

## LOK SABHA

Monday, July 30, 1973/Sravana 8, 1895  
(Saka)

*The Lok Sabha met at Eleven of the  
Clock*

[Mr. SPEAKER in the Chair]

## ORAL ANSWERS TO QUESTIONS

Implementation of Land Reform Laws in  
Different States

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\*101. SHRI B. K. DAS CHOW-  
DHURY.

SHRI R. N. BARMAN

Will the Minister of AGRICULTURE  
be pleased to state:

(a) the names of States where land re-  
form and laws of land ceilings have not  
been properly enforced; and

(b) the steps taken for proper imple-  
mentation of ceiling laws in various  
States?

THE MINISTER OF STATE IN THE  
MINISTRY OF AGRICULTURE (SHRI  
ANNASAHEB P. SHINDE) (a) A state-  
ment is placed on the Table of the Sabha.

(b) The question of implementation of  
ceiling laws was discussed in Chief Minis-  
ters' Conference held in July, 1972. It  
was agreed that the implementation would  
be the responsibility of the State Govern-  
ments, and they would set up non-offi-  
cial bodies at appropriate levels and place  
competent official organisation in order to  
administer the ceiling legislation.

## Statement

*Abolition of Intermediaries:*

Abolition of intermediaries is practically  
complete in all the States. Some minor  
1160 LS—1.

intermediaries, however, still remain.  
Steps are afoot to abolish these as well?  
The total compensation payable has been  
computed at Rs. 600 crores out of which  
about Rs. 275 crores have already been  
paid in cash and bonds

*Ceiling on land holdings:*

Revision of the ceiling laws to lower  
the ceiling and bring about a degree of  
uniformity has been completed in the  
following States:—Andhra Pradesh, Assam,  
Bihar, Haryana, Himachal Pradesh,  
Jammu and Kashmir, Tamil Nadu, Kerala,  
Madhya Pradesh, Punjab, Rajasthan,  
Uttar Pradesh and West Bengal. The  
progress in the implementation of the  
revised ceiling laws is as follows:—

*Assam:* Revised law enacted but some  
further amendments are under  
consideration.

*Bihar:* The revised law came into  
force with effect from 9th Sep-  
tember, 1970.

*Haryana:* Revised law in force from  
22nd December, 1972. Scheme  
for allotment of surplus land  
being finalised.

*Himachal Pradesh:* Recently enacted.

*Jammu and Kashmir:* Revised law in  
force from 1st May, 1973

*Kerala:* The revised law in force  
from 1st January, 1970. An  
extent of 10407 acres ordered to  
be surrendered out of which  
6827 acres taken possession of  
and 1192 acres distributed to  
1336 persons (including 573 per-  
sons belonging to Scheduled  
Castes and Scheduled Tribes).

*Madhya Pradesh:* The amended law  
has come in force

*Punjab:* The revised law is deemed  
to have come into force from  
24th January, 1971. Rules and

Scheme of distribution are being finalised.

**Rajasthan:** The revised law in force from 1st January, 1973.

**Tamil Nadu:** The revised ceiling law in force from 15th February, 1970. Subsequently surplus area notified—1431 acres, extent taken possession—743 acres.

**Uttar Pradesh:** Revised ceiling law recently enacted.

**West Bengal:** The revised law came into force on 15th February, 1971. Returns furnished by the raiyat being scrutinised. So far 53,000 acres of agricultural land vested in the State under the amended law.

In the remaining States the amending Bills are in different stages of finalisation.

#### *Tenancy Reforms:*

All States have enacted legislation to regulate rent in accordance with the guidelines laid down in this regard in the Five Year Plans, namely, that the maximum rate of rent should not exceed 1/5th to 1/4th of the gross produce. In the State of Assam, Bihar, Gujarat, Kerala, Madhya Pradesh, Mysore, Orissa, Rajasthan, Uttar Pradesh and Telengana area of Andhra Pradesh, the rates prescribed are within these limits. However, the rate of rent remains slightly higher in the States of Punjab, Haryana, Jammu and Kashmir, Tamil Nadu and the Andhra area of Andhra Pradesh.

