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REGIONAL VARIATIONS IN POLICY REGARDING SIZE OF AGRICULTURAL HOLDING

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The paper deals with the variations in the size of agricultural holding and the impact of land reform measures in so far as they bear, directly or indirectly, upon the size of the holding.

DISTRIBUTION OF CULTIVATING HOUSEHOLDS ACCORDING TO SIZE OF LAND

In 1961 Census, information on economic and social characteristics of population was collected in the Household Schedule with the household as a unit. For this purpose, the households were classified into: (i) households engaged in cultivation only; (ii) households engaged in both cultivation and household industry; (iii) households engaged only in household industry; and (iv) households engaged neither in cultivation nor in household industry. This paper deals with all cultivating households at (i) and (ii) above.

In Table B-XI of the Tabulation Plan of the Household Schedule, all cultivating households are cross-tabulated according to size-groups of land cultivated by them under three categories of interests of land. To the first category belong all the households who cultivated directly under the State. This included cultivating households with right of occupancy or ownership, with right of limited ownership such as with limited right of transfer, lease or inheritance, and households holding land on temporary basis such as temporary lessees of the State. To the second category belonged households who cultivated land held from private persons or institutions. These lands might be held with unlimited or limited right of occupancy or in the capacity of tenants-at-will or crop-sharers. However, after the implementation of land reforms almost all the tenants belonging to the former category have been brought under direct relationship with the State. The third category included all households which cultivate their lands part of which is held directly under the State and part of which is held under private persons or institutions. The sum total of the cultivating households under the three categories would represent total household operational holdings, a household operational holding being the entire land cultivated by a household.

The Appendix Tables I-IV bring out the percentage distribution of cultivating households according to major size-groups of household operational holdings. Appendix Table I shows the composite picture of all the cultivating households. The next three tables give the distribution of households cultivating land under the three types of interests stated above. The information is available for all the major States except Bihar, Orissa and West Bengal for which the tabulation is still in progress. It can be seen from the tables that there is a significant variation in the distributive pattern of households according to the extent of land cultivated by them. Thus, while in Rajasthan the proportion of households cultivating less than one acre is 1.74 per cent, it is as high as 48.3 per cent in Kerala and 99.1 per cent in Laccadive, Amindivi and Minicoy Islands. More than 50 per cent of the holdings¹ are below 5 acres while the all-India average size is 6.65 acres. The

1. Excluding Bihar, Orissa and West Bengal.

percentage of such holdings is 92.58 in Kerala, 80.15 in Himachal Pradesh, 75.50 in Jammu & Kashmir, 67.87 in Assam, 65.36 in Uttar Pradesh and only 24.36, that is the lowest, in Punjab. The regional variations are still greater in respect of the households which cultivate entirely leased-in areas and at all-India level, the proportion of such households cultivating less than 1 acre is the highest (19 per cent). Households which cultivate partly owned and partly leased-in land are at the other end. The above pattern seems to be consistent and logical. The extent of holdings which are leased-in fully cannot be in large sizes and should, therefore, belong to smaller size-groups. The mixed type of holdings should not lie in small size-groups for the reason that they grow into more or less viable units when lands held directly under the State and those leased-in are added together.

FACTORS AFFECTING THE SIZE OF AGRICULTURAL OPERATIONAL HOLDINGS

The size of an household operational holding is affected by (a) the number of households operating upon the total arable land, and (b) the distributive pattern of the cultivated area among the cultivating households. The first factor can be studied by working out the average size of a household operational holding for a particular area by over-riding the pattern of land distribution. The average size of holdings is generally small in areas where the yielding capacity of land is more by way of assured rainfall, irrigation facilities, better quality of soil, etc., and the density of population is high. This is so because an acre of land whose yielding capacity is more can sustain more persons than an area whose yielding capacity is low. Table I shows inverse relationship between the yield per acre and the average size of holding for different States. The coefficient of correlation is -0.7 .

TABLE I—ANNUAL YIELD PER ACRE OF ALL FOODGRAINS DURING 1958-59 TO 1960-61 AND AVERAGE SIZE OF OPERATIONAL HOLDING—BY STATES

State	Yield per acre (in lbs.)	Size of holding (acres) N.S.S. Sixteenth Round
Kerala	1,137	1.96
Madras	954	3.89
West Bengal	845	3.88
Assam	824	4.13
Punjab	738	11.17
Uttar Pradesh	669	4.60
Andhra Pradesh	641	6.64
Bihar	615	3.99
Orissa	594	4.61
Madhya Pradesh	566	10.01
Bombay	561	12.00
Mysore	464	9.65
Rajasthan	392	13.79
All-India	606	6.65

It may not be equally correct to say that in areas where yield per acre is more, it is so because the average size of holding is small. On the basis of Farm Management Studies undertaken by the Ministry of Food and Agriculture, Government of India, there is nothing conclusive to suggest that, within a region, the yield per acre is invariably higher on the smaller than larger holdings in spite of the fact that the labour input on small sized holdings is appreciably more as compared to large holdings. Analysing the farm management data in India, Dr. Erven J. Long observes: "With the exception of the highly specialised case of some of the plantation crops, productivity per acre would appear to be about the same for all sizes of farms or perhaps to diminish as size of farm increases."² The extent to which the size of an operational holding has undergone change during the last decade can be seen from Table II.

