Chapter III

AGRARIAN STRUCTURE AND RURAL DEVELOPMENT:
A HISTORICAL ANALYSIS

In agrarian societies land represents the main source of wealth and power signifying the socio-economic and political relationship among the various sections of society. The land tenure systems reflect land relations in the rural society. Thus the re-distribution of land holdings brings about a change in the social structure and pins hope for building a new social and economic order. The land reforms which are intended to bring about changes in land relations have also their impact on the rural society as a whole.

Land reforms have a direct impact on development. It helps in bringing a charge in the pattern of income distribution and in giving opportunity to the people to gain access to available resources in the countryside. However, no land tenure system can exist in isolation. It has to be viewed in the historical context of the problem of development and change.

In a country like India with vast regional variations a variety of land tenure systems has been in practice. The variations in the land tenure system
have their roots in varied social and political history of India.

Radhakamal Mukherjee has given an account of evolution of customary rights of the peasantry. He is of the view that the village community owes its persistence in India to both agriculture and racial factors. The autochthonous Munda-Dravidian people had developed the custom of "clan ownership" and occasional bifurcation of holdings. They had not only developed but maintained the elaborate system of communitarian agricultural management. On the otherside, Aryans and other later invaders settled in the villages, formed a "compact brotherhood". The Panchayats, the essential and ubiquitous institution of the autochtones of India spread in almost all parts of India. Mukerjee observes that with the increase of population in Indian villages, the necessity had arisen everywhere to protect the cultivator's rights of grazing and cutting wood for fuel, and the "communal" control of wood-lands, pastures and irrigation channels with

a view to promote intensive farming and animal husbandry. A scattered field distribution has also equalised opportunities of farming for all farmers and checked the rise of a landless class.\textsuperscript{2} It was village community and its institutions, which used to look after the rights of individual cultivator and common land, and responsible for the collection of village revenue. This system prevailed in India, specially in North India, from the beginning of Chandragupta Maurya upto the Moughal period. But who were the owners of land in ancient India remains a puzzle even today. Several western writers on agrarian social structure of India have quoted Manu to prove that land belonged to the ruler. While some others have quoted the same text to show that land belonged to different categories of people such as cultivator, priest and king. Thus the notion of private property in the form of land was created by the British rulers.

We can thus say that land regarding property differed from region to region in India. With the

\textsuperscript{2} Mukerjee, R., "Land Tenures and Land Legislation", op.cit., 1939, pp.218-19.
Mughal conquest entirely new practices entered in India. But one can generalize that despite many centuries of Mughal rule, Islamic concept of property could not bring any significant change in Indian society. The basic reason behind this can be traced from the teaching of Hanafi school (regarding land ownership). According to this, a ruler could not revoke the ownership of land after settlement had been made. It was applicable not only to the Muslims but also to the non-Muslims. This is the reason that Mughal conquest could not bring any remarkable change in property relations throughout India. Its influence can be summed up in the words of Embree as - "the rules of custom which had governed inheritance and other claims upon land remained unchanged for the most of the people in India".3

Nurul Hasan discusses the significance of role of zamindars in socio-cultural, economic and political life in medieval India. "Before Mughals, the chieftains

were designated as rajas, neils, thakurs and so on, while the small intermediaries would be termed chaudhuries, khots, mugaddams etc.\textsuperscript{4} But the Mughal practice to use the same term "zamindar" for the holders of widely varying types of landed interests was a reflection of the Mughal desire to reduce the chieftains to the status of intermediaries. The word "zamindar" gained currency during the Mughal period. It used to denote the various holders of hereditary interests, ranging from powerful, independent and autonomous chieftains to petty intermediaries at the village level.

Nurul Hasan\textsuperscript{5} has cited several examples to show that Mughal emperors had pursued the policy of entering into direct relationship by reducing the power of chieftains and creating a new class of allies. And in it they were successful than any of their predecessors, in bringing the numerous chieftains within the pale of their empire. But it was very difficult to control


these chieftains. They had revolted frequently, which had adverse impact on agricultural production and weakened administrative unity.

The intermediary and primary zamindars were the backbone of Mughal's revenue administration. The primary zamindars were the holders of the hereditary proprietary rights over agricultural and habitational land who constituted the peasant proprietors in one or several villages. They used to collect revenue and give it to intermediate zamindars - a link between primary zamindar and the ruler. The entire responsibility of revenue collection rested on intermediary zamindars who were required to pay the revenue to the state.

