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LANDREFORM IN INDIA
REPORT ON THE VISIT OF
INDONESIAN TEAM TO PUNJAB
AND WEST BENGAL

by

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A P P E N D I

INTRODUCTION

In order to get a better understanding of agrarian reform, and its problems in Indonesia, a comparative perspective should be incorporated so that consideration of conditions and policy options in Indonesia may benefit from the experiences of other countries in various aspects of agrarian reform, For this reason, coordinated by the Institute of Social Studies (ISS). The Hague and the Agro Economic Survey of Indonesia (AES), ten Indonesian policy-makers and researchers who were split into three groups have visited India to conduct a two-week study tour on Agrarian Reform and Land Policies. The first group visited Kerala in November I980, the second group went to west Bengal and Bihar in December I980, and the last one made the trip in January 1981 to Punjab and West Bengal.

The brief report presented here, is the result of the last group namely of those who visited Punjab and West Bengal, The visit, being very short, was not able to really catch the comprehensive picture of the actual implementation of land reforms program in the country so that the "picture" described here is a more rough impression relying heavily on official reports and materials which were distributed during the visit, discussions with authorities, and only some interviews with farmers in the villages. Despite the rough impression, however, certain information may be useful for those who are interested in comparative study on problems of land reform.

HISTORICAL BACKGROUND [1]

1.1. Under the Maghal Emperor's rule, land revenue administration in India was in such a way that four major types of land tenures and rights in land could be distinguished. There were, (l) Khas lands, namely vast areas of land held by the states (2) Jagirs, Inams, etc., which were lands allotted to big feudal lords in lieu of certain financial or military obligations towards the state; (3) Zamins which were lands allotted to revenue farmers or rent collectors commonly called Zaminders; and (4) lands held and cultivated by peasants who paid their land revenue directly to the government without the Intervention of any intermediary. In between these categories were various tenures of a transitional or mixed character. All these put together constituted a complex pattern of land relations with many local variations. In all these cases, the stats occupied the position of super landlord.

1.2. The British East India Company (TIC) inherited from the Mughals, land tenure system mentioned above. Under the Mughals, the right of a tributary feudal landlord, the Zamindar, was granted by the Emperor on the basis of a promise by the landlord to pay a stipulated sum to the state annually as land revenue. The rights included the right to rule over the inhabitants of the estate, which was called zamindari right.

1.3. Utilizing the institution of the state as super-land-lord the British adopted and transformed the prevailing land tenure system in a manner as to secure the maximum revenue for the government from land tax. In l607, the EIC began to secure zamindari rights over the estates of Calcutta, Gobin-dapur and Sutanati, and appointed a British Revenue Collector as Zamindar. In 1757 the Company acquired the status of the overlordship over all the zamindars of Bengal.

I.4. Requiring much more money to meet the costs of its expanding territorial administration, the EIC tuned up the entire land revenue system to meet those cost. New zamindaris were created and auctioned to the highest bidder. The revenue demands of the Company become unlimited, and zamindars who could not pay the enhanced demands were ousted and replaced by newallotees. Customary rents were abolished and the zamindars were given freedom to collect whatever they possibly could as rent. Under these circumstances the entire millions of people died in recurring famine. From then on, three devastating famines occurred in quick succession namely in the years 1784, 1787 and in 1790.

1.5. In 1793 the so called “Permanent Settlement” was introduced by Lord Cornwallis, as an attempt to restore some order in the prevailing chaos and save the internal market for the British goods. Under that settlement proprietary right were bestowed on zamindars and land revenue demands were fixed in

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[1] Extracted from : Report of The National Commission on Agriculture, 1976: Part XV; Agrarian Reform, Ministry of Agriculture, New Delhi; 1976. pp. 1-8.

perpetuity. One of the aims of the Permanent Settlement was ostensibly to induce moneyed men to acquire landed property and invest capital in agriculture so that it would help to develop agriculture. Hence to save the country from accuring famine. But these expectations were not fulfilled because the zaminders, created under settlement, were drawn from the class of company's agents whose sole concern was squeeze the maximum rents out of the peasantry. In fact, many of them starting farming out their estates. They would not invest capital, in agriculture, but, instead, they resorted largely to sub-feudation or farming out the right to collect rents which, in Bengal and other areas where Permanent Settlement was introduced, led to the emergence of a chain of intermediaries between, the state and the tiller. Thus came into existence a class of sub-proprietors or tenure holder under the zaminders who further reinforced the system of rent exactions.

1.6. A more remunerative and stable land, tenure system ensuring increasing revenues to the state and some measure of stability to agricultural production, was found in the so called Ryotwari System. Under this system, settlement was made separately with each peasant holder of land, or ryot who whose recognized as the proprietor with the right to sublet, mortgage, or transfer by gift or sale. The ryot was protected from ejectment as long as he paid the fixed assessment to the government. Periodic settlements were made. The ryotwari settlement was introduced by Thomas Munro in the newly conquered territories of Madras in the first quarter of the nineteenth century. A similar settlement was introduced and developed in Bombay in that period.