TABLE II—AVERAGE SIZE OF AGRICULTURAL OPERATIONAL HOLDING (RURAL)

State	N. S. S. Eighth Round (1953-54)	State	N. S. S. Sixteenth Round (1960-61)
1. Assam	5.42	1. Assam	4.13
2. Bihar	4.14	2. Bihar	3.99
3. Jammu & Kashmir	3.98	3. Jammu & Kashmir	3.87
4. Orissa	5.08	4. Orissa	4.61
5. Punjab (including Pepsu)	11.68	5. Punjab	11.17
6. Rajasthan	16.94	6. Rajasthan	13.79
7. Uttar Pradesh	4.83	7. Uttar Pradesh	4.60
8. West Bengal	3.57	8. West Bengal	3.88
9. Andhra Pradesh	6.51	9. Union Territories	3.95
10. Hyderabad	15.51	10. Andhra Pradesh	6.64
11. Bombay	11.04	11. Gujarat	11.98
12. Saurashtra	26.08	12. Maharashtra	13.06
13. Madras	4.15	13. Madras	3.89
14. Mysore	7.98	14. Mysore	9.65
15. Travancore-Cochin	1.83	15. Kerala	1.96
16. Madhya Pradesh	12.27	16. Madhya Pradesh	10.01
17. Madhya Bharat	14.23		
18. Vindhya Pradesh	8.72		
Total (9 to 18)	9.42	Total (10 to 16)	8.24
All-India	7.53	All-India	6.56

Table II indicates that the size of operational holding has gone down since 1953-54 for which many structural and institutional factors may be responsible. As a result of the pressure of population on land, the land-labour ratio has further deteriorated during the last decade when the population increased by 21.79 per cent and cultivators by 40.86 per cent while cultivated area increased by only 20 per cent. The sub-division of ownership holding through inheritance and transfers generally results in the sub-division of operational holding too. During 1951-61, the proportion of workers in agriculture (including ancillary activities) to total workers increased from 72.15 per cent to 73.13 per cent whereas the objective of the Government policy is to reduce the proportion of agricultural labour force to 60 per cent of the total by 1975-76. Apart from structural reasons, the various land reform measures indirectly increased the pressure of population on land. In former *Zamindari* and *Jagirdari* areas, the lands were generally settled with the former occupants and such measures did not affect much on the operational side except where *Sir* or *Khudkasht* lands were settled with the intermediaries for self-cultivation. For example, in Uttar Pradesh, the lands were settled with intermediaries and their tenants and sub-tenants in so far as these were under their personal cultivation which meant no change on the operational side. On the other hand, provision was made in *Jagir* areas of Rajasthan and other Princely States for resumption of land by the intermediaries to make up the *Khudkasht* up to the prescribed limits. Under the tenancy legislation, a provision was made in the majority of States that landlords may resume land from tenants for personal cultivation within a specified period and the tenants may be made owners in the non-resumable areas. This resulted in sub-division of operational holdings. For instance, the Bombay Tenancy and Agricultural Lands Amendment Act, 1955 provided that a landlord may resume half the area leased by him and the tenant would be deemed to have become owner in the other half of the area by 1st April, 1957. On the basis of comparative data collected through the Eighth and Sixteenth Rounds of the N. S. S., the number of operational holdings increased by 4.5 millions between 1953-54 and 1960-61 though the data did not show any increase in area.

The measures which directly affect the size and distribution of agricultural holdings are legislation for prevention of sub-division, ceiling on land holdings and co-operative farming. Legislation for prevention of sub-division and fragmentation follows two courses : (a) prevention of sub-division of a holding ; (b) prevention of sub-division of a parcel or plot of a holding. The provisions with regard to (a) have been adopted in the States of Andhra Pradesh (Telangana area), Assam, Madhya Pradesh, Rajasthan, Uttar Pradesh and Delhi. The law generally provides that no holding shall be sub-divided through transfer, partition or lease with the result that the size of the holding is reduced below the specified limit. The law also prohibits sub-division of holdings which are already below the specified sizes. In Uttar Pradesh and West Bengal, there is no restriction on transfers.

