard. The absence of necessary

political will, lack of commitment of the bureaucracy, and the wrong priorities given to renaming the streets and districts and implementing populist programmes to hoodwink the common man are some of the impediments on the road to progressive land reforms. Tardy implementation of the existing land laws, the corrupt officials at the village and taluk levels, long drawn litigation and unorganised rural poor are the major reasons for the unfulfilment of the objective of the land reforms.

New economic policy: There is a fear lurking in the minds of the people that the export oriented new economic policy of the government will rob the small peasants of their tiny pieces of land thereby defeating the purpose of the land Acts. Some of the States are considering to provide exemptions from the land ceiling Acts so as to allow big corporations to purchase large extent of land to develop horticulture, food-processing units and aquaculture in some coastal areas.

Cutting at the very roots: Even now fertile lands in the coastal areas of Thanjavur and Nagai Quaide Milleth districts of Tamil Nadu are inundated with big aquaculture farms having more than 300 and 500 acres. Whether they have obtained exemption from the existing ceiling Act which prohibits ownership beyond 12 standard acres is a moot question. The aquafarm companies might say that they have started aquafarms only in the brackish and sandy coastal areas. But it is an open secret that they have coveted fertile paddy fields also for this purpose with the connivance of the local officials. Marginal and small farmers owning two or three acres are lured by these corporations offering ten times more than the actual price of the land. If this temptation is allowed to play havoc without check, the foundation of the village will be swept away. Therefore, it is necessary that the Gram Sabhas and Panchayats should be given power to withhold licence to any industry or corporation to operate in their area, which will endanger the environment and economy of the village. It should have all powers like the county in Switzerland. Federal or regional governments cannot influence the county decision. They can say 'No' to any higher level institutions. This is required to safeguard the landed property of the village to remain under the control of the village people.

LAFTI to the service of the landless poor

Land for the Tillers Freedom (LAFTI), an offshoot of the Sarvodaya movement was able to distribute 10,000 acres of paddy land to 10,000 landless poor in Thanjavur district. Half of this land transfer was effected by purchase of land from big landlords at a reasonable price and distributed among the landless, the other half by organizing the villagers and nonviolently pressurising the government to distribute 4,000 acres of a defunct sugar corporation. One can see the tremendous change in the life of the allottees of these lands. These allottees who were perennially depending upon the landlords for their daily life and were in the thraldom of servitude under the landed gentry are now feeling the air of freedom and are boasting of their paddy stock in their humble hutments. Some

of the frugal and industrious allottees by their dint of hard labour and saving were able to purchase another acre thereby improving their economic condition.

LAFTI was helped in this project initially by nationalised banks and then by the National Scheduled Caste & Scheduled Tribe Finance and Development Corporation. The allottees have to repay the loans in easy instalments. Though this experiment can be dismissed as a drop in the ocean the State governments may well take a cue from this land transfer experiment and this can be replicated throughout the country provided there are a number of voluntary agencies to get involved in such programmes and the necessary support from the States.

Land reforms and Panchayats

The existing land reform Acts can be implemented with the help of Panchayati Raj institutions, because they are essentially related. The village cannot have a harmonious community if the gap between landowners and the landless is wide. It is feared that the upper caste people and the landlords will tend to dominate the Panchyat decisions which will strengthen their own hands while weakening the landless poor and other socially weaker sections. There is a safeguard by providing reservations for the Scheduled Castes and Scheduled Tribes. Their represantatives will voice their demands in course of time, if not immediately after they are elected to the Panchayats. Therefore, it is imperative that the existing land laws are implemented to achieve power equilibrium in the village community. It is a good sign that the Panchayats in West Bengal are actively helping in the proper implementation of such laws. It is a known fact that many of the landlords have escaped from the provisions of the Act by transferring their lands to fictitious names and by creating trusts while enjoying the benefits of all such transfers themselves. When it is taken to law courts, it is very difficult and tedious to prove the case; but the local villagers know such transfers, how it is cultivated and who is controlling. The village Panchayat, therefore, can help to a large extent in the implementation of land laws as in West Bengal. The fear expressed by Dr B.R. Ambedkar when discussion was going on in the Constituent Assembly about the Panchayat system, was based on the real situation available at that time. But as Jayaprakash Narayan said this should not become an excuse for not opening the floodgates of democracy to the rural people. Voluntary agencies and non-governmental organisations committed to social justice and economic equality have a major role to play in awareness building and conscientisation among the rural people.

The way out: need for stringent measures

The Gram Sabhas and the Panchayati Raj institutions (PRIs) can identify benami land holdings in their respective areas with the help of voluntary organisations and kisan

activists. One of the reasons for the persistence of absentee landlordism is the loose definition of the term 'personal cultivation' in the land reform legislation in Tamil Nadu. Apart from other characteristics, the term 'personal cultivation' should also include residential qualification. The lands located beyond eight km or 10 km from the village of residence of the landowners should be taken from them for redistribution among the landless. All kinds of exemptions included in the land ceiling legislation whether in the form of creation of trusts, charitable institutions or in the form of thopes (orchards) should be abolished and such lands should be brought within the surplus declarations. Since there are a number of cases lying in litigation, the procedure needs to be simplified, and appeals limited to one.

It has been reported by the Endowment Minister of the Tamil Nadu government that there are rental arrears to the tune of Rs. 73 crore from the tenants cultivating the lands of about 36,000 temples in the State and 13,031 cases covering arrears of Rs. 27 crore pending in the court. If one verifies the real facts of such tenancies of temple lands, one can find invariably the local landlords controlling and enjoying the fruits of such tenancies though various names of tenants are fictitiously entered in the records of the temples to satisfy the Temple Lands Management Act.

To put an end to this state of affairs, the temple and mutt lands should also be included within the ceiling limits. As in Assam, provision for annuity for their maintenance can be considered.

Conclusion

Poramboke and government lands which are lying unutilised should be surveyed, identified and distributed to the landless. The recorded tenants should be given ownership of land. Since the incidence of informal tenancy is still high in the State, measures should be undertaken to ensure record of rights to oral or concealed tenants. Preparation and continuous updating of land records is a must and it should be taken up immediately. Land transfer to non-agriculturists should be completely prohibited. Land already with them may be taken over and vested in *Gram Sabhas*.

Sincere implementation of the above measures of land reform will be a real and meaningful homage to the Mahatma and the saint. We do not have much time to lose.

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Land reforms and empowerment of women

Tracing the history of land reforms in the country, the author

says that if land reforms are properly implemented it would.

give the agricultural labourers increased economic

independence and an opportunity to march towards greater

equality in legal, political and social rights. We cannot think

of women's empowerment without giving legal status to women in landed property. Mere policy declarations and

enactment of laws may not empower women to hold, acquire

and dispose of property. It requires effective measures at the

implementation stage as also basic social reforms, she opines.



Sweta Mishra

and continues to be the primal asset in the Indian context where three quarters of its population depend on agriculture for their livelihood. Land is the most important capital of rural India. The central objective of land reforms is to make it available to as many actual cultivators as possible with the expectation that it would

ultimately lead to relatively higher rate of agrarian growth with social justice. Hence, a study of land reforms and women's empowerment and what is required to modify them ie land reforms, becomes important.

After giving a brief introduction, the paper examines land reform in its

historical perspective. An attempt here has also been made to describe the various land reform measures adopted in India since Independence. Finally, the paper deals with land reforms and women's empowerment and also provides some suggestions for empowering women.

Land reforms defined

Land reforms can be conceived both narrowly and broadly. The early literature on the subject defined land reform as an integrated programme of measures designed to eliminate obstacles to economic and social development arising out of defects in the agrarian structure.4 This broad definition was shortlived and there seemed to have a slight shift towards a narrower concept of land reforms. According to the narrow concept, land reform was defined as changes in land tenure systems and the accompanying changes in other institutions that are necessary to achieve the objectives for which changes in land tenure are sought.2 Doreen Warriner defined land reform in terms of 'the redistribution of property of rights in land for the benefit of small farmers and agricultural labourers.3 In other words, land reform means: (i) redistribution of land in favour of the landless and small cultivators, and (ii) tenancy reform.

In simple terms, land reform means 'land to the tiller', ie conferment of occupancy rights to those who are actual

tillers of the soil. To put it differently, this intends to make actual cultivators the owners of the land they cultivate.

Historical background

The history of land reforms in India is more than 3,000 years old. During the ancient period, communal ownership

of land was prevalent and the village communities owned the land collectively and they were collectively responsible for the payment of a share of produce. In other words, land did not belong to the king but to the community or persons who cultivated it.

During the medieval period, the king had no

proprietary rights in land beyond a definite share of its produce. The person who first cultivates wasteland becomes ipso facto the owner of the soil.

During the Mughal period, successive waves of conquest, assignments of revenue and extension of the farming system resulted in the creation of an aristocratic class superior to the village communities. The Mughal conquerors usually allowed the Raja or chief of a subjugated State either to become a tributory, retaining his possession and receiving the revenue as before or to assume the position of a superior collector of revenue, receiving it from the headmen and making himself responsible for it to the government.

The British introduced new forms of land tenure which, for the first time in the history of the country, created on a large-scale private property, and individual ownership rights in land. In order to bring about stability in agriculture, the British introduced land settlement in 1793. In Bengal and neighbouring areas, they created a class of landlords. This was called the Zamindari system. The Zamindars were declared to be the proprietors of land and right to ownership of land was, however, subject to regular payment of rent revenue to the government. Later, the British introduced a temporary Zamindari settlement to other States under which the Zamindars were made owners of land but the revenue they had to pay was revised periodically.

Another land system, which was introduced in Bombay and Madras and subsequently extended to north-eastern and north-western India, was the *Ryotwari* settlement. Under this system, the cultivator was to be recognised as the owner of his plot of land subject to the payment of land revenue. The settlement under the *Ryotwari* system was not made permanent. It was revised periodically after 20 to 30 years when the revenue demand was usually raised.

A third type of land system known as Mahalwari system, was introduced in the Ganga valley, the North-West Provinces, parts of Central India, and the Punjab. Under this system, the revenue was to be made village by village or estate (mahal) by estate with landlords or heads of families who collectively claimed to be the landlords of the village or the estate. In Mahalwari areas also, the land revenue was periodically revised.

Thus the structure of agrarian society evolved under the British rule, created a socio-economic set-up in which parasitism flourished, land concentration in the hands of the rural rich continued to grow, and landlessness and land hunger of the peasants mounted at an ever-increasing pace. Another feature was that the cultivators were ground down by a colossal burden of indebtedness because of evictions and insecurity of tenancy and rack-renting.

Post-Independence scenario

Land reforms have been on the national agenda of rural reconstruction for a long time, particularly since Independence. The major objectives of land reforms consist of reordering agrarian relations to achieve an egalitarian social structure; enlarging the land base of the rural poor; increasing agricultural productivity and production; and infusing equality in local institutions.

In the post-Independence period, the origin of land reforms can be traced to the Congress Agrarian Reform Committee constituted under the chairmanship of J.C. Kumarappa (1949).

The salient facets of land reforms policy adopted were: (a) abolition of intermediaries and bringing tenants in direct contact with the government; (b) tenancy reforms to provide security to actual cultivators of land against eviction; (c) redistribution of land by imposition of ceiling on agricultural holdings; (d) consolidation of holdings; and (e) updating of land records.

The approach of the Kumarappa Committee exercised a considerable influence on the evolution of the land reforms policy in later years.

Land reforms and Five Year Plans

From the beginning of the Planning era, land reform was recognised as: (i) a means to improve agricultural productivity; and (ii) a tool to broaden the distribution of its benefits among a larger number of people in rural areas.⁵

Land reforms have been a common feature in all the Five Year Plans. Moreover, all the Plans aimed at abolition of the intermediaries and reformation in the tenancy so as to reduce rent; to provide security of tenures to the tenants; confirmation of ownership rights and starting a redistributive process by imposition of ceiling; preparation and maintenance of land record and cadastral surveys.

Land reforms have been given a new impetus in the light of the objectives of the Eighth Plan. (The Eighth Plan focuses attention on agrarian relations. It proposes to initiate steps to review and reformulate the land legislation and ensure effective implementation.⁶) The inclusion of land reform laws in the Ninth Schedule of the Constitution is a step in this direction.

Land reform measures

Since Independence, the government has been laying adequate stress on implementation of land reforms. The land reform measures aimed at removal of structural impediments to increasing productivity and to ensure a fair degree of equity in the distribution of land resources. In the implementation of some such measures, laws were enacted to regulate land rent and provide security of tenure to the tenants. However, the success of implementation of various land reform measures varied from State to State.

In the following paragraphs an attempt has been made to describe the various land reform measures adopted in India since Independence.

Abolition of intermediaries

The first step towards restructuring the land reforms was in the shape of abolition of intermediary tenures like Zamindari, jagirs, inams, etc between the government and the actual tiller of the land. Abolition of the Zamindari system involved removal of intermediaries, conferring permanent rights in land on the actual cultivators and standardisation of land rents.

No reliable and complete data regarding gains of abolition of intermediary tenures is available as yet; however, the following had been the result: (a) Estimated 20 million tenants came in direct relationship with the State; (b) Emergence of a class of self-employed middle class farmers who own and work on land primarily with their own family labour; (c) Extensive areas of wastelands, forests, cultivable fallows and lands of various categories vested in the State; (d) About six million hectares of vested land was distributed amongst the landless and land poor.

Tenancy reforms

The second aspect of land reforms in India has been the introduction of tenancy reforms. Tenancy reforms were enacted in all States except Nagaland, Meghalaya and Mizoram. They provide for conferment of ownersip on the tenants by the State, execution of ownership by tenants on

payment of reasonable compensation, security of tenure and fixation of rents. However, the implementation of these laws has not been uniform.

Tenancy reforms have been most effectively implemented in the States of West Bengal, Kerala, Karnataka and Jammu and kashmir. In West Bengal, 14 lakh share-croppers have been recorded under 'Operation Barga'. In Karnataka, three lakh tenants were settled on 11 lakh acres of land by special land tribunals, set up for this purpose. In Kerala, through the tenants' association, applications of 24 lakh tenants for conferment of ownership were accepted. Among the States with moderate effectiveness are Maharashtra and Gujarat. The States where the tenants at will and share-croppers are worst placed include Bihar, Uttar Pradesh, Rajasthan, Haryana, Punjab and Orissa.

On the whole, the adoption of tenancy reform measures could not yield the results up to the expectation because of two main factors—structural forces and the existence of legal flaws in tenancy acts.¹⁰

Land ceiling

By ceiling on land holdings we mean the fixing of the maximum size of a holding that an individual cultivator or a cultivator family may possess. Beyond this maximum size all land belonging to the landlord is taken over by the government to be redistributed among the landless labourers.

Legislation for imposition of land ceiling and acquisition of the surplus land were enacted by most States in the 50s and 60s. However, many of these legislation suffered from infirmities and contained loopholes. It was only in July, 1972 that the national guidelines on land ceilings were evolved in a conference held by the Prime Minister and the States modified or enacted the ceiling laws accordingly.

In the States of Jammu & Kashmir, Himachal Pradesh, Assam and West Bengal, the percentage of surplus land acquired are 25.51 per cent, 19.86 per cent, 9.12 per cent and 9.03 per cent respectively. These States can be identified as 'highly effective' States in the implementation of land ceiling programmes. The States of Andhra Pradesh, Bihar, Kerala and Rajasthan can be placed under 'moderate effective' where the area declared surplus ranged from 1.51 per cent to 2.33 per cent of the net sown area. The States of Gujarat, Haryana, Karnataka, Madhya Pradesh, Orissa, Punjab, Tripura and Uttar Pradesh are 'least effective' in implementation of land ceiling programmes.

