

[Shri Datar]

Conduct of Business in Lok Sabha in its application to the motion for reference of the Manipur Land Revenue and Land Reforms Bill, 1959, to a Joint Committee of the Houses be suspended."

Sir, I have pointed out, when I moved a similar motion in connection with the Tripura Land Revenue and Land Reforms Bill, that it would be in the interests of the people at large and it would be better, for the purpose of meeting the provisions of this Bill, that the matter be referred to a Joint Committee. According to the rules such a matter has to be taken up here, but it is open to the House to suspend the provisions of Rule 74. That is the reason why the House accepted a similar motion regarding the Tripura Land Revenue and Land Reforms Bill. I am making the same motion regarding the Manipur Bill.

Mr. Speaker: What is it that he wants, I have not been able to follow?

Shri D. C. Sharma (Gurdaspur): Sir, the Rules of the House are sacrosanct. Why should the hon. Home Minister come up every time for suspension of a Rule?

Shri Datar: It is in the interest of the hon. Members, because the Joint Committee will be considering all the points contained in the Bill.

Dr. M. S. Aney (Nagpur): Are you referring it to the same Joint Committee?

Shri Datar: I shall explain that the provisions are more or less the same.

Mr. Speaker: Order, order. I have understood the position. Under the Rules, no financial Bill can be referred to a Joint Committee of both the Houses. The hon. Minister wants suspension of this Rule. It is not the money question that is so much important here as the various other provisions relating to land reforms, survey, land revenue, divisions, ceilings etc. Therefore, this question of finance

is only incidental. We have been suspending this Rule so as to enable a Joint Committee of both the Houses to consider similar matters on previous occasions. I shall now put the motion to the vote of the House. The question is:

"That the first proviso to Rule 74 of the Rules of procedure and Conduct of Business in Lok Sabha in its application to the motion for reference of the Manipur Land Revenue and Land Reforms Bill, 1959, to a Joint Committee of the Houses be suspended."

The motion was adopted.

13.07 hrs.

MANIPUR LAND REVENUE AND LAND REFORMS BILL

The Minister of State in the Ministry of Home Affairs (Shri Datar):
Sir, I beg to move:

"That the Bill to consolidate and amend the law relating to land revenue in the Union territory of Manipur and to provide for certain measures of land reform be referred to a Joint Committee of the Houses consisting of 30 members; 20 from this House, namely:—

Shri Bangshi Thakur, Shri Rungnung Suisa, Shri Dharanidhar Basumatari, Shri Etikala Madhusudan Rao, Shri Ghanshyamlal Oza, Shri Bibhuti Mishra, Major Raja Bahadur Birndra Bahadur Singh, Shri M. Gulam Mohideen, Shri Shobha Ram, Shri Raja Ram Misra, Shri J. B. S. Bist, Shri N. B. Maiti, Shri H. Siddananappa, Shri Dasaratha Deb, Shri Laisram Achaw Singh, Shri Pramathanath Banerjee, Shri Tridib Kumar Chaudhuri, Shri Ram Chandra Majhi, Shri Bijaya Chandrasingh Proddhan, and the mover

and 10 members from Rajya Sabha;

that in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the total number of members of the Joint Committee;

that the Committee shall make a report to this House by the first day of the next session;

that in other respects of the Rules of Procedure of this House relating to Parliamentary Committees will apply with such variations and modifications as the Speaker may make; and

that this House recommends to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of members to be appointed by Rajya Sabha to the Joint Committee."

Sir, so far as the provisions of this Bill are concerned my task is considerably lightened because a number of provisions are almost of the same nature. In the first place, as in the Tripura Land Revenue and Land Reforms Bill, we have the provisions for a perfect and modern land revenue administration. There are two parts. In Part II, we have dealt with the same provisions that have been included in the Tripura Land Revenue and Land Reforms Bill. There were different measures and they were not of a uniform nature, and so provisions have been made to have uniform legislation. The House is aware that Manipur, like Tripura, was one of the several princely States, and they had certain rules which required to be brought up-to-date. The whole question had to be considered because we were anxious to introduce land reforms of a substantial nature and in both these territories. Therefore, it was considered advisable that both in Tripura and Manipur there ought to be a complete and efficient land revenue administration system. That is the reason why similar provisions have been made in this Bill also. I am confident that the House will agree that the points that have been made

and the provision that have been incorporated in this Part of the Bill are of the same nature, with some modifications required by local conditions, as those in the Tripura Bill and are also similar to those in the Bombay and Madhya Pradesh land revenue codes. As I pointed out just now, the land revenue system has to be quite up-to-date, and the land revenue jurisdiction, and the number of questions relating to the rights between the parties *inter se* and the parties and the Government have to be decided. Land has to be properly measured; a survey has to be carried out and the land has to be settled with respect to the proper holders. Questions such as the proper persons who are entitled to own the land and those who are to exercise certain rights like mortgage, etc., have to be decided.

May I point out that according to the modern system, if the land revenue administration and settlement is quite competent, it would be easy for Government to carry on the work so far as land is concerned. It would also be open to the people to understand who is the owner of the land, and if it is a private land, what are the rights vested in the owner and what are the rights vesting in others, etc. Again, proper maps will have to be drawn as regards the lands and boundaries will have to be fixed. As I have stated oftentimes, it is necessary to take further steps for the purpose of finding out the land revenue to be paid to Government by the person in possession of the land, and proper assessment has to be made in this regard. Then, certain matters like the recovery of land revenue have also to be decided. Whenever land revenue is not recovered, or when there are similar circumstances when land revenue is not paid, the property will have to be brought to sale or auctioned. Such sales will have to be provided for. That is the reason why in this Bill also similar provisions have been laid down.

Now, the task of providing for land revenue, etc., is to a certain extent lighter in the case of this Bill than in the case of Tripura. In the case

[Shri Datar]

of Tripura, as I had pointed out, there was a large class of intermediaries who had to be abolished. Fortunately, in this case, we have no intermediaries as such. We have a common system known as ryotwari system in the whole of India and certain rights have been fixed. Though the area, in this case, under cultivation is not so large, a proper provision has to be made. The area under cultivation is not very large in Manipur. Paddy is the principal crop, but to the extent that there is such a land, it has to be very properly provided for. That is the reason why land revenue administration has to be introduced in these areas, especially when there are hilly areas as well as valley areas. Proper provision has to be made in respect of both these areas. That has also been provided for in the earlier part of the Bill.

So far as the question of survey and settlement is concerned, as in the case of Tripura it has to be dealt with and survey and settlement has to be carried out as early as possible and in an efficient manner. As I have already pointed out in the case of Tripura, the work has already been undertaken there. Similarly, in the case of Manipur, Government have undertaken a seven-year programme at a cost of Rs. 27 lakhs. The period is from 1958 to the end of 1966. This work is proceeding fast and it is necessary that it ought to be finished soon so that the other reforms also can be simultaneously, and on as wide a scale as possible, introduced in the territory of Manipur.

Then we have got the ordinary class of landowners known as pattadars and they rent the land to tenants-at-will. It is necessary to make proper arrangements so far as the rights of these persons are concerned. That is the reason why in this particular case the Government thought it necessary to undertake a long-term measure of land reforms, and in undertaking it, what they did was the stay of eject-

ments as on 6th March, 1956. Before the present Bill was introduced, they had introduced certain other pieces of legislation, one from Madras and the other from Bombay. When the South Kanara Act from Madras was applied to this State, and when it was later found that the Vidarbha Act from Bombay would be of a more beneficial nature, the latter measure was adopted here. The date of stay of ejectment is an important date that has to be taken into account.

So far as the rights of owners are concerned, naturally the owners will be given full rights of ownership; their rights would be permanent and heritable and the lands can also be transferred. In this measure also, the principles to which I made a reference when dealing with Tripura have been introduced. The question of personal cultivation has also been taken into consideration, because, unless the land is confined to those who carry on personal cultivation, excess land will not be available at all. A limit has been placed so far as personal cultivation is concerned in respect of all persons except in the case of those who are known as disabled persons. I have made a reference to the definition of this class of persons while dealing with the Tripura Bill, and we are having the same definition in this Bill also.

As regards basic holding, it was not necessary in this Bill to lay down what is known as a standard acre. Here, we have stated that the basic holding should be 2.5 acres. This is more or less common in Manipur. It is not necessary to have any variants in order to fix a standard acre as such. The family holding has been fixed at 7.5 acres. So far as transfers of land after 6-3-1956 are concerned, they will not be valid, because the people had been informed that the Government wanted to carry out land reforms; and therefore, if any section of the people wanted to take advantage and wanted to by-pass this, then naturally a check ought to be placed. That is

the reason why it has been stated that any transfers after this date are to be disregarded so far as the purposes of the present Bill are concerned.

Then I may also point out that it will be open to a landlord to let his land provided he gives certain substantial rights under the law to his tenants. That is also made clear in the Bill. He can resume only what is essential for personal cultivation and the limits on such personal cultivation have also been laid down.

Mr. Speaker: We have had an elaborate discussion on these matters regarding the other Bill. This Bill seems to follow the other Bill. Therefore, instead of referring once again to those provisions which have already been made on a par with the other Bill, I may suggest to the hon. Minister that he need only refer to those points where this Bill differs from the other Bill.

Shri Datar: Yes; I am merely pointing out the principles of rent,—

Mr. Speaker: What is the holding here?

Shri Datar: As I said just now, the basic holding is 2.5 acres. In the other Bill it was different; it was two standard acres, because the holding had to be considered according to the nature of the land, hill or slope, etc. Here, the actual acres are to be taken into account because that is found to be more suitable.

Mr. Speaker: What is the ceiling here?

Shri Datar: 25 acres. That is the same. So far as the rents are concerned, the principles are the same.

Shri Panigrahi: 25 acres for a family of five.

Mr. Speaker: Is there no difference between wet lands and dry lands?

Shri Datar: There was some difference in Tripura land, but here it was found that it would be better to treat all the lands alike.

Sardar Hukum Singh (Bhatinda): A standard acre takes into account the income from the land. A unit of land that gives a certain amount of income is considered to be a standard acre. So, whether the land is wet or dry, all these things are considered when the area is put down as a standard acre.

Shri Datar: As the Deputy-Speaker has rightly pointed out, the different lands in different areas were to be taken into account in Tripura and so it was necessary to lay down a standard acre, as in the case of Delhi. But in regard to Manipur, it was found that it was not necessary at all.

Mr. Speaker: This seems to be somewhat different. In Tripura, the definition of standard acre is, one acre of 'lunga' or 'nal' or two acres of 'tilla' land.

Shri Datar: That is what I explained yesterday.

Sardar Hukum Singh: Two acres of dry land are equal to one acre of wet land.

Shri Ranga (Tenali): So far as Manipur is concerned, there is no distinction.

Shri Datar: There some distinction had to be made between 'lunga' or 'nal' on the one hand and 'tilla' on the other. 'Tilla' lands are highlands and so, 2 acres are considered as a standard acre. In respect of others, it was considered that one acre would be sufficient.

Mr. Speaker: So, the maximum is 50 acres of dry land or 25 acres of wet land.

Shri Ranga: That is in regard to Tripura; in regard to Manipur, there is no difference. It is an ordinary acre of land.

Shri Datar: In this case no distinction is necessary.

As you have rightly pointed out, I need not go over all the points again. For the purpose of economy of effort, because the same ground has to be gone over to a large extent, I have proposed for the Joint Committee for the Manipur Bill the same personnel as in the Joint Committee for the Tripura Bill. So, though technically there are two committees, they are really one and they will cover the whole ground.

Sir, I move that the Bill be referred to the Joint Committee.

Mr. Speaker: Motion moved:

"That the Bill to consolidate and amend the law relating to land revenue in the Union territory of Manipur and to provide for certain measures of land reform be referred to a Joint Committee of the Houses consisting of 30 members; 20 from this House, namely,—Shri Bangshi Thakur, Shri Rungsung Suisa, Shri Dhara-nidhar Basumatari, Shri Etikala Madhusudan Rao, Shri Ghan-shyamal Oza, Shri Bibhuti Mishra, Major Raja Bahadur Birendra Bahadur Singh, Shri M. Gulam Mohideen, Shri Shobha Ram, Shri Raja Ram Misra, Shri J. B. S. Bist, Shri N. B. Maiti, Shri H. Sidda-nanjappa, Shri Dasaratha Deb, Shri Laisram Achaw Singh, Shri Pramathanath Banerjee, Shri Tridib Kumar Chaudhuri, Shri Ram Chandra Majhi, Shri Bijaya Chandrasingh Prodhan; and Shri B. N. Datar and 10 members from Rajya Sabha;

that in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the total number of members of the Joint Committee;

that the Committee shall make a report to this House by the first day of the next session;

that in other respects the Rules of Procedure of this House relating to Parliamentary Committees will apply with such variations and modifications as the Speaker may make; and

that this House recommends to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of members to be appointed by Rajya Sabha to the Joint Committee."