With the downfall of the Mughal empire and the decline of central authority, smaller chiefs and zamindars adopted tyrannical attitude in drawing the revenue from peasants and cultivators. Mukerjee writes: "In large parts of Northern India, however, the village community broke down before the advent of British under the increase of revenue burdens and the overawing authority of petty rulers, assignees and farmers." 6

After the East India Company gained control over Bengal, Bihar and Orissa, it utilized the services of older zamindars and subordinate chiefs for revenue collection. Warren Hastings also continued the same policy. The consequences of this short-term settlement were the oppression of the peasantry and the inadequate and irregular revenue collections. It was Lord Cornwallis who introduced permanent settlement in 1793. He identified the farmers and zamindars - the real class of assignees. His intention was to fix rent for ryot and revenue payable by zamindars.

The permanent settlement had left unascertained or actually obliterated the rights of cultivators. In Bengal since 1859 many tenancy laws were introduced to provide a legal base to the customary rights of the cultivators. Through a series of tenancy laws, the legal differentiation between the two classes of tenants, namely occupancy and non-occupancy ryots, were ratified. A ryot holding land continuously for 12 years under the Tenancy Act of 1885 was granted occupancy, a right and protection against arbitrary rents and illegal exactions. The non-occupancy tenants could not also be ejected.
except in cases of execution of the decree of a court, nor their rents could be enhanced at shorter intervals than five years. Further the Act of 1923 conferred on the occupancy tenant the rights to erect pucca houses and excavate tanks, a customary right which had so long been denied in Bengal. Since then, the Bengal Tenancy Act of 1885 has served as a basis for tenancy legislation throughout India. But the qualifications for occupancy rights were different in different provinces.

The enactment's provision of the 12 years period of continuous possession formally constituted the basis of the acquisition of the tenancy occupancy status in the province of Agra. In the province the increase of occupancy had been, however, slow and uncertain and had been subjected to several kinds of litigations. The main reason for this slow process in the United Province was that the courts in their judgements relating to the incidents of occupancy status interpreted local customs differently. The Zamindars were treated here as a "class" with military and aristocratic traditions, socially superior to tenants. The distinction between occupancy and non-occupancy status based on the
cultivation of the land continuously for 12 years period proved to be ineffective and inadequate in granting protection to tenants against the arbitrary evictions.

N.W.P. Tenancy Act was passed even after the stiff opposition from the landlords. It was "to prevent the landlord from ejecting a tenant with a view to prevent the accrual of the occupancy right and induce the former to give the tenants some fixity of tenure by granting long term leases. This Act, however, failed in its purpose. Between 1903 and 1922 the occupancy area increased only by 13 percent. A part of the increase was due to fraud, mistake and accident."7 The area held under seven-years leases were practically confined to Gorakhpur, Basti and to some parts of Meerut Division and never reached to one million acres. The position however remained the same till 1926. The failures of the acts in offering security and protection to tenants, the increasing antagonism between landlords and tenants and the growing peasant mass-consciousness which was the sequel of the non-cooperation movement ultimately led to passing of Agra Tenancy Act of 1926. The Act abrogated the old

7 Mukerjee, R., op.cit., p.223.
12 years rule and also granted the statutory life-tenancy to every tenant who had been formerly classified as a tenant-at-will, with a five year's remainder to his heir after his death. The other advantage granted by the act was that the tenants could purchase occupancy right from landlords or receive it from them as a gift.

However, in Oudh according to the Rent Act of 1886, "occupancy rights were originally recognised only in the case of tenants who had proprietary rights and lost them, but the privilege has since extended to ex-proprietors whose proprietary rights have been transferred by sale of execution. The majority, however, were statutory tenants who could be ejected or whose rents were enhanced by the landlord after a period of seven years. Thus ejection had been a general rule unless the tenants accepted an enhancement which was inevitable because of the great demand for land."\(^8\) The enactment of Agra Tenancy Act of 1926 had provided security to the tenants as they remained undisturbed in their holdings during their lifetime and their heirs for five years after succession.

