CHAPTER-VII

PROBLEMS AND IMPLEMENTATION
THE PROBLEMS OF EFFECTIVE IMPLEMENTATION OF LAND REFORM MEASURES

It is extremely painful and unfortunate that these identified aims of reforms could not be achieved due to ineffective implementation. It is rightly observed that "land reform programmes were started with a thunderous enthusiasm, but some the vitality of this enthusiasm was lost and the implementation of land reforms became a very tame affair". According to Prof. M.L. Dantawala, "By and large and reforms in India enacted so far and those contemplated in the near future are in the right direction; and yet due to implementation the actual results are far from satisfactory".

Giving an overall assessment of the land reform measures, the sixth plan mentioned "The progress of land reforms has been less than satisfactory, it has not been due to flaws in policy but due to indifferent implementation. Often the necessary determination has been lacking to effectively undertake action, particularly in the matter of implementation of ceiling laws, consolidation of holdings and in not so vigorously pursuing canceled tenancies and having them vested with tenancy/occupancy rights as enjoined under the law".

It has been observed "Inadequate impact of
land reforms in many parts of the country has been on account of various factors such as loopholes and deficiencies in laws, insufficient administrative machinery prolonged litigation, inability of rural poor to fight litigation, lack of awareness among the rural poor, tenants and sharecroppers about their rights and lack of regular monitoring of land reform programmes.  

The problems of effective implementation of land reforms measures are: Absence of correct up-to-date land records, Benami transactions, Lack of political will, Lack of awareness among the rural poor, tenants and share-croppers about their rights, Lack of regular monitoring of land reform programmes, Unorganisation and more illiteracy among rural poor, Prolonged litigation, Lack of the participation of the people on the level of Gram Panchayat, Lack of trained active and efficient administrative machinery and Problem of effective transfer of fertile land possession etc.

THE EXTENT OF SUCCESS AND FAILURES IN IMPLEMENTATION OF LAND REFORMS

The land is the most important asset for the majority of the rural population in India. The large rural population is dependent on it for livelihood. But it is very sad fact that the land ownership pattern is very unequal and there is no optimum utilisation of land
till now while the land reform programmes started before forty years. If the implementation of land reforms became successful then there was no need to talk about the land reforms now. After 1950, so many land reform measures like ceiling, tenancy and consolidation Acts passed by the different state governments of India. 40 years have passed since beginning of this important programme. The implementation of these reforms was not successful. Mr. Harkishan Singh Surjeet who has seriously studied this problem concludes that "Land to the tiller" was the battle cry with which the vast masses of Indian peasantry joined the freedom struggle, their hopes have been belied. Ending land lordism lock stock and barrel in all its various forms, by smashing their deadly grip over the rural society and making the cultivator the owner of the land he tilled was considered by the peasantry to be the essential ingredient of freedom, which they hoped would solve all their age old problems of poverty, landlessness and backwardness, pave the way for rapid growth in agricultural production and usher in a new society, which would ensure happiness and all round progress. Only such a radical transformation of rural society could have met the basic needs of the population to create an expanding market for industry, thereby facilitating India's transformation from backward agrarian economy into a
flourishing industrial country. Such a development would have also paved the way for the cultural uplift of Indian society from darkness, illiteracy and obscurantism into a modern, forward looking society."

This clearly demonstrates the vital importance of effective implementation of land reform measures as this was necessary ingredient of true freedom of the people from the bondage of poverty and exploitation of rural society. But this is matter of great concern and anxiety that there has been a big gap between promises and performance. Land reform programmes have not been successfully implemented.

"Since the inception of the land ceiling programmes, a total of 29.80 lakh hectares have been declared surplus under the pre-revised and revised ceiling laws. Of this 24.52 lakh have been taken possession of and 18.27 lakh have been distributed to 41.72 lakh persons. 82.2 percent area declared surplus had been taken possession of and 61.3 percent of the are declared surplus has been distributed under the revised and pre-revised laws."