There is a motion for circulation, but Shri Naldurgker is not here. Hon. Members who have spoken on the other Bill will wait; I will first give opportunities to those who have not spoken on the other Bill and who want to speak on this Bill. Let them stand up in their seats. I find five hon. Members rising. Shri Ranga is the only person who has spoken on that Bill and who wants to speak on this Bill also. So, in all there are six hon. Members.

Shri Radha Raman (Chandru Chowk): What is the time allotted for this?

Mr. Speaker: No time has been allotted. Let us have two hours. Let hon. Members refer only to those points of difference between this Bill and the other Bill, unless they think that there is any special point which has to be emphasised. Shri Achaw Singh.

Shri L. Achaw Singh (Inner Manipur): Sir, this legislation is a very important one concerning the agriculturists and the peasantry in Manipur. This is the first time such a legislation has been brought before this House. The passing of this Bill, I am sure, will be a landmark in the history of Manipur. We of the Socialist Party of Manipur have long felt that such a legislation was long overdue. We had no legislature in Manipur, but in every State in India, legislations have been passed regarding land reforms. In the Union Territory of Manipur,

several Acts from Assam, Madras and Bombay have been extended from time to time, but most of these Acts have been found unsuited to the local conditions here. So, we welcome this Bill and we congratulate the hon. Minister on introducing this Bill. It should be appreciated that the insecurity as a result of delay in the introduction of such measures has created some instability in the rural economy and it has also adversely affected the agricultural production in that part of the country.

13.27 hrs.

[MR. DEPUTY-SPEAKER in the Chair.]

I would like to make a few observations regarding the tenancy system and the state of agriculture. Out of 8,638 square miles—the total area of the Union Territory—7,950 square miles are hills inhabited by the tribal people. They practise shifting cultivation or *jhooming* cultivation. This area has never been surveyed and it will not be surveyed in future also because it is a very difficult terrain and the legislation is not also going to be introduced so soon in these parts. The valley portion comprises 688 square miles or 4,40,320 acres. Out of this, 2,75,000 acres are under cultivation. Now 75,000 acres are available for cultivation, which are wastelands. The valley portion is situated in the centre surrounded by hills on all sides and the silt deposits brought down by the streams from the hills create a very favourable soil for cultivation. So, they have bumper crops in the valley.

The average yield of rice is 2,500 lbs. per acre. According to the 1951 census, the population of Manipur is 5,77,635 and 90 per cent of the people depend on agriculture. There is no industry there and most of them have to depend on agriculture for their livelihood. They live on rice, which is the main produce. So, the pressure on land is very heavy there and only a little land is available for cultivation and for distribution to the landless agriculturists here.

A number of proposals have been incorporated in this Bill, but I find many of them do not suit the local conditions here. They might be good for all-India purposes. They have, of course, been recommended by the Planning Commission, but some of them—I do not say all—are very much unsuited to the local conditions there.

It was suggested by some hon. Members here during the discussion on the Tripura Bill that a comprehensive legislation for all the Union territories would serve the purpose. I disagree from that view, because conditions differ from Union territory to Union territory as conditions differ from State to State. So, I welcome the introduction of a separate Bill.

The tenancy right in Manipur was governed by customs and usages which were prevailing there during the Maharajah's regime, and he used to frame rules regarding revenue administration, regulation of rent and other matters relating to land. In 1950 the Assam Land Revenue Regulation was extended to the Union territory of Manipur just after its integration. We have found from our experience that is not suitable for Manipur, though we find that many of the provisions of that Act are incorporated in this Bill.

Many of the provisions in this Bill are based on presumptions and inadequate data. The valley area has not been cadastrally surveyed, the revenue records do not show the names of the tenants or persons in possession of those lands, and the rent payable by those tenants. According to one estimate the tenants cultivate about 60 per cent of the cultivable area. There are no accurate statistics regarding the holdings. The census figures are also very much misleading. I wonder how the figures for payment of compensation have been arrived at. A sum of Rs. 5,40,000 is to be paid as compensation for lands to be taken over by Government. Even on this basis, the land to be distributed is only 30,000

[Shri L. Achaw Singh]

acres. So, the reform measure or planning in the matter of lands, as in other fields, is very much unrelated to the facts and we have to grope in the dark regarding facts, figures and data. The number of landless agriculturists, owner-cultivators, landlords owning lands above the ceiling limit, cultivable waste land, forests and fisheries, they are not accurately known to any one.

Due to the pressure of population, land hunger is very strong and there is no land fit for cultivation. It is a very difficult task to satisfy the land hunger. I am sure the basic principles of land reforms in India are social justice and efficiency in agricultural production. As a princely State, the feudal system prevails in Manipur and though a ceiling limit of 25 acres has been fixed by the Maharajah, the rule has not been observed properly. It was rather observed in its breach, and concentration of holdings in a few hands still prevails. The money-lenders and land owners have been purchasing lands from poor peasants and distress sales have been going on. So, the number of landless agriculturists has increased. Then again, the depression in agricultural prices during the last few years in the Union territory of Manipur has impoverished them.

I do not know how this Bill will render them effective relief. But I feel that it will go a long way towards the achievement of the above objectives. I am, however, afraid that some of the provisions of the Bill, including the one relating to the resumption rights by the owners, will work against the real peasants, who are landless tenants. They may be practically robbed of their cultivated area.

Chapter XI deals with ceilings on land holdings. This is a very controversial section. Here the land ceiling is fixed at 25 acres for a family of five members or less. The maximum family holding has been fixed at 20 acres. These figures may suit

other States in India but I do not think this is proper or reasonable for Manipur. As I have stated on several occasions, the net return per acre there is as high as 2,524 lbs. on the average, whereas it is very low in other parts of India. We are now practising extensive methods, where there is scope for further production. If we practise intensive cultivation, the production will increase still further. So, the economic holding for such a family must be fixed at a lower limit for Manipur. It may be possible to fix it at about 12½ acres, and that will enable the owner to maintain a reasonable standard of living. From the point of view of promoting social justice also, I feel that the ceiling should be lowered down. In that case, some excess land would be available for distribution among the landless agriculturists.

As I have stated, only 30,000 acres are available and that can benefit only 14,000 families, because the permissible limit of family holding has been fixed at 7.5 acres. I hope the Joint Committee will look into this aspect of the problem, with particular reference to the conditions prevailing in Manipur.

Then, the exemptions provided in clause 153 of the Bill are very impracticable. I feel that this will create unnecessary trouble. I am told these are the recommendations of the Planning Commission, and they have been bodily brought into the Bill. I do not think that this would be of any use, because there are no tea plantations, coffee plantations or rubber plantations or sugar growing areas there. I am of the opinion that this should be removed. I am afraid, these exemption clauses will only encourage the landed interests to reserve more and more lands from the operation of the ceilings. If this provision is there, I feel that this legislation will not be so effective and it will not fulfil the purpose for which we have brought it here.

Sub-clause (2) of clause 142 says that any land transferred after the 15th of January, 1959 will be not be taken into account in determining the ceiling limit. Different dates have been fixed for determination of the excess limit, ceiling limit and so on. I do not understand why these dates are different. It is very unjust because it will definitely work against the agriculturists. Since 1950 or so, after the integration and after land reforms like the Assam Land Revenue Manual, the Vidharbha Act and the South Kanara Act have been introduced, the land-owners have felt that some ceiling will be fixed, and in anticipation of fixation of such ceilings they have started transferring their lands to their friends and relatives. For the determination of excess of land, for ceiling on land and also the permissible limit for resumption, the same formula should be used; in other words, it should be the same for all three. Also, I feel that we should give retrospective effect to it from January 1950. Anyhow, it is up to the Joint Committee to consider it.

According to customs we have in Manipur lands which belong to village deities. We have also lands which are devoted to individual deities. Then, there are hundreds and hundreds of acres of land which belong to the Govindji temple. I do not know whether the ceiling limit would apply to those lands. I do not find any provision in the Bill for that. I think we should make some provision for that in the Bill.

Then I beg to submit another thing. After the ceiling limit has been fixed at such a level, I feel that the owners will start eviction of their tenants.

The permissible limit for personal cultivation has been fixed at 7.5 acres. That is too high. Before this Bill is passed, they may start mass eviction. I am told in Bengal when the Land Reforms Act was introduced, it just synchronised with the landlords trying for mass eviction of share crop-

pers and leaseholders. The theory is, of course, very nice because land holdings are fixed and holdings are dispersed, but in practice we find that the ceiling which has been fixed for eviction may lead, I am afraid, to mass expropriation of the peasantry.

Evictions have already started in many places in Manipur. The landlords knew beforehand that some such legislation would be coming. I feel that we should have some clause in this Bill, specially in Chapter X, regarding the right of tenants. I submit that a provision should be added whereby all those tenants who have been in actual possession of their lands for the last twelve years should be given the right to own or purchase their land on the payment of compensation money provided for in this Bill. Otherwise, it will be very deleterious to their interests. The Tenancy Acts extended to Manipur from time to time, that is, the Bombay and Madras Acts, have not been so effective. That is why I am very much afraid that the passing of this Act even will not affect much the interests of these tenants.

As regards personal cultivation I may submit that the definition in clause 2(p) (iii) also includes—

“by servants or by hired labour on wages payable in cash or in kind but not as a share of produce under his personal supervision or the personal supervision of any member of his family;”

I feel that this is very unjust. In the case of disabled people, of course, we may allow in special cases cultivation by hired labour. But then to have this clause would be very much harmful to the interests of the peasants and will work against them. So I suggest that some amendment should be made in this sub-clause.

In clause 110, sub-clause (1), which provides for the procedure for dealing with lands left uncultivated by the land owner, I would also like some amendment to be made because they

{Shri L. Achaw Singh}

are poor peasants and poor land owners who may not be able to cultivate the land even for two years. In that case the Government should make provision for granting them financial assistance and on no ground they should be evicted from the land. For the proper utilisation of the land Government should come forward and some credit should be given to them.

Clause 122 provides for the conditions and procedure for eviction of a tenant from land held by him as a tenant and clause 128 also provides other conditions for determination of tenancy. These conditions are very vague. They are also too numerous. Formerly, no eviction took place even if one did not pay any rent for some reasonable period. But after the passing of this Bill, on the slightest pretext eviction might take place. Of course the period provided for is three months and then again another six months. But then I submit that, in fairness to the tenants also, there may be circumstances by which they may not be able to clear the rent arrear for that year. So, in such cases a provision should be made so that the tenant may be allowed to pay arrears during the next harvest season and to retain the land.

I now come to the last item, namely, land revenue administration in the Union territory. It is very unfortunate that the land revenue administration there is far from our satisfaction. The state of affairs there is rather scandalous. A revenue officer can do everything. When he goes to the village, he is a terror to the villagers. He can manipulate records. In the case of mutations, partitions, new lands and other land matters it takes some months and sometimes years for disposal. I have my own experience in these matters. Sometimes deliberate attempts are made by the revenue officers including Amins to delay partitions, mutations and things like that. I am sure the House would know the meaning. There

is corruption. There is red-tapism. There is miscarriage of justice. The Bill, of course, provides for land revenue administration for the Territory. But this is not new. As the hon. Minister has pointed out to us, this is a provision which used to exist in the Assam Land Revenue Act. I do not think much would be done by providing all these things. I feel, of course, that the land revenue administration should be thoroughly overhauled so that we can have all these reforms carried out in an impartial manner.

There are some welcome clauses too. Those are about settlement operations which are being carried on and the preparation of record of rights. When the settlement operations are over and when the records of rights are being prepared, then of course I feel that most of this corruption and defects in the land revenue administration would be over. But I feel that these settlement operations do not make so much progress and are not so fast as we expect them to be. No principles have been laid down for the classification of lands. There is a proposal for the revision of the revenue rates

Clause 33, which lays down some abstract principles, I feel should be amended. These are all abstract principles and it will give wide discretion to the settlement officers to vary the rates. I feel that we should fix some minimum and maximum. The land revenue rate there is about Rs. 9/- per *pari*—that is about 2½ acres—and the maximum should be fixed at Rs. 9/- for agricultural lands and for non-agricultural lands some different rate may be fixed. The minimum may be fixed at Rs. 6/-.