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\(^8\) Mukerjee, R., op.cit., p.224.
The tenancy in the United Provinces was inadequately protected. Its position was weakest in Audh. The reasons behind inadequate protection of the tenants were social and historical. One important reason was that its most parts were thickly populated and fully cultivated. An increase of population pressure demanded development of intensive farming and greater investment of peasant capital in holdings. As a remedy the lifelong tenancy was the result of compromise between the interests of peasants and the powerful landlords along with several other reformatory measures. In spite of all these efforts to provide tenurial right and security to tenants, there could neither emerge for a long time a universal occupancy right nor the principle of occupancy or heredity could be recognized. There was not even correspondence between the rent rates fixed by the settlement officers and the actual rents charged by the zamindars or landlords.

Land Reforms in Uttar Pradesh

In Uttar Pradesh, during the pre-independence period, there existed three land tenure systems in
different parts of the state. They were, namely, the Zamindari, Mahalwari and Ryotwari. The Mahalwari or joint village system was first adopted in Agra and Oudh. Under this system the concerned villages were units by themselves. The main thrust of the Mahalwari system was to recognize the joint character of the village community and common rights in land. But ultimately it could not achieve its end. The Zamindari system existed in the eastern part of Uttar Pradesh and the Ryotwari system was in practice in western Uttar Pradesh.

The British officially recognised three types of villages which were Zamindari, Pattidari and Bhaichara. The Zamindari village was with a single landlord or was jointly owned by several persons. The basis of Pattidari was sharer's inheritance which in case of Bhaichara was shared by co-owners based on customary allotment.

The history of zamindari starts from 1795, when Jonathan Duncan as resident enacted several regulations showing resemblance with the idea that large corporate

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bodies to which the English legal term "corparceners" was applied could be landholders. "A zamindar was regarded as the person or persons named in the collectors' records as being responsible for the payment of the Government revenue demand."\(^{10}\) In theory government recognised that there were others in a village who had similar rights and duties as those recorded officially as Zamindars. These were designated "pattidars" or "hissadars" (brethren of the zamindars).

The "pattidari" estate was one "in which descendants of a common ancestor had divided the lands of their ancestral patrimony following genealogical principles; usually some lands such as orchards, tanks and some waste land was held in common."\(^{11}\) In a particular estate, the pattidars continued to recognize ties with the corporate body.

In bhaichara, "the land was jointly and commonly held undivided; only the produce was divided according

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10 Cohn, B.S., "Structural Change in Rural Society" in Frykenberg, R.E., ed., Land Control and Social Structure in Indian History, Manohar, Delhi, 1979, p.101.

11 Ibid.
to shares based on principles of genealogical descent.\textsuperscript{12}

According to a ruling of the Board of Revenue in 1807, in an undivided bhaichara estate, individual proprietor was prohibited from selling his part legally undivided, nor it could be sold for recovery of arrears, due from individual proprietor. There were also villages where there had never been in existence at all, in any form, joint claims for a common area, each man or family staking a claim for its holding. These were also classified as bhaichara, already eligible for 'Bhumidari' rights. With the passage of time, several provisions were made regarding "Sir" land. "Sir" is the name applied to lands in a village which were cultivated by the zamindars themselves or by their own labourers. By virtue of these provisions, a person was granted ownership of the land, if he had been admitted right to land after the passing of Tenancy Act of 1926. At the same time a person could also be given Sirdari rights by virtue of penalty on zamindars or Bhumindhars for sub-letting.

A new class of the "Asami" had emerged between a Sirdar and the protected sub-tenants. Asami rights

\textsuperscript{12} Ibid., p.102.
were granted to non-occupancy tenants. A tenant or sir or khudkast who held the land in lieu of maintenance was considered an Asami while having the right to the continuance of his maintenance. Asami had the same rights and restrictions on land as had been in the case of Sirdar. The Bhumidhar or Sirdar were liable to pay revenue for the lands which they held under the Bhumidhari or Sirdari rights. They were jointly responsible for the payment of revenue subject to the modifications in the Gazettee. And if a Bhumidhar or Sirdar was asked to pay more than his share he could get it recovered from the holders through courts.

