

Impact of Land Reforms and Land Policies for Growth with special Reference to Assam: A Historical Study

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ABSTRACT

The present study focuses on land reforms and land policies for growth with special reference to Assam. This paper is an attempt to describe the major research carried out on land reform refers to efforts to reform the ownership and regulation of land in India. Those lands which are redistributed by the government from landholders to landless people for agriculture or special purpose is known as land reform. In the present study, the investigators decided to find out the suggestions were also made for amending the law to provide for regulation of surrenders and bringing all tenants and sub-tenants and share croppers into direct relation with the State. There is some conflict in the provisions regarding resumption of lands from share croppers in the Ceiling Act and the Adhiars Protection Act. It is observed that only through a well-designed and effectively implemented educational programme the child growth could be equipped to realise his/her inner potential and to contribute to the nation building in a meaningful way. This will help in moulding the behaviour of the present people in prospective of the needs and aspiration of future generation .Some argue that the increased allocation of resources along cannot take of the problems, as land reformed and land policies funds that are allocated for education are not being properly utilized.

Keywords: Land Reforms, Land Policies, Growth, Landholders & Adhiars.

Introduction:

In terms of North-East India, one of the basic features of its society is diversity. Diversity as a social fact always existed in the world at a large but it becomes a problem mainly when it exists in the name of gender inequality. The individual on the other hand, influences the social order and through his own individual equipment tries to bring reformed in it. This process of enforcement of social justice or order and the reforming of it through individual efforts continue in a cyclic order. The cyclic order began to be activated by an education, which was putting premium on rationalization and inculcation of the ideals of human rights, human dignity, liberty, equality and progress. According to some Scholars, the concept of Human Rights lies in the Ideology of Natural law. Philosophy developed the “Natural Law Theory” and explained the nature of Human Rights First. However, for the purpose of our study historical profile of human rights and growth in India is presented in three phases viz: middle ages, first world war and second world war analysis as follows:

India under the British Raj had witnessed a lot of such atrocious regulations that exploited the poor and helpless in many aspects. Among them, land ownership contributed significantly to preventing the socio-economic growth of the backward population. The government of independent India came up with acts and laws to establish equal rights and ownership of land, which now constitutes a crucial episode of India's economy. In the following lesson, you will come across a detailed discourse on land reforms in India after independence and their importance. The instruments that are visualized for social justice are known as Land Reforms. It is because the Land Reforms that are divided as the sharp class division which is between the rich Landowning classes and the impoverished peasants who have no security of tenure seek to do away with the exploitative relationships. It is a step that is taken against the concentration of Landholdings in the hands of non-cultivating owners or few absentees, who on the size of holdings impose the ceilings and those Landholdings can be owned by families. Mainly, the concept of redistribution of land is studied under land reforms but their scope is much wider.

In simpler terms, land reforms refer to the redistribution of lands from the rich class to the poor class. It includes operations, leasing, regulations of ownership, sales, and the inheritance of Land since Land redistribution requires legal changes. A major problem of the agrarian structure of India is land fragmentation, which hinders large-scale farming and production. This problem was solved with this regulation which permitted farmers to consolidate minor fragments of land owned by them into a singular piece of land. This enabled tenants to carry out agricultural operations in a larger field, which could be done by exchanging land or purchasing additional pieces.

Land reform refers to efforts to reform the ownership and regulation of land in India those lands which are redistributed by the government from landholders to landless people for agriculture or special purpose is known as Land Reform.

The first introduced land reform in India Jamindari: Lord Cornwallis gave birth to Zamindari system in India. He introduced this system for the first time in (1793) in West Bengal and was later adopted in other states as well. Under this system, the land was held by a person who was responsible for the payment of land revenue. The growth is evident in the form of institutional growth as well as enrolment growth of land. Land reforms would sustainable development goals is- "end poverty in all its forms everywhere, end hunger, achieve food security and improved nutrition, and promote sustainable agriculture, and ensure healthy lives and promote well-being for all at all ages" Make cities and human settlements inclusive, safe, resilient, and sustainable. Therefore, protect, restore and promote sustainable use of terrestrial eco-systems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss in India with special reference to Assam State. For this efforts will have to be made at every level and in every sphere. So, education is an instrument of change and development. Hence education plays an important role in the process of human growth development.

Accordingly the Government policies are directed towards economic and social upliftment of the hitherto neglected sections of the society so as to enable everyone to reap the benefits of Growth. There should not any discrimination and any kind of regional imbalance in respect of spread growth of education.

Let us now consider briefly the main land reform measures undertaken by the Government of India as follows-

(i). Regulation of Rent: Before 1951, from 50% to 70% of the produce was used to pay the rent. (ii). Right of Ownership (iii). Security of Tenure (iv). Compensation (v). Remission of Land Revenue (vi). Exemption.