From the above figures it is clear that only 61.30 percent of total area declared surplus, has been distributed. "The Ministry of Rural Development in its report of 1988-89 has given the picture of the land
reforms enacted both in 1950 and 1970's and it came to the conclusion that the total surplus land declared comes to 77.77 lakh acres and land taken possession is 58.30 lakh acres and the land distributed is 45.39 lakh acres. Again to remind the leaders this figures comprises the surplus land declared in 1950 and 1970's. This comes to 1.23 percent of the total cultivated area and the 7% of the estimates provided by the Mahalanobis Committee. Even if you take the estimates of agriculture census of 1970-71 it is not more than 14 percent, where has the other land gone? The answer is provided by the Agricultural Census of 1980-81. Giving the picture of land monopoly still existing the census figures show that those who own below one hectare are 56.3% with the land area of 12.2%. Those who are owning 1-2 hectares area are 18% and own 14.1% land. Those who own above 10 hectares constituting 2.4% of the land owners but posses 22.8% of land. It is clear that 11.5 % of the owners own 52.5% of the land. Huge forms still existing in rural areas. They are existing on the basis of benami transactions, false records showing the irrigated land as unirrigated land in the land records and using various other loopholes in the land reforms which are kept there to easily help the land-lords."

Even the Eighth Plan accepted the failures in implementation of land reforms. It states that the
present systems are both inequitable and inefficient. Land to the tiller is the basic objective. But if this cannot be achieved, at least the small peasant must get security and institutional systems must be devised to provide him non-land based support.

As per a report in The Hindustan Times (January 26, 1989) a study of the official documents prepared for a conference of the Revenue Ministers and Secretaries reveals that the Union Government remained as indecisive and ineffective as ever before over land reforms. It further says that "the agenda paper has noted that tenancy reforms, ceiling laws and land consolidation are part of the country's land reform's policy pursued since independence. The question of revising this policy or these programmes therefore does not arise. In fact, the agenda paper observes, the usual complaint is that these programmes have not been properly implemented and initially land owners have evaded them".

Inaugural speech of the Prime Minister in conference of Revenue Ministers, is a sufficient evidence of failures of land reforms. In his speech he said, "For 40 years, if you ask me, for more than 40 years land reforms was one of the accepted programmes of all the political parties before independence. After all these years if we still find ourselves talking in terms
of what we said, say 50 years ago or 60 years ago. I think there is some thing seriously wrong. It does nobody credit that after 40 years we are still having a conference on land reforms. It means that what we promised to the people before independence, after independence, election after election - has not been done. So much more that needs to be done, what has been done is only a part. So, I want an end to these conferences. The conference on Land Reforms- if I could make this the last conference to be even held in Delhi I would be happy. I want complete implementation, total implementation with in a time frame fixed by us to-day. We have told the Chief Ministers that all the surplus land under the land ceiling laws of the states should be distributed, before the 31st of March. Now the record which I have before us very clearly indicates that you are no where near that."9

IDENTIFICATION OF VARIOUS IMPEDIMENTS AND OBSTACLES IN IMPLEMENTATION OF LAND REFORM IN INDIA

The legal loopholes left in the laws are the main obstacles in implementation of land reforms in India. The Planning Commission Task Force headed by Mr. P.S. Appu mentions the following as the principal reasons for poor implementation of land reforms lack of political will, absence of pressure from below because
the poor peasants and agricultural workers are passive, unorganised and inarticulate, lukewarm and often apathetic attitude of the bureaucracy, absence of up-to-data land records and legal hurdles in the way of implementation of land reforms. The task force categorically concluded: "In a society in which the entire weight of Civil and Criminal Laws, Judicial pronouncements and precedents, administrative tradition and practice is thrown on the side of the existing social order based on the inviobility of private property, an isolated law aiming at the restructuring of property relation in the rural areas has little chance of success. And whatever little chance of success was there completely evaporated because of the loopholes in the laws and protracted litigation." 10

In the meeting of the Parliamentary Consulative Committee, it is accepted, "In short therefore the present stage of implementation of land reforms does not hold out much hope for landless agricultural labourers unless drastic amendments to the existing ceilings laws to plug loopholes and lowering of ceiling limits are resorted too. But the states have not shown any willingness to do this." 11

It will be of interest to review and analyse the various impediments in the way of effective
implementation of Land Reform Measures.

