8. HISTORY OF LAND REFORM RELATIONS IN WEST BENGAL

(i) Pre-Independence

The Mughal period before the arrival of the British was marked by changes in the system of land taxation or revenue. Peasants continued to enjoy customary rights over land they occupied and generally could not be evicted unless they failed to pay the required land revenue (land tax) to the state. The task of collecting land revenue was assigned to a class of agents called zamindars.¹

With the arrival of the East India Company (EIC) in the Seventeenth Century, the agrarian structure underwent radical change. The EIC first purchased the right to receive the collected land revenue and later, under the Permanent Settlement introduced in 1793, declared the zamindars to be proprietors of land in exchange for the payment of land revenue fixed in perpetuity. Zamindars, or those to whom they sold their proprietary rights, typically delegated revenue collection to a series of middlemen. The increasing layers of intermediaries meant that there was an appreciable increase in rent (or tax) extracted from the tillers and failure to pay this increased amount resulted in large-scale evictions, widespread unrest, and declining agricultural production.²

The British sought to stabilize the situation through legislated tenancy reform. The Bengal Rent Act of 1859 placed restrictions on the power of landlords’ to increase rent or evict tenants. However, the Act only protected fixed-rent tenants and did not protect bargadars or agricultural laborers.³ Moreover; it only protected those fixed-rent tenants who could prove they had cultivated the land for 12 consecutive years. Continuous cultivation was difficult to prove due to poor records and the Act resulted in an increase in evictions by zamindars to prevent tenants from possessing land for the required time period.⁴ The 1885 Bengal Tenancy Act also sought to protect long-standing tenants, and was similarly unsuccessful.⁵
During this period, another form of landholder emerged in Bengal. The *jotedars* were a rich class of peasants who reclaimed and gained control of large quantities of uncultivated forests and wetlands outside the territory governed by the Permanent Settlement. The *jotedars* cultivated some of this land through the direct supervision of hired labor or servants. However, the bulk of the *jotedars’* land, like much of the land in Bengal, was farmed by *bargadars*. Rural agitations over the plight of *bargadars* were common in the decades prior to and after Independence. In the 1940s, the *Tebhaga* movement called for a smaller cropshare payment and also created the slogan, “*He who tills the land, owns the land.*” The movement is given credit for shaping post-Independence land reform legislation in West Bengal.

References:

2. *Id.* at 25-27.
3. *Id.* at 29.
4. *Id.* at 23, 28.
5. The Act placed limits on rent increases and eviction, and gave formal occupancy rights to tenants who had possessed the land, either themselves or through inheritance, for 12 years.
6. Bhaumik, *supra* note 42, at 30. These lands were initially illegally encroached on, but were eventually granted by the British to those willing to reclaim them, with the requirement that the *jotedars* pay revenue to the British government.
7. *Id.* at 30, 39.
(ii) Post-Independence Land Reform

In the decades since Independence, West Bengal’s land reform progress can be divided into three phases. The first phase (1953-1966) saw the adoption of the basic legislation (although it was significantly amended in later years), little progress in redistribution of above-ceiling land, and deterioration in the protection of bargadars. In the second phase (1967-1976) West Bengal made most of the overall achievements in above-ceiling redistribution, but made little progress in protecting the rights of bargadars. In the third phase (1977-present) tremendous progress was made in recording and protecting the rights of bargadars, and the redistribution of above-ceiling land continued, but at a slower pace.

West Bengal inherited very complex production relations, which were widely acknowledged to be obstacles to the development of agriculture. This may be why West Bengal continued to be a poor-performing state in terms of agricultural output, until the end of the 1970s. These relations were historically the result of the ‘Permanent Settlement’ system adopted by the British in Bengal. The system created a class of parasitic, non-cultivating landlords who expropriated rent from the actual tillers who cultivated their lands. In particular, the system was associated with a high prevalence of sub-infeudation, with many layers of intermediaries between the actual cultivator and the ‘landlord’, all of whom had some rights or claims upon the produce of the land.  

1. Phase I (1953-1966)

Land reform in post-independence West Bengal had assumed a special significance following the partition of Bengal and the continuation of influx of refugees from East to West Bengal shrunk in size and the influx of refugees put a very heavy pressure on land. These two factors affected the land-man ratio calling for serious and careful attention to the land reforms.

The intermediaries (Jotedars, Zamindars) system continued even after independence, when the period of Permanent Settlement was over. There remained a large group of sub-infeudaries with varying types of claims to the land. Most of the cultivation was carried out by sharecroppers, who cultivated relatively small plots of land.
and were generally indebted and impoverished. They were not in any position to make improvements on lands, nor did they have any incentive to do so. However, there were some larger landowners who cultivated their land themselves, and many among them also hired out part of their land to sharecroppers. There was also a small group of middle peasants who based their cultivation on family labour with some use of hired labour. Finally, there was a large and growing class of poor landless labourers.

Both production and distribution was adversely affected by the existing state of land relations. The land tenure system served as and obstruction to agricultural production, affected incomes and access to productive employment for the landless, and created unequal access to social and political power as well.²

Land reforms in post-independence West Bengal began with the passage of the West Bengal Bargadar Act (1950), followed by the West Bengal Estate Acquisition Act (1952), and the West Bengal Land Reforms Act (1955). These three Acts were enacted at the initiative of the congress governments of the State.