Review of Related Literature:

The review of related literature provides the background and context of the research problems. It should establish the need for research and indicate that the writer is knowledgeable about his own area (William Wiersma, 1986). Since its independence in (1947), there has been voluntary and state-initiated or mediated land reform in several states with dual objective of efficient use of land and ensuring social justice. The most notable and successful example of land reforms are in the states of West Bengal and Kerala. Other than these state-sponsored attempts of reforming land ownership and control, there was another attempt to bring changes in the regime which achieved limited success; famously known as Bhoodan movement (2003). Some other research has shown that during the movement, in the Vidarbha region, 14% of the land records are incomplete, thus prohibiting transfer to the poor. 24% of the land promised had never actually become part of the movement. The Gramdan which arguably took place in 160,000 pockets did not legalise the process under the state laws (1969). Planning Commission, the State Government agreed in (1958) to convert annual lease holders into owners. Ceilings on Landholdings Reform referred to the legal stipulation of maximum size after which no farm household or farmer can hold any Land. By the year (1961-62) the government of all states passed the Land ceiling acts and in order to bring uniformity across states, a totally new ceiling policy was evolved in (1971). Accordingly, the following Land Reforms Acts were enacted by the Government, The Assam State Acquisition of Zamindaries Act, (1951) and Assam state acquisition of lands belonging to religious or Charitable Institutions of Public Nature Act, (1959) and the Assam fixation of ceiling on land Holdings Act, (1956).

Objectives of Land Reforms in India:

Some of the most important objectives of land reforms in India are as follows:

(i) Rational use of Resources (ii) Raising Production Level (iii) Removal of Exploitation (iv) Social Welfare (v) Planned Development (vi) Raising the Standard of Living.

Goals of Land Reform in India:

Land distribution has been part of India's state policy from the very beginning. Independent India's most revolutionary land policy was perhaps the abolition of the Zamindari system (Government of India 1961 as quoted by 1996). Land-reform policy in India had two specific Objectives: The main objectives of the present investigation are as follows:

- i). The first is to remove such impediments to increase in agricultural production as arise from the agrarian structure inherited from the past.
- ii). The second objective, which is closely related to the first, is to eliminate all elements of exploitation and social injustice within the agrarian system, to provide security for the tiller of the soil and assure equality of status and opportunity to all sections of the rural population.

There are Six main Categories of Land Reforms:

- 1). Abolition of intermediaries rent collectors under the pre-Independence land revenue system;
- 2). Tenancy regulation to improve the contractual terms including the security of tenure;
- 3). A ceiling on landholdings to redistributing surplus land to the landless;
- 4). Attempts to consolidate disparate landholdings;
- 5). Encouragement of cooperative joint farming and
- 6). Settlement and regulation of tenancy.

Origins of the Problem:

The scope of land reform measures in Assam in the ancient understanding, and was all intellectual endeavors. Land Reform denotes agrarian reforms, primarily reforms of land tenure system and re-organisation of agrarian structure in general. Agrarian reforms involve the re-organisation of the agrarian structure involving the transformation of rural life and activities. In this paper an attempt has been made to summarise the finding and also put forwarded some concrete suggestion to increase the Land reforms closely linked with land records have been on the national agenda of rural reconstruction for a long time, since independence. On the recommendation of the land reforms committee constituted in 1949 under the chairmanship of the Planning Commission stressed the importance on the land reforms, various land reform measures have been implemented during the successive Five Year Plan periods. It is land reforms included in the Ninth Schedule of the Indian Constitution as per provision of Article 31 (B), so that the various Land Reforms Acts are not challenged in the Court. In the light of the above discussion of the significant and justified of the study, the title of the study has been fixed as, "Impact of Land Reforms and Land Policies for Growth with special Reference to Assam: A Historical Study". Therefore, for deep penetration into their perception there with a temperamental change, the view that land reforms and and land policies for growth of Assam State needed to be unexplored.

Statement of the Problem:

The following is the area of research entitled is, "Impact of Land Reforms and Land Policies for Growth with special Reference to Assam: A Historical Study".

Methodology:

The method is essentially descriptive method survey type, survey research is a method of collecting response from the representative population through survey, observation, interview, etc.

Sample of the Study:

The sample of the present study will be taking from the prescriptive statement would still be descriptive. In order to make critical and comprehensive study the proposed of land reform as primary and secondary data included in this study.

Discussions and Analysis:

Discussions of various Land Reform Acts, Policies for Growth of Rules an Analysis as Follows:

1). The Assam State Acquisition of Zamindaries Act, 1951:

This Act was promulgated for acquisition of Zamindaries in the permanently settled estate of erstwhile Goalpara and Karimganj District of Assam, on payment of Compensation to the owners with a view to eliminate the intermediaries and bringing the tenants directly under the State by conferring better rights over their land.