**Domination of big holders in Rural Economy of India:**

There is the domination of big holders in rural economy till now even after 45 years of independence. The domination of big holders in itself an obstacle in implementation of land reform measures, adopted by the government. It is because the big land holders do not want that the rural poor and landless labourers get the lands under this programme and improve their social and economic status. Big land owners who command great power make all efforts to defeat the land reform programmes and they adopted various illegal and fictitious methods which are the major obstacles in land reform implementations.

The big land holders have a strong hold in rural politics. The Gram Sabha Pradhans are mostly from these holders and therefore they have the power to distribute the lands belonging to Gram Sabha. Since, they have no keen interest to improve the social and economic conditions of rural poor they demand the money in exchange of land. Consequently, there is still so much land of Gram Sabha to be distributed. The researcher found in most cases the fertile land is allotted among those who paid the money to Gram Pradhans. They also allotted the land among their
nearest relatives, family members and among those who served them by different methods like 'Begar' and who helped in elections. The unfit for cultivation land as 'Usar' and 'Banjar' land is allotted among those rural poor who belong to S.C. & are unable to pay the money. Thus, the weaker sections of the society belonging to Scheduled Castes can get only 166.69 acre fertile land out of total 544.22 acre distributed fertile land which is only 30.63% of total allotted fertile land among all social groups. While it is only 18.28% of total allotted land belong to all land cageories.

The big farmers and powerful persons of the rural society have illegally occupied the Gram Sabha land which is to be distributed among the rural poor but could not be allotted. For example in Gram Sabha Chitabhawan, five powerful personalities have illegal possession on 8 acre Gram Sabha land while there are 200 persons have not enough land for their residence and 19 family have no land for their livelihood. These dominant personalities have also occupied that land which is allotted for rural poor on papers. The 52.31 acre fertile land is occupied by these powerful persons out of total 166.69 acre or 31.38% of total fertile land distributed among the Scheduled Castes in 9 Gram Sabha.

The big holders are well educated so they know
the loopholes of the ceiling laws. Thus on the basis of loopholes and adopting the fictitious methods of benami transactions, they have been successful to secure ceiling surplus lands. Therefore, the land reform measures could not be fully implemented.

The big holders have psychological pressure on rural poor because they are money lenders. Landless labourers, small and marginal farmers are dependent upon them to fulfill their financial needs. Therefore, these rural poor cannot oppose the fictitious methods adopted by big holders in benami transactions. These big holders have high approach in revenue offices and in department of police machinery. So the complaints of rural poor, related to land reforms and big holders, are not entertained by these officers. The poor complaints are also attracted by the gundas of the big holders.

**Corrupt Administrative Management in Land Reform** :-

The other factor responsible for poor implementation of land reform programmes is corrupt administrative management of the states functions of collection of revenue relating to the consolidation of land, distribution of Gram Sabha and Ceiling Surplus lands among poor. In the case of land distribution of Gram Sabha, the Lekhpal is a powerful member in administrative management related to land. The Lekhpal
allotted the land with the help of Gram Pradhan, among those who pay the bribe money. Consequently, in most of the cases the land is distributed by them on papers and no possession is given to the allottees. While the land owners pay the money and they still occupy that land. Also in most of the cases the fertile land is distributed among those only who pay the money. While the infertile and waste land is distributed among those who are very poor and are unable to pay the money. During the course of survey work, it was found that in Gram 'Dera Benzaran Ka', there are seven allotments among seven allottees. The Gram Sabha land allotted among them is 3.05 acre which is not fertile. The Lekhpal and Gram pradhan had taken Rs.4,150/- in exchange of these allotments. While the land is used by allottees for residential purpose because the distributed land was uncultivable. The procedures laws/rules are bypassed and violated by the corrupt administration.