To ensure security of tenure several States have included provisions to restrict the rights of the land-lord to resume land for personal cultivation and restrict eviction of tenants under various guises. However, in the States of Bihar, Tamil Nadu, Andhra area of Andhra Pradesh, Saurashtra area of Gujarat, Punjab and Haryana, the position of share-croppers is

not adequately secure and measures are being taken to protect the share-croppers from being evicted. The tenancy laws of Telangana area of Andhra Pradesh, Gujarat, Maharashtra, M. P., Mysore, Orissa, Rajasthan, U. P., West Bengal, Himachal Pradesh, Manipur and Tripura have provided for the conferment of ownership on tenants.

#### *Consolidation of holdings:*

13 States have already undertaken legislation for the consolidation of holdings. They are Andhra Pradesh, Bihar, Haryana, Himachal Pradesh, Gujarat, Jammu and Kashmir, Mysore, Madhya Pradesh, Maharashtra, Punjab, Uttar Pradesh, and West Bengal. By the end of 1972 about 34.4 million hectares of land have been consolidated.

**SHRI B. K. DASCHOWDHURY:** The statement laid by the hon. Minister does not give a proper picture in reply to my question. I would like to know from the hon. Minister what is the actual performance of land reforms in all the States in the country. I want to know whether it is also a fact that the Task Force set up by the Planning Commission has bitterly criticised the policies of the Government regarding land reforms and whether it has suggested that unless a proper organisation is set up at the district level, like the district revenue administration to implement the ceiling laws, the land reforms problem will not be solved and that the situation might become very much explosive in the coming years. If that is so, what is the reaction of the Government to the suggestion made by the Task Force set up by the Planning Commission?

**SHRI ANNASHEB P. SHINDE:** As far as the policy adopted is concerned, the guide-lines were evolved by the Chief Ministers' Conference as I said in my main answer. Broadly speaking, there is a uniformity now in the land reforms legislations in the country as a whole. The laws received from various State Governments follow broadly the national guide-lines. Wherever there are departures, we

have suggested to State Governments that they should be consistent with the guidelines

As far as the implementation is concerned, we have advised the State Governments to set up popular committees at various levels. We are very clear on this that all such committees will be very useful in enforcing and implementing the land reforms. I would appeal to the hon Member not to draw any conclusion now. Of course, I am not giving a rosy impression about it. The law has just been enacted. It will take some time. There are certain legal procedures involved also. I agree we should insist on rigorous implementation of land reforms.

**SHRI B K DASCHOWDHURY** What is the actual performance? That was first part of my question

**SHRI ANNASAHIB P SHINDE** As I said the laws have just been enacted. The President's assent has been given recently. Now, notices have to be issued and declarations have to be made. There are certain legal procedures involved. That will take some time.

**SHRI B K DASCHOWDHURY** The Planning Commission or the Task Force set up by the Planning Commission has suggested that in the case of land ceiling laws the jurisdiction of the courts should not be invoked. In view of that and in view of the experience that in most of the cases the big landowners or the rich farmers go to the courts and invoke the writ jurisdiction of the High Court or the Supreme Court may I know whether the Government will consider to suitably amend articles 226 and 227 of the Constitution so that in all such cases in the matter of implementation of land ceiling laws, the writ petitions are not allowed and that they should be outside the purview of the courts. Without this there cannot be a proper implementation of land reforms legislation in the country.