I would like to submit that clause 96 which provides for appeals against the assessment of land revenue and other revenue matters should be amended because there is no adequate safeguard against the injustice done by the revenue officers. The appeal of

course lies to the Administrator, but then that is not sufficient. We should provide for some tribunal for such matters.

I have got some minor matters also to speak about, but I do not know whether you will allow me to continue.

Mr. Deputy-Speaker: He has already taken 25 minutes and we have got only two hours for it.

Shri L. Achaw Singh: I will only speak on some more clauses.

Regarding clause 15, I submit that there is unnecessary litigation now taking place. Unauthorised occupation of land and encroachments are taking place on a large scale and the Tehsildars and SDOs take so much time to evict them. Some provision should be made and some machinery should be provided so that there may be prompt and speedy eviction of those encroachers.

Clause 17 should also be amended. It refers to alluvial land. Alluvial lands are not so many in Manipur. If we allow the alluvial lands to be cultivated, there is a fear that floods would recur, that the river beds would rise and they will be very disastrous.

Mr. Deputy-Speaker: The hon. Member is also in the Joint Committee. He will have an opportunity there too.

Shri L. Achaw Singh: The alluvial land should not be thrown open for cultivation.

Shri Nagi Reddy (Anantapur): Mr. Deputy-Speaker, after having heard a very concrete and detailed speech made by a Member who is in direct contact with the people and the situation in Manipur, in supporting the Bill, I would advise the Joint Committee and the Ministry to take note of all the points that have been made to make the Bill much more pro-tenant, pro-agricultural labour and pro-peasant than what it is as it is now placed before the House.

We have had the experience of quite a number of land reform Bills in our country in the past 10 years or so. I think it is very essential that when we prepare a new Bill, we must take into consideration the experience that we have gained in the implementation of these Bills. I am afraid that exactly has not been done by the Ministry when they have framed and formulated this Bill. We know that quite a number of Committees have been appointed to go into the question as to how far we have been able to implement the Bills that have been passed either in Bombay or in Hyderabad or in Bengal or in any other province as a matter of fact. Any Committee that has gone into it, official or non-official, has come out with the detailed reasons as to why every Bill in every province has failed to give that benefit to the peasant which was expected to be given by these Bills. Even the Panel on land reforms in the Planning Commission has, in great detail, reported to the country as to how we have failed to implement our own Acts and they have given us the reasons. I am afraid the Government has failed to take note of that when it prepared this comprehensive Bill, dealing not only with land reforms, but beginning with the creation of land records and also survey.

My hon. friend Shri L. Achaw Singh has told us that this Bill is going to be implemented in an area which is mostly a feudal area, which is mostly, I should say, an area in which there is less of education and less of contact with the outside world for the ordinary peasant to make his voice felt. Even in a place like Andhra Pradesh, where there is a strong peasant movement and where the peasants out of the force of their strength are capable of getting certain things done by the Government, they failed to get the tenancy reforms implemented. I know very well and one of the members of the Panel on land reforms in a note has said that 80 per cent of the tenants in Andhra

[Shri Nagi Reddy]

were evicted after the Tenancy Act was passed. If that can be so in Andhra, I can very well imagine the fear of the representatives of the people here as to what the situation will be in Manipur. But, what steps can we take? That is the concrete question with which we are faced. That is exactly what I would deal with and give a few of my suggestions.

The major factor in any land reform is the preparation of land records. It is at the very beginning that sabotage is likely to take place. Therefore it was that quite a number of committees in the country had always envisaged that the people should be taken into confidence when the land records are prepared. It should never be left to the village patwari or the revenue officer. The village patwari or the revenue officer, in the conditions in which we are living today, is always pro-landlord, if I do not want to call him by a strong term, as an agent of the landlord. Therefore, it is the duty of the Government, which wants to implement land reforms, to create a kind of administrative set up which bases itself on the people and the people's movement. Then alone can justice be done.

What can be done? At this time, when we speak so much about panchayats and panchayat raj, in the whole Bill, I do not find a single reference to panchayat. I do not know why. We are talking of a place where there are no land records. We are talking of a place where there has been no settlement. There has been no survey made so far. We are talking of a place where people have been till yesterday exploited by a feudal system. In such a place as that, it becomes of the utmost importance to get the least benefit to that area, that, in the preparation of the land records, we must take into confidence that section of the people which is going to be benefited by this Bill. I would appeal that some clause be introduced with a certain concrete proposals to create peoples

tribunals in those areas—call them by whatever name you like—to co-operate with the officials who are going to prepare the land records and who are going to survey the land and settle the ownership of the people to that land. That is my first suggestion that I can make.

The second suggestion that I would make is this, and that is about the question of the tenants. What happens to the tenants? Let me give an account of the way in which our tenancy reforms have been implemented in quite a number of provinces. Let us take one province, the State of Hyderabad or today Andhra Pradesh. Dr. Khusro, Director of the research scheme to study the economic and social effects of the jagirdari abolition and land reforms in Hyderabad State had pointed out that 22 per cent have been illegally thrown out while 17 per cent have voluntarily surrendered. He refers again that the so-called voluntary surrenders are very often a subtle form of illegal evictions and only a proportion of these surrenders is genuine. The area where that has taken place is an area where the biggest struggle for land reforms has taken place in the country, that is the Telengana area. It is because of the struggle in the Telengana area that the idea of land distribution was first mooted in our country by Acharya Vinobha Bhave. It is after the struggle in Telengana, we know that for the first time, the country woke up and found the necessity for land reforms immediately as otherwise there may be a volcano that would burst.

An Hon. Member: It is not correct.

14 hrs.

Shri Nagi Reddy: That is my opinion; if it is not correct, you have your own opinion. That is the opinion which Acharya Vinobha Bhave expressed when he came out with the slogan of *bhoodan*. He gave that slogan in Telengana, saying: if you

want to stop this eruption of the landless masses into a revolution, here it is, please come forward and give. That slogan he gave in Telengana and nowhere else, and it was after the huge peasant struggle that was carried on and after capturing, almost getting the lands of the landlords who owned millions of land in that area. Well, leave it at that.

All the same, it is in that area that the tenancy reforms have failed, that is my point, and that has been very expressly mentioned even in the report that has been placed before the country by the man who went and enquired into the whole position. So, what can be done, and how can it be done?

I can very well imagine that there will be a hnt and cry by some people if I make the suggestion which has been incorporated in the Bill which was passed by the Kerala legislature a few days before it was dissolved. What is the suggestion? It is not the land reforms Bill that the landlords are afraid of; they are not afraid of the land reforms Bill with so many loopholes to be implemented by a bureaucracy and a soulless administration. They are not afraid of the Bill, they are not afraid of the administration, they are not afraid of the pro-landlord bias which is already there. What are they afraid of? They are afraid of the people coming and taking the reform as their reform and trying to implement it with the help of the Government.

In that Bill it was suggested that there should be a land tribunal in which the tenants, the agricultural labourers and the peasants of the village should be given a chance to try to implement the legislation in favour of the tenants and the landless agricultural labour.

Are Government serious that this Bill should give at least a little amount of the land to the peasants, not as it was done in Telengana where the Government expected to

get 60,000 acres of land when the ceiling Bill was passed, but later found that not even 8,000 acres were available in the particular district? If you want that justice should be done then it is very essential that we should have land tribunals which would take this Bill as the Bill of the people and try to implement it with the help of the administration which should become, from the day this Bill is passed, not pro-landlord, but tilted to the side of agricultural labour and become pro-tenant and pro-agricultural labour. Then alone will this Bill be implemented.

Therefore, I would suggest that a land tribunal be also included when the Joint Committee discusses this Bill seriously. I do hope—I do not know how far my hopes will materialise—that the Joint Committee will try to strengthen this Bill in favour of the tenants and agricultural labour. I hope the Joint Committee will not create many more loopholes than those already in existence. That is one thing which I would like the Minister to remember.

The last point I would make is this. When such Bills as this, which is a Bill for some kind of economic reform, are passed, it is not enough that we pass them and be satisfied with them. We know what type of administration we have. This administration which has been reared and bred by British imperialist methods cannot function in a dynamic way. Therefore, it becomes essential and important on the part of the Government to see, if such Bills as this are to be implemented, that the administrators of the area are first educated about the importance of the Bill. This education of the administrators is a very important factor for us to remember. It is very good for us to give a few ideas and ideals in this Parliament that no tenant should be evicted and that eviction is against the interests of the country and society. All the same, evictions go on. How is it and why is it that our administrators are not able to carry out the wishes of the people of the

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country as expressed in our Acts. I would say that our administrators should be taught. Not only that. We are learning every day, and out of the experiences that we gain, our administrator should know that this Bill is a pro-tenant Bill, that if it is to be implemented, he must have a pro-tenant, pro-agricultural labour bias, that he should become at least for a short time anti-landlord. It is only then the real land records will be prepared, it is only then that eviction will be curtailed, it is only then that the land will be really pooled, it is only then that the land which is pooled will be actually distributed to the agricultural labourers. If we are incapable of or unable to take this step, I am sure that this Bill will remain one of the few Bills that have already been passed but which have become in effective and useless.

I hope the Minister would take this into consideration and try to make this Bill an effective one in the interests of the poorest in our country.

Mr. Deputy-Speaker: Ch. Ranbir Singh.

Shri D. C. Sharma (Gurdaspur): He is a landlord!

श्री० रणबीर सिंह (रोहतक): उपाध्यक्ष महोदय, इस बिल का समर्थन करने हुए मैं निवेदन करना चाहता हूँ कि जैसे पूर्व वक्ता ने कहा कि इस देश को मुस्तलिफ रियामेंटों के लैंड रिफार्म्स का तजुर्बा हुआ है और उस तजुर्बा का ध्यान हममें रक्खेंगे और सेलेक्ट कमिटी को इस बिल में जितनी धाराएँ हैं, उनमें जहाँ कामयाबी से लैंड रिफार्म्स और भूमि सुधार आ सके हैं उनके मुताबिक तबदीली करनी चाहिए।

इस देश की एक स्टेट के अन्दर कम्युनिस्ट पार्टी का भी राज्य रहा है और बाकी स्टेट्स के अन्दर कांग्रेस की हुकूमतें रही हैं। सबसे बड़ी कामयाबी अगर किसी स्टेट में

भूमि सुधार के तिलसिले में रही है तो वह हमारे पंडित गोविन्द बल्लभ पंत का प्रपना उत्तर प्रदेश है और जिसके कि उस समय पंत जी चीफ मिनिस्टर थे। आज उन की तरफ से दातार साहब इस बिल को पायलेट कर रहे हैं।

श्री० दौ० चं० शर्मा: दातार साहब की प्रपनी स्टेट के अन्दर क्या हुआ।

श्री० रणबीर सिंह: उत्तर प्रदेश के अन्दर किसी ऐसे आदमी को जिसका कि जमीन में सीधा सम्बन्ध था, जो जमीन को जोतता था उस जमीन के जोतने वाले को किसी कारण से भी बंदखल नहीं किया गया। मुझे मालूम नहीं कि जो तजुर्बा पंत जी को आज से काफी साल पहले हुआ उस तजुर्बा में हमें आगे जाना चाहिए था या पीछे आना चाहिए था। मेरे नुकतनिगाह में यह जो रिजर्वेशन का क्लॉज है यह बिल्कुल फालतू मा है और इस बिल के अन्दर इमको रहना नहीं चाहिए और इमको उत्तर प्रदेश की मानिन्द जहाँ कि ऐसी कोई धारा नहीं थी, रहना चाहिए क्योंकि खास तौर पर इस इलाके में जहाँ से कि कुछ एक कागज बनेगा उसमें आप और हम अन्दाजा कर सकते हैं। उपाध्यक्ष महोदय, आप भी पंजाब स्टेट से आते हैं और मैं भी पंजाब स्टेट से आता हूँ। वहाँ हर छिमाही के अन्दर हर जमीन के टुकड़े का माल का रेकार्ड बनता है जिसमें दर्ज होता है कि मालिक कौन है और मुजारा कौन है। वहाँ पर जो मुजारों के संरक्षण के लिए बने, कानून उन कानूनों का जिस को फायदा हुआ यह आपका भी मालूम है। और मुझे भी मालूम है और तमाम हमारे प्रदेश को मालूम है। वह मुजारे जो कि सालहा साल से इतजार में थे कि अब देश के अन्दर एक हुकूमत आई है जो कि जमीन बोनो वालों को जमीन बोनो का और मिलिक्यत का हुक देगी, कई जगह उन्हें बहुत उस चीज का चक्का