**Non-Availability of Dependable Land Records:**

Land is the most important asset for the majority of the rural population. It is very important to maintain the up-to-date and fair land records because for implementation of land reform measures up-to-date and easily accessible land records system becomes crucial. There is the basic need of up-to-date land
records for registration of land system. Since the land records confirm not only the land ownership pattern but also show clear demarcation of the cultivated, irrigated and other type of land of the village. The land records are the only source to find out the land categories, no. of land owners, the area of land which declared surplus above the ceiling limit, area of total Gram Sabha land, source of irrigation, area cultivated on lease, Production of the land, the area which is under the transferable and non transferable land, area covered by the roads, pools, Railways, hospitals, schools, rivers, cooperative societies, Kali hans, gardens and other purposes like residence and others. With the help of land records, it can be found out that how much land is surplus for distribution among the poor and small peasants and who is the owner of how much land.

It is very painful fact that no fresh land records are available in the related offices. Mostly land records and village maps are totally inaccurate and unreliable. At present time, it is not possible to ascertain the exact position of land ownership pattern in rural areas. It is not possible to find out the exact number of holdings belonging to the different size categories like small holdings, marginal holdings, medium and large holdings. Without knowing the accurate figure of land, it is impossible to think about the
effective implementation of land reform measures. We can state that the non-availability of up-to-date land records is one of the main causes for poor implementation of land reform measures.

In the absence of complete and accurate data, we can't provide the right information to the right person at the right time. While the complete, accurate and fresh data relating to the lands will help in monitoring the progress of various land reform schemes by providing the timely flow of relevant information. The relevant information plays an important role in the policy making, planning and forecasting process in any organisational set up because the fresh and reliable land records will throw up many valuable indicators which can be used for future planning in the field of agriculture, irrigation, crop pattern, rural development and land reforms. The peasants have more complaints and difficulties relating to the land records. The disputes, litigations and incidence of crimes pertaining to land are increasing due to the presence of bogus, inaccurate, incomplete and non-reliable land records at present time.

In Ist Plan, on the subject of land policy it was said - A revenue administration depends in the last resort upon a good system of village records, in states
like West Bengal, Bihar, Orissa, Rajasthan and Ajmer there are scarcely any village records. In Hyderabad and certain other areas, over large tracts, there existed a system of village records Jagirdars through their own petty employees. These records were seldom of adequate quality and could not be fully relied. Records of rights and other land records become even more important at a time when rapid changes effecting land have become a normal feature. In some states because of defective revenue records the implementation of reforms already enacted will remain incomplete and may even raise new problems which will come in the way of good administration.

It is seen that even in states which have an adequate system of land records, the data have not been corrected for the changes which have taken place during recent years on account of the abolition of intermediary rights or the merger of new territories. The data are also defective in that they do not distinguish between cultivated and unirrigated land. The Task Force Committee noted that the existing records of rights were prepared mainly for the purpose of assessment and collection of land revenue. In judicial system which is highly biased against the poor, the absence of correct up-to-date records of rights has been used by the landlords for large scale eviction of tenants from the land actually tilled by them. The Task Force Report clearly mentions that a programme aiming at the
redistribution of income and wealth in the rural areas can't succeed unless the beneficiaries can produce evidence of their rights. No amount of legislation will help the tenants in the court unless he can produce his tenancy by written documents. This can be done only if there is reliable and up-dated record of tenancies. But the available land records are false due to either bonafide errors arising out of lack of knowledge either of facts or laws on the part of the recorder or deliberate wrong recording from malafide motives. Despite this serious situation no genuine efforts have been made by the state governments towards preparation of reliable land records.