Consolidation of holdings

By consolidation of holdings, we mean the pooling together of the scattered pieces of land belonging to a single landowner. Special legislation have been enacted in various States to promote consolidation of holdings. The consolidation of holdings scheme has made very good progress in States like Punjab, Haryana and Uttar Pradesh, facilitating agricultural growth. Orissa, Bihar and Himachal Pradesh have also taken up consolidation in a big way. An area of 684.72 lakh ha has so far been consolidated.¹²

Land records

Correct and up-to-date land records are an essential precondition for effective implementation of land reform measures, particularly for scrutiny of tenure for tenants and share-croppers and consolidation of holdings. Nineteen pilot projects for computerisation of land records were taken up, one in each major State. These are fully financed by the Central government at the rate of Rs. 25 lakh each. The project is nearing completion in Morena district of Madhya Pradesh and, Dungerpur in Rajasthan. The progress in other States need to be expedited.¹³

Despite the achievements in the sphere of land reforms, a lot more still remains to be done. Land is still the single most important asset in India and as has been stated above, even the small farm can be a viable economic unit both in terms of employment and income for a family.

Land reforms and women's empowerment

In most parts of the country, and particularly among marginal and landless agriculturists, earning a livelihood is still a family endeavour. Various studies conducted have clearly pointed out that there are a large number of women who primarily derive their livelihood from working, sometimes on a regular basis and often on a seasonal basis, or attached labourers. These women generally belong to illiterate SC, ST and backward classes.

The major agricultural operations in which women generally work are transplanting, harvesting, cutting twigs and clearing the fields. They collect cow-dung for fuel and manure. They cut grass and sell it as fodder. They travel long distances and cut or collect firewood and sell it or bring it home for use. They do these and many other 'income bringing' jobs in addition to the household chores. Women belonging to tenant and small land owning families also work on their own lands, both actively and in supervisory roles. They also have technical knowledge of cultivation and hire labourers and supervise their work.

In spite of doing all these work, many of these women are very often listed in the census under the category of 'non-workers'. Their work is not always counted and recorded. Gail 'Omvedt¹⁴ has emphasised that women's tasks though very crucial and involving skills which have been acquired over generations, are treated as less important and of lower worth. Gail Omvedt also questions the assumption that women cannot be trained for the more highly skilled jobs, which pay more. Modernisation and development thus further marginalise women and lead to large-scale displacement of women from agricultural employment.

The social disabilities of women cultivators, in the sense

of inability to leave family responsibilities, further lead to occupational immobility increasing economic dependency. Thus, the exploitation of rural women, specially that of the agricultural labourers, is carried on at two levels: first as members belonging to antagonistic social relations and secondly, as members within a household, due to patriarchy.

In a study by Maria Mies¹⁵, it was found that the women did not need conscientisation to make them aware of their exploitation. The involvement of social activists, the legislature, the administration and political parties and other NGOs in the implementation of land reforms has created a very powerful lobby which could bring about not only economic but also social reforms. As a result, women particularly of the agricultural labour classes got deeply involved with the mass movements to force proper implementation of land reform legislation.

In another study by Kathleen Gough¹⁶, it was found that as a consequence of implementation of land reforms, the lives of women have changed. They were less subordinate to the landlord and more subordinate to the men of their own groups. They were also more economically valuable, helping with sowing, weeding and harvesting. A few of them also worked in the homes of the landlords.

While the women among the agricultural labourers tend to benefit from land reform legislation, they are not placed on equal footing with men in the sphere of social relations. This is more due to the impact of the dominance of patriarchal familial structure in the Indian society. Gough is of the view that though agricultural labour women constitute a substantial proportion of the membership of parties and mass movements, they are hardly associated in matters of decision-making.¹⁷

Mencher¹⁸ and Saradamoni¹⁹ have also emphasised that while women were regularly paid less than men, they contributed a higher proportion of their earnings to the household than the men. The women also felt that their main responsibility was the care and feeding of their children. Among the agricultural labourers especially the Dalits, women's work was still valued and women's position remained higher among the tenants and middle peasants.

Thus, if land reforms are properly implemented, then it can have a positive bearing on the conditions of women, giving them increased economic independence and an opportunity to march towards greater equality in legal, political and social rights.

Suggestions

In the preceding paragraphs, we have discussed how women's movement and role of NGOs and social activists have helped in getting the status of women involved in agricultural work improved. But unfortunately, the abovecited studies nowhere mention in regard to empowerment of women so far landed property is concerned. How one can

think about women's empowerment without giving legal status to women in landed property?

Though the Hindu Code Act and Hindu Succession Act provide equal rights and share to the children, both male and female, in parental property yet, due to patriarchal pattern of our society how many female children have got their share without legal litigations; it is a big question to be answered by the policy-planners and the implementing agencies. Mere policy declarations and enacting various Acts by different States may not empower women to hold, acquire and dispose of parental property. It requires effective measures for implementation and basic social reforms. In this context, a few suggestions may be given. At the time of mutation, extreme care should be taken to enter the name of both the husband and wife in land records. Now, most States have adopted computerised system of land records. If effective measures are taken the task would automatically become easier.

At the present moment, if the head of the family under extreme economic pressure wants to dispose of landed property, he need not require the consent of his wife. He simply contacts the buyer of the land and disposes of the property. In majority of the cases the empirical findings suggest that the male member of the family disposes of the property against the wishes of his wife for his wasteful expenditure. As a result, in course of time the family becomes pauper and is forced to live pauperish life.

But if the land is in the name of both husband and wife, the male member of the family will be legally compelled not to dispose of the property if the wife is not willing. Similarly, in the case of 'Operation Barga' the record of sharecroppers in the name of both husband and wife be entered for better safety and more social and economic stability.

The government records also suggest that crores of acres of land have been acquired by the government under the agricultural Land Ceiling Act and such land is distributed among the landless agricultural labourers, ex-army men and destitutes. The guidelines of the Central government and State governments clearly mention that while assigning the surplus ceiling land to the beneficiaries, a joint patta should be issued in the name of both husband and wife. But empirical studies²⁰ (Mishra, 1992) suggest that in clear violation of the guidelines the patta is issued in the name of husband only. If this is the situation, how can we talk of empowerment of the women and land reforms?

The earlier studies suggest that women are more involved in agricultural work in comparison to their male counterparts but without any legal right and being dependent on the male member of the family. Is it empowerment of the women? In the final analysis it may be mentioned that if we are really interested in empowering women, it is a must that they should have legal rights over land and be treated equal to their male counterparts. This will not only improve their social and economic status but will also provide stability, viability and better life for the whole of the family.

Our suggestions may seem to be a day-dream at the present moment, but in the near future this is going to be realised. To make this point more explicit, it would be in the fitness of the things to mention about empowerment of women in Panchayati Raj by way of the Constitution (73rd. Amendment) Act, 1992. When this provision was made. there was apprehension in every quarter that this will not work as women still live under extreme conservatism and would hardly come out of purdah and actively participate in the functioning of PRIs. But the recent elections to PRIs suggest that women's representation in Panchayati Raj has exceeded the reservation limit as in Karnataka 43 per cent, Madhya Pradesh 38 per cent, West Bengal 35 per cent, women are representing in elective capacity in the PRIs. As such, we are optimistic of the fact that if women are not empowered by way of land reforms right now, the women activists may start a movement for this purpose and ultimately will be forced to take strict measures to make women's empowerment a reality.

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"We had tongues but could not speak,
We had feet but could not walk,
Now that we have the land,
We have the strength to speak and walk."

(A peasant woman in Bodhgaya, Bihar on being allotted a plot of land in her own name in 1982)

Ushering in a new Green Revolution

Bhagaban Sarangi

ur rural economy is based on agriculture, which means that cultivation of land and the activities which are ancillary to it are not only the main economic activities, but between them they also constitute almost the entire ecological system of the rural areas. The balance is very finely tuned.

Ecological balance

All the land fit for cultivation is brought under the plough. The village abadi, or settlement, is located on land which is not fit for cultivation but is central enough to give access to water, forest, communication and the cultivated fields. Cultivation is not possible without draught animals, and animal husbandry being an important part of village life, land not quite fit for cultivation but capable of bearing vegetation is reserved as pasture. Other land is reserved for extraction of boulder, murram, etc and clay for various village purposes and similar other common uses. In a village, land is reserved for forest growth, recorded variously as big tree and small tree forest. Traditionally, the waterways and water bodies were held in sacred trust, with the village pond having groves of trees around it and perhaps, a temple on the bund. The rivers and streams had thick woods on their banks, which helped in water conservation and kept a steady flow on the stream even during the dry season. The land use pattern in the village set-up was thus designed to be in harmony with nature and to maintain ecological balance between soil, water and vegetation. The ecological balance in the rural areas over the past decades, has been increasingly disturbed due to uneven land use pattern and unauthorised occupation of the village common lands for uses not conducive to ecological equilibrium

Absence of definition

There is no accepted definition of Common Property Resources (CPR) and there is no legal sanctity for the term in the statute. In such a circumstance, the debate on CPR has essentially dwelt either on the nature of the resource or on the nature of its usage to designate one or the other resource as CPR. On the basis of various characteristics of resources, the following have usually been considered as CPR and are divided into three categories:

 (i) a variety of land resources like forests, grazing lands, public lands, wastelands, etc (almost all non-private lands);

- (ii) water resources like streams, ponds, lakes, groundwater, oceans, seas, etc; and
- (iii) air, sunlight, space (hetherto indivisible natural resources).

Except the third and barring some in the second (which are individually indivisible) most other resources listed in the first and some in the second are designated as CPR, mainly on the basis of the nature of usage. Various authors have considered the existence of 'co-equal use rights' of a group of people as an essential conditionality for designating a resource as CPR. The existence of the group itself is not due to the resource itself but derives its origin due to other social affiliations like belonging to a village, tribe etc. This co-equality of usage rights and existence of a social group to ensure the conditionality of co-equality have been central to the maintenance and management of CPR and their historical importance in performing a major role as a life support system. An analysis of the historical evidence from literature shows that co-equal use rights, mechanisms (social) to ensure these rights and judicious use of resource contributed substantially to the availability of economic goods to the people. Over a period of time, they evolved into an established system of rights and innovative technological methods in nurturing the resource which played the crucial risk-minimisation role for people's existence.

Disturbed ecological equilibrium

As a matter of fact, next only to water, land is the single largest natural resource available to the community and it is getting scarcer and scarcer everyday, firstly because of tremendous population pressure and, secondly because of the way in which it is being used. The problem of land use is the discovery of a synthesis between man and nature, while in the case of land reforms, it is between man and man. In fact, largescale chopping down of the village forests has had a whole series of undesirable consequences. The disappearance of the grass lands and forests has resulted in widespread soil erosion, rendering most of the agricultural fields sterile. While felling of forests has deprived the villagers of their day-to-day wood requirements, ie of fuel, timber, fodder, etc it has also created the possibility of non-economic agriculture and therefore, of a reasonable livelihood from land. This has also disturbed the water regime and there is acute shortage of drinking water and has resulted in poor livestock keeping and

the human beings facing a lot of deprivation and hardship. In this case, the social cost may be very high because the villager's are forced to migrate in order to earn a living either as agricultural workers in distant places, or as unskilled workers in towns. This constant migration breaks up the families, communities and villages and deprive the children of the opportunity of education and health care which cannot be imparted because they are constantly on the move and ultimately results in social dis-orientation of people, who, in the past, enjoyed ethnic homogeneity. The disturbance in the ecological equilibrium in villages, therefore, would disrupt the agriculture, family and social groups.

The village support systems

Village forests and village common property not only provide the villagers with their wood requirements, but they also provide employment for the landless and the poor in the villages. They support village artisans, the potter, brick and tile maker, mason, wheel-wright, carpenter, dairy-man and paid grazier are all dependent on village common property. Clay, metal and boulders are extracted from these lands and provide employment. The village forest also provides raw materials for carpenters, fuel for sale by the headloaders, etc. The children of the poor earn a living by grazing the cattle of the more affluent farmers and they collect dung as a fuel for their hearths. In fact, village commons are a major mainstay of the village economy, especially of the poor, and their reduction or disappearance directly hits the weaker sections of the society. As the village forests are cut down and the village commons encroached upon, it is the poor who are the most deprived and their poverty is enhanced. The rich can always obtain fodder and agricultural waste as fuel from their fields or they can buy from the market. The poor are deprived even of whatever little they could get from land owned by the society as a whole.

Impending disaster: The village common land which is physically visible is not socially available. By allowing running down of village commons after Independence we have, in fact, brought great misery to the poorest sections of the village society. We are gradually moving to a very critical stage; where there will be no forests to protect the village society from a great ecological disaster, there will be no pastures for the livestock to survive on, there will be no space in the villages to take care of the natural systems and to cap it all, there will be no roads and passages in the villages for communication. This will not only cause an environmental holocaust, but also will jeopardise the entire system.

Village land use: gradual deterioration

In this context, the obvious question is: why all this happened, especially in a society whose Constitution enjoins equality and social justice? Prior to Independence, there were two separate forces at work in rural India to ensure that all village lands were managed in a prescribed pattern. The first

was the State which, through a system of land records and village officials, ensured that there was peaceful enjoyment of Khata by the landowners but simultaneously, there was no encroachment on State or village common land. Generally, this protected the village commons. Land ownership was highly iniquitous and the tenant was not protected, which was the perverse side of the land management system. The second interest group which operated was large landowners and the Malguzars and other intermediaries, who had a vested interest in ensuring that the village commons and forests were maintained properly so that they could derive an income therefrom. After Independence, the hold of the vested interests was slightly loosened, though it is these very people who became the main instruments of destruction of the village forests and encroachment on common lands. The State, on its part, adopted a weak-kneed policy of tolerating encroachment and destruction and allowed the delicate balance of land use in villages to be severely disturbed. There might be many villages, which have no place left even to answer the call of nature. If the State, though passively, permitted the village land use pattern to change, it also actively connived at it by changing the land use of the village commons and transferring them to private ownership, either by settlement of encroachment or by giving pattas, ostensibly to the landless but very often to the vested interests who used the landless as a front. With village commons, ie pastures, small and big tree forests and even roads and communications being thus gifted away, the villagers had no alternative to having recourse to the reserve forests for their daily requirements. It is only in 1961 that many of the ex-malguzari forests, which had become no man's land between 1951-61, were transferred to the Forest department for management as protected forests, but by then they had become totally degraded. The reserve forests, which continued to be worked commercially, were just not designed to withstand the biotic intervention with the result that many of them began to have a distinctly frayed look. Thus the direct consequence of disturbance of the village ecological equilibrium has resulted in pressure being transferred from the village commons to the environmentally and ecologically sensitive reserve forests.

The remedy

How can we restore the rural ecological balance and ensure that village wood requirements are adequately met? The environmentalists have been stridently calling for a complete closure of all our reserve forests, even for the villagers' wood requirements. They suggest that the social forestry programme on village commons and agro-forestry on farm lands should contain the wood requirements of the villagers. In this context, the degraded lands need closure and protection from biotic interference if they are to be restored. The experience throughout India is that an area brought under such protection soon bounces back as nature regenerates the forests from latent root-stock. We need the co-operation of the people, for which purpose they have to be convinced that the entire usufruct of the restored land will be reserved for them alone and will not

be exploited commercially by the State. However, its effectiveness is ensured only with the full and active participation of the community.

Some of the important parameters influencing effective community participation are as follows:

- democratic and equitable by the users of the resource.

 Rules of exploitation of the resource and deterrents for infringement of the rules must be applicable equally to all. Openness in decision-making and in handling of finances is important.
- ii) Benefits: Flow of benefits must be an incentive for management action which involves a certain cost in terms of current benefits foregone for larger future gains. It may also mean input of resources such as labour. The flow of benefits must be of products and in quantities that justify these costs. This perception of what is a need and the priority of need must be determined by the communities and not the government nor an NGO.
- iii) Balancing community needs: The needs of different sections of the community must be met. Groups within the communities with defined rights on a common resource may have differing or at times conflicting needs. These must be balanced if community management is to be sustainable.
- iv) Integrated approach: Local level institutions may be created though with an initial objective of managing one particular common resource, but in an interdependent eco-system, action cannot remain compartmentalised to any one subsystem.
- v) Local institutions: It is experienced that the local institutions operate most effectively when most of the

resources that are generated and used are local. These resources may be cash or labour.