But the legal provisions were not seriously enforced. To the local level administrators and the police nothing seemed to be more natural than to see their role as defenders of the vested interests irrespective of the changes in law. More importantly, there was a conspicuous lack of political will. This was in line with the general Indian situation.

While some LRA (Land Reform Act) provisions broke new ground, little implementation was accomplished. In fact, the LRA led to some perverse consequences as, counter to the intentions of the LRA, many landlords evicted those cultivating their land, resulting in a large increase in the percentage of landless agricultural laborers throughout the state.³ The aspect of the LRA most often blamed for its negative impact is the provision that allowed landowners to resume “personal cultivation” (including through the use of hired labor or servants) to reclaim land from bargadars.⁴ Others were evicted because they did not possess documents necessary to prove that they were bargadars. During this first-phase of land reform in West Bengal, 300,000 acres of above-ceiling land was redistributed,⁵ a little less than 3 per cent of the cropped land in the state. However, much above ceiling land was retained by intermediaries through evasive transfers to relatives, friends or fictitious persons (benami transactions).⁶
2. Phase II (1967-1977)

Movement for land reforms gained momentum when the United Front (U.F.) consisting of the centrist and the leftist parties was voted to power in the state for two short spells in 1967 and 1969.

In 1967, left-wing and centrist parties formed a coalition government known as the United Front. The countryside was seething with social unrest and a militant peasant movement was growing. The United Front government sought to address the underlying concerns of the peasants by improving the position of the bargadars and distributing more surplus land. However, because bargadar rights remained unrecorded, little could be done to grant bargadars greater security without causing widespread evictions. Significant success was achieved, however, in redistributing ceiling-surplus land. Between 1967-1970 an additional 600,000 acres of such land was redistributed. Much of this redistributed land had been invaded by peasants during the 1960s.

When the United Front government collapsed in 1970, President’s rule was imposed. During this period, important amendments were made to the LRA that offered the potential to improve the position of bargadars. However, these amendments, while groundbreaking, were not adequately implemented. Those who did try to exercise their rights under the law were often evicted and large amounts of the surplus land that had been acquired during 1967-1970 was taken back by former landowners during this period.

In 1975, West Bengal adopted the West Bengal Acquisition of Homestead Land for Agricultural Laborers, Artisans and Fishermen Act. The Act aimed to enhance the position of landless agricultural laborers by severing the power that landowners could exercise over laborers through control of their home plots. The Act called for the allocation of ownership over a home plot of up to 0.08 acre for poor and landless agricultural laborers, artisans, and fishermen.

The United Front’s land reform policy had two elements: (a) breaking the hold of land lordism through effective implementation of ceiling laws and quick redistribution of surplus land among the landless and poor peasantry (Dasgupta, S., 1986), and (b) the stopping of eviction of sharecroppers in consultation with the members of the gram panchayats, representative of the peasants and the members of the legislature (Dutta, P.K.
Clearly, the United Front Govt. could not rely exclusively on the bureaucracy for implementing land reforms. This was in conformity with their assessment of the nature and character of bureaucracy in a capitalist system. However, it had paid good dividends. Till the first congress ministry (1953-67) only about 3.5 lakh acres of land were vested in the state. But during the United Front (1967-72) regime nearly 6 lakh acres of land were vested in the State (Source: Ghosh 1981 and Basu 2000).

3. Phase III (1977-Present)

The Left Front government, led by the Communist Party of India–Marxist (CPIM), came to power in 1977 on the promise of extensive agrarian and political reform. CPIM has remained in power ever since. The government has achieved some incremental progress in redistributing ceiling-surplus land during this period, but it’s most notable success has been in recording and protecting bargadar rights.

The Left Front acted more aggressively to take over land that exceeded ceiling limits and to close loopholes that previously allowed exemptions to the ceiling for religious and charitable trusts, plantations and fisheries. Furthermore, in 1979 the State Government amended the LRA to narrow the definition of “personal cultivation” to better ensure that those that owned the land were the actual cultivators.

The Left Front’s most notable land reform achievement was in launching Operation Barga, under which government functionaries recorded the names of bargadars in order to provide them with greater tenure security. By recording their status, bargadars were finally able to avail themselves of the protections of the LRA without fear of eviction. No new legislation was passed. Rather this program sought to record names as originally provided for, but never actually done, under the LRA.

Reform of land relations was one of the earliest and most consistent aspects of state government policy for the first two decades after the Left Front came to power in West Bengal in 1977. It reflected part of a more general vision of the ruling party and governing essential for social and economic change in progressive directions, for greater empowerment of ordinary peasant and workers, and indeed for meaningful democracy.