1.7. A third type of land tenure, called Mahalwari, tenure system, was initially introduced in the United Provinces in 1822, and later extended to Punjab. Under this system the settlement was made with entire village and the peasants residing there contributed to the total revenue demand for the village, on the basic of their respective holdings. In Punjab there were largely variants of Mahalwari settlements.

l.8. Thus by the middle of nineteenth century three major system of land tenure had come to he crystallized : {a) Samnindari system, (b) Ryotwari system and (c) Mahalwari system. These three system were spread out unevenly over the territories of British India and the princely states. All of them, however, were basically fiscal oriented system.

1.9. In 1947 - 1948 the zamindari system in areas which formerly constituted British India, covered 57 percent of the privately owned land. The ryotwari system covered 38 percent, and the mahalwari system only 5 percent. The zamindari system covered-completely the states of Uttar Pradesh, Bihar and West Bengal, and dominantly in Orissa. The ryotwari system was dominant in Bombay, Madras, Assam and Madhya Pradesh. The Mahalwari system which was confined to some part of Uttar Pradesh and Punjab became in the course of time indistinguishable from the ryotwari system.

1.10. Under the British rule, some sort of land reforms had been experienced. Between 1795 and 1882 a series of regulations was passed, and between 1895 and 1885 another Series of Acts. These

reforms, however, had a very limited scope and Content. They were applied mainly to zamindari tenures whereas the ryotwari tenures were by and large left untouched. The two issues to which some attention was paid were tenancy right and regulation of rents. It is also important to note that in the background of all major tenancy acts, there were either economic catastrophes or a political upheaval. Behind the Bengal Tenancy Act 1885, for example, were a serious famine in 1881 and an agrarian movement of 1873.

1.11. Indian Peasants history has indeed a long tradition of mass revolts. In this matter, Bengal has occupied an outstanding position from the earliest days of British rule, followed by Andra Pradesh and Kerala. Ono of the later struggles in Bengal was the Tebhaga movement in 1946.

1.12. It was in Bengal, the classical land of Zamindari tenure that the most important piece of legislation on tenancy of the 19th century, the Bengal Tenancy Act influenced tenancy legislation in other provinces in the subsequent period. The Act conferred occupancy right on those ryots and under-ryots who had been in possession of any land for 12 consecutive years. The occupancy right included the right of inheritance, transfer and mortgage. However, this act conferred no right on bargadars, or sharecroppers, who constituted the great bulk of the soil who remained "tenants-at-will" subject to evictions. Furthermore, very few ordinary ryots could prove consecutive possession of land for 12 years in the then prevailing conditions of land records and domination of landlords. Therefore the Act of 1885 as amended in 1928 and again in 1938, gave protection to the upper strata of the ryots who represented the middle element of rural society.

With the background explained above, the Indian experience in launching Land Reform especially in Punjab and west Bengal will be observed in the following paragraphs.

II. LAND REFORM LEGISLATION AND IMPLEMENTATION

A. GENERAL

2.1. in India after Independence, the idea of land reform found a favorable soil. However, the actual extent to which effective land reform have been carried out in any country, has depended on power structure at the top, correlation of class forces in rural areas, and the consciousness and organization of the potential beneficiaries. Hence, though the basic problems of land reforms have been more or less similar in many Asian and African countries, yet the pattern of legislative enactments and the manner of their enforcements have displayed a wide range of variations arising form different socio-economic conditions obtaining in different countries.

2.2. In India legislative enactments for land reform during the last two decades have been embodied in a program for (a) abolition of intermediary tenures, (b) tenancy rights, (c) fixation of ceiling on land holdings and (d) consolidation of holdings.[2]

2.3. Since land reform was a subject included in the State List under the Constitution, the actual enactment were marked by certain variations from state to state, though the
Salient features of most of those enactments were common. The realization of the four programs mentioned above varied in term of the sequence of priority and of the time of enactments, due to different socio-economic conditions of the states arising from different historical background.

B. PUNJAB

2.4. Punjab is a country of peasant landowners. The geographical area of Punjab is above five million hectares 80 percent of which consists of agricultural land (Table 1, Appendix. About one-half of the agricultural land is owned and tilled by peasant landowners.3 The structure of the rural economy in the past was characterized by the common practice of land -renting though in some places sharecropping was also present. Nowadays, according to the authorities wet in Punjab, sharecropping practices are almost absent. Especially in the district of Ropar which we visited, the farmers there told us that there is no tradition of sharecropping at all.

2.5. To extinguish the rights of intermediaries, four legislative enactments were passed during 1952- 1954. One of it was the Punjab Occupancy Tenant Act, 1952. The intermediaries: rights were extinguished and inferior landowners have given full ownership rights. Compensation was paid to the landowners according to the principles laid down in the Act. As a result around 65O thousands occupancy tenants acquired proprietary rights over an area of about 20 percent of the net sown area of Punjab.

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[2] Report of the NCA, 1976, Part XV, p.49.
[3] Land Administration Manual, Government of Punjab, p.5.