The Ryotwari Settlement was first tried in Mysore in 1790's and subsequently extended in the whole of Karnataka. Due to opposition by the Madras Government, it was abandoned in 1808. But finally, Ryotwari in its revised form, was restored in 1819. Thereafter, this system gradually developed as a recognized mode of land revenue administration. The actual intent of the Ryotwari Settlement as is originally conceived and its consequences had been the matter of debate. It is generally conceived that
ryotwari policy swept away village elite groups and eliminated their role as intermediaries between Government and other villagers. But more recent line of argument is that "there has been a serious misconception about the functional meaning and social role described by the word "ryot". Ryot (raiyat) or "cultivator" has been commonly identified, especially during the past century, with the "landless labourer" when perhaps it should have been identified more closely with high caste elite, the "rayalu" or leaders of the village."\textsuperscript{13}

To conclude, all the three forms of land settlement had created a complex agrarian structure in Uttar Pradesh, and thus gave rise to a number of complicated problems. Zamindars usually had no connection with agriculture. They could not cultivate their land themselves. The whole area was occupied by the tenants, who used to pay high rents and poor to make any substantial improvement in their holdings. In the ryotwari tracts, there had been a steady increase of rent-receivers with the result that the

\textsuperscript{13} Mukherjee, N. and Frykenberg, R.E., "The Ryotwari System and Social Organization in the Madras Presidency" in Frykenberg, ed., op.cit., 1979, p.240.
cultivating proprietors became cultivating tenants. In zamindari area also, there had been a remarkable growth of numerous intervening interests between the actual cultivator and superior landlord. Thus the most serious defect of these systems was that, "the landlords and these intermediaries reap the benefit of the rise in agricultural prices and of such land improvements as may be effected either by tenants or by public bodies. Thus the "great proportion of the wealth from land was appropriated by middlemen who were interposed between the actual cultivator and the state." According to 1931 Census, the table of earners and working dependents shows that in Uttar Pradesh there were 260,610 non-cultivating landlords and 12,011,621 cultivating tenants. Peasants were bound to render free services (begar) to the zamindars and were subjected to illegal exactions, called "nazrana".

It had become explicitly clear that the zamindars had failed to administer the trust in national welfare. The Congress also increasingly realised that it must

not only win freedom from the foreign yoke but it had to emancipate peasantry from the exploitation of Indian landlords. Zamindari system had degenerated to the extent that justice and common sense demanded their outright abolition.

The Uttar Pradesh Legislative Assembly passed a resolution on August 8, 1946, accepting the principle of abolition of zamindari system and recommended the appointment of a committee to prepare a scheme for the acquisition of rights of intermediaries on the payment of equitable compensation. The committee was headed by the Chief Minister, G.B. Pant. This committee submitted its report in 1948. The Zamindari Abolition and Land Reforms Bill was then introduced in the State Assembly in July 1949 and passed on January 16, 1951. The Act was challenged in the court. But Supreme Court finally validated the Act on May 2, 1952. Ultimately on July 1, 1952, in accordance with the provisions of the U.P. Zamindari Abolition and Land Reforms Act, all the zamindars in U.P. were divested of their zamindari rights in the state.

The total area of land held by the zamindars in the state was around 4,13,00,000 acres, out of which
the Act provides for the acquisition of 3,90,00000 acres by the state at the cost of ₹.160.13 crores to be paid by way of compensation to zamindars. The total area under actual cultivation in the province was 3,67,00,000 acres and the rest consisted of groves and current fallows. Of the entire cultivated land, 82 percent was in the possession of tenants, while the remaining 18 percent was with the cultivating proprietors. 15

The Uttar Pradesh Zamindari Abolition and Land Reform Act of 1951, created three types of land tenure: bhumidhari, sirdari and asami, comparable to some extent with the owners, hereditary tenants and statutory tenants. Adhivasi tenure was devised as transitional category to take care of tenants of sir.

The bhumidhar has exclusive possession of his land and may use it in any way, sell it or transfer it provided the recipient would not thereafter hold more than thirty acres or that a mortgagee did not take possession. There are provisions in the act which

15 Malaviya, H.D., Land Reforms in India, All India Congress Committee, New Delhi, 1954, p.108.
prohibited bhumidhar not to lease his land. If the bhumidar lets his land illegally, the lessee automatically becomes the sirdar, if the area is less than thirty acres.16

After the passage of the act, it became possible for a sirdar to acquire bhumidhari rights, by paying to the government ten times of his annual rent in lump sum or twelve times of his annual rent in four instalments over a period of two years. A sirdar also has exclusive possession of his land as long as he uses it for agricultural or horticultural purposes. Any illegal transfer by a sirdar is void.17 In 1976, all sirdars were made bhumidhar without any right to transfer.

The asami is a middle category between a sirdar and a protected subtenant. He has the same right over his land as a sirdar and is subject to the same restrictions. However, his rent would be such as agreed upon, although it might not vary thereafter.

