Chapter VI

CONCLUSION
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a. Summary and Findings:

1.1 Through out the changes in the world at all times and in all places land has been the basic factor on which civilization has flourished. Like air and water, land is basic to the existence of mankind, though the proportion of land used is decreasing in many advanced countries over the ages. Still it is the prime factor.

1.2 In under developed and over-populated countries, land becomes the most important factor because for major proportion of population, it provides sustenance. Land has competing claims from different sectors of the economy. Like urban settlement, industrial establishments, civic structures, administrative buildings, transport both rail and road, forest etc., Therefore, there is an urgent need to economies land and put it to the best use.

1.3 It is in this context Land Reforms become relevant in India. We can identify four different waves of Land Reforms. By land large, Land Reforms in our country consisted of regulation of ownership of land, provision of security of tenure to the

* The numbers do not indicate paragraphs in the chapter.
cultivating agriculturist, and bringing about measures to maximize production and productivity of land.

1.4 In the first wave of Land Reforms, the Government initiated measures to abolish intermediary tenures such as Jamindari and Jagirdari tenures. In the second phase in the mid 50's, Tenancy legislations were introduced under which tenants were given protection by regulating tenancy and fixing the share of the Landlord, leaving sufficient margin to the tenants as reward for their effort, enterprise and investment in the land. In the third wave, there were attempts to imposing ceiling on land and obtaining as much surplus of land as possible for redistribution among the marginal farmers and agricultural labourers. In second half of 60s, land reforms were set side temporarily and emphasis was laid on the use of new agricultural inputs which did not demand any scale, requirements for cultivators. Many scientists and technological experts argued that these new inputs were scale neutral. In the beginning of the 70's the application of new technology brought to light many adverse effects of new technology. As in industry, agriculture also suffered from equalities of income and wealth, caused by new technology. The rich cultivator became richer and poor cultivator was further improvised.
1.5 In devising land reforms to encourage capital and labour intensity two factors have to be considered. They are i) size (ii) incentive. The size of the holding for cultivation, has to be reasonably big to generate surplus needed for investment. ii) There should be adequate security of tenure to enable the tiller to put in his best and maximize returns to land, labour and capital used. Ownership of the land is the ideal incentive to turn "sand in to gold".

2.1 The Land Reform programme in India was definitely the most radical that the country has witnessed but it still remained a limited programme of reform, which could not completely transform the existing agrarian relations, though it mitigated some of the more oppressive features.

2.2 The agricultural policy in India in the post independence period showed two major preoccupations. 1) how to grow more food to meet an ever increasing demand of the population. 2) how to ensure farmers more access to land resources. The first one was attended to through Green Revolution while the second was sought to be met through various land reform measures.

2.3 Land Reforms in India consisted of abolition of absentee intermediaries, security of tenure to cultivators, fixation of rent, ownership to cultivators, consolidation of holdings, ceiling
on holdings, redistribution of surplus land among landless labourers, etc.,

2.4 Despite attempts at land reforms over the successive plan periods, the basic character of the agrarian economy has not undergone any structural change. The pattern of land distribution is highly skewed, fragmentation of land holdings continues on a large scale, and only few states like Punjab, Haryana, Uttar Pradesh and partly Maharastra, have been able to undertake consolidation programme. The champion of Land Reforms programmes in India. P.S. Appu writes in 1996 “It was estimated that at the time of independence, over one half of the operated area was under tenancy”. As a result of tenancy reforms tenants acquired ownership rights in about four (4) percent of the operated area in the country. Several scholars now, admit the futility of its continuance. Even the strong advocates of land reforms also admit that it needs a more objective reexamination.

3.1 Karnataka is one State where all aspects of land reforms like tenancy rights, consolidation and computerization are going on at the same time while in other states; just one of these issues is being pursued. Karnataka State has a prominent position as one of the few states that took the land reforms policy
seriously, not only by enacting appropriate law but also by implementing it with great vigor and elan.

3.2 Karnataka State came into existence in 1956. After the reorganization, there was the necessity of codifying and consolidating the laws and rules obtaining in different regions of the state. A committee known as Mysore Tenancy and Agricultural land laws committee, was constituted, which reported in 1957. The report became the basis of the bill introduced in the Legislature in 1961. The Bill received the assent of the President and became law on 5th March 1962.

3.3 The new Land Reforms Act 1961. came into force in 1965. The significant provision of this Act was that all dealings with the land lords as to the take over of rights would be with the state and like wise as for the tenant was concerned all dealings as to the conferment of ownership rights on the land on him would be with the state. The implementation of the Act left much to be desired. There was conspicuous delay of 8 years in implementing it.