Conclusion

The struggle of the local communities to assert their rights on CPRs and some constructive work done by NGOs are beginning to make a change in governmental policies and programmes. The decision of the Government of India in June 1990 facilitating local communities' involvement in the protection and regeneration of degraded forests has created an atmosphere where a number of NGOs and Forest department personnel are making serious efforts for helping the operational content. The importance of micro planning and villagelevel institutions is also evident in the new schemes of National Wasteland Development Board (NWDB). While these positive trends need to be encouraged and taken advantage of, it must be realised that the entire history of people's struggle is ultimately a search for assertion of their political rights to control their own resources and destinies. If the positive beginning made in relation to degraded forest areas finds its full expression in eventual control and management of forest resources by resident communities, it will be a big step forward in the working of democracy at the most decentralised level.

Projects aimed at restoring the ecological balance at village-level must have primary importance and large projects should be relegated to a residuary position. If this happens, within 10 years the shape of India will change as the forests emerge alive, the rivers begin to flow and the fields begin to yield enough for all. This would be the real Green Revolution.

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"India is poor because the villages of India are poor. India will be rich if the villages of India are rich. Therefore the basic problem of India is to remove the poverty from the Indian villages. Some years ago we abolished the 'zamindari' and the 'jagirdari' systems in various parts of India, because the villages of India could not prosper under the semi-feudal system of land ownership. This is not enough. We have to go ahead further."

-Jawaharlal Nehru

Easing the pressure on land

Dr V. Krishna Rao

ural poverty cannot be alleviated unless self-employment and massive labour-intensive projects are undertaken on a large scale. The main objective of the last three plans was to generate employment opportunities. By AD 2000, around three crore people in rural areas will remain unemployed.

Aftermath of liberalisation

Liberalisation of the economy, as a matter of fact, first affects the rural cottage industries. Once multinationals enter into the Indian market, the tradational labour intensive industries face the threat of closure. Village industries are today being replaced by large-scale industries even in seeds and oils. Coir industry, beating of rice, etc are in doldrums. Consequently, a lot of rural capital as well as people are migrating to urban sector. The need of the hour is to check the urban migration and then to strengthen the non-farming sector, if rural development is to become meaningful.

TABLE 1
Percentage of Wastelands to Geographical Area in States

State	Wasteland
Andhra Pradesh	19.6
Assam	. 57.0
Bihar	17.4
Gujarat	17.6
Haryana	5.4
Himachal Pradesh	37.7
Jammu & Kashmir	47.7
Karnataka	15.2
Kerala	5.3
Maharashtra	20.8
Madhya Pradesh	.20.9
Manipur.	54.2
Nagaland	53.5
Orissa	16.0
Punjab	2.5
Rajasthan	34.0
Tamil Nadu	16.0
Uttar Pradesh	10.2
West Bengal	7.8
All-India	20.1

Source NIRD, Hyderabad.

Already the agricultural sector has become overburdened in the sense that more people are depending on it than it could accommodate.

TABLE 2
Unemployment Rates in Rural Areas

State	M	ale	Fem	Female	
	1983	1987	1983	1987	
Andhra Pradesh	14	25	9	45	
Assam	- 28	47	38	. 113	
Bihar .	24	26	. 6	8	
Gujarat	10	24	5	17	
Нагуапа	. 38	65	5	43	
Himachal Pradesh	22.	45	7	9	
Jammu & Kashmir	8 .	18	. 16	- 19	
Karnataka	10	16	7	' 13	
Kerala	106	105	170	-250	
Madhya Pradesh	4	· 9	2	12	
Maharashtra	13	21 .	2 .	12	
Orissa	18	38	13	. 54	
Punjab	32	- 29	12	74	
Rajasthan	8	30	1	. 18	
Tamil Nadu	33	40	29	45	
Uttar Pradesh	13	18	1	. 12	
West Bengal	39	30	45	106	
Manipur	7	9	_	18.	
Meghalaya	8	_ ·	1	_	
Sikkim	16 *	33	9	45	
Tripura	17	28	186	68	
Mizoram -	1			· · —	
All-India	21,	28	14		

Source NIRD Hyderabad.

Search for rural non-farming employment

Rural industry means that more people should generate employment opportunities for themselves and if possible to process the produce and market it in other areas. Despite eight Five Year Plans, 40 per cent still live below the poverty line. According to the World Development Report, in India only 14 per cent have access to sanitation facilities, about 40 per cent do not have proper housing; there is unemployment and underemployment. Low agricultural productivity ranks India the 55th country in terms of rice exports, in wheat 38th and in pulses 59th in the world. There is a greater need to shift a lot

of people from agricultural to non-farming rural sectors such as agro-based industries, if agriculture is to become a meaningful activity.

State of land reforms

Land reforms have a close linkage with structural changes—social, economic and political. But they alone are not thought to effect radical socio-economic transformation. Mere distribution of surplus land does not alter the rural scenario. Along with land distribution adequate inputs should be provided to the landless, so that they can stand on their own legs and attain self-sufficiency.

Pattern of land holdings: Out of 169 million ha of land, only 38 million ha are available for distribution. Marginal landholders with less than one ha land constitute 58 per cent. They hold 38 per cent of the total land. About 18.5 per cent small farmers hold 15.6 per cent, while 8.1 per cent of medium farmers own 28.9 per cent land, whereas three per cent large landholders account for 40 per cent of the total available land. Therefore, despite over 40 years of land reforms and the distribution of surplus lands to the landless, land holding is still unequal. The distribution of land holdings, at present produced 58 per cent marginal farmers, 10 per cent middle class farmers, 10 per cen upper and rich farmers while the rest account for the landless poor.

• TABLE 3 .
Progress in Consolidation of Land Holdings
(as on 11.12.1992)

State		Area consolidated (Lakh acres)
Andhra Pradesh	1	8.18*
Assam		. Nil **
Bihar		49.50
Gujarat		68.50
Haryana		104.50
Himachal Pradesh	· · · · · · · · · · · · · · · · · · ·	19.94
Jammu & Kashmir	• •	1.16*
Karnataka		26.76
Madhya Pradesh		95.53
Maharashtra		526.50
Orissa		19.96
Punjab "		121.72
Rajasthan		42.30 ***
Uttar Pradesh	*	441.87
West Bengal		Nil **
Delhi -		2.33
Total		1528.33

Source: Ministry of Rural Areas & Employment, Annual Report 1994-95.
*Scheme kept in abeyance, **Scheme has not been implemented, ***Scheme discontinued since 1965.

Such being the agrarian sector, land reform is still a complex issue. About 46 million landless constitute the number of beneficiaries on the whole, among them below the poverty line are around two per cent. Out of the total beneficiaries two million ha of land have been distributed and among them two per cent of the landless still live below the poverty line. Out of the total cultivated land, only 1.2 per cent has been

distributed by the ceiling laws.

TABLE 4
Distribution of Land Holdings

		(Percentage)
Category	Nò.	Area
Marginal	58.1	13.2
Small	18.3	15.6
Semi-Medium	13.6	22.3
Medium	8.1	. 28.9
Large _	2.0	20.2
		<u>.</u>

Low productivity: While Japan, Korea, Vietnam and China with less land among the owners, could raise production due to advanced technology and other infrastructural facility—accessibility to water, power, etc—large acreage and low level technology in India did not increase agricultural production. The rate of growth in agricultural production during 1980-92 has been the slowest. The productivity of cereals is not even two-thirds of the rest of the world average.

In 1970, India's GDP (Gross Domestic Product) was 1.89 per cent of the world total GDP. In 1992, it further declined to a mere 0.93 per cent of the world total. We also stand no chance of achieving the target of 210 million tonnes of food grain production in 1996-97—the terminal year of the Eighth Plan. To achieve the target we have to increase our production at the rate of 10 million tonnes a year in the next three years against the average increase rate of only 2.25 million tonnes of the preceding four years.

TABLE 5
Changes in Proportions of Landless Households to the Total Rural
Households

nousenoids				
State	1971	1991		
Assam	25.0	7.5		
Bihar	4.3	3.9		
Gujarat	13.4	20.2		
Haryana	11.9	0.3		
Himachal Pradesh	4,4	11.0		
Jammu & Kashmir	1.0	12.6		
Karnataka	12.5	14.9		
Kerala	15.7	9.9		
Madhya Pradesh	9.6	19.2		
Maharashtra	10.4	32.0		
Manipur	5.8	0.0		
Orissa	10.6	4.8		
Punjab	7.1	5.7		
Rajasthan	2.9	13.3		
Tamil Nadu	17.0	21.2		
Tripura	11.4	18.4		
Uttar Pradesh	4.6	5:2		
West Bengal	9.8	22.6		
All-India	9.6	15.0		

Source: NSSO, Govt. of India. .

The neglect of agriculture is evident from the sharp decline

in capital formation in the farm sector as the percentage of the total was 15.65 per cent in 1981-82 which declined to 8.2 per cent in 1991-92. Even in absolute terms, at constant prices, there has been a decline of 5.43 per cent in the farm sector against the rise of 96.4 per cent in the rest of the economy. This low capital formation can only be explained on the grounds of adverse terms of trade maintained during the last 18 years through government interventions in the free trade of farm products.

, TABLE 6
Number of Ceiling Beneficiaries
(As of Jan. 1993)

State	Number (in lakh)	% to BPL
Andhra Pradesh	4.0	2.6
Assam	3.8	7.5
Bihar	3.1	1.0
Gujarat	0.3	1.0
Haryana	0.4	2.8
Himachal Pradesh	0.04	0.9
Jammu & Kashmir	4.5	53.9.
Karnataka	0.3	0.3
Kerala .	1.4	3.7
Madhya Pradesh	0.7	0.3
Maharashtra	1.3	0.8
Manipur	0.01	0.8
Orissa	1.2	_ 1.2
Punjab	0.3	2.7
Rajasthan	. 0.8	1.0
Tamil Nadu	1.2	0.9
Tripura	0.02	0.4
Uttar Pradesh	3.1	0.9
West Bengal	19.3	14.5
All-India	46.3	2.4

Need to decrease pressure on land

Land cannot be a permanent source of livelihood in the rural areas. If the landless are sent to urban areas, they only increase urban slums. Hence people should be shifted from agricultural to non-agricultural sectors in the rural areas. In the South-East Asian countries, when land was redistributed the landowners were forced to seek alternative occupation—agro-based industries. Therefore, landowners who have given away surplus lands should be asked to choose alternative occupation and source of income. The number of people depending on the farm sector should be brought down and the surplus farm hands should be absorbed in such labour-intensive industries as in China. Then only the pressure on land can be reduced.

TABLE 7
Distribution of Ceiling Surplus Land
(As of November 1994)

State/UT	Area distributed (in lakh acres)	Beneficiaries (in lakh nos.)	
Andhra Pradesh	5.53	4.81	
Assam	4.92	- 4.33	
Bihar	2.95	3.59	
Gujarat	1.30	0.31	
Haryana	0.82	0.25	
Himachal Pradesh	0.03	0.04	
Jammu & Kashmir	. 4.50	4.50	
Karnataka	1.17	0.31	
Kerala	0.64	1.44	
Madhya Pradesh	1.85	0.72	
Maharashtra	5.51	1.40	
Manipur	0.02	0.02	
Orissa	1.53	1.33	
Punjab	1.02	- 0.27	
Rajasthan	4.42	0.77	
Tamil Nadu	1.53	1.28	
Тгіршга	0.02	0.02	
Uttar Pradesh	3.71	3.24	
West Bengal	9.48	20.82	
Dadar & Nagar Haveli	0.07	0.04	
Delhi Pondicherry	Neg. 0.01	Neg. 0.01	
Total	51.03	49.49	

Source: Ministry of Rural Areas & Employment, Annual Report 1994-95.

Neg.: Negligible

Conclusion

Irrigation, power and market—the basic infrastructures—are to sustain a high percentage of growth in agricultural productivity. In the absence of this, no land reforms would be of any use in terms of productivity.

Farmers should be freed from undue interventions of the government by removing all restrictions on sale, processing, movement and trading of farm products. The minimum export price and release of quota, restrictions on the export of rice and cotton be withdrawn, purchase and sale by the government of any farm produce at less than the open market price of that commodity be stopped and the identified poor be helped by issuing to them cash or food coupons. Then only agriculture becomes a self-sustaining and prosperous occupation.

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Tapping the unutilised land : new initiatives

M. Ravichandran and Chellam Balasundaram

he concept of wasteland, though very old, has attracted the attention of policy-makers and scientists in the recent period. Its practical necessity was seldom recognised till it turned out to be a matter of survival for the human and livestock population. In AD 2000, India will have to produce 240 t of food grain and a 225 mm3 of firewood for a population of one billion. This has to be supplemented with a fodder need of 850 t for a livestock of 582 million. To generate these a total 64 mha additional land will be needed.

This is aggravated by the fact that the per capita availability of cultivable land including forest declined from 0.48 ha in 1951 to 0.20 ha in 1980 and by AD 2000 it is likely to decline further to 0.15 ha. All these estimates make one apprehensive of the precarious situation that we face today. This problem needs to be tackled meticulously because wasteland development does not merely mean bringing more area under forest cover or cultivation. It calls for a thorough discussion on the meaning and classification of wasteland, identification of constraints and strategies for adoption of all possible appropriate techniques.

The problem

It is not uncommon to see the differences of views regarding the meaning of wasteland. Generally, it is defined in terms of those land which are currently lying unused or land which is not being used to its optimum potential due to various constraints or land which cannot be used. Some may call these degraded lands which can be brought under cover. Also all lands having become unproductive and nonprofitable due to factors like grazing, erosion, removal of vegetation and developed toxicity; classification-wise, nonculterable wasteland. The former implies areas which have the potential for agriculture purposes or can be afforested. The latter stands for barren land which can hardly be put into any productive use either for agriculture or to develop forest cover. Example of such lands are the snow-covered or glacial areas and barren rock areas. Notwithstanding the scope of the definition of this concept, it is important to realise the fact that there is misutilisation of available lands which leads to land degradation. Essentially, the problem of wasteland has two facets. Protecting the degraded lands on the one hand and bringing more unused lands in the realm of effective land use on the other.

It is essential that the objectives be stated clearly before discussing the magnitude of the problem, constraints and the feasible solutions. Essentially, it is plantation of suitable trees, grasses for the production of fuel, fodder, small timber and aromatic plants through agro-forestry practices. Besides improving and stabilising soil condition and water regions in soil eroding areas through land reclamation and wasteland management practices, further deterioration of land is also prevented by an appropriate package of practices.

Magnitude of the problem: In India, 0.5 to one percent of the country's area is turning into wasteland every year. The processes of industrialisation, urbanisation and mining often spoil the land. For example, for every tonne of saleable mineral are about two tonnes of mine spoils dumped on slopes destroying vegetation and choking the stream section. Estimates show that mining in Doon Valley has reduced food production by 28 per cent, water resources by 50 per cent and livestock production by 35 per cent. In India, the total problem area is 173.65 mha which is split as 144.13 mha subjected to water and wind erosion, 2.73 mha of riverine and torrents area, 3.97 mha of alkali soil area, 8.53 mha of waterlogged area, 5.50 mha of saline soil and coastal sandy area, 4.91 mha of shifting cultivation area. The average loss of plant nutrients per year with eroded soil is 5.37 to 8.4 t.

It is alarming to learn that out of the land mass of 329 mha in India, as much as 175 mha are now considered degraded in one form or the other.

The States with largest area of wasteland are Rajasthan (Table 1) followed by Tamil Nadu as far as this source of information is concerned. However, it is reported that Jammu and Kashmir and certain other States also possess equally large chunks of wasteland.