गया और उनको जो हक था वह उनसे रिजेम्पशन के नाम से छीना गया और वहाँ पर जहाँ कि बाकायदा गिरदावरी के रेकार्ड्स हैं और यह देखा जा सकता है कि यह सही है या ग़लत और उसमें भी आप जानते हैं यहाँ दिल्ली स्टेट के कानून में गिरदावरी का, पीछे की कई साल की गिरदावरी का जिक्र किया लेकिन उसका क्या नतीजा हुआ वह हमारी आँखों के सामने है। कई जगह पटवारियों को हजारों रुपये लोगों ने दिये। कुछ गिरदावरियाँ तबदील हुईं और झूठी गिरदावरियाँ बनीं और उसमें कई आदमियों के, चाहे वे मुजारों के या दूसरे भाइयों के, कत्ल भी हुए। जमीन बोनो वालों के लिए जमीन एक पेशा है और जो भाई उसका लगन लेते हैं उनके लिए जमीन का वह रिश्ता नहीं है जो कि बोनो वाले के लिए है।

मुझे जब बोलने के लिए अभी बुनाया गया तो शायद मेरे बुजुर्ग भाई शर्मा साहब ने यह कहा कि मेरा वास्ता जागीरदारों से है तो मैं कहूँगा कि शायद उन्हें मालूम नहीं कि जिस वक्त भी यहाँ इम सिलसिले में कोई बिल आया या कोई चर्चा हुई तो मैंने कभी उन आदमियों का जिन्हें कि ऐबसेंटो लैंडलांड कहते हैं, कभी साथ नहीं दिया। मैं चाहता हूँ कि सरकार और सेलेक्ट कमिटी इस मामले पर दो नुक्तनिगाह से गौर करे। एक तो यह कि कुछ ऐसे मालिक हैं जो कि कागज के तौर पर मालिक हैं, जिन्होंने या तो अग्रजों के साथ बफाई की थी या किसी राजा के साथ बफाई की और उस सिलसिले में उनको मिल्कियत के हकूक दे दिये गये और जो भाई पीढ़ी दर पीढ़ी उन जमीनों को जोतते बोते आते थे उनके हकूक की छीन लिया गया क्योंकि उस वक्त की हुकूमत के मुताबिक वे नहीं चले। उस बारे में मेरी राय बिल्कुल साफ़ है कि ऐसे लोगों के साथ न्याय होना चाहिए जिनके कि साथ इस तरह की बेईसाफी की गई है और आज तक जो भाई उनकी एक छरीके से कानून के नाम पर लूटते रहे और

उनकी धामदनी का हिस्सा लेते रहे, वह लूट अब बंद होनी चाहिए। जहाँ तक उन भाइयों का वास्ता है जिनको कि यह जमीनें जागीरदारों की शकल में न मिली हों बल्कि बिरासत की शकल में मिली हों तो भी मैं कहूँगा कि उनके साथ भी हमारी हमदर्दी नहीं है।

जो जमीन जोतते हैं उनका कागज बड़ी होशियारी से तैयार किया जाय। मेरी तो राय है कि उत्तर प्रदेश के खास तौर पर वे अफ़िकरी जिन्होंने कि उत्तर प्रदेश के जमींदारी एबोलिशन बिल के अन्दर काम किया और ईमानदारी से काम किया उनके जिम्मे यह काम सुपुर्द किया जाय। मुझे मानूम नहीं कि आज मनिपुर या त्रिपुरा के अन्दर कौन से अफ़सर वहाँ यह काम करते हैं, वे प्रोब्रिसिब हैं या नहीं। वे किजो जागीरदार या जमींदार फ़ैमिली से हैं या नहीं, मुझे कुछ मालूम नहीं और इपलियर मैं उनके खिलाफ़ कोई बात यहाँ पर नहीं कहना चाहता लेकिन मैं समझता हूँ कि जिस स्टेट के अन्दर यह कामयाबी से चला और जहाँ कि अफ़सरान इस कानून को सही तौर पर अमल में लायें और उसका नतीजा यह हुआ कि आज पंजाब के बहुत सारे भाई यह समझ कर ग़रे थे कि उत्तर प्रदेश के अन्दर जमीन उसकी है जो कि बोजा है और जोतता है। च.हे.वे कानूनी तौर पर कहीं परेशान भी हों लेकिन एक विश्वास उनमें पैदा हुआ और देश के अन्दर एक विश्वास पैदा हुआ कि उत्तर प्रदेश के अन्दर एक ऐसी अचछी और स्वस्थ फिजों आई है कि जो जमीन जोतता और बोरेगा, वह जमीन का मालिक बनेगा। मैं चाहता हूँ कि मनिपुर और त्रिपुरा के लिए जो हम यह भूमि सुधार सम्बन्धी कानून बना रहे हैं, वहाँ पर उत्तर प्रदेश की फिजों आनी चाहिए। मुझे तो विश्वास है कि पंज जो जो कि इस मंत्रालय के मंत्री हैं उनके उत्तर प्रदेश के मुख्य मंत्रित्व काल में उस प्रदेश के अन्दर जो यह स्वस्थ और अचछी भावना पैदा हुई

[श्री० रणवीर सिंह]

थी, वह भावना वहाँ भी पैदा होगी। उसके लिए यह जरूरी है कि यह जो रिजम्पशन की बात है यह बिल्कुल फालतू बात है। असलबत्ता उत्तर प्रदेश के अन्दर मैं जानता हूँ कितने भ्रादमी ऐसे थे जिन बेचारों के पास कोई जरिया नहीं था और कोई ५ रुपये के जागीरदार थे तो कोई १५ रुपये के जागीरदार थे, ऐसे लोगों को मुआविजा कुछ ज्यादा दे दिया गया। मुआविजे की जो तादाद थी उसके अन्दर उनका ब्याल रक्खा गया और बिस्वेदार को कुछ मुआविजा भिजा और रिहैब्लिटेशन ग्रांट मिली लेकिन जहाँ तक जमीन का ताल्लुक था जमीन का ताल्लुक उससे हटा दिया गया क्योंकि उसका जमीन से कोई ताल्लुक नहीं था। वह एक कागज का सम्बन्ध था और उस कागज के सम्बन्ध को तोड़ा गया। मैं चाहता हूँ कि जमीन के साथ सीधा सम्बन्ध उनका होना चाहिए जो कि जमीन को जोतते हैं।

उपाध्यक्ष महोदय, इसके बाद मैं दूसरी बात की तरफ ध्यान दिलाना चाहता हूँ जिसके कि बारे में आपने जिक्र किया और मंत्री महोदय जो कि उवर बैठे हैं उन्होंने जिक्र किया था। स्टैंडर्ड एकड़ के लिए उन्होंने कहा कि मनिपूर के अन्दर कोई फर्क ही नहीं है। मुझे ताज्जुब हुआ कि इस बिल के मुताबिक तो यह जाहिर होता है कि शायद मंत्रालय के पास न कोई मालूमात है और न उनके पास कोई लैंड रिकॉर्ड्स के रेकार्ड्स हैं जिनसे कि वे कोई अंदाजा कर सकें कि मनिपूर की जमीन सारी एकसाँ है। या मनिपूर की जमीन कुछ खराब है और कुछ अच्छी है। और मैं समझता हूँ कि वहाँ पर जो लैंड रेवेन्यू या दूसरे किस्म का रेंट लिया जाता है उससे यह साबित किया जा सकता है कि कौन सी जमीन अच्छी है और कौन सी जमीन खराब है। मुझे पूरा विश्वास है कि इस सारे देश के अन्दर किसी एक प्रश्न की बात नहीं है—हर जमीन का

एकसाँ रेंट नहीं हो सकता और इसी तरह से मनिपूर के अन्दर भी हर जमीन का रेंट एकसाँ नहीं होगा। यह मेरा विश्वास है। भाई अचल सिंह जी को ज्यादा पता होगा, शायद उनका जमीन से सीधा वास्ता रहा हो। पता नहीं शहर में रहकर उनका यह वास्ता हुआ है या देहात में रह कर। लेकिन हमसे तो उनका वास्ता ज्यादा है। हमने तो वह इलाका और वह स्टेट भी नहीं देखा, आसाम से आगे हम कभी नहीं गए।

आप जानते हैं कि जिन हालात में इस कानून को लागू किया जाएगा वह भी दूसरी स्टेटों के मुकाबले में निराले होंगे। गो वहा अधिकार पालियामेंट का है, लेकिन पालियामेंट के पास इतना समय नहीं कि वह इतनी छोटी छोटी बातों के ऊपर गौर कर सके। न वहाँ के सवाल आ सकते हैं। इसलिए मैं यह मानता हूँ कि अगर रिजम्पशन की बात रहेगी तो वहाँ के मजारे के साथ कभी कोई न्याय नहीं हो सकता। तो हमें एक कलम से यह तै कर देना चाहिए कि उस इलाके के लिए रिजम्पशन ठीक नहीं है। उसमें कभी न्याय नहीं हो सकता, न उसके साथ न्याय होगा जिसके लिए वह जमीन रिज्यूम की जाएगी और न उसके साथ न्याय होगा जिससे वह जमीन छीनी जाएगी। नतीजा वह होगा जैसा कि हम पंजाब में देखते हैं कि लोग दस दस साल से परेशान हैं और आज भी उनके अदालत में मुकदमे चल रहे हैं। एक मजारे से मालिक जमीन छीनना चाहता है और मजारा रेजिस्ट करता है और उन दोनों का जो मुकदमे में खर्च हुआ है अगर उसका हिसाब लगाया जाए तो मालूम होगा कि वह उस जमीन की कीमत से कहीं ज्यादा खर्चा बकीलों को दे चुके हैं। अगर हम चाहते हैं कि वहाँ के लोगों को भी इस तरह के झगड़ों में डाला जाए, तब तो हम यह रिजम्पशन रखें, लेकिन अगर हम उनको इन झगड़ों से निकालना चाहते हैं और वहाँ पर जो पिछड़े

हुए इलाके के लोग हैं उनके साथ न्याय करना चाहते हैं, तो हमें इस चीज को निकालना होगा।

दूसरी बात में स्टैंडर्ड एकड़ के बारे में ध्यान करना चाहता हूँ। जैसा कि मैं ने पहले कहा, मैं माननीय मंत्री महोदय से इस बात में इतिफाक नहीं करता कि वहाँ सब जमीन एकसा है। मुझे मालूम है कि एक बीघे और दूसरे बीघे में फर्क होता है चाहे वह जमीन नहरी हो, बरौनी हो या कुँव की हो। पंजाब में कंसोलीडेशन का काम बहुत तेजी से आगे बढ़ा और बहुत ज्यादा काम हुआ। जिनको कंसोलीडेशन का तजर्वा है वह जानते हैं कि एक एक खेत की अलाहिदा कीमत होती है। तो अगर हम यह समझें कि किसी एक स्टैंड की सारी जमीन एक ही कीमत की होगी, तो हम बड़ी मोटो गलती करेंगे, जिसे कि हमें नहीं करना चाहिए।

मुझे मालूम नहीं कि आया मनिपुर में कुछ ऐसे भाई हैं कि जिनके पास सीलिंग से ज्यादा जमीन है और वह उस पर खुद खेती करते हैं। अगर कोई भाई ऐसा है, तो मैं समझता हूँ कि उनके साथ न्याय होना चाहिए और उनको उसी यार्डरिक्त में नहीं नापा जाना चाहिए जिससे कि एक्सटेंडी लैंडलाड को नापा जाता है। आप जानते हैं कि इस देश के अन्दर आमदनी पर कोई सीलिंग नहीं है। एक तरफ एक आमदनी लाखों और करोड़ों रुपया कमा सकता है, दूसरी तरफ जो आमदनी खेती पर रात दिन मेहनत करता है वह तीस एकड़ या पचास एकड़ से ज्यादा जमीन नहीं रख सकता। तो जहाँ तक उस भाई की जमीन की सीलिंग का सवाल है हमको जो उसूल प्लानिंग कमीशन ने रखा है उसको तो मानना ही चाहिए और अगर उस भाई को उससे ज्यादा भी रियायत दे दी जाए तो देश का कोई नुकसान नहीं होगा। जिनकी जमीन पर मजारे की शकल में किसी दूसरे का हिस्सा नहीं है और जो खुद उस पर खेती