We could not find out the actual figures of land ownership belonging to the sample villages which were selected for empirical study in the Block Basarehar of District Etawah, due to the lack of latest 61-B in the Tahaseel, Collectrate and related offices.

The 61-B, which contains the total land holding of the person in district and state, was not prepared since 1968 which is about 25 years old. After study of survey area, it was found that the lack of proper land records is not only a major impedement to implement land reform measures but also maximize the incidence of crimes and disputes on lands in rural areas of our country.
Illiteracy and Backwardness of Small Farmers and Landless Labourers -

Illiteracy and backwardness of small farmers and landless labourers in a serious problem in implementation of land reforms because they are not aware of the land reform legislation. Lack of awareness among the rural poor, tenants and share-croppers and landless labourers about their rights is important impediment in the way of effective land reform programmes implementation. Due to illiteracy the poor peasants and agricultural workers are passive, unorganised and inarticulate and they do not exercise pressure on bureaucracy and government for implementation of land reform programmes. Due to illiteracy farmers could not even write the application of complaint against related 'Karmachari' of revenue administration. They hesitate to meet the officers like D.M., S.D.O. and Tahasildars etc. Since they are not aware of their rights, they do not inform the revenue department about their 'Bataidari' and Share-cropping. Consequently, there is no security of tenure for tenants and share-croppers because they are not recorded. The record is an essential pre-condition for effective implementation of land reform measures. Without bringing the tenants and
share-croppers on records, security of tenurial rights can not be ensured. The illiteracy and backwardness of the share-croppers is the main obstacle in the way of legal fight against their evictions by the land lords because the share-croppers are unaware of the related laws and their rights.

At the time of empirical study of sample villages, it was found that the allottees, who are illiterate and backward, do not know about the land system and the map of land of gram sabha. For example, there was 54 acre distributed land in gram sabha Chitabhawan, about which the allottees know nothing such as the distributed land is situated in which side of the village- what is the category of that allotted lands and who have the illegal possession on that land which was allotted among them. This is an ample evidence which indicates that there is the lack of awareness among illiterate and backward rural poor, tenants, share-croppers and landless labourers about their rights.

The investigator compiled the data related to illiteracy of allottees by personal interviews in 1992. According to data provided in Table -I - 65.40 percent allottees belong to SC/ST and 50.24 percent allottees
belong to other castes were found illiterate. The literacy among the weaker sections of the society is very poor. The allottees, who have not possessed any land due to illegal possession of others, were found more illiterate. 80% of such allottees belong to S.C. and 65.55% belong to other castes were found to be illiterate.

**Benami Transactions of Land Transfers—**

The benami transaction of land transfers is
defined as: If the land owner transferred his land in the names of distant relatives, but such distant relatives are non-existent persons and the original land owner continues to retain the possession of this land. The benami transactions of land transfers is a basic problem of effective implementation of land reform measures, particularly the ceiling laws because the land owners try to evade the laws setting up 'benami' applicants to get the assignment. As a result, the surplus land owners have been successful to minimize the ceiling surplus land on the basis of benami transactions as transferring their lands to near relatives, friends, and farmer servants either through registered documents or through tampering of records.

In his inaugural speech, in the conference of Revenue Ministers- March 14, 1992, the Prime Minister said, "Then we have the question of benami transactions. This was brought to my notice just now, wherever land reforms have been attempted we have come to know that large tracts of land have been entered in the names of unborn sons and grandsons, dogs, cats and so on. So all kinds of things have been done in this."

