

[*Translation*]**Implementation of Land Ceiling Act**

3947. SHRI MOOL CHAND DAGA: Will the Minister of AGRICULTURE AND RURAL DEVELOPMENT be pleased to state :

(a) whether it is a fact that due to some lacuna in or misinterpretation of Land Ceiling Act, the objectives of this Act have not been achieved in many States as big farmers, ex-rulers and landlords have grabbed lands as a result of which the small and marginal farmers and Scheduled Castes and Scheduled Tribes people who are the actual tillers of land have

been deprived of ownership right in many villages; and

(b) whether Government propose to constitute a Committee to inquire into the above circumstances so that the land grabbed illegally or due to lacuna in the laws could be taken back and if not, the reasons therefore ?

THE MINISTER OF STATE IN THE DEPARTMENT OF RURAL DEVELOPMENT (SHRI CHANDULAL CHANDRAKAR) : (a) and (b). Table below presents the operational holdings structure in 1970-71 and 1980-81 as it has emerged from the Agriculture Census.

Category & size of the holdings	No of operational holdings (Million)		Area operated (million hectares)	
	1970-71	1980-81	1970-71	1980-81
(i) Marginal (below one ha)	36.20 (50%)	50.52 (56.5%)	14.56 (9%)	19.80 (12.2%)
(ii) Small (1-2 ha)	13.43 (18.9%)	16.08 (18.0%)	19.28 (11.9%)	22.96 (14.1%)
Total (i) & (ii) upto 2 hectares.	49.63 (68.9%)	66.60 (74.5%)	33.84 (20.9%)	42.76 (26.3%)
Large (10 ha. & above)	2.77 (3.9%)	2.15 (2.4%)	50.06 (30.9%)	37.13 (22.8%)

Thus the number of holdings upto 2 ha. have increased from 49.63 millions to 66.6 millions and area operated by them has increased from 33.84 million hectares to 42.76 million hectares. While the number of large holdings has come down from 2.77 million to 2.15 million but the area operated under them has come down from 50.06 million hectares to 37.13 millions hectares. Thus there has been a re-distribution of holdings in favour of small and marginal holders.

There is no proposal to constitute a committee as the matter is getting reviewed through periodical conferences of State Revenue Ministers and Secretaries. The implementation of land ceiling laws was discussed in a recent conference of State Revenue Ministers and the following consensus which emerged has been com-

municated to the States for taking necessary action :—

- (a) The implementation of existing ceiling laws, pre-revised and revised both should be monitored vigorously by the States UTs.
- (b) An analysis of the gaps between the estimated surplus and declared surplus, between declared surplus and area taken possession of and between area taken possession of and area distributed requires to be done for taking remedial action.
- (c) Disposal of returns, cases pending in various courts, including the remanded and re-opened ones, taken possession of area, declared surplus and its distribution fol-

lowed by prompt mutations, issue of certificates, pattas, physical demarcation on spot and handing over possession etc. need special attention.

- (d) Creation of tribunals under article 323(b) of the Constitution and/or creation of Special Courts/Benches in High Courts in consultation with the concerned High Courts for quick disposal of ceiling cases may be considered.
- (e) States may ensure that post of officials revenue as well as judicial concerned with the disposal of ceiling cases do not remain vacant.
- (f) A campaign to detect cases to evasion and avoidance of ceiling law should be taken up seriously. Review of the existing legislation may be undertaken to plug any possible loopholes.
- (g) Vigorous action to investigate and determine the types of banami-transfers and the circumvention of law has to be followed by concrete remedial measures, legislative and otherwise, as may be necessary.
- (h) Steps have to be taken to ensure that classification of land under the ceiling law and as in land records are similar.
- (i) Review of application of the ceiling laws in newly irrigated areas, irrigated by projects and schemes financed by public exchequer should be taken up to subject them to the appropriate ceiling.
- (j) Lowering of the ceiling limit and inclusion of major sons in the definition of the family may be considered by the States. The major sons may be taken as members of the family for the computation of the ceiling of land holdings of their parents as on 24.1.1971. In modification of the present provision in the natio-

nal guidelines for giving to each of major sons and entitlement to a separate family unit of ceiling.

- (k) A revision of ceiling limit may be considered. For a family of 5 members a ceiling limit of 5 hectares for the best category of land with assured irrigation and capable of raising atleast 2 crops a year, 7.5 hectares for next category of land with assured irrigation for atleast one crop a year and 12 hectares for other lands may be considered.
- (l) States may also consider bringing land with religious and charitable institutions within the purview of land ceiling laws.
- (m) Provisions should be made for taking over that part of the surplus land which is not in litigation.
- (n) Legislative proposals wherever not existing may be made for barring the lawyers from representing parties in the land ceiling cases.
- (o) A scrutiny needs to be done by the States to ensure whether the surplus land said to be unfit for cultivation was really so.

[English]

#### Release of Imported Vegetable Oil to States

3948. DR. G. VIJAYA RAMA RAO : Will the Minister of FOOD AND CIVIL SUPPLIES be pleased to state :

(a) whether all vegetable oil (commercial imports or gifts) is being distributed and released to States/Union territories by the Centre and if not, the reasons thereof (Business Standard dated 28 June, 1985);

(b) whether any quality check is being kept by the Centre on all imported vegetable oils (commercial or gifts) on receipt