2.6. The program of Land reforms regarding the rights of tenancy was regulated in the Pepsu region under the Pepsu Tenancy and Agricultural Tenancy Act, 1955, and in other areas under the Punjab Security of Land Tenures _Act, 1953. The important provisions in these Acts,a.o., are :

(l) The maximum rent was fixed at one-third of the gross produced.

(2) Security of tenure of the tenants was conferred in respect of land which was not within the landowner's permissible limit of 30 standard acres (± 12 Ha). Within the permissible limit the tenant could be ejected provided that a minimum area of five standard acres was left with a tenant until he was provided with an alternative piece of land by the State Government.

The defects in the tenancy legislation of Punjab which still exist are:

(1) Tenants can be ejected through the device of voluntary surrenders which have reminded unregulated. A landowner through this device can take pocession of land which he cannot otherwise resume. So the security of tenure conferred by law was largely negated. (see Chapter V).

(2) The provisions with regard to maximum rent do not appear to be effective in many cases and the rent commonly exceeds the level provided in the law and go up to half of the gross produced.

(3) Sharecroppers are not conferred tenancy status because of the ambiguity in the definition of "tenant" and "personal cultivation".[4]

2.7. With regard to ceiling on land holdings, though it has been imposed in the previous Act namely the Punjab security of land Tenure Act 1953, but on the basic of the guidelines received from the Central Government, the Punjab Land Reform Act 1972, as amended in 1973, provides the following principle measures.

(l) Level of ceiling for a family of five: (a) land under assured irrigation with 2 crops is 7 Ha, (b) land with one crop, 11 Ha.

(2) The definition of "family": family in relation to a person means the person, the wife or husband and his or her minor children other than a married minor daughter.

(3) Unit of application: family/person, where the number of family members exceeds five, the ceiling limit shall be increased by one-fifth of the permissible area for each member in excess of five, subject to the condition that additional lands shall not be allowed for more than 3 such members.

[4] NCA Report, XV, p.128.

(4) Compensation for the first 3 Ha of land is twelve times the fair rent subject to maximum of Rs.5000 (± US$ 650); for the next 3 Ha, 9 time the fair rent subject to maximum of Rs.375O (± = US$ 487); and the remaining land: six time the fair rent subject to maximum of Rs.25O0 (± = US$ 325) per Ha.

2.8. The ceiling law was intended, as commonly perceived, to create a more equal distribution of land holdings, and to provide land to landless agricultural workers by redistributing the surplus lands resulted from ceiling law enforcement. However, the implementation of this law in Punjab underwent several bottle necks and legal interruptions. The issues disputed in the High Court were the concept of "Tenants Permissible Area" and the definition of "Family".

Because of this, up to August 1980, 35 percent of a total area of about 190 thousand acres which was initially declared surplus went out or the surplus pool and about 25 percent is still under litigation. The remaining surplus area thus could be distributed comes to about 75 thousands acres or less than one percent of the net sown area of Punjab. About 62 thousands acres has already been distributed over 25150 allot tees which means each recipients got about one hectare on the average. The remaining 13 thousand acres are under the process of distribution.[5]

2.9. Regarding the fourth Program of land in India, namely the land consolidation, Punjab has an outstanding consolidation long before independence, through cooperative consolidation societies which were set up under the Cooperative Societies Act 1912, and the work was started in 1920. Owing to the limited application, the scheme, being restricted only to the consenting members and because of voluntary nature of the transactions, could not make much headway. The right holders who were mostly illiterate were not willing to make any change in their holding because of their holdings because f their traditional attachment to their ancestral lands. As a result, the only area which could be consolidated during long period of about 30 years was about 284.000 Ha or about 7 percent of the net sown area of Punjab.

2.10. After Independence, compulsory consolidation replaced voluntary consolidation in almost all the States where agrarian reforms had already been undertaken. State after State vied with one another to hasten enactment of such measures, but there was little interest shown in their implementation. Punjab, however, is one of the few exceptions, In 1948, the East Punjab Holdings (Consolidation and Prevention of Fragmentation Act, was enacted, under which consolidation work could be taken by the State at its own Initiative. A special feature of consolidation operation in Punjab which, has no parallel in the rest of India is the recognition of the tenure holder's right at two levels, i.e. that of the actual occupier as well as of the one who has leased out the land to him[6]. Another feature is that in Punjab the entire village was consolidated instead of only cultivable area, hence up to 1972 for example, the consolidated area comes to more than the net sown area (see Table 1, in the Appendix).

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[5] Note Regarding The Progress Made in The Implementation of land reform in The Punjab State, Government of Punjab, (Mimeograph).

[6] NCA Report, op.cit.p. 187 and 190

2.11. In the implementation of consolidating cultivable land holdings in Punjab, the most important principles which were laid down are :

(1) A right holder is given two plots in the minimum, one forming a land of higher value and another constituting land of inferior quality;

(2) The guiding criteria for the formation of plots (which is called "taks") is that block-wise land belonging to a right holder (irrigated or non-irrigated) will be consolidated at the place where he has his largest parcel pertaining to that block.

(3) When there happens a clash among two or more right holders in the nature of being settled at their respective largest parcels, commonly known as “major portions”, the principle of percentage is followed in order to determine as to who among such right holders has the prior right to be settled. A right holder who has the highest percentage as his largest parcel In his particular block has the prior right to be fitted there.