Tamil Nadu: Tamil Nadu, the southernmost State in India, receives an average annual rainfall of only 800 mm, most of it from October to December. As far as wasteland is concerned, the State can be divided into two natural parts, ie eastern coastal plain and hilly region along with north and west. Distribution of wasteland is uneven in Tamil Nadu. Barren lands are concentrated on the north-western part of the State, forest balance in the hilly region with or without scrubs is scattered in the central part of the State.

TABLE 1

Categories of Wasteland in Comparision to Total Land Area in Some States of India.

				•	(in million ha)
States .	Total	Unculti- vated	Fallow	Affore- stable	Wasteland (% of total area)
Andhra Pradesh	27.7	2.08	3.39	5.47	19.75
Gujarat	19.6	2.82	0.79	3.61	18.42
Haryana	4.4	0.07	0.12	0.19	4.32
Kamataka	19.2	2.14	1.56	3.70	19.27
MP	30.8	2.76	1.66	4.42	14.35
Rajasthan	34.2	8.08	4.03	12.11	35.41
Tamil 'Nadu	13.0	0.71	2.30	2.89	23.15
UP	29.4	2.02	1.83	3.85	13.10
All-India	328.4	32.02	23.05	55.07	16.75

Source: ICAR Report, 1990.

It is evident (Table 2) that large portions of wastelands are found in Tirunelveli district (42.7%) followed by Pasumpon Thevar district (31.8%). In Kanyakumari and Nilgiri districts we find the extent is the least.

Constraints

To reverse the degradation process by scientific land management, it is important to know the constraints of wasteland development. The major constraints which either accelerate the degradation process or hamper the rehabilitation measures can be broadly grouped into: a) economic, b) physical, c) moisture, d) nutritional or ecological, and e) social.

The economic factors include the type of land ownership, rapidly growing human population and its dependence on land to satisfy their basic needs of food, fuel and shelter, industrialisation, urbanisation and mining. The landscape changes not only as a result of nature's own forces but also due to varied economic activities. Unauthorised encroachments of public lands and indifferent attitude of the people towards protecting common property resources and loss of moral values are some of the social constraints.

Possible alternatives

Many a option exists to convert the wasteland for productive purpose. But the alternatives ought to be economically viable, environmentally effective and easy to implement.

Integral approach: There should be an integrated and multidisciplinary approach to the planning formulation, clearance and implementation of projects including environmental aspects; sound watershed management through extensive soil conservation, catchment area treatment, preservation of forests and increasing the forest area. The construction of check dams should be promoted to reduce the intensity of floods.

TABLE 2
Extent of Wasteland in Tamil Nadu, 1992

	. ^	(in na)	
District	Total geographical area	Total , wasteland	Percentage to the total geographical area
Madras	17,098	NA	NA
Chengai Anna	7,85,606	. 2,19,078	27.9
South Arcot	10,89,984 `	2,60,713	23.9
North Arcot	12,23,408	2,87,812	. 23.5
Salem	8,63,469	1,87,405	21.7
Dharmapuri	9,58,126	1,49,030	15.6
Coimbatore	7,43,676	1,57,467	21.2
Periyar	8,23,299	. 1,85,039	. 22.5
Tiruchirapalli	11,12,563	29,60,883	. 26.6
Pudukkottai	4,66,329	1,10,814	23.8
Thanjavur	8,21,648	1,42,876	17.4
Madurai	6,76,685	. 1,23,351	18.2
Dindigul	6,48,018	- 1,43,538	22:2
Ramanathapuram	4,21,779	1,13,198	26.8
Kamarajar	4,22,506	1,12,417	26,6
Pasumpon Muthura-	•		
malinga Thevar	4,04,526	1,28,561	31.80
Tirunelveli Katabomma	n 6,81,629	2,90,794	, 42.7
Chidambaranar	4,59,054	1,15,057	25.1
Nilgiri .	2,54,381	22,063	8.7
Kanyakumari	1,67,184	7,250	4.3

Source: Report, Ministry of Agriculture, New Delhi.

Social forestry: Another option could be through promoting social forestry. But a critical obstacle to India's social forestry programme is the lack of people's participation. Despite severe pressure on public plantations and forests, people in rural areas remain reluctant to plant trees on their own land. Fodder and firewood are basic needs of these households, but most people are not interested in producing them since they collect these free of charge from community wood lots and forests. Since the farmer's priority is to generate income, afforestation is attractive to them only when it involves trees that can fetch cash income. Besides, they do not know the impact of deforestation.

People's participation: On achieving people's participation, it is important to understand and involve local communities in early planning and identify the local needs for fuel or fodder or small timber. The conflicts about land use and problems among community factions are necessarily to be reduced and efforts should be made to designate rights to tree outputs at specific time among various community groups.

Guidelines

The Ministry of Environment and Forests, Government of India has made the following suggestions for wastelands development which may be relevant in this context:

 Institution and vehicle for communication with policy planners, motivators and involved entities should realise the necessity of wasteland development in the interest of the individual, community and the nation.

- Selection of multipurpose plant species and their planting technique to be grown with different types of agricultural groups in different agro-climatic zones without affecting the yield of either.
- Finding alternatives to physical barriers like fencing which is the most cost consuming item, such as live fencing which should be effective and capable of economic yields.
- A nexus should be developed between farmers and wood-based industry for better economic gains for both.
- Involvement of non-governmental organisations (NGOs) and voluntary agencies needs to be strengthened.

Conclusion

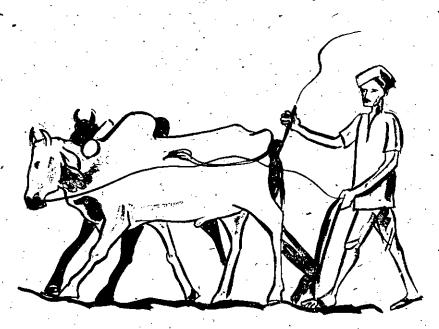
Land is the most crucial non-renewable natural resource. The economic growth of any region depends upon land which is basically scarce in nature. Therefore, the need of the hour is to put all the available land to proper use without compromising the environmental implications.

There exists many programmes for the uplift of the poor and amelioration of poverty in rural areas. The wasteland development programme can be construed as one of such endeavours with a three-fold advantage. First, suitable lands which are otherwise unutilized are brought under agricultural purposes. Secondly, this process generates more employment opportunities and also leads to capital formation in terms of increase in the area under agriculture. And thirdly, through careful planning it is conducive for environmental protection. Wasteland management remains as crucial as water and other environmental resource management. However, the associated problems are many interlinked with

biophysical and socio-economic conditions. One must treat this as a system and new dimensions are to be added in the existing planning processes.

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Waging a war on wasteland

Radhakrishna Rao

rapidly exploding population entails a pressing need to step up the production of food, fuel and fodder. However, their increasing demand has to be met from out of the available land expanse which is not only static but also subjected to a relentless, multifaceted process of degradation. Transformation of highly productive, fertile farm-land into a barren land mass due to desertification, soil salinity and alkalinity, waterlogging, excessive erosion, and unscientific and wasteful agricultural practices is a dynamic and widespread phenomenon. Currently, more than 100 million hectares of land spatially distributed all over the country are categorised as wasteland.

Reclaiming wasteland

In order to reverse the trend of good productive farmland turning barren and reclaim the existing stretch of wasteland, the National Wasteland Development Board (NWDB) was created by the Ministry of Environment and Forests in 1985. Since its inception, the thrust of NWDB has been on a comprehensive programme for reclamation and development of about 85 million ha of non-forest degraded land in the country. Essentially, the programme is based on integrated land use planning, preparation of village level action plan and creation of sectoral and institutional linkages at the implementation level.

Pilot project

In view of the confliction, the estimates of the extent of wasteland in the country, the NWDB is in co-operation with the Department of Space has sponsored an ambition's pilot project based on the data provided by the Indian earth observation spacecraft, IRS-1A and IRS-1B for the detailed mapping of wastelands, identifying different soil types and pinpointing the land use pattern.

Under the first phase of the project, wastelands have been mapped in 142 districts in the country where wastelands constitute an appreciable chunk of their geographical expanse.

An uphill task: Turning the barren stretch of wasteland into smilling green patches is an uphill task requiring a massive investment, imaginative application of appropriate technology packages, regular monitoring, and all-round community participation in the war against wasteland:

Recognising the gigantic magnitude of the wasteland reclamation programme, NWDB has involved voluntary agencies, co-operatives of tree growers and farmers, educational institutions, women groups, youth organisations, non-profit registered societies as well as eco activists, in the uphill task of raising saplings, tree planting on degraded common lands, greening sandy tracts as well as reclaiming saline and alkaline land stretches.

Though many of the projects and schemes conceived and launched by NWDB have yielded good results, the need for speeding up the efforts towards reclaiming the rapidly forming wastelands need hardly be overemphasised.

NDDB steps in -

Against this backdrop, it is hardly surprising that the "miracle touch" of Anand—the pioneer of White Revolution in the country—was also brought in to speed up the war against wasteland. The unique co-operative spirit of Anand which has changed the destiny of millions of small farmers in the country has proved infectious. It has already proved its mettle in organising salt farmers, oil seeds cultivators and fruits and vegetables-growers, in addition to efficiently running thousands of village level milk co-operatives. Thoughtfully and appropriately, the NWDB requested the Anand-based National Dairy Development Board (NDDB) to step into the area of wasteland development by organising active participation of rural community in putting degraded land into productive use. And in 1988, the National Tree Growers Co-operative Federation (NTGCF) came into being as an apex body to co-ordinate the activities of tree growers' co-operatives in six States-Andhra Pradesh, Karnataka, Rajasthan, Gujarat, Orissa and Uttar Pradesh. The thrust of NTGCF is on meeting the firewood and fodder needs of the rural communities by making use of degraded land and also restore and protect the ecological stability of the country.

International assistance: Right now, about 250 village-level tree growers' co-operatives are creating a solid green asset on marginally productive as well as degraded land stretches. The Swedish International Development Authority (SIDA) and the Canadian International Development Agency (CIDA) have both provided commodity aid in the form of palmolein and wood pulp. In the Kolar district of

Karnataka, the CIDA assistance will help 29,000 rural families increase their income through fodder and firewood cultivation on 5,200 ha of wasteland.

Hurdles: Initially, the wasteland development projects of NTGCF suffered many set-backs mainly due to cumbersome procedures and outdated rules which covered the tenancy of revenue lands. Added to that, sustained opposition from a change-resistant bureaucracy and interference by the Forest Department complicated the already difficult situation. But thanks to the perseverance and determination displayed by the promoters of NTGCF, these issues were progressively resolved.

Ecological restoration: innovative methods

One of the most striking features of the tree growers' cooperatives functioning under NTGCF is the large-scale involvement of landless workers in a big way. The society not only provides saplings, cuttings, seeds, fertilizers and insecticides to its members but also arranges for processing and marketing of wood, tree products and fodder on a regular basis. Thanks to the excellence NTGCF has established in managing wasteland development projects, it was also entrusted with the responsibility of monitoring the project "Ecological and Economic Substances through Pasture Dairy Development" being implemented by the National Centre for Human Settlement and Environment (NCHSE) at Bhopal and the Green Valley project covering 77 village wasteland development co-operative societies in Maharashtra being implemented by a Pune based organisation, Vanrai.

The ultimate objective of the tree growers' societies is to educate, develop and empower the local people to manage

common as well as private property resources in an ecologically sound and economically viable manner. To this end, members of the tree growers' co-operatives undertake ecological restoration mainly through soil and water conservation, planting and protecting trees and groves and particularly ensuring restoration of the process of natural biomass regeneration on degraded village common lands as well as on the private lands. "Social fencing" implies action by members of the co-operatives to protect given areas and allow natural regeneration of vegetation and protection of newly planted trees and groves on village commons instead of erecting actual metal or other barriers.

Promoting new cooking devices: Realising that the cooking energy crisis is at the root of deforestation and ecological degradation, tree growers' co-operatives have also taken up the task of popularising non-conventional energy devices like smokeless and fuel efficient wood stoves and biogas plants. Besides helping in ecological and energy conservation, these devices also promote healthy living conditions for rural women.

Income generation & women's participation: As part of its plan to increase the income generation in rural areas, the co-operatives are now setting up small-scale wood processing units and bamboo craft and wood carving units. Concerted efforts are being made to enhance women's participation in the day-to-day management of the co-operatives by means of intensive educational campaigns.

 The author is a free-lance writer (No. 1921, 5th cross, J.P. Nagar II Phase, Bangalore-560078).

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Gandhi and human development



Dr G. Palanithurai

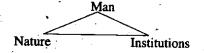
K. Gandhi remains a well-researched problem and unsolved puzzle to the scholars of subjects ranging from political thought to medicine in the past few decades. Time and again the proposition "relevance of Gandhian framework of human life" has been repeatedly projected to solve the unending human, social, material and spiritual crises. Visualising M.K. Gandhi is not as easy as we understand, though his ideas are clear and simple. His solutions to the problems had not been deduced from the analysis of data by administering statistical and mathematical models. His solutions are broad-based and deeper in nature. The question now is—what for his analysis is and what his methodology is?

His methodology

One chooses a method based on the requirement to analyse a problem. For any clear-cut analysis, formulating a problem is more important. What is the problem that M.K. Gandhi had taken for analysis? Is it only the poverty that attracted Gandhi's thinking? Certainly not. It is the human sufferings that drew the attention of Gandhi. It is another pertinent question whether Gandhi had taken it for salvation? It is also not. A force had thrust this responsibility on him and he accepted the responsibility. Where did he start and where did he end his mission? He started his work with discrimination and ended with holistic evolution of humanity. Throughout the experiments he conducted in him and in society, he adopted a variety of methods, tools and techniques and all were in a comprehensive framework linking the objective of achieving the absolute truth. All the methods adopted by Gandhi were not borrowed but they were all evolved through a continuous process of concientisation. In the process of evolution, he discarded certain methods and innovated certain new methods.

Gandhi's framework of analysis

Gandhiji's basic proposition lies in analysing the man in his relationship with nature through the institutions created by man. In the course of interaction between the man and man-made institutions, namely social, economic, political and cultural for the benefit of the humanity, nature is the subject for continuous exploitation.



Of the three factors, he concentrated more on man because he is the instrument to make use of the other two, namely the institutions and nature. It is very important to identify with what objective man is working in the society. Development is the basic objective of all men and women in all the societies. Hence development has to be defined.

Development is always associated with economics. The material benefits are the indicators of development. But Gandhi's conception of development is not narrower but broader encompassing the human activities in relation to man-made institutions to make use of nature to fulfil the objective of humanity. It means a process of natural social evolution by which man is perfecting himself internally and externally, moving in a continuum of activities in making use of the institutions and nature. Thus man is the centre of activities. Man can be perfected only through making him understand his relationship with nature and the institutions. It is assumed that man is in different forms and levels of understanding of the cosmic order. Utilising the nature and institutions depends on the level of man's understanding of their creations. Here Gandhi identified the salvation to the problem of humanity. Man and his institutions can make use of the nature for satisfying his needs. But it is for greed; it causes injury to nature.

Man and his mood

Men are in different levels of understanding. One might know how to exploit the nature maximum for his unlimited wants but another might not know the gifts nature has given to man for his livelihood. Who is in an advantageous position, whether the man, or the nature or the institutions? It is always the man, who constitutes a microscopic minority and who has been called as creative minority to control and regulate the human actions to get the benefits. The imbalance lies in the utilization of the nature by the human actions through the social, political and economic institutions. Thus, man plays a pivotal role in determining the level of handling of the institutions and utilising the institutions. It is not that the entire humanity plays the role. It is only a segment of the people. When a segment is involved deeply in utilising the natural resources, naturally, in the process of distribution of wealth, there will be imbalance among the human collectivities. As long as inequity and imbalance are in the society, humanity cannot move in an evolutionary

path as it would witness only conflict and social tension. Hence, one should identify the factors which are all responsible for poor resourcefulness of the majority. Gandhi is known for his microscopic analysis of issues and events. He used to keep the issue and event in the larger backdrop of the forces working in the cosmos. He never made compartmental analysis. His analysis is always holistic in nature. His conclusions will have eternal relevance.