करते हैं और आम आमदमी से ज्यादा पैदावार करते हैं उनको कुछ ज्यादा रियायत दी जानी चाहिए। वह देश को जमीन से ज्यादा पैदावार दे सकेंगे।

उपाध्यक्ष महोदय, मुझे इस बिल के अन्दर एक बहुत बड़ी कमी दिलायी दी। इसके अन्दर कोई ऐसा क्लॉज नहीं रखा गया है जिसमें यह बतलाया गया हो कि जो जमीन सीलिंग से ली जाएगी उसका बटवारा किस तरह से होगा। क्या उस जमीन को वहाँ के घरसतों को बतौर जागीर के दे दिया जाएगा जिसका बटवारा चाहे वह ईमानदारी से करें या खराबी से करें। आप जानते हैं कि जमीन के बटवारे में कितनी खराबियाँ होती हैं। इस बिल में कोई उम्मूल नहीं दिया गया है कि जो जमीन सीलिंग के बाद हासिल होगी उसका बटवारा किस तरह किया जाएगा। इसलिए मैं चाहता हूँ कि जब वह बिल सिलेक्ट कमेटी से यहाँ आए उसके बाद हममें यह दर्ज होना चाहिए कि सीलिंग के बाद जो जमीन मिलेगी उसका बटवारा किस उम्मूल के मुताबिक होगा।

इसके साथ साथ मैं एक और ध्यान करना चाहता हूँ। मैं चाहता हूँ कि उन आमदमियों के हक का ध्यान रखा जाना चाहिए

श्री भगजब घली (धुबरी) : दफा १४४ देखिए।

श्री ० रणवीर सिंह : वह मैं ने देख लिया है।

इस सदन में जहाँ हम बैठे हैं यहाँ पर भी पहले खेती होती थी। इस सदन की भूमि में किसी समय खेत लहलहाते थे। और उन खेतों के मालिकों की भीलाद अभी दो मिनट पहले मुझ से बातें कर रहे थे। उनको यहाँ से बेदखल किया गया और उनको पंजाब में जमीन दी गयी। जब पंजाब का बटवारा

[श्री० रणवीर सिंह]

हुआ तो उनको दिल्ली स्टेट के ग्रन्डर क्वासी परमानेंट बेसिस पर जमीन दी गयी। उनमें से ६ भादमियों को जो किरकी गांव में हैं अब निवारा उठाने की कोशिश है। जमीन एक पेशा है। इसलिए मैं चाहता हूँ कि जिन भाइयों की जमीन ली जाती है उनके साथ ज्यादाती नहीं होनी चाहिए। जिन भाइयों की जमीन ली जाए सड़क निकालने के लिए, नहर निकालने के लिए, अस्पताल बनाने के लिए या दूसरे अरुद्ध काम करने के लिए, सीलिंग से जो जमीन बचे उसके ग्रन्डर उनका क्याल रखा जाए।

इसके अलावा मेरी राय है कि मजारे की जमीन मालिकों के लिए रिज्यूम न की जाए। अगर आपको मालिकों के लिए जमीन चाहिए और अगर आप उनको साजिमी तौर से जमीन देना चाहते हैं और नए काश्तकार बनाना चाहते हैं तो जो सीलिंग से जमीन मिलती है उसमें से उनको जमीन दीजिए, मजारे को जमीन रिज्यूम करने के लिये बेदखल न कीजिए। अगर उन लोगों को, मालिकों को, आप जमीन देना साजिमी समझते हैं तो जो जमीन सीलिंग से फालतू मिले वह उनके लिए रखनी चाहिए।

Mr. Deputy-Speaker: Shri Ranga.

Shri Supakar (Sambalpur): The hon. Speaker had said that Members who had not spoken so far would be given opportunity to speak.

Mr. Deputy-Speaker: I will come to them. They will have their opportunity. But not as much as the hon. Member wanted, that each Member should have one hour. I cannot give that.

Shri Ranga: Mr. Deputy-Speaker, I do not wish to traverse the ground I have covered yesterday, but some new points which were raised today have to be answered and some new points which occur in this Bill have also to be touched upon.

My hon. friend, the Minister in charge, was pleased to quote the Planning Commission and take shelter behind their recommendations in favour of the so-called land reforms. I wish to inform the House that first of all, I had never accepted the Second Five Year Plan. Therefore, I am not prepared to accept their reasoning (*Interruptions*). Secondly, I took care to vote against the First Five Year Plan in which some of these ideas were incorporated and specifically stated.

Mr. Deputy-Speaker: Even if he had not done that, he can speak against the Bill.

Shri Ranga: That is true. But then my hon. friend said that these are all the things which have been generally accepted; therefore, there is nothing more to argue about their advisability or otherwise and all that he had to do was simply to quote them.

My hon. friend said that ceiling was sought to be imposed in order to find enough land or some land for all those people who are agricultural workers. Actually, the policy of the present Government and the Party behind it, to which till the other day I myself belonged, comes to this, that whatever land that they could obtain as a result of the imposition of the ceiling is not to be distributed among the landless agricultural workers by family holdings but is to be kept under the ownership of Government—Government thus coming to be the biggest landlord and zamindar in that way—and then placed at the disposal, as they say, of co-operatives, of which these landless workers would be invited to become members.

Therefore, they have frustrated, and have sought to destroy, the very purpose for which, as they said years ago, the ceiling was proposed by them. This ceiling is really not intended, and cannot be expected, to benefit the agricultural workers. If the agricul-

tural workers at least come to be peasant proprietors, having their own basic holdings or family holdings, it is something. If, on the other hand, they were to say that what they hope to gain by the imposition of ceiling would be such a small area in any village or in any group of villages that it would be worth their while to think more in terms of co-operative farming than in terms of peasant proprietorship, I would like to draw their attention to one of the provisions made in this Bill which says that a basic holding is supposed to be 2.5 acres and a family holding is supposed to be three times as much or 7.5 acres and, therefore, as many agricultural workers as possible should be allowed the family holding or basic holding.

There is nothing in this Bill to prevent Government, if they so wish, from granting the status of peasant proprietorship to as many agricultural workers as possible, if and when they get some land as a result of the imposition of ceilings. But they do not want to do that. They do not want peasant proprietorship at all. They have no faith in it. That is how the Planning Commission appear to be disposed towards this matter. That is also how their proposals seem to tend to—the abolition of peasant proprietorship and its replacement by co-operative ownership, co-operative cultivation and farming which would ultimately end—of course, they themselves know it—in the communes of the Chinese type with which till the other day they were very much in love but with which today, I suppose, they are a little lukewarm in their love.

Do Government really expect that production is likely to go up by the imposition of ceiling? Why do they want to prevent fragmentation? One of the main reasons why they want prevention of fragmentation is that through fragmentation production will go down. Therefore, fragmentation should be prevented. At the same time, while they themselves go on professing this kind of imposition

of these ceilings for higher production, they categorically deny the very rationale for their justification for these ceilings.

I agree that one part of Government policy need not be in consonance with another part of Government policy. But it becomes much more extraordinary when the same Bill in regard to agriculture were to contradict itself through the different provisions of the Bill.

Next, they say there are so many landless people and they have got to be provided with land. I put the question. My hon. friend was rather unhappy at the question. The question is this. There are so many who are homeless. I would like to know whether there is going to be any ceiling at all on the number of houses that anyone is expected to hold. So many people are without any property. A similar question can be put also whether all these properties are going to be sequestered or confiscated. I do not wish to weary the House with what the Prime Minister has said in the Rajya Sabha not so many years ago. He said that he was not going to be a party to that kind of socialism which would result in the distribution of poverty amongst people. But that is what exactly my friend is going to do, to distribute landlessness among the people who have some land and also those those who are landless agriculturists in the country by making them lose all their control over the farming operations, making them lose their self-employment status and thereby losing their social as well as economic status and independence; and thereafter, one fine morning simply dismiss their so-called title to their land-holdings.

In the meanwhile they hold out one soup. Although they will be driven into these co-operatives of their conception—they call them voluntary—they are going to be allowed to enjoy, the possession of their own titles to their lands. That will only be on

[Shri Ranga]

paper. Will they be sold? Will anybody be so foolish as to purchase these titles once the control over the land is gone and the land becomes not the property for enjoyment but for utilisation, for exploitation, property from which no self-employment can be derived once it has gone into the possession of the co-operative and no longer remains in the hands of the pattadars or landholders? Therefore, it is wrong in conception. It is partial in application. It is not social justice; it is social injustice imposed upon one sector of our society at the arbitrary will of a number of people calling themselves the Planning Commission presided over by no less a person than the Prime Minister himself. This kind of social injustice had been inflicted on the peasantry in other countries and they have paid a very high cost.

Shri Harish Chandra Mathur (Pali): Not by the Planning Commission but by this Parliament. Is it.....

Shri Ranga: Unfortunately the Planning Commission was quoted by my hon. friend and, therefore, I am confining myself to that alone. Of course, Parliament has also been a party. But we have got different Parliaments. That was the First Parliament. This is the Second Parliament. There would be a Third Parliament also (*Interruption*). I hope that the Third Parliament might come out to be a different thing in its social as well as political content, other than what this Second Parliament happens to be, in which my hon. friend will not be a member in the Treasury Benches (*Interruption*).

Shri Harish Chandra Mathur: Let us hope it will not be so.

Mr. Deputy-Speaker: Order, order; let that not be decided just now.

Shri Ranga: Thanks very much. I did not accept that particular principle at all.

Secondly, I come to the extent of the land that is to be allowed to be enjoyed by such of those few people who happen to have some land more than the family holding. In yesterday's Bill it was stated to be 25 standard acres and today they say only 25 acres.

I had also an opportunity of going to Manipur. I saw the lands there. We went through the villages as Members of the Public Accounts Committee. We found that land was not the same all over in fertility or in productivity. They said so. They were not the same also in the facilities that they enjoy either in regard to water supply or in regard to drainage facilities and other things. I do not see any reason why a different standard should be applied to the lands in Manipur, apart from the usual standard that they have accepted for Punjab, for instance, and also in Tripura. That is the question of standard acre.

Thirdly, the question of compensation comes up. It is tied up with the Constitution itself. There was an amendment of it to which so many of us were a party according to which Government would be the final authority to fix the quantum of compensation. At the time we were passing it we were under the impression that it was to be applied to the functionless intermediaries in land. Now, in this Bill, not only the functionless intermediaries known as the zamindars—and by other names in other parts of the country—but also the pattadars and the peasant proprietors and even the tenants are being clubbed together. The interests of all these people have got to be taken up separately. In one sense Government has also conceded this particular principle.

When the question of compensation to be paid to the pattadars or peasant proprietors by Government comes to be considered in this Bill in clause 146, they would like it to be 25 times the land revenue if the land has not

been cultivated and 50 times the land revenue if the land has been cultivated. I would like the Government to look into the accounts of the Dandakaranya Project, and also find out the amount of money that they had to advance to so many of our own displaced persons when they wanted to enable them to convert tarai lands into cultivated lands. Let them look into the amount of money that was needed by each one of these peasants to turn an acre of uncultivated land into an acre of cultivated land or bring it under proper productive cultivation over a period of years. Can it be said that it is anywhere less than Rs. 1,000 over a period of five years or 10 years per acre? Let them look at the provision that they want to make.

Surely, land revenue is going to be fixed under this Bill. It cannot be more than Rs. 10 per acre, even in this Manipur. Therefore, Government wishes to pay Rs. 250 for uncultivated land and Rs. 500 for an acre of cultivated land. Does it square with facts or with reality or with the actual expenses that the peasants are obliged to incur over a period of years—not one year—in order to bring uncultivated land into proper productive cultivation? Surely, this is unjust; this is not the way in which people have got to be treated in regard to the prices.

Government offered compensation at the market rate to the holders of shares which were possessed by the Imperial Bank of India. They fixed a particular date.

An Hon. Member: On the face value.