"The loud talk about radical land reforms on the one hand and the time lapsed in between a
legislative proposal and its enactment and its non-implementation on the other have enabled the landlords to successfully evade the legislation and defeat the very purpose of land ceiling and redistribution of land. A countrywide spade of fictitious transfers, sales, benami transactions, partitioning of family property etc. carried out by big landlords with the intention of circumventing the ceiling legislation went on unchecked.13

The latest study titled: Land Reforms in India: An Empirical Study: 1989-90 found that - in Assam much land has been subjected to benami transfers. In the case of Bihar the ceiling provisions have been circumvented by forged or 'Benami' transactions. In its observation on Gujarat the study has noted that the usual method employed to evade the ceiling law was to transfer or show the land to be in the name of wife or another family members. In Himachal Pradesh the ceiling laws have not been all that effective. Most of the big landlords split their families and got land transferred in the names of individual family members before the legislation came into force. In Jammu & Kashmir, also in some case the ceiling limit has been circumvented by transferring land within the family.

According to the study in Karnataka a long
delay in implementing land ceiling provisions has helped the landlords to show division in their families and thus evade the ceiling limit. In M.P. the legislation on land ceiling led to malafide transfers which included transfers among holders of the same family, 'benami' transfers which were not by registered documents and were on a fake name and also some malafide transfers by registered documents.

In case of Punjab, the farmers with surplus land have not parted with this land. There have been large-scale malafide transactions in the names of sons/daughters or other near relatives of the landlords. In Rajasthan, in many cases litigation has been going on over the surplus land. Malpractices like showing minor sons as major and illegal transfers have frustrated the objective of the ceiling laws. According to the study most landlords in Tamilnadu did not disclose their lands in excess of the ceiling limit. There have been formed bogus cooperative farming societies and religious trusts with the intention of concealing surplus land. In case of U.P., in the name of religious and charitable trusts many landlord have avoided the ceiling provisions. Thus various studies referred above indicate that benami transfers completely defeat the implementation of land reform measures.
In sample survey of 25 villages in 9 Gram Sabha it was found that there was no ceiling surplus land. It was due to employment of fictitious methods like the Benami transactions by the big land owners. These big land holders transferred their land in the names of their relatives and other family members. The big land holders remain the actual land owners and the transferred lands are not under the possession of the transferees.

For example, in Gram Masanai in one case big landholder was the owner of 34 acre land but this land was transferred in the names of his two sons and afterwards the land was benami transferred to his grandsons. In the same village, in another case of big land holder who owned 21 acres land but he transferred the 7 acre land in the names of his two married sisters. In the same way in the village Chitabhawan, there was one big land owner of 50 acre land till 1980. But to evade the ceiling limit he transferred his 8 acre land in the names of his two daughters and 25 acres in the names of his 5 sons. Rest is in the name of himself. He also transferred the 8 acre land in the name of the son's of his first wife. In the same village the another big land owner who owned 50 acres land transferred to his two sons who sold the 40 acres land to other agriculturists of the village.
In village Ram Nagar of Nawali Gram Sabha, one big land owner who owned 30 acres land and he transferred his land in the names of his sons, wife and daughters. In the same village another big land owner is also the owner of 30 acre land but he transferred his land in the name of his two sons. In Gram Sabha Keshonpur Kalan similarly one big land owner who had 30 acre land under his possession. Now the entire land is in the names of his three sons. In another case it was found that in village Nawali One acre land was declared surplus and this surplus land was distributed to three poor and small peasants in 1980. But the land owner appealed in the court on the basis of benami transactions. The decision of the court was in favour of land owner.

The above mentioned instances are given to demonstrate that benami transactions are widely prevalent and these transactions defeat the very objectives of land reform programmes.

Lack of Trained Personnel :-

The correct and up-to-date land records, concerning land quality, physical location, land measurement boundary identification, number of share-croppers, land ownership and land possession are only possible if there are trained personnel. The
effective implementation of land reforms is only possible by trained administrative organisation. Therefore, there is the need of trained personnel for successful implementation of land reforms. Particularly the consolidation programme cannot be fully implemented in the absence of trained personnel, because the measurement of the land and boundary identification is a very difficult work. To determine the costs of the consolidated plots is also very crucial because there are so many differences in land qualities and some lands are irrigated and some are unirrigated. Also some lands are distant from the village and some are near. Therefore, this crucial work cannot be done in absence of trained personnel.