A holding is composed of one or more than one plots. Under the above provisions, a plot of land may be sub-divided to any limit provided the aggregate area of the holding exceeds the minimum limit. Hence a provision has been made in a number of States to restrict sub-division of a plot also. The restrictions on creation of plots of less than the specified limits may check fragmentation of hold-

ings in so far as the holding may be sub-divided without creating fragments. These States are Andhra Pradesh (Telangana area), Bihar, Gujarat, Maharashtra, Orissa, Punjab and Rajasthan. These provisions are generally brought into force in areas where consolidation of holdings is undertaken. The legislation generally provides for determination of 'standard area', that is, a plot of size below which it is not profitable to cultivate. All plots of land which are smaller than the 'standard area' are declared fragments. No holding can be alienated, partitioned or leased so as to create a fragment. Transfer of a fragment cannot be made except with the owner of a contiguous survey number or recognised sub-division of a survey number. There is generally no provision to prohibit partition of fragments.

Provisions relating to prevention of sub-division and fragmentation have been enforced only in the States of Gujarat, Maharashtra, Madhya Pradesh, Rajasthan, Uttar Pradesh and Delhi. As compared to partitions, it is easier to regulate transfers and leases. Partitions which are prohibited by law and, hence, cannot be done through courts are done informally among the co-sharers. It is also not easy for courts to decide such cases without rendering one or more of the co-sharers landless. Besides, the co-sharers who purchase the share of others are not always in a position to pay for it.

The limitations of the above measures are well-known. Not only that these provisions are not so effective, these do not by themselves improve the size of holdings which are already small. The measures seek to insulate the agricultural economy from further increase in pressure of population. In this respect, the measures strive against the social and economic forces. It is sometimes held that such measures cannot be effective unless the economy diversifies, and there is a shift of labour force into non-agricultural sector. But in support of such measures it may be argued that with economic development it will be unnecessary to adopt such measures and the indications are that, far from easing the existing pressure on land, it will be a colossal task in itself to provide jobs to the new entrants to the labour force in the non-agricultural sector to the extent of about 50 million during the next 15 years so as to reduce the proportion of agricultural workers to 60 per cent of the total working force.

In India both ownership and operational holdings are characterised by (i) small size of an average holding; and (ii) unequal distribution of land. Table III brings out the cumulative percentage distribution of household operational holdings and area cultivated by them. It may be noted from the table that while 62.96 per cent of the households cultivate less than five acres, the area cultivated by them does not exceed about 18.88 per cent of the cultivated area. Historically speaking, the pattern of distribution of land is still the relic of tenurial settlements made by the States since early periods. The distribution was further skewed by disparity in the social and economic opportunities enjoyed by different sections of population in different regions of the country and the absolute right of transfer and mortgage enjoyed till recently by the landowners. While the table emphasises the numerical importance of small holdings, it strikes a positive note that the plight of the small holders can be reduced through redistribution of land.

TABLE III—CUMULATIVE PERCENTAGE DISTRIBUTION OF OPERATIONAL HOLDINGS AND OF AREA OPERATED BY SIZE LIMITS OF OPERATIONAL HOLDINGS (EIGHTH AND SIXTEENTH ROUNDS OF NATIONAL SAMPLE SURVEY)

Size class (acres)	Number		Area	
	Eighth Round	Sixteenth Round	Eighth Round	Sixteenth Round
Up to 0.49	11.71	10.92	0.30	0.39
1.00	19.72	19.42	1.07	1.32
2.50	39.14	40.70	5.43	6.71
5.00	60.00	62.96	15.44	18.88
7.50	72.17	74.81	25.34	29.76
10.00	79.73	81.81	34.06	38.83
15.00	87.48	89.42	46.59	52.68
20.00	91.81	93.09	56.53	62.10
25.00	94.13	95.26	63.38	69.30
30.00	95.73	96.61	69.19	74.83
50.00	98.47	98.93	82.99	87.82
All-Sizes 100.00	100.00	100.00	100.00	100.00

