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of the

THIRTEENTH CONFERENCE

held at Trivandrum, December 1952

SUBJECTS

1. Problems in the Implementation of the Agricultural Plan in the Five Year Plan.
2. Role of Agricultural Economics in the Development of Agriculture.
3. Critical Review of Land Reform Legislation since 1945 in various States.

Rs. 6-8

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P R E F A C E

This issue of the Journal contains the Proceedings of the Thirteenth Annual Conference of the Society held in December 1952 at Trivandrum. The Conference was attended by nearly 60 members and delegates from the Central and State Governments, Universities and Research Institutions.

A large number of papers were read on 'Land Reforms' and 'Role of Agricultural Economics in the Development of Agriculture'. The mingling of academicians and administrators provided a healthy frame to the discussions. It is our regret that we are not able to record and report these discussions to our readers.

We were happy to welcome in our midst at the Conference Prof. Giuseppe Medici and Prof. Giuseppe Orlando the President and the Secretary respectively of the Italian Institute of Agrarian Economics. Their valuable report on land reforms in Italy provided a new dimension to the discussion on the subject.

As promised in the Preface to the previous Conference Number, a monograph titled 'Problems of Farm Costs in Indian Agriculture' has now been published by the Society.

We take this opportunity of expressing our thanks to the University of Travancore under whose auspices the Conference met. We specially place on record our gratitude to Shri M. Sankara Menon who acted as Local Secretary to the Conference and to the members of the Reception Committee for their generous hospitality.

MANILAL B. NANAVATI

President.

15th March, 1953.

templated that there will altogether be thirty-eight additional sub-divisional officers throughout the State but at present only thirty are being posted. There will be one additional collector in each district who will assist the collector in the general revenue administration and other duties.

The above staff are being set up in connection with the implementation of the Zamindari Abolition Scheme but, as has been stated before, they will ultimately serve as an integrated staff for all departments of Government and will perform not only revenue duties but also duties in connection with the supervision of gram panchayats, agricultural extension services, collection of agricultural statistics and execution of the development plan of Government.

X LAND REFORM LEGISLATION IN SAURASHTRA X

by

B. R. Patel,

Chief Secretary to the Government of Saurashtra.

The State of Saurashtra came into being on the February 15, 1948. Before that date the peninsula of Kathiawar was made up of more than 200 different administrations and was broken up into 860 different areas, because various administrations were themselves made up of small bits here and there. The very first problem that faced the new Government of Saurashtra was that of land revenue system. The different states and estates had different forms of assessment systems, but by and large assessment was collected in the form of crop-share. There were, however, certain areas where the cultivators used to pay crop-share direct to the states and certain other areas where there were intermediaries. Out of 4,415 villages in Saurashtra, 2,689 villages became khalsa, that is to say were villages where cultivator was in direct relationship with Government, while 1,726 villages forming about one-third of the State remained non-khalsa or alienated and were held by different categories of land-holders.

In the khalsa portion, the cultivators had in law the character of tenants-at-will whose land could be resumed by the state at its will. Assessment was taken, in a greater portion of the area, in the form of *bhagbatai* (crop-share) and apart from the crop-share there were various cesses and there was also the system of forced labour. As a first step Government declared that all tenants of khalsa land would become occupants straight away without any payment of occupancy price, and that assessment would thereafter be recovered in the form of cash and not in kind. These were considered the immediate steps that were necessary to go over gradually from the old feudal economy to a modern system of land assessment. As it was obviously impossible to undertake immediately regular survey and settlement, *ad hoc* cash assessment was fixed village-wise based on the revenues of previous years. All other cesses and indirect taxes were abolished in toto.