Shri Ranga: Not on the face value, I think, but at the market value. The face value was about Rs. 100 and the market value was Rs. 1,600, I speak subject to correction. When it comes to land they want to do this thing. Is this not unjust? I would like to know that. Apart from all your principles, here is the principle of actual realism and reality. I challenge

Government, this Government as well as any other Government anywhere here in India to bring uncultivated land into proper productive cultivation in the manner in which they offer this compensation. (*Interruption*). Then, I am prepared to accept their solution. They ought to be able to look at it with a sense of actual realism; not only that but also with a sense of responsibility towards our peasants. They are the people who have given their votes to our friends and all of us who have been able to come here to this House as well to the other Legislative Assemblies. You want to deal with them in this summary fashion just because you are in the mid-period of election and you think somehow or other you can start some kind of scare at the time of the next election and come back again with a majority as my hon. friend Shri Mathur wants you to come back.

An Hon. Member: You Sir!

Shri Ranga: Then, there is another thing. When it comes to the tenants the amount of compensation to be paid by the pattadars has been fixed at 30 times and not 50. If it is 50, then it may not be too unreasonable though unreasonable it is. If it is to be 100, then it has got to be something else. Of course, the tenant has got to be treated a little better than the Government. Government has got the money and it can be expected to pay the market price; but the tenant may be able to pay it. I am prepared to consider that; but it does not mean that only 30 times is legal. I would like the Joint Committee to give some consideration to this particular matter. They have fixed a particular date. Yesterday, I took objection and my hon. friend stated that the other Bill was published in 1957 and so they knew that this Bill was coming up and from that date onwards they were going to say that all the transfers of land were not to be recognised or treated as if they have not taken place at all. First of all, it is yet to be considered by this

[Shri Ranga]

House as well as the courts later on as to from which date the Government would be entitled to give retrospective effect in regard to a Bill which had not been introduced or considered by this House. I do not know whether they are entitled to do so or not in law but in all conscience I feel they are not entitled to impose a thing like this. My hon. friend who is a distinguished lawyer and certainly a very distinguished Minister said here that ignorance of law was no excuse. After he has come over to Delhi, he seems to have forgotten the conditions of his own people in his own constituency. Do they all know the law, its provisions and its dangers? Do we expect these people seriously to go on looking into all the Bills that are coming up here, at what time notices of Bills are given and so on. Many of our own Members do not themselves know. Thanks to your Secretariat we are being informed about what has happened during the last week or during the last session and all the rest of it. If it is not for that information, quite a number of the hon. Members would not be able to know what Bills are being introduced or are being discussed, what Bills this Ministry has got in its anvil and archives or thought fit not to introduce. Yet he wants to penalise our peasants. I take objection to this. The same sort of difficulty arises in this Bill also. They have fixed 15th January, 1959 and all transactions from that date had been negated. Wonderful! Here is King Canute who simply says that the moon has not set and it is not day and the Sun has not arisen at all although it is mid-day. I wish him all good luck at the next election.

Shri Harish Chandra Mathur: Are you really serious?

Mr. Deputy-Speaker: All along the hon. Member's eye is on the next election.... (Interruptions).

Shri Ranga: They should think about it very carefully. Then there is this question of land for personal

cultivation. They say that it should be 2½ acres only. Is that enough? Why have they fixed it so low? There is the question of profits in agriculture. They want the settlement officers to estimate the profits in agriculture. Indeed I am very glad that they are for the first time asking whether there would be any profit in agriculture. They feel that some officer should be made responsible to calculate whether there are any profits in agriculture. I hope when they collect that information, they will be good enough to place it on the Table of the House so that we will be able to make use of it when we have to deal with the other sections.

Yesterday I took objection to the provision regarding the land revenue collection. I repeat my objection. For two months they can delay the harvesting of crops in this tribal, hilly area, where it is so dangerous to keep all these things in the fields. The crops come up and are heaped up. Unless the peasant pays the land revenue, he can be prevented from harvesting his crop for two months. Is this reasonable? Is it not insensible? Is it not, from the agriculturist's point of view, a stupid thing? I am not looking at it from the point of view of the law books of the Home Ministry but from the agriculturist's point of view. To delay the harvest for two months because a person is unable to pay land revenue is very unfair.

There are courts. What is the authority which will decide about all these things? It is the revenue authority. It is the court. Against a large number of decisions of such courts, there is to be no appeal at all to the proper courts. It is a very peculiar socialism of the Hegelian type. Therefore, I oppose this. We know too well what sort of a nuisance the revenue officials can be, how partial they can be, to what extent they can be manipulated by the Ministers and the legislators and by the Ministry here and the Ministry that has to come in these respective States. Therefore, I

am anxious that these revenue courts should be replaced by judicial tribunals. Sir, I have done.

Shri Supakar: While moving the Tripura Land Revenue Bill, the hon. Minister has said that it was a model Bill and when he moved this Bill he refrained from saying that this was also a model Bill because the Speaker asked him not to repeat his previous arguments. They are having three successive Bills for Tripura, Manipur and Delhi, each coming close on the heels of one another and therefore we have the opportunity of having a comparative estimate of the three Bills. I would particularly like to discuss the provisions about ceiling on land holdings because that is the burning problem of the day not only in the Centre but in all the States. I was comparing the ceiling in Tripura, Manipur and Delhi. Hon. Members criticised this Bill that there was a lacuna because no arrangement had been made to assess the different kinds of land, of their productivity, of the facilities for their irrigation, etc. in Manipur whereas so far as Tripura is concerned, a standard acre has been defined. Now, I will choose the land of Manipur and compare it with the land of Tripura. I was eager to know whether, because the Government provides under the earlier Bill relating to Tripura that a person may have 50 acres which, when converted, becomes 25 standard acres, if all the fifty acres of lands were of the variety known as fallow or upland. In the case of Manipur he may not possess more than 25 acres of land, whatever be the quality of the land. About the geography and the variety of soil in the two different States I was anxious to know. Although I have no first-hand knowledge, I consulted the Imperial Gazetteer of Manipur and Tripura. I have no time to quote the classification of lands in these two States but I learn that the land in Tripura is much more fertile than the land in Manipur. We know from Shri Achaw Singh's speech that Manipur also is mostly a

hilly area and people take recourse to *Jhoom* cultivation. Let us compare 25 acres of land in a hilly area where *Jhoom* cultivation is practised with the land in Tripura which has *luga* lands which is perhaps more fertile according to all accounts. If we compare these two figures, we have to doubt whether social justice is being done when we fix a ceiling merely on arithmetical basis without taking into account the productivity of the land in these two States.

In this case, while the Deputy Minister was moving for reference of this Bill to a Joint Committee of both the Houses, when the hon. Speaker asked him as to why no account has been made of the different varieties of land—irrigable land, dry land and wet land—the hon. Minister stated as a justification that here the lands are more standardised. He also said that because the Bill provides for a basic holding of 2.5 acres and a family holding of 7.5 acres it was not found necessary to have the definition of "standard acre" which is provided in the corresponding Tripura Bill.

In this connection I would like to submit that 25 acres in the aggregate—by "acre" I suppose that it is only 4840 square yards and nothing else—has been provided, but we do not find any co-relation between the ceiling of 25 acres and the basic holding or the family holdings which has been defined in the first chapter of the Bill.

You will find, Sir, that even the Tripura Bill provides for basic holding and family holding. There the family holding is still less, it is only 6.4 acres, whereas here it is 7.5 acres. This leads us to the presumption, which is supported by geographical facts, that the land in Tripura is much more fertile than the average land in Manipur. Therefore, what social justice is done if we allow a person in Manipur not to hold more than 25 acres of land, we fix 25 acres as the ceiling, whereas in the case of Tripura where the land is much more

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fertile we allow a person to hold about 50 acres, because two acres of tilla land is equal to one standard acre.

When we compare these two Bills with the Delhi Land Holdings (Ceiling) Bill we face a greater surprise, because there it is provided that the ceiling on land holding is 30 acres. Can we compare the land which is washed by the holy river Yamuna for several thousands of years and which is known for its fertility with the arid, forest region of Manipur? Whereas we say that a person can hold 30 acres in Delhi, we say that a person cannot hold more than 25 acres in Manipur. Is this social justice?

Sir, the whole trouble with us, especially with politicians, is that we go by statistics, we do not take into consideration the facts, the difficulties that are faced by the agriculturists. We usually lose sight of any pragmatic approach to problems as they crop up. I can understand that in a place like North Bihar, U.P. or Punjab where there is concentration of people on land, where there are more people on land, where there is great fragmentation of holdings and many of the holdings are uneconomic, there is necessity of weaning away cultivators from land so that they may take recourse to other occupations and other professions. There may be a good justification for fixing a fairly low ceiling in such areas where the land is very fertile and very rich, but where it is necessary to bring more and more land into cultivation for the sake of the country's prosperity and for making India self-sufficient in food I fail to understand what is the necessity of having a very low ceiling as has been done in the case of Manipur. For example, this will also apply, this limit of 25 acres will also apply to those persons who are habituated to *jhoom* cultivation. Supposing a very industrious man, an agriculturist, has brought into cultivation 25 acres of land and he has the capacity and the

means to bring under plough more area, if we say that no person will cultivate more than 25 acres then we not only put a ceiling on the land holdings but we put a ceiling to the prosperity of the territory of Manipur. That is my objection. I should submit that we may not take our idealism to a very extreme limit, in all the corners of this country; but we may limit that to those places where there is a real pressure of population.

Sir, I have no time to discuss in detail all the other points, but I would like to urge one other point, and that is about the definition of "family". We find here that "family" has been defined as: "family" in addition to the person means the person's wife or husband as the case may be and dependent children and grand children of such persons." I suppose we are not living in a European society where even children and grand children above the age of 18 are considered to belong to some other family. I would ask the hon. Minister, what happens to the aged mother? Does she belong to the family or she is in somebody-else's? What about the widowed daughter-in-law? I would submit that it is just and proper that those persons whom the manager or the *karta* has the moral or the legal obligation to maintain should be considered as members of the family. Even if we say by force of legislation that from the date this Act comes into force our families would be said to be Europeanised and nobody except the sons and daughters and grand sons and grand daughters would be considered as members of a family, still for ages to come, perhaps, the aged parents and other members of a family who have no independent means of livelihood and who have to depend for their livelihood on the earning adult members of the family will continue to be members of that family though not *de jure* at least *de facto*, and it will be an absolute

cruelty to exclude such persons, especially those persons whom the manager or the karta has a moral and legal liability to maintain, from the membership of the family.

These are two very important things to which, I believe, the Joint Committee will give their due consideration.

15 hrs.

Shri Panigrahi (Puri): While introducing the Bill the hon. Minister would have done well if he could have given us an idea as to the number of landless people in Manipur and the extent to which they are going to get land by the introduction of this Bill. However, we have come to know that the pressure of population in Manipur is heavy and the land is fertile. But with regard to the ceilings, Shri Ranga had certain points and certain misgivings. Yesterday, he wanted us to go back to the old days of the Chola dynasty and Chola kings in the South, and today also he did not accept, from the very beginning, the second Five Year Plan. But we would not like to remain stagnant; we would not like to go back to the days of Chola dynasty but to go ahead.

With regard to the ceiling which has been proposed in this Bill, I have a few suggestions to make. When it has been admitted that the land in Manipur is fertile and the pressure of population is heavy, the ceiling of 25 acres for a family of five and an extent of 50 acres for every additional member, to my mind, is too big a ceiling. I would submit that the ceiling for a family of five should be 15 acres and for every additional member it may go up to the maximum extent of 30 acres in Manipur.

When we come to the question of exemption, we find that exemption has been provided in clause 153. The Government has decided upon a ceiling and then it has also given powers

of exemption. In clause 153 wide powers have been given. I may refer to clause 153(c) which reads thus:

"any specialised farm which is being used for cattle breeding, dairy or wool raising;"

It is too wide an exemption. Any land which is being held by a co-operative society is also exempted. I do not object to the co-operative societies being exempted, but I have my own feelings about them. I have seen in Orissa certain co-operative societies which took money to the extent of Rs. 50 thousand from the Government; the lands there were shared among the members of the family of the landowners; they took Rs. 50 thousand from the Government but they did not buy any new bullock or a new cart. They only used the old bullocks and the old carts and charged the bill to the extent of Rs. 50 thousand payable by Government on the ground that they actually spent Rs. 50 thousand! When the Government went and enquired into the matter, they realised that everything was a fraud. So, if co-operative societies are to be exempted, as the hon. Minister pointed out in the beginning, they must be *bona fide* co-operatives, and it must be enquired and ascertained as to whether they really intend to benefit the members of the society and whether they are really going to introduce co-operative farming.