He analysed the human issues and found out the causes for human sufferings. Of all the factors, he gave utmost importance to two factors, namely the total ignorance of the people about themselves and their relationship with nature and the superintelligence of a few sections of humanity in understanding themselves and their relationship with others and nature. What all the institutions which he had seen, were the creations of a minority to exploit the majority. To reverse human sufferings and to make life comfortable for all in harmonious relationship with nature, corrective step has to be taken from the human side and not from any subsystems or institutions. Two steps are needed to correct the onward march of the humanity. One, make the ignorant masses understand their level of living and their mission in the world. Two, make the intelligent minority realise their folly. The two objectives are very difficult to achieve as human collectivities are having multifarious patterns of behaviour. Gandhi in his lifetime tried his best to explain the relationship between the humanity and the nature. Yet, the process of change over of the path of humanity from industrialization, modernization and westernization to evolution is very difficult and as a result he could not succeed. While correcting the minority, he wanted to awaken the ignorant and illiterate masses and they will be inculcated a new way of life as they have not been extremely intoxicated by the impact of modernization and industrialization. Though steps had been taken to perform the two functions to make men and women move on the evolutionary path, the intensity and effectiveness of modernization and westernization effects on the society could not be contained and as a result, the process of history took its own course.

Corrective mechanism

While evolving instrument or tool to correct the human behaviour, two instruments could not be used. For both the ignorant and intelligent he evolved only one instrument and through which people could be shifted from the path of destruction to evolution. What is that instrument? Values are the instruments for correction. Values cannot correct unless they get acceptance of the masses. Knowing full well that values should have a common binding on the society irrespective of their affiliations, value profile had been evolved. Hence he evolved the values from the basic texts of the religions. Thus his mission of contacting the masses began with spiritualism. Men's external differences could be removed by invoking the spirit of them for a common cause. From there, he wanted to take the masses slowly to

the unknown destiny, the absolute truth. In the couuse of the journey, humanity could be perfected at every stage. Human unity could be cultivated.

Operational devices

It seems that it is a metaphysical exercise. It is not. Gandhi is known for pragmatism. Any individual who has got a grip over any philosophy can understand after reading the works of Gandhi how practical he was. His masterly quality lies in giving operational definition to the highest metaphysical concept which is understandable even to the level of an ordinary illiterate and ignorant men or women. His analysis is always through a prismatic model. Man, man-made institutions, and nature are the three basic components in the constant interaction. The basic arguments revolve around the basic objectives of the human actions in relation to nature and more precisely where it moves or what is the destination. Analysis and arguments of Mahatma Gandhi are neither fully in the domain of philosophy nor in the domain of science. They are in both. Another leading. question against this background is, why there is no impact on the minds of the people about the new framework of life. There are two obvious reasons, namely the gap between the ignorant majority and intelligent minority in terms of perception is large and the consequences of humanity by following the policy of rape on nature indicated by Gandhiji had not been felt as Gandhi was ahead of time.

It is felt

The present scenario of the world amply demonstrates that the predicament of Gandhi comes true. Nature has no borders and boundaries as the humanity demarcated and envisaged. Even a small disturbance in the equilibrium of nature's order would cause a heavy damage to the humanity. While causing damage, science and technology cannot stand before nature. It is just like a sleeping demon. Humanity's activities can go up to a level in exploiting the nature and, when it crosses the equilibrium level, the damage will be in an inestimatable rate. Nature established supremacy over humanity by its existence. Till the establishment of the State system through various forms, nature was common to the community. Man by his intelligence through the institutions created by him established his rights over nature. Slowly and gradually the contribution of nature to the humanity has been channelised to the advantage of a few individuals by closing the entry of the majority into nature to enjoy its benefits. Now, totally nature's gift has been shared among intelligent individuals through the institutions established by themselves for their advantage. But the conditions have come to compel the humanity to take stock of the situation and to introspect the way the humanity has crossed and its impacts. A stage has come to demonstrate that an alternative approach for development is needed as development achieved by the humanity is not sustainable. Even this introspection is also going on in the intelligent segment of the humanity, who have exploited the nature to the highest level. The interesting development in the world is, though the gap between the rich and the poor is large in economic terms, in terms of the perception of the people about their surroundings, there is no such vast gap between the rich and the poor. People are becoming aware of their conditions and their relationship with nature. Now people started establishing their claim over nature through community. It is obvious from the upheavals of the tribals. Thus, there is a ray of hope and sign that the humanity takes a different path to achieve equitable justice and sustainable development through the establishment of harmonious relationship with the nature by the humanity.

Conclusion

Activities to save Mother Earth, building up people's organisations, paying attention to community life, talking about common property resoures, giving importance to people's action and reducing the interference of the State, reviving the traditional systems of medicine, science and technology, establishing traditional political institutions for mass involvement in looking after their affairs, reforming the social and political institutions, are some of the steps taken by the human groups. These are all a few aspects which have been elaborately explained by Gandhi long back in very simple terms. Now the experiences of the humanity compelled the society to move from the present path of

development to an alternative path. Gandhi started the process long back and his vision took at least 45 years to demonstrate its truth and utility. It is also a strong belief that humanity would take its own time to germinate the ideas of the framework of development in its mind just like plants in the soil. One would identify the time gap, one school of thought takes in the society to get recognition among the people since its birth, while analysing Buddhism, Janinism, Christianity and Islam. Likewise Gandhi's framework of human evolution has taken 45 years to get recognition among the people. Thus Gandhi's ideas are taking shape for human action throughout the world. Sri Aurobindo's vision that India being a Guru to the world for evolution has/come true. Natural theory of human evolution will be the prevailing order hereafter. Thus, Gandhi becomes precursor of the future.

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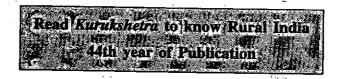
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Mahatma Gandhi and the rural poor



L.S. Rengárajan

hen Barrister Mohandas Karamchand Gandhi, along with his wife Kasturba, returned to India in January 1915 at the age of 45 after a prolonged stay of nearly 21 years in South Africa, he knew nothing much of the conditions prevailing in India of those days. He had, therefore, readily accepted the advice of Gopal Krishna Gokhale (whom he held as his political guru) to observe the Indian scene and study the Indian conditions for a year before he expressed himself on any public issue.

Accordingly, Gandhiji kept "my ears open and my mouth shut" (as he puts in his Autobiography) and spent practically the whole of 1915 touring the country, meeting the leaders and exchanging views with all and sundry. He was not then the 'Mahatma' that he came to be known a few years later. He was not much known in public life except that many acknowledged him as the crusader of the self-respect of Indians settled in South Africa.

What struck Gandhiji most in his year's travel in India was the grinding poverty and ignorance of the rural masses, and the indifference of the educated elite to the poor people's grievances. While in South Africa, barrister Gandhi had read a few books about the economic plight of India under the British rule. R.C. Dutt's Economic History of India in two volumes, Gandhiji has recorded in his little book titled Hind Swaraj which he wrote in 1909, brought tears in his eyes when he read it. It now became crystal clear to Gandhiji that the salvation of India lay through the revival of her rural industries, village self-reliance and spiritual regeneration of the masses.

Provoking speech at Banaras

Gandhiji's major public speech after the year of silence was made on 6 February, 1916 when he addressed an illustrious gathering at the opening ceremony of the Banaras Hindu University Central College. Besides the students, the audience included numerous bejewelled Maharajas, Maharanis, Navabs and nobles in front rows. They had assembled for the function as the foundation-stone for the University was laid the previous day by the Viceroy, Lord Hardinge.

Gandhi spoke. India had never heard such unvarnished speech with jarring frankness. "His Highness the Maharaja who presided yesterday over our deliberations", Gandhi said, "spoke about the poverty of India. Other speakers

laid great stress upon it. But, what did we witness in the great pandal in which the foundation ceremony was performed by the Viceroy? Certainly a most gorgeous show, an exhibition of jewellery which made a splendid feast for the eyes of the great jeweller who chose to come from Paris. I compare with the richly bedecked noblemen the millions of the poor. And I feel like saying to those noblemen: 'There is no salvation for India unless you strip yourselves of this jewellery and hold it in trust for your countrymen in India..."

At this stage, several princes walked out. Gandhi was not deterred. He went on to say that the money for raising palatial buildings came from the poor agriculturists. "There cannot be much spirit of self-government about us", he exclaimed, "if we take away or allow others to take away from the peasants almost the whole of the results of their labour. Our salvation can only come through the farmer..."

Gandhiji in his major maiden speech in India that day was thus unfurling the flag of the rural lowly before the mighty ones!

When Gandhiji went on in the same strain and touched on the patriotism of the revolutionaries, Mrs Annie Besant, who was on the dais, shouted out: "Mr Gandhi, please stop it!" Following this, many dignitaries left the dais. The commotion mounted, and Gandhiji had to end his speech abruptly.

Leads peasant movements

But, within a year Gandhiji was to mount securely on the saddle in his non-violent charge ahead, leading the freedom struggle alongside his crusade to uplift the poor and the downtrodden of his country.

It is significant that the first ever cause that Gandhiji involved himself was a movement of peasants in Champaran district of Bihar province, which was a humanitarian mission to secure the ryots justice from the indigo estate owners. The very next year in 1918, Gandhiji led an active nonviolent resistance of the farmers of Kheda district in Gujarat for remission of land revenue owing to floods and consequent crop failure.

The Mahatma and his Charka

The Jallianwala Bagh tragedy (April 13, 1919) and its

aftermath, coupled with the Khilafat wrongs pushed Gandhiji to become the embodiment of the wounded feelings of the Nation and its will to secure freedom—political, social and economic. His name had been by then firmly prefixed with the revered title 'Mahatma' given to him in a welcome address presented the previous year by Nobel Laureate Rabindra Nath Tagore.

Mahatma Gandhi sought to give the national awakening a positive character by educating the people not only on the principle of satyagraha but also on the need for economic and moral rejuvenation of the masses and the abolition of untouchability, the practice of which he considered a 'sin' and 'a blot on Hinduism'. He projected the charka or the spinning-wheel as a concrete symbol of the national movement and as a 'national necessity' for supplementing the slender resources of the rural poor.

Identity with the poor

The intensity of Gandhiji's identification with the rural masses led to a change in his personal life in September 1921. While on a tour of the then Madras province with his clarion call to non-co-operate with the government, Gandhiji ascended a public platform to address a meeting of weavers in Madurai town on September 23, 1921, clad only in a loin-cloth. He had discarded the khadi cap he had worn and the waist-coat, and had decided then and there "to content myself with only a loin-cloth and a chaddar (shawl) whenever found necessary for the protection of the body".

A decade later, commenting in retrospect at the transformation in his dress in 1921, Gandhi wrote in Young India (30.4.1931): "...The millions of compulsory naked men, save for their 'langoti' four inches wide and nearly as many feet long, gave through their bare limbs the naked truth. What effective answer could I give them if I was not to divest myself of every inch of clothing I decently could and thus, to a still greater extent, bring myself in line with the ill-clad masses?..."

Village reconstruction

In March 1922, Gandhiji was sentenced to a six-year imprisonment on sedition charges against him, but he was released in February 1924 after an operation for acute appendicities. For nearly five years thereafter, Gandhiji seemingly retired from agitational politics and devoted himself to the propagation of what he regarded as the basic national needs—popularization of hand-spinning, removal of untouchability and reconstruction of village economy in general. He collected money for all such constructive activities.

Let us not think that Gandhiji's ideas of village reconstruction and uplift of the rural poor were based on reviving the spinning-wheel. There was and is even today much misunderstanding about the role of hand-spinning. Gandhiji

often explained the position about the *charka* in many ways. He said:

"Unemployment there undoubtedly is... throughout the seven lakh villages of India. No society can long endure that harbours or creates an army of unemployed. There is something wrong in such society. There must therefore be some occupation always available for those who will work.... I do believe that in charka's extensive meaning so as to include all the cotton processes from picking to weaving and washing, colouring and tailoring, it does provide permanent and unlimited occupation for the city-dwellers as well as the villagers. This does not exclude other occupations." (Young India, 14.5.1931)

Rural regeneration

Mahatma Gandhi persuaded the Indian National Congress on 25 October, 1934, the last day of its annual session at Bombay, to authorize the formation of the All-India Village Industries Association as "part of the activities of the Congress". On the same day he announced his retirement as a formal member of the Congress organization. Gandhiji used all his superb organizational ability to spread through the Village Industries Association a new conception of Swaraj for the millions. From then on, this vision of an economically and morally regenerated rural India claimed more and more of Gandhiji's attention and energy, as he strove till the last day of his life to make it a practical reality.

Constructive Programme

In 1941, Gandhiji wrote a pamphlet on the Constructive Programme, stressing in the Indian context the need for working towards communal harmony, the removal of untouchability, a programme of adult education and village improvement, peasant uplift and the development of nonviolent labour unions, economic and social equality of weaker sections including women, decentralized economic production and distribution through the promotion of cottage and small-scale industries, and the abolition of various social evils like drinking and drug habits.

Gandhiji also initiated a novel scheme of basic education named *Nayee Talim* which means teaching through craft. The scheme envisaged the selection of the basic craft in the light of the conditions and produce of the region.

Gandhiji had also taken up the rural reconstruction programme as "a concrete expression of truth and non-violence" (speech at Gandhi Seva Sangh, 3-3-1936). By "introducing the right kind of diet and making sanitation of your village tolerably good", Gandhiji told a group of village workers, "you will have rendered human bodies worthy of becoming temples of God and efficient tools for doing a good day's work" (Harijan, 2.11.1935).

Students' role in rural uplift

He exhorted the student community to devote the whole of their vacation to village service. "Students should walk to the village within easy reach of their institution and study the condition of the villagefolk and befriend them.... During the long vacation, the students will stay in the village and offer to conduct classes for adults and to teach the rules of sanitation to the villagers and attend to the ordinary cases of illness. In order that this may be done, students and teachers will have to revise their ideas of the use of vacation..." (Young India, 26.12.1929).

Not against machinery

Gandhiji knew well enough that the rejuvenation of villages "in the face of the current fashion of highly developed mechanization and centralization is no easy job" (Harijan 23.11.1934). He was no dogmatist, however, and did not rule out heavy industries altogether. In a letter dated 10 December, 1934, to Sir Visvesvarayya, engineer-dewan of Mysore State who was an ardent advocate of mechanization, Gandhiji admitted that "the heavy industries cannot be organized without power-driven machinery", and added, "I can have no quarrel with such use of machinery". At a meeting of the subjects committee during the Congress session on 24 October, 1934, Gandhiji had put the matter in a nutshell: "We do want machines but do not wish to become their slaves. We should make the machine our slave. 'Our Slave' means slave not of the rich but of the poor."

Ownership of land

Economic resurgence of the villages necessarily brought in the question of socialism then being hotly debated in the country. Gandhiji's position was quite unequivocal:

"Real socialism has been handed down to us by our ancestors who taught: 'All land belongs to Gopal'—Where then is the boundary line? Man is the maker of the line and he can therefore unmake it.... Gopal literally means shepherd. It also means God. In modern language it means the State, that is, the people. Land and all property is his who will work it." (From a speech at Faizpur, Harijan, 2.1.1937).

But Gandhiji was scared of State ownership. He said in an interview:

"I look upon an increase of the power of the State with great fear, because although while apparently doing good by minimizing exploitation, it does the greatest harm to humankind by destroying individuality, which lies at the root of all progress... The individual has a soul, but as the State is a soulless machine, it can never be weaned from violence to which it owes its very existence." (The Collected Works of Mahatma Gandhi, Volume 59 pp. 318-19).

Gandhiji also deplored the possibility of middlemen getting hold of the land. In an interview to the Madras Mail on 23 December, 1933, he said: "We must safeguard the interests of the actual cultivator, by which I mean the man who himself tills the land. He may employ many labourers to assist him, but so long as he works on the land himself, he fulfils my definition of a cultivating occupant." (CWMG Vol. 56, pp. 383-4).