CEILING ON AGRICULTURAL HOLDINGS

A suggestion was made in the First Five-Year Plan for imposition of an absolute ceiling on existing holdings and acquisition of surplus lands. In pursuance of the recommendations of the Second Five-Year Plan, as reiterated by the Standing Committee of the National Development Council in September, 1959 and the Nagpur Resolution of the All-India Congress Committee in January, 1959, almost all the States enacted legislation for ceiling on land holdings before the end of the Second Plan period. However, surplus lands have been acquired only in the States of Jammu & Kashmir and West Bengal where about 4.5 lakh and 2.7 lakh acres respectively were taken over by the Governments. Unfortunately, in West Bengal surplus lands are settled with the *Bargadars* and landless labourers on yearly basis since 1955 and no steps have yet been taken to settle the lands with them permanently. In Punjab, there is no provision to acquire the ownership of the surplus area. The legislation only empowers the State Government to settle displaced tenants on the surplus land on payment of rent to the landlord. These provisions have been enforced in certain areas where displaced tenants were settled on the surplus land. It is unfortunate that in other States where the ceiling laws were brought on the statute book three to ten years ago, no surplus area has so far been acquired. Though no data are available, yet the uncertainties created by such delays should have surely hampered agricultural development and frustrated the landless and small holders.

The delay in the implementation of the legislation on ceiling has enabled big landowners to dispose of their surplus land through *mala fide* transfers and partitions. The land reforms surveys sponsored by the Research Programmes Committee of the Planning Commission have confirmed that transfers have taken place on a large scale with the intention of circumventing ceiling on land holdings. As stated above, while the First Plan had recommended ceiling on holdings and had thereby created apprehension in the minds of big landowners, it entirely missed the possibility that *mala fide* transfers could take place. The *mala fide* transfers take the shape of (a) *benami* transactions of transfers and partitions without involving any real change in ownership or cultivation; and (b) transfers accompanied by actual change-over of ownership and cultivation through payment of purchase price. While *benami* transactions make the existing inequalities to continue, the actual transfers result in some redistribution of land in favour of landless and the small holders. Table IV indicates how the distributive pattern of land has changed since 1953-54.

TABLE IV—PERCENTAGE INCREASE (+) OR DECREASE (—) OF AGRICULTURAL OPERATIONAL HOLDINGS AND AREA IN 1960-61 OVER 1953-54 BY SIZE CLASS OF OPERATIONAL HOLDINGS ALL-INDIA

Size class (acres)	Percentage change	
	Operational holdings	Area
Up to 0.99	+ 8.59	+19.71
1.00—4.99	+19.11	+18.91
5.00—9.99	+ 5.34	+ 4.27
10.00—14.99	+ 8.38	+ 7.52
15.00—29.99	— 4.13	— 4.64
30.00—49.99	— 6.68	— 8.43
50.00 and above	—23.54	—30.30
All-Sizes	+ 10.21	— 2.70

Table IV shows a decline in the number of holdings and area above 15 acres. The area has, however, declined more sharply than the holdings. Contrariwise, the area in small holdings has increased at a greater rate than the number of holdings, though the increase is mainly on account of sub-division of small holdings. The table suggests that the proportion of 'actual' transfers has been quite significant. An idea about the extent of change in the distributive pattern in various States can be had from Table V.

Table V indicates a fall in the concentration ratio in respect of most of the States. The steep fall in West Bengal is on account of implementation of the West Bengal Land Acquisition Act, 1955. Jammu & Kashmir shows a static position because the ceiling legislation had been fully enforced before 1953-54. In Assam, where the level of ceiling is 50 acres for all classes of land and the law has yet to be implemented, the area under agricultural holdings above 50 acres came down from 540,000 acres in 1953-54 to 24,000 acres in 1960-61. It also shows that the concentration of land is more in South Indian States as compared to North Indian States. This seems to suggest that concentration is comparatively more in regions where pressure of population on land is more though it is difficult

TABLE V—COMPARATIVE STATEMENT SHOWING CONCENTRATION RATIO FOR EIGHTH AND SIXTEENTH ROUNDS (NATIONAL SAMPLE SURVEY) BY STATES (ALL RURAL)

State	Concentration Ratio	
	Eighth Round	Sixteenth Round
Assam	0.46	0.42
Bihar	0.57	0.58
Jammu & Kashmir	0.42	0.42
Orissa	0.58	0.54
Punjab	0.52	0.51
Rajasthan	0.57	0.55
Uttar Pradesh	0.52	0.53
West Bengal	0.56	0.46
Andhra, Gujarat, Kerala, Madhya Pradesh, Madras, Maharashtra, Mysore	0.63	0.61
Union Territories	—	0.43
All-India	0.62	0.60

to explain the complex phenomenon. However, it may be stated that in Kerala where the average size of holding is less than 2 acres and in Bihar, Madras, Orissa, Uttar Pradesh and West Bengal where an average size is about 4 acres, the predominance of small holdings is not as much due to maldistribution of land as to excessive pressure on land.

In the following paragraphs a brief review of the ceiling provisions enacted in various States is given.