To search the benami transactions, ceiling surplus lands and to eliminate any feeling of uncertainty arising from delays in implementation of land reforms and to implement of the legislations and to strengthen the revenue administration, the presence of trained personnel has strategic importance. The researcher has detected many entries of transferable land in the column of non-transferable land as recorded in 'Khatauni'. While the transferable and non-transferable land have separate columns in 'Khatauni'. The non-transferable land is that land which belongs to gram sabha, Bhoodan and ceiling surplus,
allotted among the poor allottees under land reforms and this land can not be transferred in the name of others except heritage. The researcher found 15.33 acre transferable land which was included in non-transferable land due to lack of trained personnel.

Gram Sabha-wise compiled figures are given below:-

<table>
<thead>
<tr>
<th>Name of Gram Sabha</th>
<th>Area of transferable land included in non-transferable land</th>
<th>Area of land recorded in Khatauni</th>
<th>Mistakes in %</th>
<th>(Area in Acre)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shivpuri-Timarua</td>
<td>5.48</td>
<td>274.77</td>
<td>1.99</td>
<td></td>
</tr>
<tr>
<td>Masanai</td>
<td>2.30</td>
<td>151.04</td>
<td>1.52</td>
<td></td>
</tr>
<tr>
<td>Beena</td>
<td>.86</td>
<td>149.14</td>
<td>.58</td>
<td></td>
</tr>
<tr>
<td>Chitabhawan</td>
<td>.66</td>
<td>210.67</td>
<td>.31</td>
<td></td>
</tr>
<tr>
<td>Yaseen Nagar</td>
<td>No</td>
<td>20.36</td>
<td>0.00</td>
<td></td>
</tr>
<tr>
<td>Mahanepur</td>
<td>No</td>
<td>14.44</td>
<td>0.00</td>
<td></td>
</tr>
<tr>
<td>Keshonpur Kalan</td>
<td>.61</td>
<td>30.30</td>
<td>2.01</td>
<td></td>
</tr>
<tr>
<td>Nawali</td>
<td>No</td>
<td>15.80</td>
<td>0.00</td>
<td></td>
</tr>
<tr>
<td>Akbarpur</td>
<td>5.42</td>
<td>45.69</td>
<td>12.00</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>15.33</strong></td>
<td><strong>979.60</strong></td>
<td><strong>1.56</strong></td>
<td></td>
</tr>
</tbody>
</table>

The wrong entry of 15.33 acre transferable land was found in Khata of non-transferable land. There was 1.56% of total distributed land which was included in the Khata of Non-transferable land wrongly. In gram
Shivpuri Timarua this land was 5.48 acre which was more than other gram sabha.

It was also discovered during the course of survey that particulars of Scheduled Casts and Scheduled tribes, name of the village and gram sabha are not recorded this causes many problems. In case of consolidation, the researcher found some cases in which the land holders did not get the same land in quality what they owned before consolidation. It was due to not fixing the actual cost of the consolidated plots. The benami transactions could not be searched out due to the lack of trained personnel.

Problems of Effective Transfer of Land possession:

The effective transfer of land possession is an important problem in implementation of land reform measures, specially the implementation of land ceiling act. Right from declaration of ceiling surplus land to its distribution and physical possession by the allottees, there are so many loop-holes left for land owners to evade the reform measures. It is well known that the declared ceiling surplus land is mostly of poor category and some times the beneficiaries prefer to sell it. Even then, if the ceiling surplus land is fertile and distributed on paper to landless labourers, small farmers and weaker sections of the society remain unpossessed.
The following table gives some details in this regard.