This delay facilitated malafide transfer of land under different names. There was gross misuse of provisions and concessions given under the Act. Consequently, the dominant class with vested interests in the rural areas got abundant opportunity to use its muscle and money power for evicting the tenants, and
to manipulate land records overnight. Though the 1961 Act had land able objectives, its provisions were rendered ineffective by the built in loopholes which thwarted the change.

3.4 The next leap forward came in 1974, when the so called radically amended legislation in the 1974 Act finally abolished all leasing of lands for cultivation. (except in case of soldiers and widows). It abrogated all the existing leases abolished the provision for resumption of leased out lands for personal cultivation. The Act declared that all land subject to lease on Mar 1974, stood vested in the government. The tenants were asked to file declaration before the Land Tribunals formed under the 1974 amended law. The Act became the most publicized and progressive measure.

3.5 The 1974 Act provided the following facilities to the tenants.

i) Repeated extensions of the last date to file declarations for claiming ownership right, which was finally extended upto June 30, 1979.

ii) Free legal assistance to poor tenants wherever necessary for establishing their claim for ownership.

iii) Consideration of declarations by the tribunal’s even if details such as clear survey numbers and extent of the tenanted land were not furnished by the tenants.
iv) The land tribunals were empowered to issue interim order to prevent any forcible displacement of tenants, and if necessary, to appoint a receiver to administer the land since the tenant was vulnerable to even a temporary interruption in his farm operations.

v) After obtaining the ownership rights, however, the tenants were forbidden from selling the plot for at least fifteen years.

3.6 For effective implementation of 1974 Act provided for the constitution of land tribunals. The Land Tribunals consisted of four non officials with Assistant Commissioner as the Chairman. One of the members to be belonging to SC and ST community. Lawyers were barred from appearing before the tribunal. The aggrieved party could appeal to the High Court.

3.7 Among the recent literature on Land reforms in Karnataka. The Report on Land Reforms in India Vol 4 by Abdul Aziz and Sudhir Krishna is worthy of mention. This book examines a wide range of issues, including the central questions concerning the direction Karnataka should now take with regard to land reforms. The options considered include implementing the traditional concepts of land reforms but with renewed vigour, maintaining the status quo and letting the existing laws continue in their own pace of implementation, or liberalizing land reform laws in line with the new economic
policies of the country. The contributors agree that whichever policy option is adopted, political will and public awareness are the two most important factors in determining the success of future efforts at land reforms in the context of the rapidly changing socio-economic scenario.

4.1 The Land Reforms have been in practice in the State for three decades. It is time to evaluate their impact on the land owning and land cultivating community. Specifically, it is intended to study the impact on different kinds of tenants and also on different kinds of community which have lost their lands.

4.2 Davanagere District is one of the 27 districts of Karnataka state. It is selected for the study. Out of 6 Talukas of the district, 2 Talukas Viz Harihar and Jagalur are chosen. From each of the talukas 9 villages were approached. A total of 200 respondents from 18 villages, were selected for the present study. While Jagalur is completely dry taluka, Harihar has some irrigation. The main crops in the area are Ragi, Maize, Jowar and Paddy as food crops and Cotton, Groundnut and Sunflower as commercial crops.

5.1 Land Reforms are necessary for effective utilization and conservation of land resources. Land needs to be put to the best use and allotted to the best users. Assessing the progress of land reforms in Karnataka, Aziz and Krishna estimated that
the total net area sown in the state was 250 lakh acres. About 17% State's agricultural areas were under tenancy. By the mid of 1993 about 47% of the tenanted land was transferred to the actual tillers. Thus, tenancy laws granted ownership rights on only about 8% net sown area. The present study is confined to the tenants cum owners in this 8% net area sown. Even in this meager area, what has been the picture of tenant owners? The study is directed towards these aspects.

5.2 The Study has examined the picture obtaining before the enactment of 1974 Act and also the one obtaining after 30 years of operation of 1974 Act, i.e., in 2004. The assessment is made by comparing these two situations. The analysis is in three stages. The pre view i.e. the agriculture situation before 1974, the post view i.e., the agricultural situation after 30 years i.e., in 2004 and review-critical analysis of the Act of 1974 or the impact of Land Reforms in Karnataka on land ownership gainers and land ownership losers.

5.3 The Study has selected few villages in two talukas namely Harihara and Jagalur of Davangere district. While Harihara is in irrigated tract, Jagalur is in dry tract. The study of these two talukas gives contrasting evidence in regard to the implementation of the land reforms and its impact on "New owners".
5.4 Out of 200 respondents from the two talukas together 50% represented backwards communities and the other 50% forward communities. Most of the SC cultivators are concentrated in Jagalur taluka. Fertile and irrigated lands are owned by the better off societies in the community while the poor and the dry lands are the lot of the weaker sections. OBC cultivators dominate in irrigated tract and the SC's dominate in the non-irrigated tract.