**SHRI ANNASAHIB P SHINDE** As far as the processing of the cases in the matter of land ceiling laws is concerned,

we have advised the State Governments and the State Governments have, broadly, accepted the advice that these cases should not be processed through the courts and that the civil court jurisdiction should not be there. In respect of most of the land reforms legislations, that have been enacted, they have barred the civil courts from entertaining such cases. But as far as the constitutional power of the High Court or the Supreme Court to entertain a Writ petition is concerned it is a much wider issue. I think, it raises a fundamental issue of under the Constitution. I do not think it is so easy to take away the jurisdiction of the High Court or the Supreme Court so far as the writ petitions are concerned.

**SHRI R N BARMAN** I want to know from the hon Minister how many acres of land have been distributed amongst the members of the Scheduled Caste and Scheduled Tribe communities of West Bengal. Will the hon Minister kindly furnish detailed information on this?

**SHRI ANNASAHIB P SHINDE** As far as the new laws are concerned, it is too early to say anything. We had requested the State Governments to inform us that acreage of land was likely to become surplus, and the State Governments have so far informed that 35 lakh acres may become surplus. As to how much should go to Scheduled Castes and Scheduled Tribes it is too early for me to say anything though our directives do indicate to the State Governments that preference has to be given to the Scheduled Castes and Scheduled Tribes in allotting these lands.

श्री अटल बिहारी वाजपेयी अथवा  
जी म्या सरकार डम वान पर प्रचार  
कर रही है कि भूमि मुद्रांगे का वर्तमान  
सार समाप्त हो जाने के बाद और ममी  
राज्यो में ठीक तरह से कानून के निर्माण  
होने के पश्चात् सरकार यह ऐलान कर दे  
कि आगामी 10 वर्ष के लिए जोत की  
अधिकतम सीमा घटायी नहीं जायेगी  
जिस से अनिश्चितता समाप्त हो सके

और किसान खेती में पूँजी लगाने के लिए प्रोत्साहित हो सके ?

**SHRI ANNASAHEB P. SHINDE:** This should be possible provided all parties, including the Party of the hon. Member, cooperate in vigorously enforcing and implementing the existing ceiling laws. If that happens, then, I think, it should be possible. What is happening in India is that the implementation of the land reforms legislations that have been enacted is poor and tardy. Therefore, with the cooperation of the political parties, if a general consensus is evolved in the country that they have to be vigorously enforced and implemented, then it should be possible and not otherwise.

**श्री अटल बिहारी वाजपेयी :** सरकारी पार्टी का रवैया क्या है ? यह भूमि सुधार लागू करने में किस पार्टी ने सबसे अधिक बाधा पहुंचायी है ? क्या यह सच नहीं है कि सबसे अधिक कांग्रेस पार्टी के लोगो ने बाधा पहुंचाई है ? वैसे हमारी पार्टी कही नहीं है, जब मुसीबत आती है तो सब जगह हम ही दिखाई देते हैं ?

**SHRI BUTA SINGH:** I agree with the hon. Minister that we should not portray a gloomy picture. But when we look at the statement that has come before this House, we find that out of 21 States only six States have given the information, and out of these six States, only two States have given the results achieved so far—and these two States are Tamil Nadu and West Bengal. In the case of all other States, the general reply given is that the law is deemed to have come into force, it is going to be implemented and so on. Since 1970 this thing is going on in the country, and no less a person than our great leader, the hon. Prime Minister of this country, has pointed this out in the Chief Ministers' Conference on the 26th September: she has said that the land reforms measures implemented so far have failed to fulfil the legitimate expectations

of the people of this country. This shows the half-heartedness on the part of those who have been assigned this duty to implement these land reforms....

**MR. SPEAKER:** Ask your question.

**SHRI BUTA SINGH:** I am directly concerned with this. It is a fact that the ownership of land in the rural areas is not only a question of solution of economic problems but it also includes the question of social status of those who do not have land. Keeping all these things in view, I want to know from the hon. Minister what concrete steps Government propose to take to change the land relationship in the rural areas for the sustained growth of agriculture and for the abolition of semi-feudal agrarian structure in the rural parts of India.