From the early 1950s, therefore, in West Bengal as in other states of India, land reform was a concern of the government. Nevertheless, West Bengal is till date the only
state in India, with the exception of Kerala, to have undertaken both tenancy reform and redistributive land reforms. The amount of land redistributed in West Bengal has by far surpassed that in any of the other states. More spectacular and widely discussed, has been West Bengal’s programme of tenancy reform or ‘Operation Barga’, as it is more popularly known. This effort marked a solid departure from the earlier attempts at land reform.\(^\text{18}\)

**References**:

2. ibid.
4. Id.
10. These amendments: (1) allowed *bargadars* whose landowners’ land vested in the state to retain up to 2.47 standard acres of land as owners; (2) reduced the share payment; (3) made *bargadar* rights hereditary; (4) required landowners to provide a receipt upon payment of the share; (5) required a *bargadar’s* surrender of rights to be verified by a government official; (6) and further restricted eviction. *Bargadars* could still be forced off land if the owner wished to resume personal cultivation; however, the *bargadar* now had to be left with at least 2.47 acres. Further amendments to the LRA in 1972 provided that the ceiling would be determined on a family basis and that landowners with holdings over a certain amount had to provide a statement of their landholdings that was to be used to vest surplus land in the state. DATTA, *supra* note 49, at 29
12. Id. Eight one-hundredths of an acre, or 8 cents, equals 3458 square feet and roughly 325 square meters.
14. Specifically, there were three changes: (1) land had to be cultivated by a family member whereas before hired labor could be used; (2) a distance criteria was added so that a landlord asserting personal cultivation had to live near the field; and (3) a family had to get the majority of its income from agriculture. West Bengal Land Reforms Act § 2(8) (1995) (hereinafter LRA).
18. Ibid
8A. Land Reform Programmes in West Bengal

West Bengal, with a population of 80.2 million and a population density of 904 persons per square kilometer is the fourth most populated state in India and the number of inhabitants in rural Bengal is 57.7 million.\(^1\)

Agriculture is the mainstay for the majority of the population, comprises the largest sector of the economy, and utilizes the great majority of the state’s land.\(^2\) Seventy-two percent of the states’ population lives in rural areas and 53% of the labor force\(^3\) is engaged in agricultural production.\(^4\) Agriculture generates 30% of the state domestic product.\(^5\)

Share of different Sectors in NSDP (Net State Domestic Product) of West Bengal at Current Prices – 2002-03

![Pie chart showing sector distribution]

Source: Statistical Abstract 2002-03, Govt. of West Bengal

Over the past few decades, while land reform has made little headway in most of India, West Bengal has achieved notable land reform progress. West Bengal having only 2% of the geographical area and 3.5% of agricultural land in the country accounts for 20% of the total ceiling surplus land distributed in the country (Ref: Census of India, 2001). The progress has occurred in three areas: redistribution of vested land ownership, regulating sharecropping relationships, and distributing homestead plots.

The total land of West Bengal is \textbf{88,752} lakh hectares and out of it \textbf{54,72} lakh hectare or \textbf{65} per cent is agricultural land.\(^6\) Until the mid-1960s, there was very little in terms of land reform in the state. The small measures that were undertaken related mostly to the abolition of intermediary interests and a small amount of vesting of surplus land...
above the land ceiling. There was growing political awareness of the need to incorporate tenants ‘rights, into land reform, because of the impact of tebhaga movement which emphasized the concerns of bargadars (or sharecroppers). This led to the West Bengal Bargadari Act, 1950. While this provided for a sharing of output in the ratio 60:40 if the sharecropper provided the inputs, it did not provide any security of tenure.\(^7\)

In 1953 the “West Bengal Estates Acquisition Act” was implemented in this State as stepping stone of the Land Reform programme in West Bengal. The Communist Party of West Bengal at that time demanded the inclusion of two clauses in this Act as follows:

(i) To declare the maximum amount of land which a land owner could hold on and the distribution of excess land among landless farmers.

(ii) To make some specific rules this would provide the bargadars (share croppers) with legal security of tenure (ref: Draft Resolution of the Communist party of India-1951).

This was a long standing demand of the “Kisan Sabha” which was placed to “Floud Commission” and the Commission had accepted the need of such clauses in the act for the security of the bargadars.

Later on, the more comprehensive West Bengal land Reforms Act, 1955 came into force, which mainly provided for the abolition of intermediaries and the imposition of ceiling on land holdings. There were amendments to this Act, whereby the right of cultivation of a bargadar was made heritable (1970), there were most stringent requirements for termination of barga contracts, and the bargadar’s share was made 75 per cent with input contribution (1965).\(^8\)

The Congress Government in the first decade of post independence did not take any step for the implementation of the above mentioned rules, yet in 1955 it was the Congress government which first introduced the land reform programme in this State.

However, since there was no complete official recording of bargadars, many of these rights were not realized in practice. Indeed, the problems of eviction and exploitation of tenants became accentuated over this period often because (rather than in spite of) the legislation, since landlords attempted to downgrade the status of tenants and describe them as agricultural labourers, in order to prevent the realization of the rights which had been granted to them. The regular eviction of bargadars or the threat of it
seriously hampered the prospects of capital investment and technological progress in cultivation on sharecropped or *barga* land.⁹

Only in ‘70s the government was forced to acquire some of the vested land because of the existing political scenario as because the ‘*Naxalbari*’ movement has happened.