5.5 Before 1974 Act, the SC respondents were owning 36 acres, but cultivating as tenants, 219 acres. The ST's owned 45 acres and as tenants cultivating 103 acres. The “OBC” respondents owned 99 acres and had leased in 246 acres. The “others” owned 57 acres and cultivating 198 acres as tenants. Thus 75% of the land was under tenancy.

5.6 Most of the land owned, under investigation was put to traditional crop like Ragi and Jowar. The same cropping pattern was found on tenanted lands. (Table 3&4)

Even the average yield of crops has been the same on both the types of land.

5.7 Most of the share-croppers bore all the expenses of cultivation but giving half the out-put to the land-owner.

5.8 1974 Act provided ownership to the erstwhile tenants. The weaker section of the community could not file declaration
within the stipulated time. About 50% respondent tenants from forward communities could file the declarations within time. This is due to lack of full knowledge of provisions and rules in the Act. However, the time limit has been extended by another 5 years. The Land-Tribunals were lenient towards the tenants. This can be seen from the tables 10 to 11 that even without appearing before the Tribunal, ownership was granted to 75% of the respondents and to 46% of the respondents who had not made stipulated payments. These respondents were under tenancy for more than 40 years (25%) up to 40 yrs (34.5%) up to 30 yrs (16.5%) and up to 20 years (25%) (Table 12)

5.9 A total of 766 acres of tenanted land was distributed to the tillers as per 1974 Act. The SCs got only non-irrigated land, while STs got only 12 acres of irrigated land. About 80% the land transferred to the cultivators was dry-land.

5.10 Even in 2004 Maize, Jowar are major food crops followed by Ragi and commercial crop Ground nut. As regards the yield. There is no change in average yield of crops between 1974 and 2004 in respect of lands cultivated and owned by SC’s. Same is the picture of lands belonging to STs. In the case of lands owned by “OBC” and “others” there is marginal improvement.

5.11 Over 30 years, no attempt has been made by owner cultivators to take to progressive agriculture by way of changing the
cropping pattern, or rotation of crops investment in land by way of irrigation facilities, it only 16% of the cultivator, could do some thing that too belonging to OBC and others. (Table 21)

5.12 55% of the respondents were getting less than 10,000 annual incomes from owned lands. The nearly-owned lands have fetched them higher income. The respondents earning bet 10,000 to 30,000 in case of owned lands constituted only 18% but in the same income bracket, the respondents from newly owned-land were 29% (table 5.21-5.22)

5.13 The impact of land-reforms on the employment of labour is given in Table-5.24. The weaker sections still continue to depend on Family labour. While upper communities have increased the employment of hire labour.

5.14 New-inputs and credit are essential for agricultural improvement. The enquiry showed that majority of the respondents expressed satisfaction about accessibility to them.

5.15 Land Reforms were directed towards achieving size and incentive “to the tillers. Ownership in the best incentive to the cultivator ownership would turn sand in to gold” with new technology “size” is not important. The tiller of becomes owner, is expected to maximize output on land, consistent with sustainability. This requires scientific cultivation with the help of new inputs suitable “cropping as well as rotation after due
soil testing" making amendments to land, to maintain facility. Hence, ownership has to be properly supported by infrastructure facilities.

5.16 The Review of 1974 Act is on the basis of comparison of two situations (in pre 1974 situation and past 1974 situation in 2004) and the impact an on tenant turned owner cultivators. The impact is studied in terms of raniables or indices. They are 1) ownership 2) cropping pattern 3) infrastructure 4) Average yield 5) Investment in land. 6) access to credit and inputs 7) effect on labour 8) supplementary enterprise 9) Income

a. The erstwhile tenants have become owners. The SC community has greatly benefited. However it owned only 36 acres. Now in addition to 36 acres. It gets ownership of 319 acres more. The ST community got 2\(\frac{1}{2}\) times more land in ownership. The "other" community got 3\(\frac{1}{2}\) times more. So all sections of the community benefited. However most of them, had cultivating holdings of less than 5 acres.

b. Over the 3 decades, there has not been any change in the cropping pattern, nor there is any important in the yield of crops revised.

c. Ownership of land, has not enthused the cultivators, to take to scientific agriculture, by way of obtaining information from agricultural scientists regarding deficiencies in soil,
amendments, rotation of crops, does of fertilizer, number of irrigations. None of these has been undertaken by the new owners.

d. The owners from weaker sections (SC and ST) have depended on family labour only while the other communities have increased the employment of hired labour. This helps Landless agricultural laboures to get additional employment.

e. The study did not find any complimentary and supplementary enterprises like animal husbandry. Sheep-breading, bee keeping, poultry, to provide more opportunities for employing surplus labour.

f. The ownership has improved the status and image of the cultivators in credit-market. But the same cannot be said, about the owners belonging to weaker sections.

g. The income-levels of the respondents have gone up. However the reason is not improvement in land, but due to rise in prices.