In the remaining 1,726 villages, however, the problem was not so simple. There were intermediaries with different kinds of tenures, who had different relationships with Government, and different relationships with their tenants. All the tenants in these areas, however, were considered to be definitely tenants-at-will who could be evicted by giving certain notice before the beginning of a crop-year, except that, where the land-holders had already taken occupancy price from the tenants, the tenants could not be so unceremoniously evicted. Here also, the legal position was not specifically defined and it was possible for a landholder, who had taken occupancy price, to evict the tenant in certain cases. The tenant had to pay to the landholder rent in crop-share which varied from one fourth to one half of the crop. He was liable to pay *santi vero* (plough tax) to the extent of Rs. 20 to 40 per *santi* (i.e. about 40 acres). On account of *vaje* or crop share system he had to give multifarious *lagas* and *letries* and many cesses such as *havaldari*, *sukhadi*, *zampo*, *kamdari*, *mapla*, *kunver pachhedo*, *muthi-chapti*, *kharajat* etc. over and above *santi vero*. There were many other taxes known as *chula vero*, *ubhad vero*, *chakada vero*, *maswadi vero*, *kanya chori*, etc. While on the conferment of occupancy rights, the introduction of cash assessment system and on abolition of *vero* and *veth*, the cultivators of khalsa villages were at once brought on equal footing with occupants of ryotwari tenure, there were still more than 83,000 tenants in these 1,726 villages existing as tenants-at-will of their feudal land-holders who were about 52,000 in number. In context of the processes of complete democratisation and transformation of feudal order into a social order in tune with the changed conditions, the position of non-khalsa tenants was soon found untenable.

The landholders themselves were of various classes called Taluq-dars, Bhayats, Bhagdars, Mulgirasias, Barkhalidars, Jiwaitars, Inam-dars and so on, who had different rights vis-a-vis the state. The former four were generally known as Girasdars and the latter category as Barkhalidars. The Girasdars maintained a claim of proprietorship of land while the Barkhalidars had interest only in the revenues. Barkhalidars thus corresponded to some extent with the Jagirdars of other states but there were cases in Saurashtra where Barkhalidars had been created by the Girasdars and not by the state. Such Barkhalidars had a lower status than other Barkhalidars, but in practice the distinction had ceased to be material.

The reforms introduced in khalsa areas had natural repercussion on the cultivators in non-khalsa areas. There began to grow a consciousness of their rights and demand for equal treatment in the matter of rent and tenure with their brethren in khalsa villages. At the same time, the landholders became restive and thought that the best thing to do was to secure land as *gharkhed* (land for personal cultivation) and to settle their disputes of rents with their tenants. The situation could not be left alone, allowing landholders to evict the tenants or to continue the exaction of excessive rents nor could the tenants be allowed to repudiate legitimate rights and interests of their landholders in violation of law.

The problem as it existed then could be divided in 3 distinct parts.

- (1) Relationship between the landholders and the State;
- (2) Relationship between landholders and the tenants; and

(3) The ultimate abolition of the landholders.

Three Bills were prepared with common consent and passed. They were

(1) The Saurashtra Land Reforms Act, 1951.

(2) The Saurashtra Barkhali Abolition Act, 1951.

(3) The Saurashtra Estate Acquisition Act, 1952.

These legislations contain provisions which are more liberal in terms of money than the recommendations of the Commission, but at the same time ensure that there shall not be a single case of eviction.

The first among these Acts deals with the agricultural land of Taluqdars, Bhagdars, Bhayats, Cadets, and Mulgirasias who were the landholders claiming some kind of proprietary interest in the land. The second deals with agricultural lands of Barkhalidars, i.e. Bharkhalidars, Jiwaitdars, Chakariats, Kheratis and Dharmada, that is all those whose interest is specifically limited to the usufruct of land. The third provides for acquisition by the state of assets other than agricultural land namely waste land, whether cultivable or uncultivable, grass land, *Gauchar*, roads, rivers etc. The first two came in force on 1st September 1951 and the third was passed in February 1952.

Before the implementation of these legislations, there were about 33,000 Girasdars holding lands in 1,726 villages of Saurashtra measuring about an area of 29 lakh acres. Besides this, the number of Barkhalidars and other landholders was about 19,000 holding 8 lakh acres of cultivated land. Thus in all 52,000 landholders occupied 37 lakh acres land other than the khalsa land. From this, nearly 8,000 Girasdars held 7½ lakh acres of land for *gharkhed* i.e. personal cultivation, and 5,600 Barkhalidars held nearly one lakh sixty thousand acres for *gharkhed*. The number of tenants of Girasdars was about 55,000 and they had nearly 17 lakh acres land in their possession, while the number of the tenants of Barkhalidars was about 28,500 possessing five lakhs seventy thousand acres of land.