2.12. In Punjab, separate Head of Department for consolidation operation is provided for at the State level, known as Director Consolidation/Colonization and Land Acquisition. The organizational and administrative set up is described schematically in the appendix of this report (For the more detailed description of Land Consolidation in Punjab, se the separate report by Ir. Sutardja Sudradjat).

C. IN WEST BENGAL

2.13. With population density of almost 400 persons per square kilometer West Bengal is a country characterized by the great number of sharecroppers (bargadars), slightly bigger than Punjab, the net sown area of west Bengal is about 5.7 million hectares, around 25% of which were cultivated by sharecroppers, and in 1980 the number of bargadars was estimated as two million. According to the interview with Mr. D. Bandyopadhyay, -The Land Reform Commissioner- the estimated figure is now 3,2 million.[7]

2.14. Regarding the Abolition of Intermediates. West Bengal legislature laid down certain important provisions in the West Bengal Estates Acquisition Act 1953 Which at that time were not found in the legislation of other States (except that Jammu and Kashmir). Besides abolishing all grades of intermediaries at one stroke a ceiling on holdings per individual holder was fixed. The principal provisions of this Act were as follows:

(1) The rights and interests of all the intermediaries vested in the State, free from encumbrances.

[7] D. Bandyopadhyay : “Land Reform in West Bengal” (n.d). Government of West Bengal.

(2) The raiyats (ryot), holding from the intermediaries came in direct contact with the state. The underraiyats, holding from the raiyats, were up graded and came in direct contact with the state.

(3) The provisions of the Act were applicable only to agricultural landholdings and not to non-agricultural holdings. As a result, some grades of tenure holders for the non-agricultural holdings survived.

(4) One of the major provisions of this Act was the fixation of a ceiling on holdings at 25 acres(10,12 ha) on all landholders. The ceiling was imposed not on the entire property of the family but on the individual holder registered as a single entity.

2.15. Regarding Security of Tenancy.

In West Bengal after Independence, the first tenancy legislation was the Bargadars Act, 1950, which functioned as a mere interim measure till a comprehensive land reforms act was enacted. The provisions of this act for regulating the relationship between landowners and bargadars were still loose.[8]

2.16. In the legislations during the colonial period, the term "tenant" did not include a sharecropper, so that the benefits of security of tenure, regulation of rent, etc, were denied to the sharecroppers. And yet, even in the West Bengal Estate Acquisition Act 1953 (see p. 214) provisions for recognizing sharecroppers as tenants were also none. Therefore, the sharecroppers could not avail of the provisions of the West Bengal Estates Acquisition Act, 1953.

2.17. A comprehensive land reforms act was enacted in 1955 under the name: West Bengal Land Reform Act. 1955, which is commonly referred to as the principle Act. Since then, however, a series of amendments have taken place, especially regarding the rights of bargadars, and the ceiling provisions.

2.18. The rights of the sharecroppers in West Bengal are largely governed under the West Bengal Land Reform Act 1955 as amended up to 1980. Some of the most important principles provided for by this amended Act are as follows.

(l) The produce must be divided between the land owner and the bargadar in the following proportion.

(a) In cases where the plough, cattle, manure seeds are supplied by the landowner, (produce be divided in the proportion of 50:50.

(b) In all other cases. The bargadar's share of the gross produce is 75 percent (in the proportion

[8] A Gosh and K. Dutt: Development of Capitalist Relations in Agriculture, A Case Study of West Bengal. People's Publishing House, new Delhi, 1977. P. 147.

(2) Where a bargadar, cultivating any land, dies at the time when cultivation of such land by the was continuing, the cultivation of such land may be continued by the lawful heir of the bargadar. In case no lawful heir could be found to continue cultivation, the landowner will nominate some person as bargadar to continue cultivation. Thus the right of landowners to resume Land for personal cultivation was restricted.

(3) The owner can resume the entire land for personal Cultivation if he holds 7.5 acres, and two-thirds of the area (or exactly 3 ha) if he holds above 7.5 acres. But the limit of resumption was always confined within the prescribed ceiling limit. The bargadar should be left with at least one hectare of land for his personal cultivation.

(4) The bargadars have heritable right to cultivate the land and can be ejected by the due process of law. Illegal evictions of bargadars have been made cognizable offence punishable with imprisonment or fine or both.

(5) In case of surrender or abandonment of holding by the bargadars the landowner is not allowed to take over the land but it is given to some other bargadar for cultivation.