The Level of Ceiling

The first Plan had recommended that the ceiling limit should be equal to three times the family holding. A family holding was defined as an area which was equal to a plough unit or a work unit for a family of an average size, depending upon the local conditions. The Plan had also suggested an alternative method of determining ceiling limit which may yield an average level of minimum income. The Committee of the Panel on Land Reforms had suggested that the land up to the ceiling limit should ensure a minimum net income of Rs. 3,600 per annum. The Second Plan, however, observed that it would be difficult to correlate a family holding to money income, and it was suggested that each State may specify, according to conditions of different regions, classes of soil, irrigation, etc., the area of land which may be declared to be a family holding. The Third Plan did not make any reference to the level of ceiling.

The level of ceiling in different States has broadly followed the recommendations made in the Second Plan and the ceiling limits have been fixed in terms of acreage depending upon the class of land. This, however, implicitly amounts to adopting the income criterion and the underlying idea has been to leave a uniform level of net income or value of land with the land holder. The levels of ceiling fixed in various States are given in Table VI.

TABLE VI—LEVEL OF CEILING IN DIFFERENT STATES

State	Level of Ceiling (acres)
Andhra Pradesh	27 to 324
Assam	50
Bihar	20 to 60
Gujarat	38 to 132
Jammu & Kashmir	20 $\frac{1}{2}$
Kerala	15 to 37 $\frac{1}{2}$
Madhya Pradesh	25 to 75
Madras	24 to 120
Maharashtra	18 to 126
Mysore	27 to 216
Orissa	25 to 100
Punjab (Punjab area)	30 to 60
	50 to 100 (in case of displaced persons)
Pepsu area	30 to 80
	40 to 100 (in case of displaced persons)
Rajasthan	30 acres yielding 10 maunds of wheat per acre
Uttar Pradesh	40 to 80
West Bengal	25
Delhi	24 to 60
Himachal Pradesh	30 acres in district Chamba and land assessed to Rs. 125 in other districts.
Manipur	25
Tripura	25 to 75

It may be seen that the level of ceiling varies greatly not only from State to State but also within the same State. In Assam, Jammu & Kashmir, West Bengal, Himachal Pradesh and Manipur, the level of ceiling is the same for all classes of land and no allowance has been made for the differences in quality of land. In Andhra Pradesh, Bihar, Gujarat, Maharashtra, Kerala, Madhya Pradesh, Mysore, Orissa, Delhi and Tripura, the ceiling differs according to class of soil, type of crops grown or method of irrigation, or on the basis of the combination of these factors. In Madras, the level of ceiling depends upon the rate of assessment. In Punjab (including Pepsu) and Rajasthan, the criterion adopted was gross yield from land. In Uttar Pradesh, ceiling is based upon hereditary rent rates prescribed at the time of settlement or resettlement. In Madhya Pradesh, Madras, Mysore, Orissa, Punjab (including Pepsu), Rajasthan, Uttar Pradesh, Delhi and Tripura, the lands of different qualities, based on the above criteria, have been reduced to a common measure called a 'standard acre'. However, the manner in which the lands of different qualities have been related to one another is mainly arbitrary. For example, a standard acre of one quality of land may not command the same market value or yield the same produce as the standard acre of another quality of land within the same State. Where the ceiling is related to assessment rates or rent rates, in view of the fact that different districts were assessed at different times under varying assumptions as to prices, yields, etc., these rates for different districts may not reflect a true relative value of land. To allow for such variations, it would have been appropriate to apply standardised rates of assessment.

The level of ceiling in different States seems to have been fixed, more or less, in an arbitrary manner. While fixing ceiling, no account has been taken of the extent of surplus land likely to be available or the extent of requirement for land for redistribution among the landless and small holders. The Second Plan had suggested that the data collected through the Census of Land Holdings and Cultiva-

tion, conducted in 1953-54 in almost all the States, might be utilised for imposition of ceilings. However, the concept of standard acre used in the Census was entirely different from the term used in the ceiling legislation of different States with the result that no State has been able to prepare any reliable estimate of the surplus area likely to be available for redistribution. It may be possible to compare the ceiling limit of various States on a rough basis. For example, in Maharashtra where 3.41 per cent of the holdings are above 50 acres, the ceiling for seasonally irrigated land is 27 to 48 acres. In Gujarat, on the other hand, the holdings above 50 acres constitute 2.30 per cent but the level of ceiling for the same type of land is 38 to 88 acres. In Uttar Pradesh, the ceiling for "fair quality land" which is the best type of land, is 40 acres, but the proportion of ceiling area above 50 acres is only 0.33 per cent, and about 65 per cent of the holdings are of less than 5 acres. The ceiling in Uttar Pradesh is, therefore, certainly at a high level. The Second Plan had suggested that the level of ceiling should be low in areas of high density of population, but except in Kerala (where the provisions are again under revision), this aspect has not generally been taken into account while fixing the ceiling limit.