In 1977, the Left Front Government came into power and this government continued the same land reform programme undertaken by Congress Government only one amendment was made in the Act which protected the interests of *bargadars* (sharecroppers). This amendment provided the *bargadars* with the right that if he proclaimed any specific land to be under temporary lease, then he would not have to prove it on the contrary the actual land owner has to prove that legally the *bargadar* was not the lease holder of the specific land.

These reforms took shape mainly in the form of (a) redistribution of vested land and (b) securing of tenancy rights, which already existed in law, through a programme of universal registration of tenants called ‘*Operation Barga*’. *The West Bengal Landholding Revenue Act* (1979) and the *Revenue Rules* (1980), introduced by the Left Front Government, provided for key changes in the sharecropping system. These were in addition to two other means of land reforms that were undertaken in most other parts of India including West Bengal, namely, imposition of ceiling on large landholdings and the reduction of sub-infeudation through abolition of intermediaries between the cultivator and the landlord. The radical reforms initiated by the Left Front Government were supported by administrative measures as well as extension of supportive facilities. The latter included the supply of institutional credit, supply of modern inputs like HYV seeds, chemical fertilizers and of water (through government owned irrigation structures), to the beneficiaries of the programmes. It should be borne in mind that population pressure on land is very high in West Bengal, which makes any programme of land redistribution more difficult, since the parcels that can be distributed are correspondingly lower¹⁰

Despite all the quantitative economic changes attributed (at least in part) to West Bengal’s land reforms, the most important changes may be those of a social and political nature that are more difficult to measure. *Gazdar* and *Sengupta* note that numerous sociological and political studies of West Bengal’s rural areas have reported changes such
as greater social equality, greater self-confidence among the poor, the strengthening of their overall political position, and greater proximity, approachability, and responsiveness of local government.\textsuperscript{11} Such changes are not irrelevant, especially since land reform beneficiaries often view their increase in social status to be more important than any economic improvements.

Implementation of land reforms was on the top of the agenda of the Left Front government formed in 1977. An important aspect of this agenda was the understanding that implementation of land reforms and economic development in rural West Bengal were crucially linked to decentralisation and democratisation of political power in rural West Bengal. The twin programme of implementation of land reforms and reorganisation of Panchayats constituted what was later called the "policy of walking on two legs". This historic idea laid the foundations of a unique path to rural development in India, a path that led rural West Bengal out of economic stagnation and a large proportion of its rural population out of extreme forms of deprivation and poverty.\textsuperscript{12}

According to government sources, the land reforms had very clear economic, social and political objectives. The most obvious aim was to weaken the domination of landlords in rural Bengal and therefore contribute to the redistribution of assets and wealth. This is why the focus was both on providing land to landless peasants as well as some security of tenure to sharecroppers. Second, the aim was to unleash productive forces which had been constrained by the prevailing pattern of land relations. Third, the purpose was to create a market in rural areas by increasing purchasing power among the peasantry, which in turn was expected to lead to the development of rural industries, trade commerce and other services. Fourth, it was believed that such land reforms would provide the basic conditions for the expansion of literacy, education and public health. Finally, the aim was to empower the weaker sections of society, including Dalits and women, and shift the balance of class forces in the state in favour of working people generally\textsuperscript{13}.

The main features of the programme of land reforms in West Bengal are:

(a) Quick recording of the names of the sharecroppers (bargadars) through “Operation Barga” and thereby securing to them the legal rights that they are entitled to.
(b) Distribution of already available ceiling surplus vested lands among the landless and the land poor rural workers with the active cooperation of the Panchyat Raj Institution.

(c) Drive to detect and vest more ceiling surplus lands through quasi-judicial investigative machinery with the help of rural workers’ organization and Panchayati Raj Institutions.

(d) Giving institutional credit cover to the sharecroppers and the assignees of vested land to irreversibly snap the ties of bondage they have with the land-lords and money lenders.

(e) Assigning permanent title for homestead purpose to all the landless agricultural workers (including sharecroppers), artisans and fisherman up to 0.08 acres who are occupying lands of others as permissive possessors.

(f) Providing tiny sources of irrigation to the assignees of vested lands through bamboo tubewells where underground hydrological conditions permit such technology and bank financed dugwells with heavy subsidy from the state in other suitable areas with a view to induce such assignees to go in for high value multiple cropping to improve their economic status.

(g) Giving financial assistance in the form of subsidies to the assignees of vested land for development of their lands.

(h) Abrogation of the revenue system which was a 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. Small and marginal farmers have been exempted from revenue burden.

(i) Restoration of land alienated by poor and marginal farmers through distress sale provided the purchaser himself is not a poor peasant having land holding less 1 acre.

(j) Designing food for work programme for developing rural infrastructure which would primarily benefit the assignees of vested land of marginal farmers as well as to give them sustenance during periods of distress to tide over the basis and to prevent retransfer of land to affluent farmers.
Utilisation of Land in West Bengal

Source: Statistical Abstract, 2002-03, Govt. of West Bengal

References:


2. Sixty-three percent of West Bengal’s territory (13,590,500 acres) is devoted to cultivation. Additionally, 2.7% of land (566,000 acres) is currently fallow, 13.7% of land (2,944,000 acres) is forest land, and 19.2% of land (4,122,000 acres) is unavailable for cultivation. Govt. of West Bengal, Economic Review, 1999-2000, Statistical Appendix, table 5.3.