2.19. Regarding The Ceiling On Landholdings

Under the West Bengal Estates Acquisition Act, 1953, (WBEA), ceiling limit of 25 acres per individual holders was imposed for certain types of land. This level has been reduced under the West Bengal Land Reform (WBLR) Act, 1955, as amended up to 1980. Initially the WBLR Act 1955 did not-provide for any ceiling Limit for any class of land. For the first time by President's Act 3 of 1971, ceiling for agricultural land was introduced in this Act. Since then various amendments have taken place. The main provisions of the WBLR Act 1955 as amended are as follows :

(1) Level of ceiling: (a) For irrigated areas 5 ha and (b) for other areas, 7 ha. Allowance has also been made for size of the family. The aggregates area of land for retention may be raised by 1.2 for each additional member in excess of five, subject to an overall ceiling of 7 ha for irrigates areas and 9,8 ha for other areas. In case or adult unmarried person being sole surviving member of the family, the ceiling limit would be 2.5 ha in irrigated areas and 3,5 ha in other area. Thus this act decided to impose ceiling on Family Basic.

(2) Definition of family, the term "family" includes husband, wife, and their minor sons and unmarried daughters.

(3) Compensation: 2O to 2 times the net income as a grades slab.

4) The maximum amount of land which a bargadar can cultivate was 6 ha. If the Land cultivated by a bargadar is in excess of 6 ha, the surplus is to be given over to other bargadars.

2.20. Regarding Land Consolidation

The WBLR Act,1955, that is the principal act, has certain Provisions for land consolidation under which consolidation can be undertaken if two thirds or more landowners agree. So far no such majority has appeared in any village. Land consolidation, therefore, seems not to be the main feature of land reform in West Bengal.

2.21. It is worthwhile to note that in 1980 once again the principle act underwent amendment in which two of the most important new provisions are inserted.

(l) The constitution of State Land Corporation or Regional Land Corporation. This corporation is intended to alleviate the difficulties faced by raiyats holding small quantities of land, but failing to sell the same in time of distress by reason of cultivation of such land by bargadar.

(2) The formation of Common Service Cooperative Society for catering to the needs of bargadars for aiding them with implements and inputs for improved methods of cultivation.

2.22. Some of the main features of the program of land reforms currently implemented in West Bengal as reported by the Land Commissioners are :

(l) Quick recording of the names of the sharecroppers (bargadars) through "Operation Barga", and thereby securing them the legal rights that they are entitled to.

(2) Distribution of already available ceiling surplus vested lands among the landless and the poor labourers with the active cooperation at the Panchayati raj institutions.

(3) Giving institutional credit cover to the bargadars.

(4) Assigning permanent title for homestead purpose to all the landless agricultural workers (including sharecroppers), artisans and fishermen, up to 0,08 acres who are occupying lands of others as permissive possessors.

(5) Abrogation of the old revenue system which was of hangover from the Zamindari era, and substituting it by a new measure under -which revenue is assessed on land-holding above a certain valuation on progressive rate. Hence, small and marginal farmers have been exempted from revenue burden[9].

2.23. Under the amended Land Reforms Law, it was provided that a person lawfully cultivating the land of another is presumed to be the bargadar is such person is not a member of the family of other person whose land he cultivates, and the burden of proving that such person is not a bargadar lies on the land owner, provides the legal frame of the "Operation Barga".

2.24. However, identification of sharecroppers is the most difficult problem commonly faced in many developing countries, though recording as such is not a new element in land reforms administration. The sharecroppers are usually reluctant to register their names, being afraid or losing

[9] D. Bandyopadhyay, op.cit.

their ties with the 1andowners. In his report, the land Commissioner of West Bengal stated that "typically bureaucratic method of recording the names of sharecroppers failed to achieve any significant success. Individually, sharecroppers felt diffident to come forward and register their names against the wishes of the landowners because of fear of retaliation[10].

2.25. To overcome this problem, towards the end of 1978 the government of West Bengal launched the so called “Operation Benga” with the emphasis on developing group action among the potential beneficiaries, to enable them to overcome the fear psychosis. This operation as a massive drive to register the names of the bargadars with the collaboration of the groups of beneficiaries and with the assistance of rural workers' organizations and rural self-governing institutions. Group meetings were held in the evening, in the Locacity where they stay. Both sharecroppers and the land-owners are given opportunity to express their grievances in front of officials who attend the meeting. Claims are listed, then public verification follows. Opportunity is given to the landowner to file objections which are also publicly verified. Thereafter certificates of sharecroppers are distributed. The results of this operation are fairly good. Till 30th April 1980, thus about two years after the operation started, 8,55 lakhs (0,855 millions) sharecroppers were recorded, out of an estimates 2 millions at the time.

2.26. Regarding the implementation of ceiling laws, West Bengal is outstanding. Out of about four million, acres of agricultural land declared surplus throughout India, West Bengal’s contribution has been 1.177 million acres (almost 30%). Out of this 1.177 million acres, 0,631 million (53 %) have been distributed among little over one million beneficiaries[11].

[10] D. Bandyopadhyay, Ibid
[11] D. Bandyopadhyay, Ibid

III. PUNJAB AND WEST-BENGAL CONTRASTED

3.1. From the foregoing description it could be concluded that there are certain typical contrasts between Punjab and West Bengal, especially regarding the physical conditions and availability of Infrastructure, the existing socio-economic condition (such as the prevailing tenancy system), and the policy emphasis adopted by the government concerning the implementation of land reforms programs.

3.2. In to the past, Punjab was an area of ryotward and mahalwari tenure system, whereas West Bengal was a typical tenure system.