There are also variations with regard to the unit of ceiling. The Panel on Land Reforms had suggested that the ceiling should apply to the entire land held by a family. The Second Plan had left it to the option of the States as to whether the unit of ceiling should be a family or an individual. In Assam, Gujarat, Kerala, Madras, Mysore, Rajasthan, Delhi, Manipur and Tripura, the ceiling applies to the aggregate land held by all members of a family. Except in Assam and Gujarat, the ceiling in other States is higher if the members of the family exceed five. In rest of the States, the ceiling applies to the land held by an individual. The significance of these provisions lies in this. Where the ceiling applies to a family, it makes no difference whether, in the context of the *mala fide* transfers, the lands were transferred in the names of family members or not. If the unit of ceiling is an individual, each member of family in whose name the land is, would be entitled to retain land up to the ceiling limit. If, however, no transfers had taken place, the ceiling would apply to the land which is in the name of an individual who may be the head of family, or even a joint family, unless a special provision is made for larger or joint families. This amounts to giving premium to those who indulged in *mala fide* transfers.

Transfers

The transfers will be disregarded with effect from the following dates :

State	Date
Andhra Pradesh	21.2.1961
Assam	12.11.1955
Gujarat	15.1.1959
Kerala	18.12.1957
Madras	6.4.1960
Maharashtra	4.8.1959
Punjab	15.4.1953
Uttar Pradesh	20.8.1959
West Bengal	5.5.1953
Delhi	10.2.1959
Himachal Pradesh	1.4.1952
Manipur	15.1.1959
Tripura	10.8.1957

In other States there is no provision to disregard transfers and transfers can take place even after the enforcement of the ceiling provisions.

There are some variations regarding the scope of the provisions. In Andhra Pradesh and Himachal Pradesh, all transfers, after the prescribed date, shall be null and void or disregarded. In Assam only *benami* transfers shall be disregarded. In Madras, only those transfers shall be void which were made with a view to evade the ceiling provisions. In Gujarat and Maharashtra, all transfers shall be deemed to have been made in order to defeat the object of ceiling legislation unless proved otherwise. In Bihar, Delhi, Manipur and Tripura transfers made through registered documents for valuable consideration shall not be disregarded. In Kerala, Punjab (Pepsu area) and Rajasthan, transfers made to small landowners or tenants and landless labourers shall not be disregarded.

It is difficult to justify the above variations. In most of the States the ceiling provisions have not yet been enforced or these have been enforced only recently. In most cases when these transfers took place the law obtaining then did not prohibit them. Giving retrospective effect to these provisions, especially when the provisions are anomalous, may give rise to serious administrative and judicial difficulties. For example, it may not be justified to disregard all transfers some of which may be *bona fide* and would otherwise have been made in normal course of time. It will not be easy for the Government to detect *benami* transactions or to prove that the transfers were made with a view to evade the ceiling provisions. At the same time, all transfers made through registered deeds for valuable consideration may not be *bona fide*.

The legislation generally provides that the transfers shall be disregarded for computing ceiling area. The surplus land shall be taken from the transferor and, if necessary from the transferee also and the consideration money paid by the transferee shall be a charge on the compensation payable to the transferor. In Andhra Pradesh and Madras, all transfers after the stipulated date are null and void. In other words, the land would revert to the transferor and the transferee will be treated as a trespasser. This would mean great hardship to the transferees, who may, in many cases, be small holders and landless persons and who might have paid market value for their lands.

It is clear from above that a *mala fide* transfer is never a disadvantageous step. The holding, if the transfer is *benami*, remains intact and if the transfer is actual, the transferor realises full market value for his land. If the transfer is disregarded or declared null and void, the transferor is still entitled to the compensation in the same manner as if the transfer had not taken place.

It will not be easy to enforce the above provisions. For instance, it will be futile to expect that under the Himachal Pradesh Big Landed Estate Abolition Act, whose ceiling provisions have yet to be enforced, all transfers made since 1952 shall be disregarded. All these complications could have been avoided if the ceiling laws were enacted and implemented promptly.