5.17 The Act has affected only small holders. The economic condition of poor Landlords is no better than that of poor tenants. The whales have been left out (or escaped) and poor small fish have been caught. The compensation given to them meager in the context of present high prices. Fixation of compensation in terms of land-revenue which remains un-
revised for decades is unjust. Further, a small portion of the amount is paid in cash, and the rest in saving certificates. The Landlords, were critical about the provision under which the new owners could sell the land. They asked whether this was not against the governments much publicized policy of “Land to the Tiller.”

b. Assessment

“The mountain thundered and brought forth rat” is the apt proverb to describe the performance of Land Reform measures at the national level.

The situation in Karnataka is no better. Land Reform in the state has touched. Only 8% of the cultivated area.

Critics describe the Land Reform measures in India as legislation defective by design, tardy in implementation. The big land lords with political power and bureaucratic connections, have circumvented the law and have managed to keep themselves unaffected even before the legislation was put into operation.

Hence, it is only the small land holders who have been the victims. It is again rightly said that whales have been kept out and loud noise is made to catch the small fish.

The 1974 Act has neither helped the former tenants nor the land lords. It has neglected both.

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**About New-Owners:**

After 30 years, the new-land owners have remained where they were before 1974. The only difference is that they are now called as owner cultivators.

The 9 point assessment of Land Reforms in the state has revealed – that there has not been any change in land management practices by the New-owners, either in cropping pattern or infrastructure, or investment in land. The new owners are left to find their ways themselves.

The pre-conditions necessary to “convert sand in to gold” have not reached them. Many cases are reported where “New-Owners” have sold their land to rich tenants and have preferred to be agricultural labourers. Concealed tenancy continues.
**About old Land Lords:**

Those who have lost their land have an axe to grind. With meager compensation. They feel that they are exploited. Even the “Land Reforms in India” Vol. 4-(p.20) which pertains to Karnataka State reports. The Landlords, who lost their lands, were offered compensation. Smaller amounts of compensation were given in cash and larger amounts were to be given in the form of National Saving Certificate (NSCs) that could not be made available for over a decade, which led to a lot of criticism about the dual misery to which the former landlords were subject. The Government has simply, robbed poor Peter to pay poor Paul. Both of them are poor.

Since big ones are untouched. The act has made rich-tenants (dominant class of cultivator) richer and the poor Landlord and small tenants poorer.

The provision under which the new owners can sell the land after ten years defeated the purpose of the Act. What is the objective of “Land to the Tiller” policy? If the new-owner does not want to till the land, the land should be allotted to others, willing to till the land or else, it should revert to previous owners or Govt.

If Land Reforms affected only 8% the land, there is no reason. Why market price should not be given as compensation to small land losers.
Govt. has followed the dualist policy. On the one hand it says it would distribute the land to poor cultivators. On the other it encouraged capitalist farming, by relaxing ceiling and tenancy laws.

A severe criticism of the Land Reform has been that it has only held a carrot before the poor and illiterate agri-community to get votes.

The eminent Economist Prof. Dandekar pleaded for abolition of ceiling and tenancy laws (Dandekar 1994).

Land Reforms have no economic content now. They are put forth only as political and populist expediency, Mr. Appu denies that too, when he says – that for the last 20 years no political party has included this item in its agenda.

c. Suggestions

What should be done in future?

With utter failure of Land Reform 1974 Act, it is better to repeal the Act. Or at least, the new owners should not be allowed to sell the land. This provision of allowing the new owners to sell should be withdrawn. Tillers should be assured of perpetual tenancy. At the time of the death of the present cultivator, only one of the successors should allotted the land.

1) Other wise – with ownership and provision for sale of land, it would lead to further fragmentation and subdivision. After the present owner cultivator, his successors would get the land
divided. When it becomes uneconomical, they would sell their pieces of land and work as agricultural labourers.

2) On the face of W.T.O. there is need for greater investment in science and technology to be used on land. Small holder cannot afford this investment.

3) One can take the horse to water but cannot make it drink. The tenants are made owners, but they cannot be made entrepreneurs and risk takers. Their solution has been only 'suicide'.

4) With progressive reduction in land used for cultivation, due to growing population, urbanisation and industrialization, “The land hunger’ of the population cannot be satisfied. Moreover, Agriculture population requires income and not land. Hence Employment Affirmation Scheme should be stepped up and those willing to work should be provided continuous work outside the farm.

5) Those who have lost the land should be properly compensated by monthly pension and social insurance scheme.

This micro-level study has provided the added support, to the findings of experts in this field. Who have studied the impact of Land Reforms, in the State as well as in the Country, during the second half of the last-century.