3. This 53% is comprised of two categories in the government statistics: cultivators (28.4% of the total labor force) and agricultural laborers (24.6% of the labor force). Id. table 2.4(a), at 22.

4. Id. table 2.4, at 10-12.

5. Within the agricultural sector, rice cultivation accounts for 64% of the gross cropped area. (Because of the multiple cropping in many areas of West Bengal, the net cropped area is 13.6 million acres and the gross cropped area is 22.7 million acres.) Other major crops include jute (7% of gross cropped area), oilseeds (6%), wheat (4%), potatoes (3%), pulses (2%), and tea (1%). Id. tables 5.3(b), at 74 and 5.5, at 79 (based on 1997-98 data).


7. Ibid

8. Ibid


10. Ibid

11. Gazdar & Sengupta

12. Rural Development in West Bengal During 25 years of Left Front govt. - Vikas Rawal

8B. Operation Barga

The strengthening of the work of the Peasant Organizations under the leadership of Communist Parties and other left forces led to sustained action both in the nature of political struggles and of educational nature. This was reflected in the electoral scene when the Communist Parties and other left forces were voted in a majority to form the ministry in 1977. On the lines of the programme of the parties, many measures were adopted to relieve the rural population from land, hunger, lack of credit facilities, unemployment and insecurity of tenure.

_Bargadars_ exist in large numbers in West Bengal and they are practically the backbone of agriculture along with the agricultural labourers. Operation Barga has been a major campaign in West Bengal since 1978, after the Left Front Government came to power in 1977.

What is meant by _Operation Barga_? Provisions for _bargadars_ and the need to do something about the problems faced by _bargadars_ had been recognized long back, dating to the days of British rule. _The Bengal Bargadars Temporary Regulation Bill_ at the end of _tebhaga_ movement, for example, was an expression of such concern. Similarly, other laws and amendments were passed in the 1950s and 1970s. _Operation Barga_ was a materialization of the provisions of existing laws. One of the major aspects of this operationalisation was the _registration of bargadars_. This was a stupendous task before the Peasant Organizations headed by the left forces. West Bengal had a history of _zamindari_ settlement. Forms of tenancy had been inbuilt in the system in which there were no records. Oral contracts were the order of the day and any papers worth maintaining were with the landlords and the better to do landowners. Thus identification of _barga_ land was the major task before the peasant organizations.
The bargadars were bound to the landowners economically, politically and even socially. The temporariness and tenant-at-will status forced them to live with the fear of eviction and therefore made them subservient to the power of the landowner. An element of patronage too existed in the relationship between the sharecropper and the landlord.

The Peasant Organization had to first break through this relationship and later after registration, to give protection to the bargadars from any attack by the old power groups – like the bargadar landlords. Of course, these efforts received a boost from the political and administrative support that these organizations received from the state government.

Operation Barga appears to be the culmination of all the anti-feudal struggles of the past, the programme itself was a struggle – a movement which received state support, a state which had the political will to implement the laws.

It was a real operation that started with a big bang. Bureaucratic re-tapism was brushed aside, and some 8000 ‘camps’ were organized throughout the state, between October 1978 and June 1982, to register as many as 6,75,000 bargadars (sharecroppers).¹

Through a novel method the Peasant Organizations with the support of the administration reached out to the beneficiaries. They held camps. In these camps bargadars names were recorded and entered into the record of rights. Certificates were issued and handed over to them. The documentary evidence of the right gave them a new sense of security of tenure never experienced before.

While a proper appraisal of Operation Barga will have to await a longer period certain broad patterns can be discussed:

The recording of barga provided the sharecropper with legal security of tenure, but he still gets affected by the poor living conditions and some times is compelled to sell this certificate (patta). Institutional finance and other poverty alleviation programme have been introduced to stop this trend.

The crop share norm seems to be settling for 75:25 with the bargadar providing the bulk of the inputs into farming. The structure of tenancy has been ‘secured’ through security of tenure provided to the bargadar, and this has created the conditions for the bargadar to be ‘free’ of the many economic and non-economic obligations that ‘tied’ him to the landowner earlier. However, it is pointed out by many that West Bengal has yet to
fulfill the message contained in the *Tebhaga, Naxalbari* and in the programme of the *Kisan Sabha* of the Communist Parties i.e., land to the tiller, (*langal jar jamin tar*, i.e., ‘land belong to him who plough’ the land). Of course, while the expectations are there it is realized that those achievements are not possible in the face of uneven development. The country as a whole has to have the political will to allow such developments.  

The major change in tenant relations involved the active recording or registration of sharecroppers who had cultivated on the same piece of land for a number of years. This registration with the Department of Land Revenue gave them permanent and inheritable rights to cultivate the land. Though this legal provision already existed, it had not been implemented properly. In the late 1970s, the government launched a serious drive to effectively implement the rights of the sharecropper. In particular, now the onus of disproving a claim to *bargadari* rights was very clearly put on the landowners. The objective was to provide security of tenure to the sharecropper so that first, his/her livelihood is not threatened and second, he/she is encouraged to make permanent and more expensive improvements on land and adopt more modern technology. In addition, some recognized land title was recognized to be a precondition for access to formal agricultural credit. All this was obviously intended to increase the productive capacity of the land, which could then yield to stream of higher incomes for both the tenant as well as the landlord.  