2). The Assam Land Holding (Adoption on Relationship under Assam Land and Revenue Regulation, 1886 in the acquired Permannently Settled Estates) Act, 1974:

With the repeal of the Goalpara Tenancy Act, 1929 and consequent upon the acquisition of Zamindaries and intermediaries under the provisions of the Assam State Acquisition of Zamindaries Act, 1951, persons holding land under another in the erstwhile permanently settled areas became tenant as defined in the Assam (Temporarily Settled Areas) Tenancy Act, 1971.

3). The Assam Acquisition of Land belonging to Religious and Charitable Institution of Public Nature Act, 1959:

The Act provides for abolition of intermediaries and acquisition of surplus held by satras, maths, dargahs and such other religious and charitable institutions. The surplus lands are acquired on payment of compensation. But certain areas with building under the possession of the institutions, area for orchard and flower garden together with the compound belongings and the residential area for residential devotee are retained for them and held free of revenue.

4). The Assam (Temporarily Settled Areas) Tenancy Act, 1971:

The Act was a revolutionary one which brought about remarkable change not only for confirming the rights of the tenants over their lands but also for the elimination of intermediaries and acquisition of ownership rights by the tenants.

5). The Assam (Temporarily Settled Areas) Tenancy Rules, 1972:

The Rules were framed in order to carry out the purpose and objectives of the Assam Tenancy Act, 1971.

6). The Assam Fixation of Ceiling on Land Holdings Act, 1956 (as amended):

The Act was one of the most important and progressive act in the field of agrarian reforms in Assam. It was enacted for fixation of Ceiling on agricultural land and distribution of Surplus Land. The amendment made in 1975 reduced ceiling limit of land holding up to 50 Bighas and additional holding of maximum 4 Bighas for having orchard. No person shall be entitled to held, as owner or tenant, land for special cultivation of Tea in excess of land as has been used for special cultivation of tea and the purpose ancillary thereto on the day of commencement of the Act (Amended Act of 1970) came into force.

7). The Assam Fixation of Ceiling on Land Holdings Rules, 1957:

The Rules were framed in order to carry out the purpose and objectives of the Assam Fixation of Ceiling on Land Holdings Act, 1956 (as amended).

8). The Urban Land Ceiling Act, 1976:

A central Act for imposition of Ceiling on vacant land in urban agglomeration, for the acquisition of such land in excess of the ceiling limit and to bring about equitable distribution of land in urban agglomeration to sub-serve the common good and to regulate the construction of building on such land, was enacted. The Act was adopted by the Assam State Legislative Assembly on 15th March, 1976 and was repealed in 1999.

9). The Consolidation of Holdings Act, 1960:

The Act was intended to provide for consolidation or re-organisation of holding in any area among several tenure holders in such a way as to make the holding more compact. It was intended for prevention of fragmentation of agricultural holdings and for augmenting agricultural productivity.

10). The Assam Gramdan Act, 1961 and the Assam Bhoodan Act, 1965:

The Acts aim at facilitating donation of land as Gramdan and Bhoodan in pursuance of the movement initiated by Acharya Binova Bhave and a simplified legal procedure for transfer and management of land in Gramdan Villages. The objectives of the Acts are:-

(a). Redistribution of lands donated by the land holders to the landless people in case of Bhoodan.

(b). All round development in the Gramdan Villages under the ares of Gram Sabhas.

Rural House Site Scheme.

(c). The Karbi Anglong District in Assam (Land Reforms) Act, 1979. An Act to provide for regulation and control of use of agricultural land owned by the settlement holder in the district of Karbi Anglong.

(d). The Karbi Anglong District Land Reforms Rules, 1981. The rules are framed for the purpose of carrying out the different provisions under the different sections of the Karbi Anglong in Assam (Land Reforms) Act, 1979.

A Review by the Committee on Implementation of Land Reforms in Assam:

Assam consists of several districts are inhabited by tribal people and governed through Autonomous District Councils. The land reform laws are not applicable to the tribal areas. Permanently settled Zamindaris in Goalpara district and Karimganj sub-division of Cachhar district were abolished in 1956. Abolition of religious and charitable inams in the temporarily settled areas is in progress. Large areas are held from Government on annual leases. On the suggestions of the Planning Commission, the State Government agreed in 1958 to convert annual lease holders into owners. Though much progress has been made in that direction, 18 lakh acres are still held on annual leases. In the temporarily settled districts substantial areas are held by occupancy tenants under private owners. Legislation has yet to be enacted to bring them into direct relation with the State. Large areas are cultivated through tenants-at-will, called under-raiyats, and share-croppers called Adhiars, mostly by the latter. According to the 1961 Census 37% cultivators were either tenant-cultivators or part-owner-part-tenant-cultivators. Under the law the rent or the crop share is not to exceed one-fourth or one-fifth of the gross produce. Under the ceiling Act, which fixed the time limit on resumption no ejections could take place after February, 1963. There is no provision, however, for the regulation of voluntary surrenders or for converting tenants of non-resemble lands into owners. Legislation has been enacted for fixation of ceiling on future acquisition as well as existing holdings at 50 acres.