Under the Land Reforms Act, the Girasdars are divided in three classes: 'A' Class: those holding more than 800 acres land; 'B' Class: those holding between 120 and 800 acres and 'C' Class, those holding less than 120 acres. 'A' Class Girasdars are to be given land upto three economic holdings; 'B' Class Girasdars upto 1½ to 2½ economic holdings and 'C' Class Girasdars are to be allotted half of the land in possession of their tenants, but limited to 1 or 1½ economic holdings. The limits are in respect of the total holding of the Girasdar (land already held by him as *gharkhed* plus the land now being allotted). After allotment of *gharkhed* land to the Girasdars, the tenants will be able to obtain occupancy rights (i.e. rights just similar to those of the *khalsa* cultivators) on the land, which remains in their possession by paying to the Girasdar six times the assessment on such land. Such cultivators will pay revenue directly to the Government and Government will pay compensation to the Girasdars. Government will pay to 'A' Class Girasdars every year an amount equal to the annual assessment for 15 years. With a view to helping small Girasdars in rehabilitation, the 'B' Class Girasdars will be paid an annual instalment for 3 years more, and the 'C' Class Girasdars for 6 years more, besides the 15 years. Thus they will be paid for 18 and 21 years respectively. The

Girasdars will be allotted land for personal cultivation and they will have occupancy rights on them. Thus as a result, the Girasdars and the cultivators both come to enjoy equal rights and there will be one uniform system of land tenure. The Girasdars were paying a flat rate of 4 annas as land revenue on *gharkhed* and 12% of rent on non-*gharkhed* to Government. Now Government will get full assessment from the 'A' Class Girasdars while it will get from 'B' Class Girasdars only 4 annas per acre for first three years, then 8 annas per acre for next three years, then half the assessment for next five years and then the full assessment. 'C' Class Girasdars will pay an assessment of only 4 annas per acre up to 21 years and after 21 years they will pay full assessment. The Government will pay compensation to the Girasdars of the amount just equal to the assessment which the Government will get from the tenants who have acquired occupancy rights. At the time of famine etc., benefits of suspension and remission of land revenue will be extended to the tenants who acquire occupancy rights, in the same way as to the khalsa cultivators, but the Government will pay the full amount of compensation to the Girasdars every year.

The Barkhali Abolition Act provides for immediate abolition of the Barkhali system. As Barkhalidars had admittedly no kind of proprietary interest in the land, such an Act was possible. Cash annuities have been provided to the Barkhalidars on the same lines as to the Girasdars except that there is no payment from the tenant to the Barkhalidar. The State will pay cash annuity equal to one assessment for 15 to 18 years and this will be the assessment which will be received by the State from the tenant, so that there is no direct burden to the State, except in the matter of development expenses and in the matter of remission and suspensions of land revenue during the periods of scarcity and famine. Although the Barkhalidars had no proprietary rights, the economic condition of small Barkhalidars was bad and provision has been made for giving *gharkhed* to those Barkhalidars whose estate was less than 2 economic holdings in extent. The principle here also is of equal sacrifice and the tenant and the Barkhalidar became occupants of half the holding each. For Barkhalidars who hold larger areas, no *gharkhed* is to be given. The tenants and the Barkhalidars in respect of lands in their possession will become occupants, without any payment to the State, except in those cases where the holdings are large where certain graded payments are to be made for acquisition of occupancy rights. All Barkhalidars with estates larger than 2 economic holdings will pay full assessment to Government on *gharkhed* and the smaller ones will pay land revenue at 4 annas per acre for the first four years, 8 annas per acre for the next 6 years, half the assessment for the next 8 years and full assessment after 18 years.