Because of the fact that political activism played a major rule in effectively implementing the programme, the success varied from district to district according to the strength of the political machinery involved. However, the pace of the programme tapered off in the mid-1980s and since then the rate of additional registration has been negligible. The total number of recorded *bargadars* in 2005 (see Table below) was 1.53 million, which accounted for 20.2 per cent of agricultural households and the land covered amounted to 1.1 million acres, 8.2 per cent of arable land in the state. Given the fact that about 18-22 per cent of arable land is supposed to be under sharecropping, this would definitely have affected a significant part of agriculture in the state.
### District-wise recording of bargadars & per cent of total cultivator

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<th>Districts</th>
<th>Number of bargadars recorded by 2005</th>
<th>Per cent of total cultivators in 2005</th>
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</table>

Source: Land & Land Reforms Dept., Govt. of West Bengal

The land reforms in West Bengal had two important components: tenancy reforms and redistribution of land. The tenancy reforms in the State were implemented through a massive campaign -- popularly known as Operation Barga -- for registration of the names of bargadars (sharecroppers) in the land records. All registered tenants were provided, by enactment of an effective amendment to the land reform legislation, a permanent and heritable right to cultivate the leased in land. Operation Barga involved registration of 1.4 million bargadars, of which over 30 per cent were dalits and over 12 per cent were adivasis. Through Operation Barga, about 1.1 million acres of land was permanently brought under the control of bargadars and their right to cultivate this land was secured.5

Below the table provides official data on the extent of SCs and STs among the beneficiaries of land reform.

<table>
<thead>
<tr>
<th>Per cent of total</th>
<th>Scheduled Castes</th>
<th>Schedules Tribes</th>
<th>Others</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pattadars</td>
<td>37.1</td>
<td>19.3</td>
<td>43.6</td>
</tr>
<tr>
<td>Bargadars</td>
<td>30.5</td>
<td>11.0</td>
<td>58.5</td>
</tr>
</tbody>
</table>

Source: Human Development Report-2004
The annual findings of the *World Development report, 2003* is as follows: West Bengal is an Indian state. This state has been able to step up the crop-production by altering the provisions pertaining to the ownership of land and ensuring the legal security of the *bargadars* over the land they till. Previously, the rate of production of crops in the state was 0.4 per cent. But this rate increased to 1.9 per cent and latter to 3.1 per cent within a decade.

### Cumulative Numbers of Bargadars Registered

<table>
<thead>
<tr>
<th>Year</th>
<th>Cumulative Nos. Registered (Cumulative % to total)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Up to 1978 (Pre OB)</td>
<td>0.25 Million (11%)</td>
</tr>
<tr>
<td>1981</td>
<td>1.20 Million (52%)</td>
</tr>
<tr>
<td>1984</td>
<td>1.31 Million (57%)</td>
</tr>
<tr>
<td>1991</td>
<td>1.43 Million (62%)</td>
</tr>
<tr>
<td>1995</td>
<td>1.47 Million (64%)</td>
</tr>
<tr>
<td>2003</td>
<td>1.51 Million (71%)</td>
</tr>
</tbody>
</table>

*(Source: Economic Review, 2003-04)*

### Rights and Obligations of *Bargadars* (Sharecroppers)

The LRA grants special protection to *bargadars*, including the right to continued cultivation. These rights, which are to be recorded in the record-of-rights⁶ (but exist and can be asserted even if not recorded), are heritable, but are not otherwise transferable.⁷ A person lawfully cultivating any land belonging to another person is presumed to be a *bargadar* unless he or she is a member of the landowner’s family.⁸ This unique feature of the West Bengal LRA is not present in the legislation of any other state. It places on the landowner the onus of proving that a person cultivating his or her land is not a *bargadar*. Where the landowner is a Scheduled Tribe member, the cultivator may claim *bargadar* status only if the cultivator is also a Scheduled Tribe member.⁹
References:
1. Agrarian Scene in Left Ruled Bengal 1977-2002 - Arindam Sen
2. Changing Rural Communities, pt.4 - IGNOU
4. Ibid
5. Rural Development in W.B. - Vikas Rawal
6. Land Reform Act § 21D.
7. Ibid. § 15(2).
8. Ibid. § 21B.
9. Ibid. § 15(3).
8C. Land Redistribution

In contrast to the programme of tenancy reform, the process of land redistribution of land started much earlier in West Bengal. The two United Front Governments that were formed in West Bengal the late 1960s, showed some initiative in following the ceiling legislation and occupying of vested land with the government. In 1967 and in 1969 the United Front Governments showed great intelligence in devising ways of identifying and procuring *benami* or illegally occupied land. As a result, the land redistribution movement transformed into a peasants’ movement in the countryside and between 1967 and 1970, an additional 6.0 lakh acres of such land were redistributed. In 1975, an act for securing rights of agricultural labourers was passed, but nothing much was done for bargadars or for redistribution. The fall of the United Front Government brought an end to that phase. In fact, much of the redistributed land was reoccupied by landlords.¹