With regard to the rights given to the landowners, I think the rights have been enumerated in detail. But I would draw the attention of the hon. Minister to clause 112, where the rights of the tenants have been defined. Let him take into consideration and compare the rights which have been given to the landowners and the rights which have been given to the tenants. The rights offered to the tenant is nothing when compared to the rights given to the landowners. After giving the rights to the tenants in clause 112, wide powers are being given in clause 122 for eviction of

[Shri Panigrahi]

tenants. If you go through clause 122 you will find that a tenant can be evicted on as many as six or seven grounds which have been enumerated in that clause. As far as the eviction of tenants is concerned, I submit that this Bill should not give as wide a power as it has given. Otherwise, the purpose of the Bill will be defeated. The landlord has been given the right for reservation of land for personal cultivation. The reservation of land for personal cultivation also varies. The landlord may evict a tenant, sometimes to the extent of five acres, sometimes up to seven acres and sometimes even up to 25 acres. So, how many peasants are there in Manipur who own a basic holding, say, 2-5 acres? How are you going to provide at least a minimum basic holding to a tenant? After giving wide powers of eviction to the landowner and after giving him wide powers to evict up to 25 acres, the Government, at the same time, wants to assure a basic holding to a tenant. How can the two go together? According to a mixed pattern of economy, they may go together. You can satisfy both the landlord and at the same time the tenant, according to that pattern. But, if you really want to have a land reforms Bill which would really satisfy the needs of the toiling millions, which would really satisfy the needs of the toiling masses and the tillers of the soil, this kind of mixed idea about land reforms will not help the tenants to the extent that you aim at.

With regard to the distribution of land, my hon. friend Ch. Ranbir Singh made certain points. There is no specific provision in the Bill as to what the Government or the administration is going to do with regard to the extra land that it is getting after the ceiling is fixed. There must be a specific provision that the land will be distributed. Firstly, it should be distributed to those who have no land. Secondly, it must be distributed to the tribal population who have no land up to the extent of a basic

holding. That would be reasonable. In fact, I would go further and say that land may be distributed completely free, if possible, to those who are landless, out of the land which will be available by fixing the ceiling.

There is a provision which has given power to the landlord to give lands on lease to the tenants and, at the same time, given the rights to terminate a lease by giving notice. The two things go side by side. I think once you give the landlord the right to terminate a lease, by any pretext the landlord will try to give notice and then terminate the tenancy right of the tenant. This must be well known to the Government through their experience in implementing the different land reform Acts in the various States: the poor peasant has been pitted against the well-placed landlord in society. The landowner has every access to the court of law. The landlord is a monied man and he can continue a case for ten years. In some cases, in Orissa, peasants have come from there to the Supreme Court to get justice. Is it possible on the part of a tenant or a peasant to get justice from the hands of a landlord by coming from Manipur to the Supreme Court here or from my State of Orissa to the Supreme Court? That experience must be remembered. So, there must be a specific provision that a tenant who is cultivating the land for a period of ten years belongs to a separate category of tenants. He must be considered as belonging to a separate category. The Bill should provide for two kinds of tenants: a tenant who is permanent, who is cultivating the land for the last ten years; and a tenant who is temporary. There is no such specific provision in the Bill which makes any distinction between a permanent tenant and a temporary tenant.

Keeping in view the fertility of land in Manipur and also the pressure of the population, I suggest the family

holding should be 5 acres and not 7.5 acres. I draw attention to clause 106, under which the landlord has been given the right to resume land up to a permissible limit, which is too high. It ranges from a basic holding of 2.5 acres to a ceiling of 25 acres. This clause on permissible limit will be utilised by the landowner and the very objective of the Bill will be defeated. The grand ideals which the hon. Minister cherishes to offer to the landless agricultural labour in Manipur will be vitiated and defeated by the landlords.

Therefore, I submit, let the period be considered from 1950 and not 1956, so that at least a period of 10 to 12 years will be there. Any tenant who is there for the last 10 or 12 years should be considered as a special category of tenant—a permanent tenant—and he can on no account be evicted by the landowner. The other category will be the temporary tenant, whose case can go to the competent authority, whether he can be allowed to retain his land or not. With regard to competent authority, you know well how the bureaucratic machinery is functioning. In this Bill, everything has been left to the sweet will of the administrator, who has been defined as the competent authority. Even fixing and assessing of rents, finalising of records, etc. have been left to the competent authority. I hope some measures will be devised, so that the people of the village may be associated when all these decisions are taken and the bureaucratic officers will not get a free hand to decide as they like. It is well known that usually the landlord and the rich in the village have a greater pull with the bureaucratic machinery than the poor people.

When, under the provisions of the Bill, the poor peasant is going to be involved in litigation for many years to come, it is better that Government provides legal aid to a tenant who is being evicted by the landlord. But there is no such provision in the Bill. I submit that the poor

tenant who is going to be evicted by the landlord should be given legal aid by Government, so that at least he can fight his case against the landlord or landowner.

With regard to the special provision for the tribal people the provision only says that no land of a tribal people can be transferred to another without the permission of the competent authority. I welcome this, but it is not enough. It must also be ensured that if a tribal person is landless, he gets land free from Government, when the Government is going to get extra land by imposing this ceiling.

As the Bill is being referred to a Joint Committee, I will not take more time. My last submission is, according to the hon. Minister, only an amount of Rs. 6 lakhs is required for meeting the needs of compensation. When the financial provision is so meagre, I suggest that the land made available by imposing this ceiling should be directly given without any charge to the landless agricultural labour in Manipur. Government is spending crores of rupees in other departments; so, when the amount is so meagre as Rs. 6 lakhs, why not give the land free to all the landless agriculturalists in Manipur?

Shri Datar: A number of suggestions have been made by hon. Members. My friend, Shri Ranga, was almost in an aggressive mood. He made a speech on the lines of his utterances as a leader of the new party that has been formed. I should like to reply only very briefly to the main points which require a reply. My friend, Shri Achaw Singh, complained that the records of the revenue were not satisfactory. That is the very reason why Part II of this Bill deals only with this question of a proper revenue administration. Especially when land reforms are going to be introduced and substantial rights are being given to the cultivators, it is essential that the records should be as perfect as possi-

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ble.. Therefore, I am confident he will welcome the introduction of new measures for making the revenue administration as efficient and faultless as possible.

Some hon. Member suggested that the ceiling should be put at a higher figure. But two hon. Members stated that it ought to be put at 15 acres. My friends, Shri Ranga and Shri Supakar, were of the view that all the land was rocky there. That is an entirely incorrect notion.

Shri Ranga: I did not say so.

Shri Datar: There are fertile lands also there. Out of 700 square miles in the valley, we have got 2.03 lakh acres, which are sown. So, it would not be proper to suppose that all these lands are not fertile or are rocky. We have not generally taken into account the lands that are in the hilly areas. These are in the valley areas. There the crop is paddy. That is why it was considered that 25 acres would be a proper ceiling. We are not going to keep it at 15 or 30 acres as in other places, but 25 acres has been fixed, not by Government only, but only after consulting the advisory committee for Manipur. That is also a matter which should be taken into account.

A number of hon. Members naturally have not visited Manipur, though my friend has. All the same, we have to take into account all these circumstances.

Shri Ranga: The Congress was defeated there by the Communists.

Shri Datar: I do not want any running commentary while I am speaking. I have heard him patiently; he has to hear me now. It may be unpalatable to some extent, but he will kindly hear me.

Shri Deputy-Speaker: I might enquire that if only less than half is so fertile in the valley . . .

Shri Datar: I am replying to that very point. In the case of Tripura there were different types of land. So far as Manipur is concerned, we considered that question, and we decided that basic holding and family holding should be equivalent to 2.5 and 7.5 acres respectively. In the Tripura Bill the concepts of family holding, basic holding and permissible limits have been expressed in standard acres. In the Manipur valley, to which this legislation is intended to apply generally, the variations in the quality of land are not marked. That is the reason why it has been mentioned here.

Mr. Deputy-Speaker: Just now the hon. Minister stated that about half, or less than half, of the land in the valley is fertile.

Shri Datar: Not less than half. 700 sq. miles was the extent of the valley. The total extent of Manipur was 8,038 sq. miles, of which only 700 sq. miles was the valley area, and in this valley area the land sown is 2.03 lakh acres.

Mr. Deputy-Speaker: The land in the valley area is the same as in the hilly area?

Shri Datar: There is no question of any hilly area as such. The question here is confined to the valley area. That is why I said that the land is generally fertile. I cannot say it is completely fertile, but it is generally fertile. The Government wanted to work out the whole thing with a view to see whether any standard acre should be laid, and after full examination of the whole question the Government came to the conclusion that the variations in the quality of land are not marked. Secondly, you will also see that the quantity of paddy that is available has been fixed at a flat rate of 3.60 per acre. It is not proposed, therefore, to apply the concept of standard acres for the purpose of defining the expressions.

Then we have to take into account another thing. So far as rent is concerned, what we have done is this. Generally, the Planning Commission follow one-fourth or one-fifth of the produce. Here we have allowed the customary rent, which is roughly equal to one-third of the produce. Therefore, we have kept that in this case.

Under these circumstances, I would point out that there is no substance in the contention that the ceiling has been fixed arbitrarily. Naturally, ceiling has got to be fixed and we cannot leave the matter as it is. I have already made a reference to the larger question of having a ceiling. In this case, 25 acres had to be fixed, taking into account the conditions in Manipur, the yielding quality of land and all other relevant circumstances.

Two hon. Members have pointed out that the ceiling ought to be even lesser. Shri Achaw Singh and Shri Panigrahi have rightly pointed out that the ceiling ought to be 15 acres. That shows what we have done is a satisfactory arrangement. This question was considered in the State Advisory Committee, in which there were a large number of hon. Members from Manipur, and they suggested that this was a proper ceiling.

Another hon. Member suggested that non-cultivation for two years should not be visited with any punishment or penalty. I have already answered this question. So far as Tripura is concerned, we cannot afford to allow the land to remain uncultivated for longer periods, in the interests of the State and the cultivator himself.

Another hon. Member suggested that the cultivator ought to be given some money, or some loan and other facilities, for proper cultivation. May I point out in this connection that under the new Bill that is going to be passed he will be entitled to all the help that an agriculturist is entitled to? Taccavi loans can be taken. Then there are loans for cattle, well, fertilizers and other things. All these

things are made available now with a view to facilitate the cultivation of the land so that he can get as much profits out of the land as possible.

Then, some hon. Members suggested that the rules about evictions were very rigid. May I point out that they are not rigid? And if the cultivator does not carry out the work properly, it is not only he—his suffering may or may not be taken into account—but the whole nation that suffers, and so when he acts in such a manner that the land is laid under waste, active waste, it is natural he will have to give up his land, or he will have to be evicted from his land.

Then the question of rent has been brought forward. May I here point out that it is the primary duty of the tenant to pay his rent? He can ask for some time by way of grace. A period of grace of three months has been given and again another six months has been provided in this Bill. If he does not pay, then naturally, unless he retrieves his position in right time, he will have to give up his possession. Something will have to be done there. While we are anxious to look after the interests of the tenants—and you will find that a number of provisions have been introduced for the benefit of the tenants who require a lot of help, a lot of safeguards—it is the primary duty of the tenant to pay the due rent in time. The amount has also been fixed after taking all the circumstances into account.

My hon. friend, Shri Ranga, brought in a number of controversial points and, as usual, he put things at, I would say, their worst. He said that the Government was becoming a big landlord.

Shri Ranga: Is it not so?

Shri Datar: Further, he said that ceiling would amount to fragmentation also. He mentioned all these things. Here may I point out—I would not go into all those circumstances—one thing with due deference to my

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hon. friend? All these provisions relating to land reforms will be found in the Planning Commission's report which . . .

Shri Nagi Reddy: He contests that also.

Shri Datar: Let the hon. Members have some patience. It was issued in 1956 when my hon. friend was either a member of this House or the other House.

Shri Ranga: Yes. I voted against it when it came for voting in the Rajya Sabha.

Shri Datar: Then he was a member of a particular party.

Shri Ranga: Then also I spoke against it.