CONSOLIDATION OF HOLDINGS

By now the advantages of consolidation of holdings are fully recognised. It appreciably raises the operational efficiency and facilitates land improvement. Consolidation, however, increases the size of a parcel or plot and not that of a holding. Consolidation work has so far been undertaken in the States of Andhra Pradesh, Bihar, Gujarat, Maharashtra, Madhya Pradesh, Mysore, Punjab, Rajasthan, Uttar Pradesh, Delhi and Himachal Pradesh and about 36.5 million acres were consolidated by 31st March, 1962. This comes to 11.13 per cent of the net cropped area of the country. In Punjab 94.7 per cent of the cultivated area has been consolidated and this may be one of the major factors in promoting the agricultural prosperity of the State. Uttar Pradesh is the next State where 17.8 per cent of the area has been consolidated. In other States the area consolidated is below 10 per cent of the cultivated area.

Table VII brings out the extent of fragmentation obtaining in 1960-61.

TABLE VII—ESTIMATED NUMBER OF PARCELS PER OPERATIONAL HOLDING AND AVERAGE AREA OF PARCELS FOR EACH SIZE CLASS OF OPERATIONAL HOLDING—SIXTEENTH ROUND OF NATIONAL SAMPLE SURVEY (1960-61)
(ALL-INDIA)

Serial No.	Size class of operational holding (acres)	Number of parcels per operational holding	Average area of parcels (acres)
1.	Up to 0.49	1.61	0.15
2.	0.50—0.99	2.82	0.26
3.	1.00—2.49	4.41	0.38
4.	2.50—4.99	6.30	0.58
5.	5.00—7.49	7.60	0.80
6.	7.50—9.99	8.30	1.04
7.	10.00—12.49	8.47	1.31
8.	12.50—14.99	8.43	1.62
9.	15.00—19.99	8.87	1.93
10.	20.00—24.99	8.66	2.55
11.	25.00—29.99	8.50	3.21
12.	30.00—49.99	9.06	4.12
13.	50 and above	9.39	8.06
14.	All-Sizes	5.82	1.14

Table VII reveals that the problem of fragmentation of holdings is still quite serious and that it belongs to all size-groups of holdings. It is unfortunate that no consolidation work has been taken up in East and South Indian States where the twin problems of sub-division and fragmentation should pose a serious obstacle to agricultural development.

APPENDIX

TABLE I—PERCENTAGE DISTRIBUTION OF ALL CULTIVATING HOUSEHOLDS ACCORDING TO SIZE OF HOUSEHOLD OPERATIONAL HOLDING

State	Cultivating less than 1 acre	1 to 4.9 acres	Upto 4.9 acres	5 to 14.9 acres	15 to 49.9 acres	Above 50 acres	
Andhra Pradesh ..	11.61	46.38	57.99	28.48	11.83	1.66	(64,515)
Assam	9.78	58.09	67.87	28.24	3.13	0.11	(1,655)
Gujarat	3.26	31.94	35.20	37.36	24.76	2.30	(43,525)
Jammu & Kashmir	12.58	62.92	75.50	22.79	1.66	0.03	(135)
Kerala	48.33	44.25	92.58	6.43	0.83	0.06	(560)
Madhya Pradesh ..	3.88	33.57	37.45	42.19	18.50	1.81	(77,250)
Madras	14.80	58.55	73.35	21.80	4.32	0.33	(10,755)
Maharashtra	4.86	32.37	37.23	34.48	24.32	3.41	(127,640)
Mysore	3.31	40.28	43.59	36.56	17.53	2.31	(57,890)
Punjab	2.33	22.03	24.36	44.56	28.21	2.36	(39,390)
Rajasthan	1.74	29.72	31.46	36.49	24.71	6.21	(163,040)
Uttar Pradesh ..	13.29	52.07	65.36	28.17	5.52	0.33	(30,985)
Himachal Pradesh ..	15.04	65.47	80.51	17.97	1.14	0.05	(100)
Laccadive, Minicoy & Amindivi Islands	99.10	0.90	—	—	—	—	(—)
All-India*	9.58	43.29	—	31.59	13.45	1.69	(617,440)
No. of Households ..	3,502,840	15,833,175	19,336,015	11,550,660	49,18,770	617,440	

N.B. : Figures in brackets denote number of households cultivating more than 50 acres.
* Excluding Bihar, Orissa and West Bengal.