An important aspect of the Left Front government’s commitment towards implementation of land reforms is that the initiatives in this direction have been continuing even after 29 years of the government being in power. Most importantly, the initiatives for implementation of land reforms have continued despite the onslaught of neo-liberal economic reforms. While the decade of 1990s saw undoing of whatever land reform measures were undertaken in several States, West Bengal was about to acquire an additional 95,000 acres of land under the land reform and zamindari abolition legislation and redistributed about 94,000 acres. These figures account for almost all the land acquired in the country in the 1990s and over 40 per cent of the land redistributed in the country in this period.²

However, after the Left Front Government came to power in 1977, they pursued the programme of land redistribution to a much more significant extent. The “West
Bengal Estates Acquisition Act” (1953) and the “West Bengal Land Reforms Act” (1955) provided the legal basis. About 1.39 million acres of land have been acquired by the Government (18 per cent of total land acquired in India), of which 1.04 million acres were distributed (20 per cent of total land distributed in India). It should be noted that West Bengal accounts for only around 3.5 per cent of the total arable land in India, so this performance is well above that in any other state. With more than 2.745 million pattadars (as beneficiaries are known in West Bengal) the state also accounts for nearly half (47 per cent) of the total beneficiaries of redistributive land reform across all of India. 3

The State has been successful in implementing the different land reform measures in the State. Till the end of Sept., 2005, 4.45 lakh hectares of ceiling surplus vested land have been distributed to 28.17 lakh landless rural poor. Out of the total beneficiaries, 10.41 lakh were scheduled castes and 5.32 lakh were scheduled tribes. That is 56% of the total beneficiaries receiving vested land belonged to scheduled caste and tribe communities. 4 In terms of redistributing land, representing about 8% of arable land and 34% of agricultural households. 5

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>District</th>
<th>Area of land distributed (In hectares)</th>
<th>Number of beneficiaries (Persons)</th>
<th>S.C</th>
<th>S.T</th>
<th>Other Castes</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Burdwan</td>
<td>24853</td>
<td>89030</td>
<td>42801</td>
<td>79569</td>
<td>211400</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Birbhim</td>
<td>19164</td>
<td>73829</td>
<td>35215</td>
<td>44851</td>
<td>153895</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Bankura</td>
<td>25315</td>
<td>89610</td>
<td>34780</td>
<td>46265</td>
<td>170655</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Midnapore (E)</td>
<td>19915</td>
<td>43316</td>
<td>12290</td>
<td>151092</td>
<td>206698</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Midnapore (W)</td>
<td>93051</td>
<td>191266</td>
<td>165266</td>
<td>286568</td>
<td>643100</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Howrah</td>
<td>1892</td>
<td>6246</td>
<td>540</td>
<td>19334</td>
<td>26120</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Hooghly</td>
<td>5216</td>
<td>32746</td>
<td>13609</td>
<td>24353</td>
<td>70708</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>24-Parganas (N)</td>
<td>11060</td>
<td>46813</td>
<td>23416</td>
<td>60567</td>
<td>130796</td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>24-Parganas (S)</td>
<td>29913</td>
<td>64663</td>
<td>12947</td>
<td>88307</td>
<td>165917</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>Nadia</td>
<td>8747</td>
<td>30234</td>
<td>6429</td>
<td>60985</td>
<td>97684</td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>Murshidabad</td>
<td>18253</td>
<td>32205</td>
<td>8565</td>
<td>115488</td>
<td>156258</td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>Uttar Dinajpur</td>
<td>29311</td>
<td>75927</td>
<td>21589</td>
<td>51197</td>
<td>148713</td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>Dakshin Dinajpur</td>
<td>19310</td>
<td>19474</td>
<td>47071</td>
<td>10900</td>
<td>77405</td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>Malda</td>
<td>31203</td>
<td>39496</td>
<td>29454</td>
<td>86007</td>
<td>154957</td>
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<tr>
<td>15</td>
<td>Jalpaiguri</td>
<td>40405</td>
<td>68964</td>
<td>27753</td>
<td>33780</td>
<td>130497</td>
<td></td>
</tr>
<tr>
<td>16</td>
<td>Darjeeling</td>
<td>12586</td>
<td>19881</td>
<td>14222</td>
<td>17958</td>
<td>52061</td>
<td></td>
</tr>
<tr>
<td>17</td>
<td>Cooch Behar</td>
<td>25818</td>
<td>85381</td>
<td>5030</td>
<td>38857</td>
<td>129268</td>
<td></td>
</tr>
<tr>
<td>18</td>
<td>Purulia</td>
<td>29617</td>
<td>32157</td>
<td>31994</td>
<td>26932</td>
<td>91083</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>West Bengal</strong></td>
<td><strong>445503</strong></td>
<td><strong>1041238</strong></td>
<td><strong>532931</strong></td>
<td><strong>1243010</strong></td>
<td><strong>2817179</strong></td>
<td></td>
</tr>
</tbody>
</table>

According to recent data furnished by the *National Sample Survey Organisation*, only 4 per cent of the total arable land of India is in West Bengal. But the total quantum of land that is distributed in this state is about 20 per cent of the total land that is distributed all over the nation. This shows the effectiveness of consolidation of the small peasantry which has succeeded in breaking the land concentration pattern in the rural countryside of West Bengal in the post-independent days. Transformation in the landownership pattern has transformed the rural power dynamics, in favour of the poor.