The Third Act is in respect of non-agricultural assets. This proceeds more or less on the lines of the similar Bombay Act. The method of compensation in the matter of cultivable waste is, however, different. For cultivable waste acquired by the State from the Girasdars and the Barkhalidars, compensation will be paid which will be equal to the income to the State in the next 15 years from such lands, whether by way of *nazarana* or by way of assessment. As these wastes have been lying fallow for a large number of years and would have continued to lie fallow but for this legislation, the nett liability on the State is nil, since compensation is to be paid out of what is received in future. After 15 years, there will be a net income from the lands in the form of land

revenue payable to the State. Certain small compensation is to be paid outright for uncultivable waste and other similar assets, while for quarries, trees, grasslands and other revenue earning items full compensation is to be paid in accordance with principles laid down in the Land Acquisition Act. Provision has been made to enable Government to acquire a part of an estate or any item out of an estate or all estates in any area.

The financial implication of these two Acts will be as under:—

(a) There are 55,000 Girasdari tenants who will be left with 12,00,000 acres of land in their possession over which they will get occupancy rights on payment of six times the assessment after allotment is made for personal cultivation. The total amount of six times payable by the tenants will be Rs. 2,52,00,000. This amount will be paid to the Girasdars by their tenants and Government has not to undergo any liability on this account. Arrangements are made for advance of loans to cultivators through the Land Mortgage Bank to enable the tenants to acquire occupancy rights by paying off this amount immediately.

(b) Before the implementation of the Act Government used to get assessment at 4 annas per acre over *gharkhed* and 12½% of the assessment on non-*gharkhed*. The total annual receipt on account of this was Rs. 9,37,500. The income for 21 years would have been Rs. 1,96,87,500. As against this the Government will now get assessment from *gharkhed* as shown above and the total realisation will be Rs. 3,26,25,000. The net gain to the Government under this item will be Rs. 1,29,37,500.

(c) From Barkhalidars also Government used to get 4 annas per acre from *gharkhed* land and 12½% of assessment over non-*gharkhed* land. The annual income on this account was Rs. 2,78,125. The total receipt during 21 years on this calculation would have been Rs. 58,40,625. The Barkhalidars will now pay assessment as shown earlier, and the amount receivable during 21 years is Rs. 1,29,00,000. Deducting Rs. 32,25,000 as the amount of receipt of assessment to be made over to religious institutions, the net financial gain to the Government in respect of these receipts will be Rs. 38,34,375.

(d) Approximate area of land over which compensation will be payable to Girasdars is 12,75,000 acres. The annual payment will be made to Girasdars of 'A' Class for 15 years, 'B' Class for 18 years and 'C' Class for 21 years. The total amount of assessment which will be recovered from cultivators will be Rs. 9,37,12,500 which after deduction of suspension, remission, etc., may be taken as Rs. 8,37,12,500. Total amount of payment to A, B, and C Class Girasdars during 21 years will be Rs. 7,98,00,000. Thus there will be a net gain of Rs. 39,12,500 during 21 years.

(e) Similarly approximate area of land in possession of tenants of Barkhalidars over which they will become occupants and in respect of which the Barkhalidars are to be paid cash annuity will be 3,50,000 acres. Total amount of assessment realised by Government for 21 years will be Rs. 2,44,38,751. Barkhalidars with two economic holdings or more will be paid cash annuity for 15 years and the rest for 18 years. Total amount payable to Barkhalidars on account of cash annuity will be Rs. 2,16,82,500. Thus there will be a net gain of Rs. 27,56,250 during 21 years.

Total net gain to the Government during the period of 21 years as shown in (b), (c), (d) and (e) will therefore be as follows.

	Rs.
(1) Gain from the receipts from cultivators after deducting compensation to Girasdars ..	39,12,500
(2) Gain in receipts of assessment in respect of <i>gharkhed</i> land	1,29,37,500
(3) Gain from the receipts from cultivators after deducting payment of cash annuity to Barkhalidars	27,56,250
(4) Gain from the receipts of assessment in respect of <i>gharkhed</i> land of Barkhalidars ..	38,34,375
	Rs. 2,34,40,625

The Government will, however, have to incur development charges in respect of all this occupancy land. The *gram panchayats* alone would claim 20 to 33 p.c. of land revenue, to say nothing of small percentage of expenditure involved in village improvement in general. At a modest estimate the approximate cost during 21 years would be in the neighbourhood of Rs. 2 crores. The net gain to the Government may, therefore, be Rs. 34,40,625, during the period of 21 years.