Trusteeship

It is in this context of ownership of land and private property beyond reasonable limits that Gandhiji preferred the doctrine of trusteeship.

Trusteeship follows from and is built on the concept of non-possession. By trusteeship is meant all those people who possess things as well as "capabilities, abilities, or other natural gifts" must hold these possessions as trustees of all others. In other words, they should not derive undue benefits from these possessions for themselves. On the contrary, the possession brings immediately an obligation to society. The trustee can take for himself or herself only as much as is sanctioned by society. If the trustee breaks this rule, satyagraha is the remedial measure, which can be followed by regulatory State intervention.

Incidentally, recommending the spirit of trusteeship to the US busines world, Dr Kesavan Nair, a seasoned corporate executive and management consultant to 100 companys of Fortune group in the USA, has this much to say in his book A Higher Standard of Leadership published last year in San Francisco:

"Gandhi proposed the concept of trusteeship to reconcile the issues of power, wealth, and talent with service.... Many business executives think of themselves as trustees of the capital provided by the shareholders. But business leaders must also think of themselves as trustees of the labour provided by employees, of the resources they use to provide goods and services, of the confidence that customers have in the product, and of the relationship of the company has with the community and the environment.... The power and privilege that come with leadership have the potential to corrupt a leader. But trusteeship allows a leader to reconcile power with the spirit of service."

Panchayati Raj

But, application of trusteeship in agriculture should clearly bear upon two factors: (1) Ownership of land, and (2) the relationship between the proprietor and the labourer. The Gandhian tradition of thought developed by Vinoba Bhave is linked to a larger concept of village self-rule, or Panchayati Raj. That is why Vinoba called his Gramdan movement a "trusteeship in action" in which the individual owner surrenders his legal title collectively to the village

which is a natural community, and not to the State, retaining his right to till the land.

Outlining his ideal social order, Gandhiji wrote in Harijan (July 28, 1946):

"Every village should be a republic or a panchayat, having full powers. it follows, therefore, that every village has to be self-sustained and capable of managing its affairs even to the extent of defending itself against the whole world... This does not exclude dependence on and willing help from neighbours or from the world. It will be free and voluntary play of mutual forces. Such a society is necessarily highly cultured in which every man and woman knows what he or she wants and, what is more, knows that no one should want anything that others cannot have with equal labour."

Fragmentation—an evil: "Fragmentation of land", Gandhiji asserted, "is undoubtedly a crying evil, and added: "Drastic legislation alone can cope with an evil so extensive as this meaningless fragmentation" (Young India, 14.11.1929).

Conclusion

Mahatma Gandhi's scheme of rural reconstruction for uplift of the poor was inspired by an integral approach to life. It does not consist of only economic development but also concerns social, political, educational, medical and cultural aspects. His quest was to relate our spiritual and higher self to life so that the daily routine of mundane existence may be regulated in accordance with the dictates of our better selves, lending purpose for existence.

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Vinoba and his land gift movement



S.K. Bandyopadhyaya

t is only too proper to remember Acharya Vinoba Bhave and his Bhoodan, ie land gift movement during the centenary year of the "Saint on March", who steered the imagination of the people of not only India, but the whole world during the 50s and 60s of this century. Bhoodan and his other programmes of voluntary gift by the haves for ameliorating the condition of the have-nots—particularly in the agrarian sector—created history during those days. They are still relevant to appreciate the extent to which persuasion and voluntary effort could go in tackling a major issue like land reforms in a basically agrarian society in a developing country and how on account of lack of co-ordination between the voluntary effort and State apparatus, the enthusiasm and the efforts of the people, which are essential for a democracy, die out after a reasonable period.

The mass disillusionment

Cry for land reform has been a constant phenomenon in our rural society during the 18th and 19th centuries. Written history of India is replete with incidence of peasants' revolts during the colonial rule because of the exploitation of the landed aristocracy over the tillers of the soil. It was, therefore, naturally expected that after the dawn of Independence the rural poor would get justice, denied to them for long. The expectation rose to a higher pitch because the leaders of the principal political party at the spearhead of the movement of ouster of the foreign imperialists, gave solemn assurances on umpteen occasions that the landless labourers and the marginal farmers will get justice as early as possible. With that party, ie the Indian National Congress holding the reins of government, both at the centre and the States and with Jawaharlal Nehru, one of the early socialists of India at the helm of affairs, both in the governmet and in the party, the poor expected that the pledges made earlier will be soon redeemed. But within the span of the next twothree years, when that expectation of the people was not fulfilled, the rural poor rose in revolt in many pockets like Kakdweep and Sundarban areas in West Bengal, Telengana areas in Andhra Pradesh and in several other areas of Maharashtra, Kerala, etc where the Marxist parties had some existence to lead such revolts of forcible occupation of land by the agrarian poor. Vinobaji's Bhoodan movement, started during this period, in violence affected Telengna, to be precise on 18 April, 1951.

Tilt towards Marxism

Vinobaji was a serious student of Marxism as one could see from his foreword to Kishorelal Mashruwala's Gandhi and Marx. His adherence to non-violence did not bar him to declare Marx as a saint of the saints (Mahamuni) in that foreword. He also asserted that the basic inspiration of Marx was compassion for the underdogs, though he had predicted ... that Marxian methodology of achieving its goal would not succeed on account of its inherent contradictions. Even though it was not difficult for him to identify the similarities between Gandhi and Marx in many respects, he was categorical that, whereas the body that Gandhism was, appeared to be vibrant and growing, on account of its contradictions and dogmas Marxism was a body without life. Because of his subscribing to the basic impulse, which according to him, had prompted the Marxists of Telengana to initiate their violent class struggle, expressed through forcible grabbing of land by the landless, before going to Telengana Vinobaji took care to study the situation in all its details and on his way to Telengana from the Sarvodaya Sammelan at Shivrampalli, he made it a point to exchange views with the Communist activists imprisoned by the government as a consequence of its effort to restore law and order in the disturbed areas of Telengana. He was convinced that treating the unrest and the violence of the poor on the issue of land hunger as a simple administrative or law and order question was not going to help in solving the problem. Outbursts of violence were but symptoms of deeprooted political and socio-economic diseases and until the real malady was tackled, there was no possibility of the symptom being cured. Therefore he exhorted: "The police will not be helpful in fighting the Communist menace. The only way to root it out is to remove the unjust distribution of land in a peaceful way."

Failure of Communist strategy

To communicate with the people and gain firsthand knowledge of the country, Vinobaji reached the venue of the Sarvodaya Sammelan at Shivrampalli in Andhra Pradesh by covering the entire distance from his Paunar Ashram near Wardha in Maharashtra by walking. The same idea inspired him to undertake his journey to Telengana on foot. On this trek to the disturbed area of Telengana from 15 April, 1951 onward, he could see how the common people

were suffering during the daytime as the police force harassed them in search of Marxist ultras, as is very common with persons wielding unbridled authority under such conditions of insurgency. There were innumerable cases of excesses over innocent men and women. And during the night the ultras would realise their demand of food, shelter and cash from the common villagers at gunpoint. There was no escape for a common villager who knew full well that in the next morning he would have to suffer at the hands of the custodians of law and order, who would raid his house in search of the absconding extremists who had by then disappeared. In the meanwhile, what little land, the land-hungry people had been able to grab on account of their Marxism inspired insurrections, were snatched away by the original owners of land who had returned under police protection from their temporary flee from the village during the initial days of the Communist class-struggle. Vinoba, like any other man willing to see, could appreciate that the Communist method did not yield any tangible results in passing on ownership of land to the landless and that the remedy was worse than the disease. The fall-out of the Marxism-led revolt had taken away the minimum opportunity the poor people had to toil to keep thèir body and soul togéther.

Bhoodan movement is born '

In course of his dialogues with the villagers of Pochampalli on the third day of his Telengana tour, the poor Dalits of the village told him that if they could get 80 acres of land, all of them could work hard and eke out a living. Initially, he had advised them to address an application to the government and hand over the same to him for its onward transmission with his recommendation. But by afternoon prayer he felt that such a course was going to be a long-drawn affair and it was ironical to expect the hungry to wait that long. He was, therefore, toying with the idea of some solution which could take care of the problem then and there. Hence without accepting an application from the poor Dalits, in his post-prayer address in the afternoon he appealed to those present there if someone could donate land to help the poor Dalits of their own village. To the surprise of everyone present, one Mr Ramachandra Reddy offered to donate not 80, but 100 acres of land, which his late father wanted to give to the deserving persons. That was a pleasant surprise to Vinobaji himself, who took it as a Divine revelation and saw in such voluntary donations the possibility of solving the problem of the landless agricultural labourers. Pondering over the incident later in the evening, suddenly came a flash and he felt that this incident was an indication from the Supreme for taking up a new mission. A doubting voice in him questioned, had he the capacity to undertake it? Pat came the reply from within that if he failed to appreciate this suggestion, then either he must give up his faith in non-violence and accept violence as his creed or he should become a pessimist. As he did not intend to be either, he decided to undertake this mission with God's blessings. His faith was reinforced when from

the next day onwards he began getting land regularly from the donors of different villages in response to his appeal for the poor. Thus the non-violent *Bhoodan* movement was born in violence-ridden Telengana when after his 51 days' of trekking, people donated 1,20,001 acres of land—a substantial figure for the people to take the effort seriously.

I Five Year Plan: Vinoba's criticism

Even though it was a flash, which prompted Vinobaji to devote himself to his daily appeals for donation of land during his Telengana foot-march for 51 days, the fact remains that the appeal for land for the landless and its favourable response from the people was a reaction to Marxist class struggle, which, while inviting havoc on the people, was far from solving the problem of land hunger of the landless. Vinoba was yet to prove that people in the other areas of India, not infested with Communist violence, were in a mood to respond to his call for voluntary land fgit. That opportunity was provided to him soon after by the then Prime Minister, Jawaharlal Nehru, when he desired that Vinobaji gives his opinion on the I Five Year Plan, which was drafted and being discussed as the maiden step of Independent India towards undertaking massive development projects to inject new life in the country's economy, after a long period of colonial exploitation.

Earlier, Mr R.K. Patil, one of the members of the first Planning Commission of India, had met Vinobaji with the draft Plan and sought his comments on the same. Vinobaji was critical of this draft on several grounds. There was no commitment in it for work and food for all the citizens, which was a solemn assurance of the Constitution of free India. It did not provide for self-sufficiency in food grains and planned to import this essential item of daily use for an indefinite period, though the government had stated earlier that the country would attain self-sufficiency by 1951. It expected the cottage and village industries to stand on their own feet, while chopping off their feet by allowing mechanised industries with their labour-saving technology and run with profit-oriented policy with the aid of much higher resources to compete with rural artisans. There was no scheme to replace the unproductive system of education introduced by the colonial rulers to produce more clerks to serve their imperialist "steel-frame" by a new education system based on correlation method of acquiring knowledge with productive activities, which was a must if democracy had to be meaningful in a country in which manual workers like farmers, craftsmen and industrial labourers were in overwhelming majority. He had criticised the very approach of the I Five Year Plan in as much as it was satisfied with determining some physical targets of development in the field of construction of roads, houses, irrigation system or generation of electricity, etc without caring to indicate as to how the wealth thus produced was going to be shared by the hitherto deprived class of Indian citizens. The draft Plan relied upon the time-eroded "percolation theory", which hoped that prosperity at the top would trickle down to the bottom in good time. Apart from Vonobaji's faith in the Gandhian principle of *Sarvodaya*, ie serving the last man first, Vinobaji was a recent witness to the devastating effect of the trickle-down theory, which was at the root of the calamity in the Telengana area.

Journey to Delhi

Vinobaji accepted the invitation of Jawaharlal Nehru to go to New Delhi to discuss his critique of the draft of the I Five Year Plan with Nehru and his colleagues in the government and the Planning Commission. But he started his journey to Delhi on foot from Wardha on September 12, 1951 and reached New Delhi after two months through Maharashtra, Madhya Pradesh and Uttar Pradesh. The 60 days' time, that he spent to reach Delhi on foot, was used by him to ask voluntary land gift from the landowners for the landless and marginal farmers of their own village in the context of preaching the tenets of Gandhian philosophy of Sarvodaya. This time the average daily receipt of land by him was 300 acres, which was higher than that of Telengana, even though the landowners of the areas, through which he passed, were not affected by violent class-struggle. Vinobaji's faith in the innate goodness of the people and their enthusiastic response to a worthy cause was strengthened. Paying his tributes to the Mahatma on his birthday that year, along with the people of Sagar, he demanded that the landed people should donate 50 million acres of land for the landless, which was one-sixth of the total cultivable area in the country, by 1957, ie the centenary year of what was alcimed to be the First War of Indian Independence. He pleaded that since the landless people constituted one-sixth of the Indians who are engaged in agriculture, the landowners should take Vinobaji to be the sixth member of their family and donate his share to be distributed to the landless. Being a scholar of the Shastras, he clarified that he had used the term Dan in his call for Bhoodan, ie land gift in the sense of equi-distribution and not as simple charity. He quoted the authority of Adiguru Sankaracharya in his support.

A unique achievement

After his discussion with Jawaharlalji and his colleagues at New Delhi, he continued his trek for *Bhoodan* in Uttar Pradesh, where the Gandhian constructive workers had assured him earlier during his halt at Mathura that they would try to collect five lakh acres of land in *Bhoodan*, if Vinobaji continued his march in their State. Starting from Uttar Pradesh for the next 18 years Vinobaji ploughed the entire length and breadth of rural India in his mission of *Bhoodan*. Everywhere he found that the common people had both the heart and intellect to appreciate the message of love and non-violent revolution tht he was preaching and showered his "beggar's bowl" with gift papers containing land gift for the landless. By the time when he retired to his Paunar Ashram during the Gandhi centenary year in 1969, he had

trekked 80,000 km on foot and created history by obtaining 42 lakh acres of land from more than five lakh of donors. Along with obtaining this voluntary gift, the Gandhian constructive workers had distributed more than 50 per cent of the land thus received, ie 25 lakh acres with voluntary effort. To be precise, the figure was more than all the land that could be provided to the landless in post-Independence India either through the technique of violent class-struggle or through various legislative measures of land reform.

Original political thought

In course of his 18 years' continuous trekking of the country and till his identification with the Supreme in November 1982, Vinobaji contributed a lot in reviving and popularising Gandhian ethos in post-Independence India. His presentation of the idea of people's power, which was independent of State power and opposed to the power of violence along with creation of a third force, which would neither be a part of the ruling power nor identify itself withthe Opposition, whose ultimate aim was also to become the ruling power, was the most original contribution to the field of political thought and was the correct interpretation of the Last Will and Testament of the Mahatma, which he finalised a couple of hours before his martyrdom and which aimed at transforming the Congress party into a Lok Sevak Sangh. But here we need not go into the details of the above idea and some similar important ideas Vinobaji presented to the country during his historic Bhoodan march and even thereafter. For, our purpose is to assess his role in the sphere of land reforms in post-Independence India. The issue is crucial because of the ground realities of India which could be summed up in the following lines:

The distribution of ownership holdings has remained unequal with 71 per cent of the land being owned by 23.8 per cent of the land owning households. More than 87 million small and marginal farmers own less than two hectares of land each. As per the 1991 census, there were seven crore landless rural labourers in the country. The number of agricultural landless rural labourers is on the increase with 20 lakh of them being added every year.