3.3. Punjab, the original spelling of which was Punjab, is a country of "five rivers". During the colonial period the British constructed big darns in Bhakra and Nangal, near Ropar. (Bhakra dam actually belongs to the State of Himachal Pradesh but located on the border of Punjab). Thus in terms of irrigation Punjab has much better condition than West Bengal. It was reported that Punjab is one of the regions in India in which the progress of the "green revolution" has been appreciable[12].

3.4. While Punjab is commonly known as a country of peasant landowners, West Bengal on the other hand is characterized by the great number of sharecroppers though other types of tenancy also exist (this is due to the different historical background- see paragraph 3.2 above). In Punjab, however, the green revolution led to the growth of a type of tenancy in which leasing-in of land by the larger landowners from the small farmers prevails. In West Bengal where agriculture is far less developed, the old type of tenancy persist, This contrast is reflected by the data presented in Table-2 (Appendix). Data in Table-2 shows that small tenants cultivating less than 2 ha hold about 58 percent of the total leased in area in West Bengal, and big tenants cultivating more than 4 ha hold only 3 percent of the total leased in area. In Punjab, on the contrary, small tenants hold only 8 percent, while big tenants hold about 70 percent of the total leased -in area. These data could be interpreted as an indication that, while while in West Bengal leasing out by big to the small owners continues, in Punjab leasing out by the small to the higher size groups has become an important at agricultural economy.

3.5. In 1960-1961, eleven years after independence during which land reforms have been launched, the distribution of landownership in West Bengal was less skewed than in Punjab (Putting aside the landless group). This is reflected in Table-3 (Appendix) the data of which resulted from The National Sample Survey (NSS), which shows that in Punjab the Gini Index is roughly 0,47 whereas in west Bengal 0.39. Whether it is because the ceiling was lower in West Bengal than in Punjab (25 standard acres as compared to 30 standard acres, according to the 1950's Acts), or is it because West Bengal implementation the ceiling law more

[12] NCA Reoprt, op.cit.p. 148

seriously than Punjab so that relatively much more surplus land could be redistributed to the landless people, the available information reported here does not provide the answer.

3.6. The third contrast between Punjab and West Bengal is policy adopted by their governments in implementing land reform programs. While Punjab is very proud of the recognized success in implementing compulsory land consolidation West Bengal present government proudly enjoy the "trademark" of "operation barga", an operation which reflect a policy in which participation from below is emphasized.

IV, CHANGES IS LAND TENURE STRUCTURE IN WEST BENGAL

4.1. In West Bengal, during the period 1954-1972 there was a trend of increasing degree of owner operation as also of declining number of landless tenants. This trend is reflected by the data in Table 4 {see Appendix) which gives a comparative accounts of the three rounds of NSS. It is believed that the figures on the land leased-out or those who own lands but not operating (Tahle-4, line l.b) may be underestimated because the landowners might have underreported due to land reform measures prior to 1971 in which the step to protect the right of bargadars had been taken. Inspite of this, however, the proportion of households who ware owning but not operating lands in considerably higher in 1972 then 1954. (22% and 20 % respectively). The proportion of households owning land has increased from 79% to 87% and thence 89 %. The decline in relative number of landless households also continues as a trend. These changes may be attributed to the implementation of land reform.

4.2. The pattern of ownership distribution was also changing in the ten year period of 1962 1972, as reflected by the data in Table-5 (see Appendix). These data, however, gives the possibility of different interpretations. Looking only at the ownership distribution among landowning households, One may conclude that the ownership pattern has become more unequal, notwithstanding ceiling restrictions, land distribution and understatement of the size of holdings of large landowners. And this is viewed as an evidence of the tendency of agriculturist moneylenders buying up the lands of middle farmers and pushing them down to lower ranks[13]. This interpretation of Gosh and Dutt was clearly basic mainly on the data that four percent of rural household were owning about 26 percent of the total area owned in 1951-1962, whereas 57 percent of rural households hold only 19 percent of the total area owned. While in 1971 - 1972, two percent of rural households owned 19 percent of the total area owned, and 67 percent of rural households owned 28 percent. Hence, they concluded that the distribution of ownership has become more unequal. However, if we include the landless group, the picture will be different. As the roughly estimated Gini Ratio indicate (O.58 in 1961-1962, and O.56 in 1971-1972), it is clear that there is no change in terms of equality. Or, one might even interpret that the pattern of landownership has become slightly more equal.

4.3. Regarding absenteeism, unfortunately, there is no data available. According to the Land Commissioner, though the government of West Bengal wants to do away with absenteeism but at present absentee landownership is still permitted in the sense that someone may obtain the right of personal cultivation on the following conditions:

(1) In the major part of the time he stays in the village
(2) His major part of income comes from the land;
(3) The land must be located in the distance not exceeding 80 km (?) from his house;

[13] A. Gosh and K. Dutt, 1977, op.cit.

(4) The land should not be wasted or fallowed in three years.