Shri Datar: The hon. Member has to accept it. Because he issued certain veiled threats to us, therefore, I am mentioning only two or three points. (Interruptions) The reports of the Planning Commission, or the plans envisaged by the Planning Commission were not very well the products of the Congress party—the Congress party had nothing to do with it—it was the product of the Government. It was accepted by both the Houses of Parliament, and when both the Houses of Parliament accepted it, it is entirely futile on the part of my hon. friend to say that he did not accept it. Secondly, there is a more telling instance. . .

Shri Ranga: Sir, as a member of personal explanation.

Mr. Deputy-Speaker: Order, order.

Shri Ranga: I have always the right to make a personal explanation.

Mr. Deputy-Speaker: When the Chair allows or even before that?

Shri Ranga: I want to explain one thing.

Mr. Deputy-Speaker: I will give him time for it.

Shri Datar: I will refer to one more telling instance. After the report was accepted by the Congress party and by the Government new general elections were held in 1957 and my hon. friend was a member of the Congress party. He was elected on the ticket of the Congress party, and only recently, after the Nagpur session of the Congress, my hon. friend says in all seriousness that he has not accepted it. (Interruptions) If, for example, he felt that the Congress was wrong, then the proper course for him would have been to resign his seat in Parliament.

Shri Ranga: Oh! oh!

Shri Datar: That was absolutely essential. That was absolutely consistent. My hon. friend is putting before the House his own views as against the views of the Parliament. That is the point which has to be understood. After all—we are entitled to our personal views—when we are in public life we have to accept the views either of the party or of the Government to whose party we belong. Under these circumstances, I again repeat that it is absolutely futile for my hon. friend to say that his views are like this. He is entitled to his individual views provided he is in an individual capacity. Even now my hon. friend owes his seat in Parliament to the Congress Party and he owes it to the Congress Party and owes it fairly to himself to resign and then to contend. That my hon. friend has not done.

Shri Ranga: I request you to give me permission to speak on a point of personal explanation after he closes his speech.

Mr. Deputy-Speaker: I will give him an opportunity. He should hold himself in patience.

Shri Datar: These are matters which have to be decided. I would not have stated all this, but my hon. friend gave

a veiled threat and said, "You are saying so. Let us see what happens at the next election." We are prepared to accept the challenge. Let us see what his party does.

Mr. Deputy-Speaker: That is all right. But why have a challenge against a challenge now?

Shri Datar: I had to say all this because my hon. friend brought it in.

Shri P. R. Patel (Mehsana) May I know if the hon. Minister says all these things because of himself or because of Panditji. If Panditji is not there, what would be his position?

Mr. Deputy-Speaker: He should interpret it himself instead of the hon. Minister telling him.

Shri Datar: So far as the co-operative societies are concerned, all this has been pointed out in the Commission's report itself. A question was asked as to why it was not made clear about the priorities that had to be followed so far as the distribution of lands was concerned. We have got here one large section, that is, section 14, which says:

"The deputy commissioner may allot land belonging to the Government for agricultural purposes or for construction of dwelling houses, in accordance with such rules as may be made in this behalf under this Act."

The Deputy Commissioner naturally will be an officer of the Government and the Government are committed to the principles and the policy or the advice laid down in the Second Five-Year Plan. There it has been stated that after the land was vested in Government, Government does not become a land owner at all. Government want to use all this for the best interests of the country. That has been made clear in the Planning Commission's report itself. I would read para 318 (A) L.S.D.—7.

43 on page 197 in this connection. reads—

"In the settlement of lands acquired in consequence of the application of ceilings, tenants displaced as a result of resumption. . . ."

Some hon. Member had suggested this:

"In the settlement of lands acquired in consequence of the application of ceilings, tenants displaced as a result of resumption of land for personal cultivation, farmers with uneconomic holdings and landless workers should receive preference. Settlements should be made as far as possible on co-operative lines."

Then, the same matter has further been elucidated in paragraph 44. I shall read only one or two sentences.

" it is important that while the national economy develops and offers wider opportunities for employment to agricultural workers and others, some positive relief within the rural economy is given to a section of the population which has long suffered from disabilities and has been denied minimum social and economic opportunity. It is, therefore, recommended that in each State, after the data relating to the census of land holding and cultivation have been studied and the areas likely to become available assessed detailed schemes for the resettlement on land of agricultural workers should be drawn up."

This is the policy that we are going to follow everywhere, naturally including Manipur.

Then about family some complaint was made by my hon. friend, Shri Supakar. When a ceiling has to be

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laid we have to take account of a family as such. We cannot think of a family in the large sense under the Hindu law. Even that also is being cramped and contracted to a certain extent. Therefore, naturally this is not borrowing anything from the West. A family must first consist of the father and sons and grandsons and his wife. Under the Hindu law, as also under the present law, family members also will be entitled to have their own family considered as a unit for this purpose. Therefore, what the hon. Member has suggested does not in any way affect the rights. But please understand that the brother's brother's brother's son's son's son may not come within the definition of a family. I would not concede that position. But they may live together. We have no objection to that.

Shri Supakar: I was talking of the mother and the widowed daughter-in-law as to whether they will come under the definition of the family.

Shri Datar: I need not answer this question because I have clearly pointed out that we have purposely defined it that way.

Mr. Deputy-Speaker: Why should we presume widows? Instead, let us have married wives.

Shri Datar: So, we have purposely devised the definition in such a way that there would be what you can call a convenient unit for the purpose of carrying on the work of cultivation. That is the reason why it has been done. Therefore, all these limits have been laid down.

Lastly, my hon. friend stated something about legal aid. Legal aid is a general question and that question also, I understand, is being considered in the Law Ministry to a certain extent. Some of the State Governments also are considering as to whether legal aid should be afforded to poor people. That question will also be duly considered. But so far as the Bill is concerned, it is not necessary at all. We have a revenue jurisdiction.

Shri Narayanankutty Mehom (Mukandapuram): What about the States which have already passed such measures and have sent them to you several months ago?

Mr. Deputy-Speaker: That is a different matter altogether.

Shri Datar: That is entirely a different matter.

Lastly, I would say one word about the officers. A number of hon. Members stated that the officers were bureaucratic, that they were carrying on things as they pleased and that they were anti-tenants or anti-cultivators. I would like to submit that such wide generations should not be made.

Shri Nagi Reddy: It has been made by the panel of the Planning Commission and not by me.

Shri Datar: Whenever instances have been found that a particular officer has not been acting properly or has been acting partially or in an arbitrary manner, surely action will be taken against him. Action has been taken in a number of cases. Let us not therefore go by such wide generalisations.

Mr. Deputy-Speaker: Shri Ranga might give his personal explanation now.

Shri Ranga: Sir, The hon. Minister called upon me to resign from this House because I resigned from the Congress Party after having been elected on the Congress ticket. I would like to inform the House and remind my hon. friend that in November 1954 on a vote of no confidence moved by the leader of my party in Andhra, the then Congress Government was defeated. In 1955 the Congress had to enter into a coalition with me and form, what is known, as the United Congress Party. That manifesto is still governing that United Congress Party. That manifesto never made any mention of the Plans

or of these land reforms. It was under that manifesto that the present Ministry owes its strength because two-thirds, or about 200 members from Andhra came to be elected under that manifesto in the name of the United Congress Party and not the Congress Party. In that United Congress Party there were three leaders. One was the late.....

Mr. Deputy-Speaker: He need not go into all those details. He can say that he was not elected on the Congress ticket. That is all.

Shri Ranga: It is that United Congress Party and the agreement that we reached that governs us. There were three leaders—that late Shri Prakasam, the great Pandit Nehru and myself. It is because of that that today 200 members are sitting in the Cabinet as well as in the Andhra Assembly. If I am to resign.....

Mr. Deputy-Speaker: We are not at present concerned with all those details and the number of the leaders. The only thing that the hon. Member can say is that he was not elected on Congress ticket.

Shri Ranga: Therefore, so far as Andhra is concerned, it was not the Congress as it is understood in other areas but it is a Congress that has arisen out of the United Congress. In the United Congress I am a co-equal of the other partners of that United Congress. If I am to resign, all those MPs, my hon. friends who have been elected in the name of the Congress and also the Assembly members have got to think of resigning their seats.

On what point have I resigned? Not on a personal point, but on a point of principle. If my hon. friend or the party to which I had the honour of belonging till the other day were to think that anybody could resign just because he does not agree with their policy then they should have asked me the reason. In April or May 1957 when I came here soon after the election, I declared here, on the floor of this House, that I am opposed to

the conception of land reforms that have been placed before the House by the Planning Commission and by the Government. From the very beginning I had been opposing these proposals placed before Parliament in that House as well as this House by the Planning Commission. I concede one point. It is futile for me to oppose these things when the opposition is so strong. But, nevertheless, as a matter of principle it is the right of every Member of this House, whatever may be the consequences of the division or voting or his speech, he should be prepared to lay bare his heart and his faith before the House and if he thinks that a warning should be given to the party in power,—after all, it is usual parliamentary decorum to give warning to the party in power—to give a warning to the party in power that what it is doing is not likely to meet with the favour of the electorate next time, because the last election is over and this election is going to come. That is all I have to say.

Mr. Deputy-Speaker: The question is:

"That the Bill to consolidate and amend the law relating to land revenue in the Union territory of Manipur and provide for certain measures of land reform be referred to a Joint Committee of the Houses consisting of 30 members; 20 from this House, namely Shri Bangshi Thakur, Shri Rungnung Suisa, Shri Dharanidhar Basumatari, Shri Etikala Madhusudhan Rao, Shri Ghaushyamilal Oza, Shri Bibhuti Mishra, Major Raja Bahadur Birendra Bahadur Singh, Shri M. Gulam Mohideen, Shri Shoba Ram, Shri Raja Ram Misra, Shri J. B. S. Bist, Shri N. B. Maiti, Shri H. Siddananappa, Shri Dasaratha Deb, Shri Laisram Achaw Singh, Shri Pramathanath Banerjee, Shri Tridib Kumar Chaudhuri, Shri Ram Chandra Majhi, Shri Bijaya Chandrasingh Prodhan and Shri B. N. Datar.

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and 10 members from Rajya Sabha;

that in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the total number of members of Joint Committee;

that the Committee shall make a report to this House by the first day of the next session;

"that in other respects the Rules of Procedure of this House relating to Parliamentary Committees will apply with such variations and modifications as the Speaker may make; and

that this House recommends to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of members to be appointed by Rajya Sabha to the Joint Committee."

The motion was adopted.

15.42 hrs.

DELHI LAND HOLDINGS (CEILING) BILL

The Minister of State in the Ministry of Home Affairs (Shri Datar): I beg to move:

"That the Bill to provide for the imposition of a ceiling on land holdings in the Union territory of Delhi and for matters connected therewith be referred to a Joint Committee of the Houses consisting of 30 members; 20 from this House, namely,— Shrimati Sucheta Kripalani, Shri Radha Raman, Choudhry Brahm Perkash, Shri C. Krishnan Nair, Shri Naval Prabhakar, Shri Shivram Rango Rane, Shri K. V. Ramakrishna Reddy, Shri Bhola Nath Biswas, Shri Ramappa Balappa Bidari, Shri Surti Kis-

taiya, Shri K. Periaswami Gounder, Shri Daljit Singh, Shri Bhakt Darshan, Swami Ramnand Shastri, Choudhary Pratap Singh Daulta, Shri Mohan Swarup, Shri N. P. Shanmuga Gounder, Shri Atal Bihari Vajpayee, Shri N. G. Ranga and Shri B. N. Datar and 10 members from Rajya Sabha;

that in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the total number of members of the Joint Committee;

that the Committee shall make a report to this House by the first day of the next session;

that in other respects the Rules of Procedure of this House relating to Parliamentary Committees will apply with such variations and modifications as the Speaker may make; and

that this House recommends to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of members to be appointed by Rajya Sabha to the Joint Committee.

My task in this respect has been lightened, because we have referred by now two Bills to a Joint Committee and in both of these Bills, we have a provision for ceilings. In Delhi, all that has been done is, instead of 25 acres, we have put in 30 standard acres. In an earlier Bill, Land Reforms (Amendment) Bill also, this standard acre was referred to. Because there were different types of land in the Delhi territory, it was considered advisable that there ought to be a standard acre taken into account. Thirty standard acres have been fixed for ceiling in this Bill so far as Delhi area is concerned. The House may also remember that in a similar Bill in Rajasthan, the ceiling