Supportive programmes

In the process of Bhoodan movement Vinobaji initiated many supportive programmes for its success. Sadhandan, ie donation of agricultural implements, equipment and manure, etc to the landless or marginal farmer, who got a piece of Bhoodan land was initiated to help him further in his economic rehabilitation. Sampattidan, was recommended mostly to the urban people, who did not own land to be gifted away but were members of salaried or business class or members of various independent professions so that they could contribute a part of their monthly income towards resource mobilization for those who are rehabilitated with

Bhoodan land. For those who do not have either land or are not wealthy enough to share a part of their cash income with the landless being rehabilitated through Bhoodan, could contribute their physical labour, ie Shramdan as a token of their subscribing to the idea of this non-violent revolution. Similarly, Kupdan, ie contributing the cost of irrigation well to the resourceless landless labourer being rehabilitated through Bhoodan also became one of the supportive programmes. The intellectuals had also their role to play in the scheme of this non-violent revolution of voluntary sharing of resources through Buddhidan, ie helping the unlettered or ignorant recipients of Bhoodan land with intelligence, entrepreneurship and managerial skill for ameliorating their conditions. The programme of Sarvodaya Patra was introduced to mobilize resources for the poor landless labourers with regular voluntary contribution from the common households. To inculcate the culture of sharing whatever they had with the poorer sections, the youngest in the family was expected to keep a handful of grains or a small coin everyday in a pot and send the money equivalent of the same to the Sarvodaya workers at regular intervals for being passed on to the landless labourers rehabilitated with Bhoodan land. Though initiated by Jayaprakash Narayan at the Gaya Sarvodaya Sammelan in 1954, Jeevandan, ie dedicating one's own life for this non-violent revolution became a potential movement of mobilizing the youth for this movement with the direct support and blessings of Vinobaji.

Gramdan: sharing land with the landless

Last but not least was his programme of Gramdan, ie donation of the entire village in favour of this non-violent revolution. In concrete terms Gramdan meant 80 per cent or more of the villagers surrendering their individual ownership over land in a particular village to the village community for equitable distribution among themselves, including the landless who do not have any land to contribute. The land of the village thus to be tendered should not be less than 50 per cent of the total land in that village. This redivision of land amongst the villagers on the principle of the last man first, was to be for the purpose of earning through self-cultivation and did not confer any right of transfer or sale, etc to the allottee. This redistribution of land was to be revised after every ten-year period in accordance with their altered family needs. At the peak of the Bhoodan-Gramdan movements, ie till 1957 more than 2,000 villages came under the fold of Gramdan. By 1969, the Sarvodaya workers claimed that the figure had gone upto 1.4 lakh, ie a quarter of the total villages of India, even though the new Gramdans included small hamlets, as was the case in the hilly and tribal Koraput district of Orissa and the Gramdans promised in the toofan or whirlwind campaign in Bihar. With Gramdan, the non-violent movement of sharing a part of one's land with the landless became a really revolutionary movement on account of complete surrendering of individual property ownership right in favour of community or social ownership.

A critical assessment

It is true that a part of the 42 lakh acres of land received in Bhoodan was fallow and uncultivable. But there are instances of making use of such land for afforestation, which is both income-generating to the landless and conducive to the national economy and environment. Might be; a part of the land gifts made to Vinobaji was under litigation. In a people's movement like Bhoodan, where the entire responsibility was shouldered by the grass roots level Sarvodaya workers, it was not possible to verify in advance either all the gift deeds or all the plots of land were covered by the gift deeds. But the fact remains that 25 lakh acres out of the gift received were redistributed to nearly five lakh families of the landless and the poor by the villagers themselves by following the principle of last man first. It is no mean achievement by itself. It is also true that some of the poor who got Bhoodan land were later on dispossessed by either the descendants of the original donor or land mafias, active in the rural areas, in spite of the best efforts of both the Gram Sabhas and the Sarvodaya workes and the law and order machinery, as usual, was loath to take a pro-poorstand. But the non-violent Bhoodan movement of Vinobaji was able to distribute more land to the deserving poor than all the land reforms legislation in post-Independence India taken together. And these vast areas of land went to the poor without paying any compensation to the landowners from public fund. The Marxist technique of class-struggle, applied in selected pockets, failed to provide any land worth mentioning to the land-hungry people. From that point of view the Bhoodan movement was definitely an instance of outstanding success.

But it must be admitted that the *Bhoodan* movement has not been able to solve the problem of land hunger or has not been able to bring about the desired land reforms. In fairness, the movement did not aim for the same. The *Bhoodan* movement aimed at voluntary sharing of a part of one's land with the poor. Judged from that angle, it had achieved a great success. But it was very natural that with the passage of time and increase in population of the family of the recipients of *Bhoodan* land, the land which might have been adequate at a particular point of time, would become inadequate later on and would not be sufficient to meet the requirements of the expanded family of the recipient of such *Bhoodan* land. To solve that problem movements like *Bhoodan* have to be launched at the interval of 15 or 20 years.

Gramdan—weaknesses: The real solution of the problem of equidistribution of land lay in *Gramdan*, which aimed at giving up of private ownership of land in favour of the village community, which would, in its turn, redistribute that important means of production to the families depending on agriculture equitably. And the village community would retain the right of redistribution of such land, given for the purpose of cultivation, at regular intervals. Two thousand (in 1957) or 1.4 lakh villages (in 1969)—whichever figure of *Gramdan* may be taken as authentic, the inhabitants of the *Gramdan* villages did at some point of time or other set their march towards an ideal order and went some steps forward depending on their capacity and strength. But unfortunately, very few of these islands of egalitarianism have survived in an increasingly acquisitive society.

The reasons are varied. To begin with, the weakness of the movement and its promoters. Vinobaji was more of a saint than a social revolutionary. With his love for mathematics, he was also fond of astronomical figures—both in fixing up the targets to be achieved and the time-frame of their realisation. The grass roots level Sarvodaya workers, in haste to earn the blessings of the saint, more often than not, vied with each other to report to him about bagging of more and more of Gramdans, without taking adequate care to complete their home-task of educating the villagers on the revolutionary character of the movement and the concomitant changed behaviour pattern required of them to sustain their initial Gramdan pledge. Vinobaji or his forerunner in the movement—the Sarva Seva Sangh, at least during the initial years of the movement, were unwilling to assess the strength or otherwise of the Grandans, in their enthusiasm to achieve their targets within record short time. Vinoba, more guided by intuition than collective decision, shifted his ground too soon. In quick succession came such programmes as Bigha-Kuttha (one Kuttha per Bigha), Sulabh Gramdan (Gramdan made easy), etc diluting the main thrust. Movements like Shanti Sena (Peace corps) and even Satyagraha against vulgar posters diverted the attention of the workers from the main issue. Nidhi Mukti (declining financial support of the Gandhi Smarak Nidhi) and Tantra Mukti (freeing the movement of the organizational set-up of the Bhoodan committees set up earlier) compelled the voluntary workers, spearheading the movement, to run helterskelter. The leadership of the Sarva Seva Sangh, being campfollowers, had little or no choice. More, Vinobaji, a wizard capable to play effectively with words and a master interpreter with his vast knowledge of the Shastras, would "remove" the misgivings of even a doubting Thomas.

Lack of government support: The governments at the Centre and the States were also not enthusiastic to take the advantage of the public opinion that was created by Vinobaji and the Sarvodaya workers in favour of land reforms, through this voluntary movement: In a democracy, inspired by Gandhiji, it was expected that the leaders of the government would take advantage of the public mood and support created by Vinobaji and enact suitable legislation in favour of proper land reforms. Such legislation could both be supportive—complementary to Bhoodan-Gramdan movements and independent, aiming at effective land reform. But probably two factors did not allow them to do so.

First, the class character of the government, both in its political leadership and bureaucracy. They were and still are, by and large, from the propertied class and were not prepared to really part with them, legislation/orders, notwithstanding to placate the voters. They are intelligent enough to foresee that the aspiration of egalitarianism was not going to stop at land reforms; sooner than later it would encompass urban wealth also in their citadels. The observation about the political leadership is applicable to all the major political parties in India, including those swearing by Marxist or other revolutionary doctrines. To cite one example-the much tom tommed "Operation Barga" of the Left Front government of West Bengal was at best enforcement of a piece of legislation finalised by the outgoing Congress government, not enforced because of its leadership's unwillingness to do even that little. Without disputing the right of the Left Front government to take reasonable credit for this measure, it has to be admitted that it is but regularising the rights of the share-croppers, and there is no revolutionary or Marxist tenent of giving up ownership of land in favour of equidistribution.

Lack of political will: In spite of high-sounding promises of "closest cooperation" with the Bhoodan-Gramdan movements in the Yelwel conference of the political leaders of both the ruling and the opposition parties in September 1957, the major political parties, excepting Jayaprakash. Narayan and a few of his ilk, who jumped into the Sarvodaya bandwagon, were unwilling to extend real co-operation to the movements. Neither the ruling party nor the opposition leaders were agreeable to subscribe to Vinoba's view of Swatantra Lok Shakti, ie people's power, independent of State power and against the powers of violence, which was the political goal of the movement. This idea was an anthema to the leaders of all political parties, whose ultimate aim was to utilise the mechanism of party and State for wielding power. That was precisely the reason why most of the Bhoodan-Gramdan Acts enacted, were half-hearted measures and the civil administration under no political partyprovided the minimum required support to the poor and exploited recipients of Bhoodan-Gramdan land, not to speak of support to the Sarvodaya movement. For lack of political will the Bhoodan/Gramdan boards constituted by the State governments to confer legal status to transfer of land to the recipients of Bhoodan land and community ownership of Gramdan were not given the minimum support of men and financial resources. In several States, membership of these boards instead of being offered to deserving Sarvodaya workers, were distributed as political patronage. The villagers joining Gramdan were not considered credit-worthy for even bank loans as they had committed the "grave error" of surrendering their individual property rights to the village community in a society clinching to personal acquisitiveness. In several Gramdan villages, they were compelled to

(Contd. on page 143)

Vinoba Bhave: the steel-frame saint

Uma Joshi

66A

Il activities throughout my life have been motivated by the sole purpose of achieving the union of hearts." This statement sums up Acharya

Vinoba Bhave's life-long mission to make millions of lives better and worth living, uniting them in a common human bond. The 100 birthday of this frail Gandhian *Pada-yatri* (pilgrim on foot) was on 11 September 1995.

Born at Gagode in Kolaba (now Raigad) district of Maharashtra, the child called Vinayak became Vinoba when he joined the mainstream of India's non-violent struggle for political freedom. At the age of 20, he joined the ashram of Mahatma Gandhi. The Father of the Nation described him as 'one of the few pearls in the Ashram who came there not to be blessed, but to bless it'. Such was the glow of this versatile saint of the post-Independence period.

The irony

As a successor to Gandhi, one of the abiding ironies of the Vinoba phenomenon has been that his ardent disciples are not in proportion to the abundance and significance of his mission. May be, Vinoba did not need any confirmation of his status as the *favourite* Gandhi disciple who took upon himself the task of carrying the Gandhian ideology to its logical conclusion in the social milieu of India.

It is probably a good thing that this down-to-earth reformer had so few disciples because then there were less chances of his views being distorted or his status devalued. His stand on social and political issues had been projected with varying interpretations, much to the chagrin of the common man he served. In his eighties, Vinoba seemed to be at the crossroads. While he was acclaimed as the person with answers on political, economic and social issues, he felt himself placed in a delicate situation. May be, he was trying to interpret the changing horizon and to arrive at some conclusions that would carry the conviction of reality deciphered.

His vision

Jawaharlal Nehru described Vinoba as one of the greatest sons of the soil who presented a distinct picture of hope to the world that was threatened by the terrible stockpiles of nuclear weapons and armaments. Few believed that after Gandhi, India would have another saint to go round the country conveying the message of peace. It was Vinoba's firm conviction in universal peace that gave Nehru the hope that forces of harmony and unity would ultimately win over those of destruction.

During the non-cooperation movement of the 1930s, Vinoba used to recite the Gitā in jail. In the tradition of Lord Krishna's precepts in the Gita, Vinoba found in human beings a matchless fusion of three basic qualities: knowledge, devotion and action. For elucidating this, he did not construct any intellectual scaffolding upon which to hang the contrived illustrations from life's experience. Rather, he demolished what was not practical and practised what others might preach. This indeed had been his strength.

On education: By asking incisive questions and by raising conceptual problems, Vinoiba Bhave focused people's attention on the social and economic problems of the country. His own analysis of solutions was always received by people as a flash of illumination. Vinoba laid stress on the quality of education, but just on its content. He had a simple guideline for teachers when he said: "Let us teach them (students) how to teach themselves". And thus he defined the real meaning and content of creative teaching. He thought it an entirely erroneous notion that work oriented education was not conducive to the development of the intellect. To him, education was the by-product of a practical way of life. Anyone who follows a useful occupation is also being educated, whether or not he is aware of it.

Public administration: While in prison during the pre-Independence Satyagraha movement, Vinoba wrote Swarajya Shashtra wherein he laid down four essentials for a good government. They are service to the people, co-operation of the people, administration run by capable individuals and one individual to act as the final authority. Government, according to him, must have an ethos of its own, pulsating with intense anxiety for the people's welfare so that the fruits of development process percolate to the common man. Public administration must aim at solving the basic problems of the people and the State has a single responsibility—to serve the people.

Perspective on Gandhi: This ardent disciple of Gandhi rejected suggestions that Gandhi be deified. Gandhi's philosophy could not be kept alive through building Gandhi

temples of bricks and mortar, he said. "I regard such a proposal as dangerous. Gandhi was essentially a human being and should be allowed to remain as such. If we raise him to the position of a God, the quintessence of his message will be lost." It is in this way that Vinoba stressed his firm belief that man alone can uplift man. This perhaps is the secret of anonymity of this great man who was humanity personified in the minimum of flesh to keep the body and : Gramdan soul together.

His farsightedness: After Gandhi's death and the Sevagram conference in March, 1948, Nehru invited Vinoba to help the government in the work of relief and rehabilitation. Vinoba fulfilled the task assigned to him in his own way by persuading people not to take to violence. At the World Pacifists Conference at Sevagram in 1950, he said, "The whole world is talking of the possibility of a Third World War. I am, however, not afraid of world wars, but of small wars and quarrels. The possibility of world wars is likely to take us speedily towards non-violence, while small wars push us towards violence and destruction." More than anything, the big repercussions of small communal frictions had always been a source of sorrow to him.

Advent of Bhoodan movement

In the middle of April, 1951, during his pilgrimage of peace, Vinoba met some Dalits at Pochampalli village in Telangana region. They asked him to secure for their 40 families some 80 acres of land, apparently believing that Vinoba could influence the government in this task. On the spur of the moment, Vinoba suggested that someone in the audience could be in a position to donate his land. As to his great joy, one of the local landholders promptly offered 100 acres out of his 200 acres. Thus, the Bhoodan (land-gift) Movement was born and Vinoba recognised the hand of God in his momentous event. "Man does not act merely on the strength of his own thinking. There is always a divine hand behind such noble action," he said. From that time onwards, this humble servant of mankind walked from village to village seeking donations of land for the poor, in what he saw as a holy crusade.

In every village, donations of land poured in and Vinoba became more and more convinced that God wanted him to continue this movement tirelessly with faith and resolution. All parties approved Vinoba's movement, except the communists who also did not question the man or his goal but only his method. Bhoodan Yajna had by then become an experiment in voluntary land-gifts in a landlord-ridden society. It sought to socialise land through abolition of private property. It became a yajna both for the rich and the poor. The poor were inspired to work for their own salvation and invited the rich for self-purification through relinquishment of ownership. Vinoba thus aroused karuna (compassion) in the people, not mere pity.

An unparalleled human endeavour for the regeneration

of Indian society, the Bhoodan movement sought to establish those non-violent practices which would build a harmonious economic and social order. It became an uncommon instrument for an overall transformation of human values through a new interpretation of the Sarvodaya philosophy of Mahatma Gandhi.

Vinoba then talked of Sampattidan (gift of wealth) and Gramdan (gift of village). Sampattidan had the same philosophy as Bhoodan, but Gramdan was more vigorous as an attempt for bringing about agrarian reforms. It aimed at making every village a self-sufficient and self-reliant unit. It led to Gramswaraj-self-government of the village.