V. CONCLUDING REMARKS

5.1. Notwithstanding the ever changing government structure (in terms of composition of political parties which dominated the seat), the policy emphasis, the possible many loopholes that may exist in the regulations of land reforms, and whatever result that derived from the probably poor implementation, the general impression is that land reforms in Ind ia was indeed Implemented and is going on.

5.2. One of the indications that support the above impression is that up to 1980, many amendments to the existing Acts have taken place (in some State, more than ten time) to over come the loopholes.

5.3. This general- impression, of course, does not deny the fact that in the history of land reform in India, wrong doings or even scandals have happened. Toward the end of June 1973, for example, Indian newspaper broke the story of scandal in the distribution of state-owned lands in the Punjab area, where many officials grabbed, at low prices, the lands intended for the poor. The harchard Singh Committee which was then set up to find out the truth, reported that among the land grabbers are the minister of development, and members of the Punjab State Legislative Assemble. And last but not least is the Speaker of the Assembly who was accused by the Committee of buying 90 acres of land in the name of his relatives and occupying without authorization an additional 10 acres of land. This became the political dramatic element in the affair[14], which led to the impression of Punjab's unconcern about land for the poor.

5.4. In general, the case of Indian land reform is an example of an alternative approach in which the actual law enactments and implementations were left to the State government, though general guidelines were given by the Central Government. Administrative set up for implementing land reform programs also vary from State to State depending on the specific existing condition of each State.

5.5. Finally, the case of India is a rich experience. India is a country which, as Ladejinsky Stated, "has done both much and little, demonstrate how much can be accomplished when will and determination are present, and how little can be obtained if they are absent".

Bogor, Februari 21, 1981

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[14] Detailed description of the episode can be read in Ladejinsky, Agrarian Reform as Unfinished Business, Oxford University Press, 1977.

BIBLIOGRAPHY AND REFERENCES

1. Bandyopadhyay, D : Land Reforms in West Bengal. Government of West Bengal, (n.d.).

2. Gosh, A and K. Dutt : Development of Capitalist Relations in Agriculture. A Case Study of West Bengal 1793-1971Uovolopmeivt of CapitalistRclntifuii. in Agriculture, k Cas- Study of West Bemgal 1793-1971. People's Publishing Notes, New Delhi, 1977.

3. Ladejinsky, W : Agrarian Reform a'la Punjab. An Article in L.J. Walinsky, Agrarian Reform as Unfinished Business. Oxford University Press, 1977.

4. Ladejinsky, W : Agrarian Reform in India. An Article in L.J. Walinsky, Agrarian Reform as Unfinished Business. Oxford University Press, 1977.

5. Mamoria, C.B. : Agricultural Problems of India. Allahabad, 1976.

6. Mascarenhas, R.C : Land Reform in India: Some Problems of Implementation (n.d.) Mimeograph.

7. Mc C. Douie, Sir James : Land Administration Mannual.

8. _____ : Report of the National Commision on Agriculture, 1976, Part XV: Agrarian Reform. Government of India, Ministry of Agriculture and Irrigation, New Delhi, 1976.

9. _____: Scheme of Consolidation of Holding in Punjab State, Paper, Government of Punjab.

10. _____: Note Regarding made in The Implementation of Land Reform in The Punjab State. Government of Punjab.

11. _____: Land Reform in West Bengal, Statistical Report- IV. Statistical Cell, Board of Revenue, government of West bengal.

12. _____: The West Bengal Land Reforms (Second Amandment) Bill 1980. Calcuta Gazette, 1980.

13. _____: CADP Today. West bengal Comprehensive Area Development Corporation.

14. Briefing and Discussion with Land Reforms Authorities.

APPENDIX

Table-1. Land Utilization and Area Consolidated in Punjab, 1971-1972

		Punjab* (1000 ha)	West Bengal* (1000 ha)
1.	Geographical Area	5,036	± 6,000
2.	Forest	127	N.A
3.	Not available for cultivation	613	N.A
4.	Permanent pasture and grazing lands	5	N.A
5.	Land under miscellaneous tree crops	4	N.A
6.	Cultivable waste	80	N.A
7.	Current follows	126	N.A
8.	Net Sown Area	4,076	5,700
9.	Area consolidated	4,737 **	N.A

*Figures for Punjab are taken from the NCA Report, XV, P. 190, Whereas for West Bengal , unfortunately, the data are not availableexcept on the net sown area which is taken from: Land Reform in West Bengal, statistical Repotr-IV, 1980. Government of West Bengal.

**In Punjab, instead of only cultivable area, the entire village was consolidated, hence the consolidated area comes to more than the net sown area.

Table – 2 Presentage Distribution of Rural Operator Operating Leased- in Land and of Area Leased- in, by Size of Operational Holdings, 1960-1961.

Size Classes	Punjab		West Bengal	
	Household	Area	House hold	Area
	%	%	%	%
Less than 2 ha	25	8	72	58
2 - 4 ha	30	22	22	29
4.05 - 8 ha	29	37	5	10
More than 8 ha	16	33	1	3
TOTAL	100	100	100	100

Adapted from : NCA Report, 1976, Part XV, Agrarian Reforms, Ministry of Agriculture, Government of India.