A provision has been made that no Benami transfer made after (November 12, 1955) shall be taken into account in determining the ceiling limit. The State of implementation of the law was examined by the Joint Secretary in his report of 1965. In practice, the share-croppers do not enjoy much security of tenure. They have to give up possession of land when the landlord wants it back. Regulation of rent is also ineffective and, by and large, the share cropper pays half the produce. In districts where settlement operations are in hand instructions have been issued for recording tenants, sub-tenants and share croppers. The circle of operation of a Board is too large; the adhiars; were not adequately represented and members of the Board were generally ignorant of the law. It was estimated that an area of 1.36 lakh acres would be available as a result of imposition of ceiling. So far 34,000 acres have been declared as surplus lands which are mostly in the occupation of tenants and share croppers.

It is evident from above that the major component of land reforms have been the abolition of intermediary tenures, tenancy reforms, conferment of Ownership Right upon the Tenant, acquisition distribution of Ceiling Surplus Land, distribution of Govt. Waste Land under M.N.P. House site

scheme, receipt and distribution of Bhoodan land, amalgamation on consolidation of land holding scheme.

Conclusion:

It has been realized by all that the role of Land Reforms and Land Policies for Growth in every aspects of nation building is most crucial. Suggestions were also made for amending the law to provide for regulation of surrenders and bringing all tenants and sub-tenants and share croppers into direct relation with the State. State Government may also allow more lands to be held for ancillary purposes like areas needed for rotational plantation, seedbari, nurseries, dispensaries, playground etc. and for bamboo Baries (but not exceeding 50 Bighas). The aim of the Scheme was to provide house sites to the poorer section of people below poverty line belonging to rural landless workers who have no house sites of their own. The land allotted per family is from 1 or 2 to 1 Bigha. The financial assistance given under this Scheme is Rs.2,500 per family per site for construction and development) at present, but it depends on Government's decision.

Efforts are also needed to bridge the gap between the rural & urban areas in terms of growth in higher education. In order to achieve the objectives of inclusive growth in higher education, efforts should be made to increase gross enrolment ratio among the disadvantaged groups, notably the Muslims and Scheduled Tribes. As such, the Government should provide additional facilities to the marginalizes sections of the society. There is some conflict in the provisions regarding resumption of lands from share croppers in the Ceiling Act and the Adhiars Protection Act. The time limit for resumption prescribed in the Ceiling Act has expired but under the Adhiars Protection Act, the right of resumption appears to be a continuing right. To remove this conflict, a clear provision for conferment of permanent and heritable rights on all share croppers is necessary.

In conclusion we may say that, land reform rights those rights which are universal for every individual and which is entitled to enjoy by virtue of any other consideration. The State Government has observed that before undertaking an amendment of the law, the provisions regarding share croppers in other State laws are being examined. Meanwhile it is proposed to ensure more effective representation of Adhiars on the Conciliation Boards. Deputy Commissioners have been requested to expedite the implementation of the ceiling law. Appointment of a special officer to watch the progress of land reform is under consideration. Steps are being taken to ensure wide publicity of land reforms laws. From the above mentioned views, it become clear that human rights are part and parcel of human life. We must give due respect to land rights and political structure of democracy and should always strive to adopt policies that are in the spirit of these notions. Therefore, state administrations have actually carried out the most extensive land, tenancy and agrarian labour wage reforms in the non-socialist late-industrialising world. Another successful land reform program was launched in Jammu and Kashmir after 1947. All in all, land reforms have been successful only in pockets of the country, as people have often found loopholes in the laws that set limits on the maximum area of land that is allowed to be held by any one person.

Lastly but not the least, keeping in view the above obstacles the following suggestions are forwarded to increase the extent land reforms and land policies for growth with special reference to Assam. The focus in this issue is on putting education in policies building on the national agenda. Suggestions were made in the report for reconstituting Conciliation Boards to make them more effective, expediting preparation and revision of records of tenants and giving the record a presumptive evidence value, giving publicity to the provisions of the law and for accelerating implementation of ceilings. India has enacted perhaps more land reform legislation than any other country in the world; it has not succeeded in changing in any essentials the power pattern, the deep economic disparities, nor the traditional hierarchical nature of intergroup relationships which govern the economic life of village society.

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