**TABLE- III**

<table>
<thead>
<tr>
<th>Name of gram sabha</th>
<th>Allotted fertile land</th>
<th>Fertile area under possession</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>S.C.</td>
<td>Others</td>
</tr>
<tr>
<td>Shivpuri Timarua</td>
<td>95.79</td>
<td>118.17</td>
</tr>
<tr>
<td>Be- na</td>
<td>27.59</td>
<td>56.67</td>
</tr>
<tr>
<td>Masanai</td>
<td>8.01</td>
<td>115.47</td>
</tr>
<tr>
<td>Chitabhawan</td>
<td>7.22</td>
<td>62.97</td>
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<tr>
<td>Yaseen Nagar</td>
<td>5.28</td>
<td>8.01</td>
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<td>Mahanepur</td>
<td>No</td>
<td>0.12</td>
</tr>
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<td>Keshonpur Kalan</td>
<td>6.17</td>
<td>5.13</td>
</tr>
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<td>Nawali</td>
<td>9.20</td>
<td>2.10</td>
</tr>
<tr>
<td>Akbarpur</td>
<td>7.43</td>
<td>11.75</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>166.69</td>
<td>377.93</td>
</tr>
</tbody>
</table>

From the above table, it is clear that the possession on distributed land by the beneficiaries has not been satisfactory. It must be noted that in these villages no ceiling surplus land was found in the revenue records. The above table provides the data of distributed fertile land belonging to gram sabha and bhudan land. The investigator compiled the data related
to land possession by personal interviews and investigation and is given below:

In gram sabha Shivpuri timarua 93.79 acre and 118.17 acre gram sabha land is distributed among the SC, ST and other remaining castes respectively. The Scheduled caste allottees have the possession on 53.47 acre land or 55.82 percent of total distributed fertile land among this social group in this gram sabha. It is clear that 42.32 acre land or 44.18 percent of allotted fertile land is unpossessed by the SC allottees. While the other castes of this gram sabha have the possession on 105.92 acre land or 89.63 percent of total allotted fertile land among these caste in the same gram sabha. It shows that the possession of scheduled caste beneficiaries has not been satisfactory.

In case of Beena gram sabha, the SC beneficiaries have the possession on 98.22 percent of total fertile land allotted among this social group. The other castes have the possession on 97.18 percent of total allotted fertile land among this group. In Gram Sabha Masanai the SC have the possession on 7.01 acre land out of total allotted fertile land among these castes. While 112.50 acre fertile land is under the possession of other castes out of 115.47 acre fertile land allotted among the other castes.
In gram sabha Chitabhawan, there is very poor condition of Scheduled Caste allottees relating to the transfer of possession because the allottees belong to this social groups, have only 2.86 acre fertile land under their possession out of 7.22 acre distributed fertile land among this social group while the other caste have the possession on 76.05% among these castes; It should be clear that 4.36 acre fertile land out of 7.22 acre which is unpossessed by the SC.

In gram sabha Keshonpur Kalan 1.04 acre land out of 6.17 acre allotted land unpossessed by the scheduled castes beneficiaries. In gram sabha Mahanepur no. case was found of fertile land allottee. In gram sabha Nawali, the Scheduled Castes beneficiaries occupied 8.70 acre land out of 9.20 acre allotted fertile land among them. While the other castes allottees occupied 1.90 acre land out of 2.10 acre fertile land allotted among them. In Akbarpur gram sabha, the Scheduled castes allottees have 4.93 acre land under possession out of 7.43 acre distributed land among them. It means that the allottees belonging to Scheduled Caste have the possession on 66.35 percent of fertile land and therefore 33.66 percent of allotted fertile land is not under the possession of the allottees which is illegally occupied by other dominant persons. The allottees belong to other castes have the
possession on 88.09 percent of total allotted fertile land among them. It is clear that there is only 68.62 percent fertile land which is possessed by the Scheduled Castes while 91.08 percent fertile land possessed by other castes. It means 31.38 percent of total fertile land among the Scheduled Castes is not under the possession by them.

It is thus evident from the above account that in many cases Scheduled castes/Scheduled Tribes allottees have not been given full possession of the fertile land allotted to them.

REFERENCES

5. H.K.S. Surjeet, Land Reform in India, P.151.
7. Ibid.