APPENDIX

Table-3. Percentage Distribution of rural household Operating Owned Land and of Area Owned, by Size Classes of Operational Holdings, 1960-1961.

Size Classes	Punjab		West Bengal	
	Number	Area	Number	Area
	%	%	%	%
Less than 2 ha	36	8	74	38
2 - 4 ha	25	16	19	33
4.05 - 8 ha	25	31	6	21
More than 8 ha	14	45	1	8
TOTAL	100	100	100	100
GINI INDEX	0,47		0,39	

Adapted from : NCA Report 1976, Part XV, Agrarian Reform Ministry of Agriculture, Government of India.

Table-4. Percentage Distribution of Rural Households By Modes of Ownership and Operation and By Three Different Period, West Bengal.

Types of Household		Percentage to Total Rural Household (%)					
		1954 - 1955		1961-1962		1971-1972	
1.	Owning land	(79)		(87)		(89)	
	a. Operating own land		(59)		(63)		(67)
	b. Owning butnot operating		(20)		(24)		(22)
2.	Owning no land	(21)		(13)			
	a. Operating land of others		(16)		(3)		(2)
	b. Heither, owning nor operating		(5)		(10)		(9)

Taken and Adapted from : A. Ghosh and K. Dutt, Development of Capitalist Relations in Agriculture, A Case Study of West Bengal, People's Publishing House, New Delhi, 1977.

APPENDIX

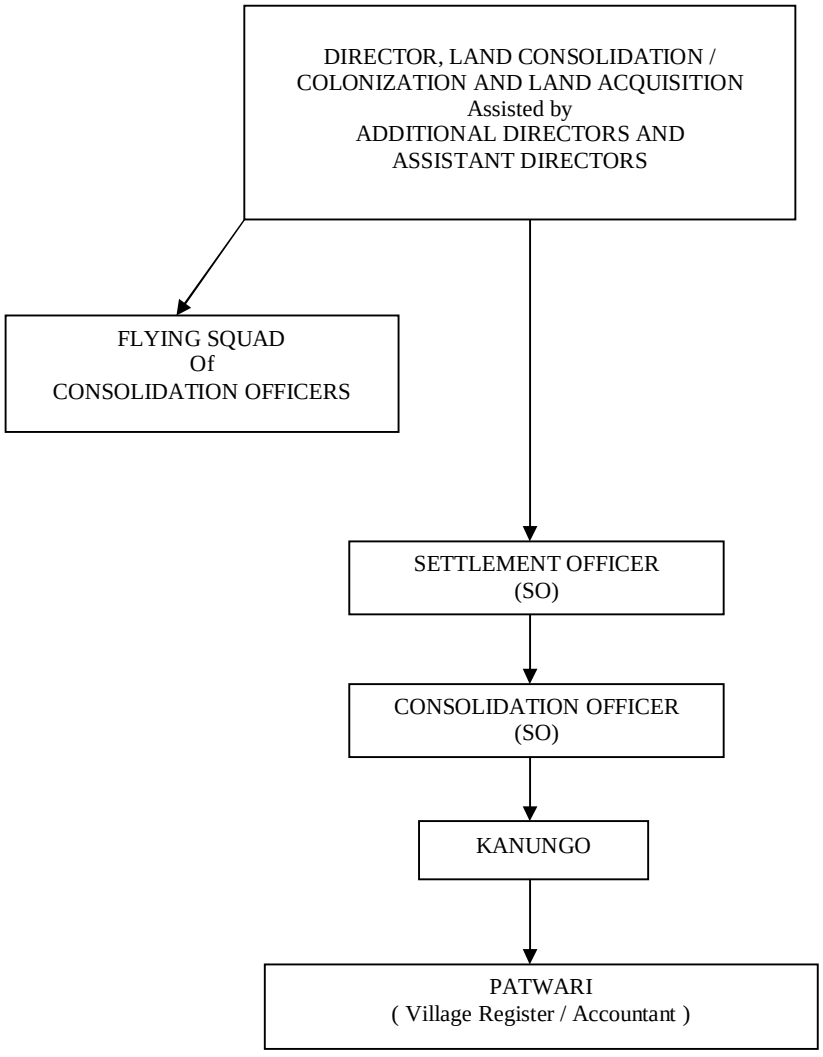
Tabel -5. Percentage Distribution of Rural household By Class of Ownership (Changes in the Ownership Pattern Between 1961-1962 and 1971-1972)in West Bengal.

Size Class	1961 - 1962		1971 - 1972	
	Household	Area	Household	Area
	%	%	%	%
Landless	13	0	11	0
Less than 1 ha	57	19	67	28
1 - 4,o4	26	55	20	53
4,05 +	4	26	2	19
	100	100	100	100
Gini Index	0,58		0,56	

Taken and Adapted from : A. Gosh and K. Dutt, Ibid.

APPENDIX

ADMINISTRATIVE SET – UP
FOR IMPLEMENTING LAND CONSOLIDATION
PROGRAM IN PUNJAB



APPENDIX

ADMINISTRATIVE SET – UP FOR IMPLEMENTING LAND REFORN IN WEST BENGAL