The conversion of sirdars into Bhumidhars, thus led to the existence of only two tenures in the state, i.e. the Bhumidhars and Asamis.

17 Ibid., p.227.
Since the zamindari abolition a number of other measures have been introduced in order to make the land reforms more effective in restructuring the existing land relations. Some important land reform measures include: the Uttar Pradesh Urban and Uttarakhand Zamindari Abolition and Land Reforms Act 1960, Ceiling on Land Holding Act, 1974 and Uttar Pradesh Land Laws, 1975. Besides these legislations there have been 26 amendments in the Zamindari Abolition Act since its enactment.  

In spite of all out efforts to change and to end tenancy share-cropping and subletting through various land reform measures, the state has not achieved much success. The sub-tenancy cultivation which was 4.96 per cent of cultivable land before Zamindari abolition has now been reduced to 1.33 percent which does not include the area cultivated as share-cropping or held without consent. Land taken for share cropping is mainly by marginal peasant, and particularly by Asami as non-tenure holders.


The pre-independence agrarian structure which was marked by great inequality in the ownership of land had received serious attention after independence. In the democratic constitutional framework Government of Uttar Pradesh has made some sincere efforts. These efforts were aimed in two main directions - to reduce inequality in rural society and to accelerate the process of rural development. A unique feature of the Indian situation is the close interrelation between the caste hierarchy and the agrarian structure. The landowners generally belonged to the upper castes, the cultivators to the middle castes and the agricultural workers to the lower castes. This situation has led to economic disabilities which have been further aggravated by social disadvantages. The close relationship between land tenure system and agrarian social structure in India makes it crystal clear that land reform measures and rural development programmes could not be understood in isolation. India's experience since independence shows that there is close inter-relation between agrarian structure and rural development. Various measures could not evolve any alternative system of social relations till today. No doubt transformation
in agrarian relations has taken place, but it has failed in bringing about equality among uneven groups. Such an outmoded agrarian structure is a serious obstacle to the modernization of agriculture and rural development. Such a structure is to be squarely blamed for the unequal distribution of fruits of development leading to widening of the disparities in income and wealth.

One serious effort, to reduce the inequality in agrarian society, came through the Ceiling Act of 1973. The Ceiling Act envisages reduction in the size of the holdings and redistribution of the surplus land to share-croppers and agricultural labourers. This was done after the Conference of the Chief Ministers was held in New Delhi in 1972 and evolved a national guideline to this effect. The family was, thus, redefined so as to include the tenure holder and his spouse, minor sons and minor unmarried daughters. The ceiling area was reduced to 7.3 hectares of irrigated land for a family of five members. In 1977, about 105,298 hectares of land was declared as surplus of which over
87,798 hectares was distributed.²⁰

The Government of Uttar Pradesh has adopted several measures and strategies to reorganise the agrarian relations and productivity. Amongst such programmes, the consolidation of land holdings has been of much significance. In 1953, the consolidation of Holdings Act was passed to reduce the fragmentation of land, and to provide compact tracts of land. But this measure also did not make much impact due to built-in inadequacy in the Act and the lacunae in the organizational and institutional set up of the government.

In spite of the fact that the land consolidation programme has received some acceptance among different sections of rural population,²¹ the consolidation of holdings has generally benefitted the cultivators with larger holdings. While the consolidation of holdings has been able to solve the problem of existing pattern of fragmentation of land holdings, but it has failed to provide any remedy to check-up splitting up of the plots in future.

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Various measures adopted to change traditional agrarian structure were aimed at to reduce poverty, unemployment and inequality. But in most states apart from lip service, no much attention has been given to these measures. However, it is not correct to conclude that the impact of land reforms has been the same in all regions, nor it has been even on all sections of society. In this context Sharma observes: "The results of land reforms varied among the states, and also within region, sub-regions, districts and even within villages. This would also mean that land reforms initially brought about some positive results in certain areas with particular type of land tenure systems and that in others they did not have such beneficial results as different types of land tenure systems prevailed in those areas. Similar is the case of different sections of society in regard to differential impact of land reforms." 22

To conclude we can say that the diversified nature of Indian social structure is very closely interrelated with diverse land tenure systems. These

together have minimised the effects of land reforms to a large extent. No uniform legislative mechanism regarding land reforms could be effective. Legislations appropriate to historical background, land tenure systems, social structure of the area and nature of cultivation and infrastructure could ensure desirable results to a large extent.