TABLE II—PERCENTAGE DISTRIBUTION OF OWNED AND SELF-OPERATED HOUSEHOLD OPERATIONAL HOLDINGS

State	Cultivating less than 1 acre	1 to 4.9 acres	Upto 4.9 acres	5 to 14.9 acres	15 to 49.9 acres	Above 50 acres	
Andhra Pradesh ..	13.03	47.01	60.04	27.03	11.15	1.73	(53,225)
Assam	9.95	56.20	66.15	29.09	3.67	0.13	(1,200)
Gujarat	3.38	32.17	35.55	36.65	25.05	2.32	(37,835)
Jammu & Kashmir	16.67	62.61	79.28	19.09	1.57	0.03	(85)
Kerala	57.57	37.32	94.89	4.40	0.50	0.05	(275)
Madhya Pradesh ..	4.09	34.15	38.24	41.42	18.39	1.90	(65,330)
Madras	14.49	58.10	72.58	22.19	4.60	0.37	(9,160)
Maharashtra	4.33	31.89	36.22	36.14	23.70	3.24	(95,610)
Mysore	2.96	41.47	44.43	37.18	16.16	2.22	(38,955)
Punjab	3.45	26.19	29.64	39.21	27.20	2.99	(25,845)
Rajasthan	1.79	30.11	31.90	36.12	24.40	6.33	(147,720)
Uttar Pradesh ..	13.11	51.58	64.69	28.47	5.81	0.35	(29,690)
Himachal Pradesh ..	15.27	64.95	80.22	18.06	1.19	0.06	(90)
Laccadive, Minicoy & Amindivi Islands	98.82	1.18	—	—	—	—	—
All-India*	9.69	43.43	—	31.44	13.21	1.74	(505,020)
No. of Households ..	2,807,930	12,580,560	15,388,490	9,105,075	3,823,690	505,020	

N.B. : Figures in brackets denote number of households cultivating more than 50 acres.
* Excluding Bihar, Orissa and West Bengal.

TABLE III—PERCENTAGE DISTRIBUTION OF HOUSEHOLDS CULTIVATING LAND HELD ON LEASE FROM PRIVATE PERSONS OR INSTITUTIONS

State	Cultivating less than 1 acre	1 to 4.9 acres	Upto 4.9 acres	5 to 14.9 acres	15 to 49.9 acres	Above 50 acres
Andhra Pradesh	14.33	58.35	72.68	21.92	5.05	0.30
Assam	20.99	66.82	87.81	11.22	0.67	0.07
Gujarat	6.41	48.14	54.55	31.63	12.70	0.99
Jammu & Kashmir	15.18	60.97	76.15	23.38	0.42	0.01
Kerala	42.22	49.78	92.00	7.07	0.86	0.03
Madhya Pradesh	8.90	47.09	55.99	35.59	7.99	0.28
Madras	26.17	61.71	87.88	10.62	1.32	0.09
Maharashtra	14.91	50.35	65.26	20.56	13.40	0.74
Mysore	9.96	61.58	71.54	22.11	6.05	0.29
Punjab	2.36	29.95	32.31	50.90	15.95	0.73
Rajasthan	2.79	42.90	45.69	35.12	15.82	2.96
Uttar Pradesh	28.53	56.23	84.76	13.99	1.08	0.05
Himachal Pradesh	26.25	64.92	91.17	8.39	0.36	—
Laccadive, Minicoy & Amindivi Islands	100	—	—	—	—	—
All-India*	19.00	53.59	—	21.06	5.87	0.38
No. of Households	520,245	1,467,250	1,987,495	576,720	160,580	10,480

* Excluding Bihar, Orissa and West Bengal.

TABLE IV—PERCENTAGE DISTRIBUTION OF HOUSEHOLDS CULTIVATING LAND PARTLY OWNED AND PARTLY HELD ON LEASE

State	Cultivating less than 1 acre	1 to 4.9 acres	Upto 4.9 acres	5 to 14.9 acres	15 to 49.9 acres	Above 50 acres
Andhra Pradesh	2.75	37.73	40.48	39.16	18.50	1.85
Assam	1.32	57.42	58.74	37.85	3.30	0.09
Gujarat	0.71	22.48	23.19	46.40	27.58	2.77
Jammu & Kashmir	4.84	63.93	68.77	29.08	2.11	0.03
Kerala	23.04	60.75	83.79	13.85	2.21	0.15
Madhya Pradesh	0.73	24.86	25.59	49.26	23.26	1.88
Madras	6.46	58.45	64.91	29.53	5.23	0.31
Maharashtra	2.61	25.71	28.32	32.36	33.55	5.75
Mysore	0.92	24.19	25.11	42.23	28.89	3.77
Punjab	0.61	12.51	13.12	50.06	34.75	2.07
Rajasthan	0.46	17.57	18.03	41.93	33.42	6.60
Uttar Pradesh	8.63	56.42	65.05	30.86	3.87	0.17
Himachal Pradesh	8.43	67.45	75.88	22.69	1.41	0.02
Laccadive, Minicoy & Amindivi Islands	100	—	—	—	—	—
All India*	3.59	36.69	—	39.40	19.21	2.09
No. of Households	174,665	1,785,365	1,960,030	1,868,865	934,500	101,940

* Excluding Bihar, Orissa and West Bengal.