The success in the realm of land reforms, in West Bengal vis-à-vis other states has also been highlighted by the Planning Commission of India, in a recent publication. It categorically stated that when land reforms as a major component of rural development have failed miserably in most of the states, West Bengal is one such notable exception where the rate of implementation of Land Reforms has been fairly successful.

**References:**
2. Rural Development in West Bengal – Vikas Rawal.
5. Govt. of India, Ministry of Rural Development, *supra* note 9, annexures XXXII and XXXV; Govt. of West Bengal, *supra* note 12.
8D. Achievement of the Land Reform Programme

The followings are some of the achievements of the left Front Government, in brief-
1. West Bengal having only 2% of the geographical area and 3.5% of agricultural land in the country accounts for 20% of the total ceiling surplus land distributed in the country. (Ref: Census of India, 2001)
2. Over 10.25 lakhs acres of land has been distributed to around 2.5 million beneficiaries so far. (Ref: Economic Review, 2003-04)
3. S.C. and S.T. account for 56% of the beneficiaries though they constituted 27% of state population. Over 4 Lakhs of pattas distributed are joint pattas given in the name of both husband and wife.
4. About 1.5 million of share croppers have been recorded through Operation Barga and settlement of operations, thereby protecting them from eviction by landlords.
5. Over 5 lakhs of landless families were given homestead lands.
6. The total number of vested land allotted, recorded sharecroppers and recipients of homestead land together will exceed 4.5 million which accounts for 48% of the total land reform beneficiaries in the country.
7. National sample survey data in 48th rounds shows that 69.4% of lands in West Bengal are owned by small and marginal farmers, as against 35.52% held by them in the country as a whole.
8. Land reform is a precursor of democracy. There cannot be any meaningful democratic decentralisation with lands remaining concentrated in fewer hands. Since 70% of lands belong to small marginal farmers, over 70% of lands belong to small marginal farmers, over 70% of panchayat members come from these sections, a class composition, unique in the country. West Bengal is the only state in the country to have regular elections to Panchayatraj bodies for five consecutive terms during last two decades. That this could be done without Constitutional Amendment shows it is political
will and not the bill, which is more fundamental requirement. Over 50% of the budgetary plan allocation has been devolved to the District Planning Committees headed by the chairpersons of the Zilla Parishads.

9. Farms census data from all over the country and world as well shows higher production performance and employment generation in smaller farms. Land Reforms coupled with supply of non land inputs through panchayats such as water, credit, seed, fertilizers & technology etc., has placed West Bengal in the highest position in food grain production. The annual rate of growth in between 1980-1983 and 1990-1993 had been highest among the states (West Bengal 5.5% as against 2.8% as country as a whole) (ref: Agricultural Census, 1996).

10. West Bengal having only 3.5% of the agricultural land as against 8% of the population of country, production 16% of Rice (Highest) 31% of Potatoes (next to U.P. only) 61% of Jute (highest) 18% of fish (highest for 10 consecutive years) 10% consecutive years) 10% of eggs & broiler each (Competing with Andhra Pradesh and Tamil Nadu for first position).

11. Growth cannot be sustainable unless it is equitable. Higher growth rate in West Bengal is accompanied by highest rate of increase in per capita consumption of cereals in between 1981 and 1990 as per N.S.S. data when it came down in the country as a whole.

12. A comparison of rural poverty estimates between 1973-74 and 1993-94 and 1993-94 as per the report of the Expert Group of Planning Commission (Lakdwala Committee) shows highest reduction of rural poverty going by the difference of percentage from 68% to 40%) in West Bengal among the States. Even in the years of liberalisation (1990-91 and 1993-94) when percent of rural poverty increased in most of the states, it came down by over 9% in West Bengal, again the highest reduction among the states. This is indicative of successful implementation of land reforms and anti-poverty programme through panchayet.

13. Annual rate of growth of employment has been highest among the states at 2.9% against All India average of 2.35%. (Ref: Rural Development, Govt. of India)
14. Total small savings exceeded Rs. 1600 Crores an all time record for any state in the country. This has increased the purchasing power in the rural areas. The annual rate of growth of demand for industrial commodities in rural areas has increased by over 10%. This shows that land reform is essential pre-condition for industrialisation.

15. Development is measured by Human Development Index rather than by the growth rates. Human Development Index for West Bengal was calculated to be 0.394 as against 0.384 for India as a whole. Going by the social indicators West Bengal ranks second among the Indian States as estimated by Institute of Public Policy Research, New Delhi next to Kerala only, another State to have implemented land reforms and decentralisation through Panchayets (Ref: *Human Development Report-2004*).