The first Gramdan took place on 24 May, 1952 in a village called Mangroth in Hamirpur district of Uttar Pradesh. All owners of land in the village donated all their land. The Gramdan movement spread to Orissa and then gradually to the rest of the country. In Orissa, the district of Korapput became one of the greatest centres of Gramdan in India. Finally, Bihar emerged as the foremost State in the Grandan movement. The movement reached a peak when the entire district of Darbhanga in Bihar was donated to Vinobaji in February, 1967 culminating in the climax of his Yatra. Nehru looked upon Vinoba's Sarvodaya programme as 'a streak of light in the encircling gloom'.

Weaknesses: Critics analyse the Bhoodan and Gramdan movements as being weak in several respects, it is true that the movement did not succeed in its entirety beacuse it relied too much on the goodness of human nature and the Godhead in man. But then, in the economic sense, Bhoodan did not entail subdivision or fragmentation of landholdings, nor did it create uneconomic holdings. These were the two important points against the movement.

In India, about 20 per cent of the holdings are even now below one acre. Bhoodan provided for at least five acres of land to a landless farmer. Further, even if some of the land donated was of inferior quality, it did reflect a degree of sacrifice on the part of the donor in the spirit of the movement. Bhoodan may not have rehabilitated all the landless agricultural labourers, while the problem was too stupendous to tackle in such a voluntary movement.

Trusteeship: Vinoba saw a world of differenc in the ideologies of Sarvodaya and Marxism. Discarding the thesis that Gandhism is communism minus violence, he explained Gandhi's concept of trusteeship saying, "Even if inequality of wealth is abolished as being the result of an unjust social order, the inequality of the intellectual and physical powers cannot be wholly done away with. The conclusion is that whatever talents, physical strength, wealth or other capacities a person might possess, he should take them as having been given to him as a trust, for the benefit of the world. This is the noble idea of trusteeship."

On communism: Vinoba lamented that communism, instead of becoming a living thought, was reduced to a mere dogma. Had Karl Marx been living in India, he would certainly have changed his ideas. Vinoba's was thus not a doctrinnaire approach. He invited the hardliners to come to terms 'with the reality of the situation'.

Khadi & village industries: Acharya Vinoba Bhave, the economist, took up the cudgels with the Planning Commission whenever he was consulted. To him, self-sufficiency in food was critical as national defence. In a challenging mood, he told the planners, "If you can provide full employment to the people through other programmes, including that of large-scale industries, I shall burn my wooden charkha and cook a day's meal, without shedding a single tear. But I know for certain that you can never provide gainful work to the whole population without the aid of Khadi and village industries."

Confluence of virtues

This giant among men has been labelled a social reformer, political philosopher, economist, educationist, sociologist and religious priest. While Vinoba himself would take issue with each of these labels, on one occasion or another he earned them all. An intellectual guru, the Acharya was truly a mobile university in himself and no living prob-

lem escaped his notice or comment. He was convinced that village Panchayats can function equitably only if social and economic disparities are liquidated from rural communities. In September 1957, a *Gramdan* conference was held at Yelwel in Karnataka where Vinoba explained that *Gramdan*, as an extension of the *Bhoodan* movement, means that landlords should donate land and the workers their labour. It is only then that there could be development of the whole community.

Conclusion

Today, in the changing social, political and economic situation of the country, Vinoba's ideology of *Bhoodan*, Sarvodaya and Non-violence is an acid test.

'Truth must triumph', said Gandhi. "Mankind must survive and co-operate" was the call of Nehru. Vinoba synthesised both and led the way, whether we follow him or not.

This frail man lived, though with a steel heart, to shed light where darkness had overtaken.

 The author is a free-lance writer (418, Vasant Enclave, New Delhi-110057).

(Contd. from page 99)

and come up with such modifications as would conform to constitutional dictates.

It would be appropriate to conclude this critique with the observations of Mr M.A.S. Rajan, as they clearly express the quintessence of the land reforms law, that should guide the law-making exercise in the area:

"... Social justice should include some arrangement by which the minimum needs of the landless people in each cluster of villages are first met from the land-based output of that area before any surplus is taken out of it for marketing elsewhere. Economic efficiency would again have to be judged in relation to criteria of preservation of rural assets and conservation of natural endowments of the ecology, and those criteria have also to bear in mind the equitable claims of future generations on present endowments." [From his work entitled: Land Reforms in Karnataka (1986) p. 158].

 The author is Sr. Asst. Professor, National Law School of India University, Nagarbhavi, Bangalore-560 072 (Karnataka).

(Contd. from page 140)

revert to personal ownership after their fruitless struggle for many years.

Thus the *Bhoodan-Gramdan* movement, in spite of the record of some successful efforts of distribution of land still going on in some corners of the country, is almost a forgotten chapter of our history, after four-and-a-half decades of its brilliant initiation.

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- The author is Secretary, Gandhi Smarak Nidhi, New Delhi. A former trade union worker and Quit India movement activist, he took part in the Bhoodan movement right from its inception. A writer in Bengali, Hindi and English, he has authored 30 books.

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Book Review

LAND REFORMS IN ORISSA—PROMISES AND PERFORMANCE by Giridhari Dash; Published by The Legal Miscellany, High Court Road, Cuttack-753002; first published: 1992; Pages 76; Price Rs. 50.

his small book has much to tell on the various ramifications of land reform measures undertaken in the country in general and in the State of Orissa in particular. The abolition of rent receivers has been held as the greatest achievement in the post-Independent India. It has been aptly stated that the policy of agrarian reforms has concerned with three major areas, viz abolition of intermediaries, security of tenancy and regulation of rents, and imposition of ceiling and redistribution of ceiling surplus land among the landless workers.

The author has attempted to deal with key issues of land system and land reforms as obtaining in the State of Orissa. In historical retrospect it is mentioned that after the conquest of the province of Orissa by the East India Company, the whole territory was divided into a number of principalities under the charge of zamindars, talukdars and the like with the power of control and dispensation of material resources without any corresponding duties. It is thus that a set of social parasites came into being as instruments of oppression and plunder of the peasants: Land became a favourable item of speculation and a remunerative proposition for landlords who leased out their estates to petty farmers retaining the proprietory rights.

With insecure tenancy, the peasant class migrated to neighbouring areas in large numbers. Under the crop-sharing system of tenancy, cultivators had to pay a portion of the gross produce in kind or in cash and were treated as mere tenants-at-will to be evicted from land at short notice. All methods of exploitation were in full use till Independence of the country. For the first time, the Orissa Estates Abolition Act was passed on 20 September, 1951. It provided for abolition of all rights, title and interest in land of intermediaries by whatever name known, including the mortgages, lessees of such interest between the *raiyat* and the State of Orissa, for vesting in the State these rights title and interest.

Subsequently, the Orissa Tenants' Relief Act of 1955 was passed to protect the interest of the tenants. Similar

other legislative measures were enacted and meanwhile a lot of litigations went on in courts challenging the provisions of these legislation. The author goes on to add that somehow, even as the changes brought in a kind of slow revolution, the implementation was defective as no ceiling law was there. While certain changes were brought in from time to time, another law was enacted in 1973 for fixing ceiling on land which a person can possess. But then, due to high ceiling levels, the law again could not be effectively helpful. It is thus that land reform measures in Orissa as well had a chequered career like in several other States of India.

The author laments that even after Independence of the country, opportunity was lost to bring about structural changes in the colonial agrarian structure due to defects and deficiencies in legislation. A large chunk of surplus land distributed to the beneficiaries under the land reforms programme remained underutilised for one or the other reason. In the author's view, no attention was paid to the economic viability of farms or farmers. Misdirection and wrong approaches to rural poverty led to almost stagnation in agricultural production.

At the end of the book are included the bibliography and some appendices. All in all, the book is a good food for thought to delineate the reasons why and where the land reforms measures got stuck up and throws up ideas on what needs to be done to introduce an element of progressivism in favour of the actual tillers of the land.

Dr N.C. Joshi

MAHATMA GANDHI—AN APOSTLE OF APPLIED HUMAN ECOLOGY: by T.N. Khoshoo; Published by Tata Energy Research Institute (TERI); Darbari Seth Block, Habitat Place, Lodhi Road, New Delhi-110003; first published: 1995; pages 71.

adma Bhushan T.N. Khoshoo deserves to be congratulated for his breadth of vision and depth of knowledge in portraying Mahatma Gandhi—an Apostle of applied human ecology, very successfully. With his deeper insight and analytical mind, Khoshoo has undoubtedly, for 'the first time, established Gandhiji as an

environmentalist. In the process, he has done rigorous library research and has quoted Gandhiji's writings and speeches extensively in this book.

The book begins with a foreword, by R.K. Pachuari, Director of Tata Energy Research Institute, followed by a brief Acknowledgement, a Synopsis, and a Prologue. Thereafter, Gandhi's views on various aspects of ecology—plants, animals, people and their institutions in relation to environment have been discussed in eight main sections, such as: (1) Nature and human kind (2) Yogic practice and environment (3) The role of woman, man and society; (4) Unity in diversity; (5) Western industrialism; (6) The weakest link: Village and villager; (7) Sustainable development; and (8) Towards a new order; the new thinking, The book is concluded by an Epilogue followed by two Appendices one each on the selected quotes of Gandhiji on environment and development and some Sanskrit and Hindi terms used in the text along with their near-English equivalents.

Gandhian environmentalism is established on the basis of his utterances and writings as also the life-style he adopted. These utterances and writings and his life-style go to suggest that Gandhiji wanted us to follow the path of a social democratism where empowerment of women and weaker/poorer sections of our society was guaranteed. In addition, he would have liked us to link environmentalism with some basic social, economic, and ethical tenets. In other words, "he would have liked the society at large to take the full responsibility of carving its own future, where;

- humankind would act in a manner that it is a part of Nature rather than apart from Nature;
- (2) materials available on the earth (humankind's only home), are not used with an element of greed;
- (3) human beings practise non-violence not only towards fellow humans but also towards other living organisms and inanimate materials because overuse of such materials also amounts to violence;
- (4) women are respected, and are made partners in and given their rightful place in all spheres of human endeavour;

- (5) bottom-up shared view is preferred over the top-down totalitarian overview;
- (6) Conservationist and sustainable life-saving approach prevails over the unsustainable consumerist self-destructive approach;
- (7) humans care for and share with the poor and the destitute in society as a moral obligation towards them;
- (8) the human race thinks about how much is enough for a simple need-based, austere and comfortable lifestyle;
- (9) all development as far as is possible leads to local self-reliance and equity with social justice; and
- (10) ethics and self-discipline in resource use in an overriding criterion of development.

The above ten basic principles of an approach to ecology, enunciated by Gandhiji go to suggest that he was 'a practitioner of sustainable development in the true sense of the word and has thus been termed as the Apostle of applied human ecology—deeply concerned about the well-being of both the biosphere and humankind. To achieve this, he followed the path of love, co-operation, and peace more sustainable than hate, conflict, and war'.

Written during the 125th Birth Anniversary of Mahatma Gandhi, and as very appropriately remarked by P.N. Makar, 'there is a need to reiterate Gandhian values and instead of-merely garlanding his portraits, we must translate his ideals into real life.'

This small book is thought-provoking and can prove very useful in the hands of not only academicians, thinkers, and politicians but also to the policy-makers and administrators. In fact, it is an eye-opener to all.

Published by the Tata Energy Research Institute, New Delhi, the book at present, is not accessible to its target readers. In view of this, it is suggested that its distribution may be promoted without any further loss of time through some professional distributors after fixing an affordable price.

Dr B.N. Sahay

"I do not want the power of a Hitler. I want the power of a free peasant. I have been trying to identify myself with the peasants all these years, but have not succeeded in doing so. What, however, differentiates me from the 'kisan' today is that he is a 'kisan' and a labourer not by choice but by force of circumstances. I want to be a 'kisan' and a labourer by choice, and when I can make him also a 'kisan' and a labourer by choice, I can also enable him to throw off the shackles that keep him bound today and that compel him to do the master's bidding."

—Mahatma Gandhi

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C. Rajagopalachari

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When work is done by a few for the good of all, the task becomes a joy in itself. The water, the food, and the roads are not all the fruits of toil. Above all, there is the joy that comes from association in a common task, it is like the *amrit* that issued from the ocean, when the Gods churned it. This joy can be felt only when men actually work together....

The first thing to be achieved in gram-kalyan is the production of food, good nourishing food and enough of it.

The Taittreya Upanishad had taught the gospel of food production long before the present age of deficit.

Annam bahu kurvita tadvratam na kachana vasati pratyachakshita tadvratam tasmadyaya kayacha vidhaya bahvannam prapnuyat.

Produce plenty of food. This is a vratam, a sacred duty and a pledge. No one, who comes as a guest should be sent away unfed....

But man wants food not only for the body. His intellect and his spirit also require help and guidance for his growth and happiness.

The programme of gram-kalyan includes improved methods of agriculture and reclamation of all available land and the utilization of all local resources. Good feeder roads must be

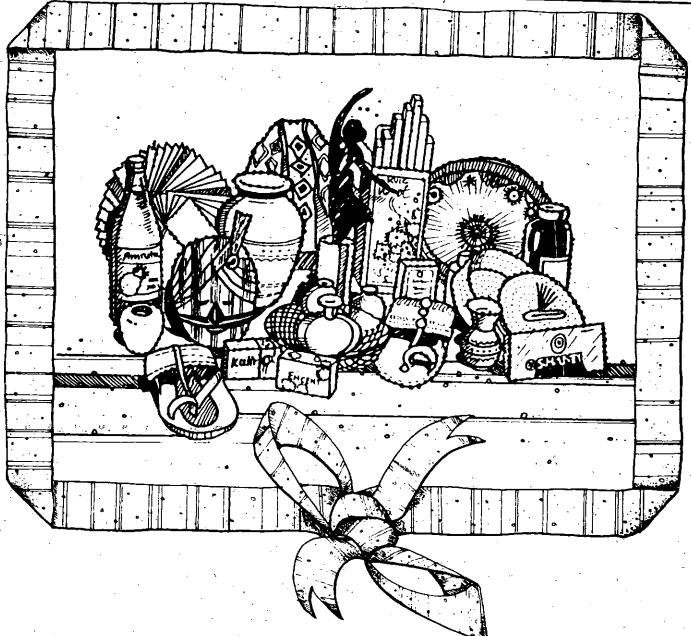
made for easy and speedy transport and to link up neighbouring villages. It also includes education, sports and entertainment.

The projects also envisage facilities for fuller education of working children and vocational and technical training for those who have no family craft to follow. Also, they will seek to do all that is necessary to improve public health in these areas, especially in the matter of good drinking water and the proper disposal and utilization of human and animal refuse.

As Marcus Aurelius wrote in his meditations—the same was earlier sung in the *Upanishads* in other words—in Nature's wonderful workshop all waste matter is reconverted into something fresh and useful. There is nothing that decays but is again ready to be made into fresh living substance. Everything is food for something else and man's skill consists in utilising this great law of nature and making his environment clean and tidy. Waste is wealth if man knows how to assist Nature, that is, to assist himself.

Special attention will be given to what is woefully lacking now, viz., proper medical attention for those who need it. The development of cottage and small-scale industries to absorb all those who are now a burden on peasant families, is an important part of gram-kalyan. Efforts will be made to create satisfactory housing conditions for all classes of people in a manner that is suited to their work and way of living. Sports and community entertainments of a healthy simple, but exhilarating nature will be organized for men, women and children. There is more joy in an hour's good play than a purseful of money.

Success will depend on the spirit in which the people work and the officers guide and assist them. It is not a gift from the Government to the people. It is a plan of work for all the people including the officers of the Government and the members of the legislature, a plan of work for happiness wherein there is much joy—a joy which inspired men in olden days and which, in recent times, has almost been forgotten. The revival of this joy in working together and for the community's sake is indeed a revival of life. It is a project of revitalization of the community. It is called by the prosaic name of Community Project, but it is gram-kalyan, a festival of Lakshmi. (Abridged version; Published in October, 1952).



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