Before the implementation of the Acts, Government used to receive assessment at 4 annas per acre over *gharkhed* land and at 12½% of the assessment of *non-gharkhed* land of Girasdars and Barkhalidars for which the total income was Rs. 12,15,625. The annual income after the payment of all the instalments to Girasdars and Barkhalidars after 21 years will be Rs. 42,00,000 from *gharkhed* land of Girasdars, Rs. 12,25,000 from *gharkhed* land of Barkhalidars, Rs. 44,62,500 from the tenants of Girasdars who will become occupants and Rs. 12,25,000 from tenants of Barkhalidars who will become occupants. The total annual income from the entire Girasdari and Barkhalidari land after 21 years will be Rs. 1,11,12,400. As the total income from this entire land before implementation was Rs. 12,15,625, the net increase in the annual income of the State after the period of 21 years will be Rs. 98,96,875.

Special mamlatdars are appointed in 24 sub-divisions to implement the provisions of the Acts. Local committees with representatives of Girasdars and cultivators are appointed in each sub-division. These legislations are being speedily implemented with the co-operation of the local committees. Nearly 60 per cent of the Girasdars are allotted land for the personal cultivation in the first year.

Unfortunately, Saurashtra had to face famine in the very first year of the implementation of these Acts. On account of famine, the cultivators in many parts were not in a position to pay six times the assessment to acquire the occupancy rights. There was an agreement from the very beginning that Government will advance as a loan an amount equal to three assessments to the cultivators who pay the remaining three assessments. But Government have made provision to advance loans of the whole of six assessments in scarcity areas, and 4½ assessments in semi-scarcity areas. Co-operative Land Mortgage Bank has been established for this purpose and it advanced an amount of Rs. 1 crore 20

lakhs in a short period of 2 months as loans to nearly 18,000 tenants. Steps will be taken to allot land for personal cultivation to the remaining Girasdars during the next year and if there is a good season, the remaining cultivators will acquire occupancy rights on land.

There are some special features of the Agrarian Reforms Acts of Saurashtra. Even though the problem in Saurashtra was a very complicated one, the Reforms Acts have been evolved on the basis of a formula agreed to by all, and this has contributed materially to the success in implementation. The representatives of both Girasdars and cultivators help the Government officers in the work of implementation. As a result of this co-operation the implementation would be completed within two years instead of four or more years which it would have normally taken.

The second special feature is that in many other states of India where similar legislation has been undertaken some financial liabilities have been incurred by the respective Governments. The position of Saurashtra is quite different on this point. As already explained above, no liability or burden is incurred by the state. This was made possible by taking all three issues mentioned above simultaneously for solution.

The third important feature is that as a result of implementation of Land Reforms, those who were tenants-at-will so far as also those who were superior landholders become occupants of the state and except to a very small extent in respect of land held originally by Girasdars as *gharkhed*, there will be no tenants as such. The net result of the implementation is that not only the intermediaries are abolished but also the tenancy system is almost ended.

The fourth special feature of the Land Reforms is that in the allotment of land for personal cultivation, the maximum allotment to 'A' Class Girasdar is three economic holdings. As a result of this there will be left no big holdings and automatically a ceiling on the holdings is achieved. In the khalsa areas there were only a few substantial holders.

LAND REFORM LEGISLATION IN RAJASTHAN SINCE 1945

by

Dool Singh,

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INTRODUCTORY

In no other sphere of Indian economic life has the imperative need for reforms been so keenly felt as in the agricultural sector. It is quite appropriate, therefore, that the states should have been vigorously implementing the scheme of agrarian reforms, notably the abolition of Jagirdari and Zamindari systems. And, Rajasthan is no exception to this.

Jagirdari System

Over greater part of Rajasthan the Jagirdari system is in existence. According to the Venkatachar Committee the existing systems of Jagir tenures in Rajasthan may be grouped under eight categories, namely,