**SHRI ANNASAHEB P. SHINDE:** Our position is very well-known. First of all, we have enacted ceiling laws and we have imposed ceilings. Then with regard to unit of application, family has been made the unit and not the individual. Then exemptions have been done away with. Then, with regard to tenancies, we want the tenants to become owners of the land and permanent cultivators with inheritable rights. Theoretically, we have taken the position, but it is really at the implementation stage all the difficulties are coming in. But, as I said we have to insist on their vigorous implementation.

**श्री नाथराम अहिरवार** लैंड रिकॉर्म के अन्तर्गत सरकार भूमिहीनों को जो भूमि देने जा रही है उस में दो तरह में भूमि निकलने वाली है। एक तो जिन के पास ज्यादा जमीन है उनके पास से सीलिंग के अन्तर्गत आने वाली है और दूसरे जो सरकार की परती जमीन है वह मिलने वाली है। सरकार क्या इसके बारे में राज्य सरकारों को ध्यान दिलायेगी कि लैंड रिकॉर्म कानून के बनने के बाद इन राज्यों में जो बड़े-बड़े काश्तकार हैं जिन्होंने पट्टाधारियों से सरकारी जमीनों

को अपने नाम लिखवा लिया है ? मैं जानना चाहता हूँ कि क्या वह जमीन भूमिहीनो को मिल सकेगी ? दूसरी बात यह है कि जिन भूमिहीनो को जमीन मिली है, बड़े बड़े लोगों ने या तो उस पर अधि-कार जमा रखा है या लोगों को कर्जे आदि दे कर उन की भूमि को गिरवी रख लिया है इसके फलस्वरूप वह ज्यों के त्यों भूमिहीन बने हुए हैं। मैं जानना चाहता हूँ कि इस के लिए सरकार क्या कदम उठाने जा रही है जिससे भूमिहीनो को जमीन मिल सके और उन को सुरक्षा मिल सके ?

**SHRI ANNASAHEB P. SHINDE** As far as the lands owned by the Government are concerned, we have written to the State Governments repeatedly that those lands which are not to be used for forest development and which are cultivable should be disposed of and made available to the landless labour, giving preference to the Scheduled Castes and the Scheduled Tribes and quite an amount of land has been so distributed. We have written to the State Governments to complete this process very quickly and we will also write to those State Governments which have not yet done.

The social aspect is really the most important part of the application because even if the land is given to the people, there are difficulties of the wherewithal, credit and other things and the lenders and other elements take advantage of the difficulties of the poor man. We have also drawn attention of the State Governments to this, so that the necessary infrastructure is built up and necessary help is given to the State Governments.

**SHRI SAMAR GUHA:** Has the attention of the Government been drawn to the critical remark made by the Task Force of the Planning Commission which has said:

"In no sphere of public activity in our country since Independence has a hiatus between the precept and practice,

between policy-pronouncement and actual execution, been as great as in the domain of land reforms."

If so, has the Government studied the implication of this observation and if so, what is the conclusion of the Government?

Secondly, is it a fact that even after the ceiling law is imposed, in Mysore, Rajasthan and Orissa, not a single acre of land was found to be surplus and in Bihar only 700 acres of land were found surplus and only 2.27 million acres of surplus land in the whole of the country which means only 7 per cent of the surplus land has been found and if so, whether 93 per cent of the surplus land is still in the hands of big landlords in the name of benami holdings or as un-irrigated land?

**SHRI ANNASAHEB P. SHINDE:** As far as the first part of the hon. Member's question is concerned, I have already covered the larger issues.

With regard to the second part of the hon. Member's question about surplus land still not having been made available in a large scale, I said the implementation of law has just been initiated because to some of the laws the Presidential assent has been given just a month or two months ago and we have to wait for some time. We will take it up with the State Governments to see that this is vigorously implemented.

**SHRI SAMAR GUHA:** According to the Chief Ministers' conference it was decided that it should be completed by the end of December. It is a commitment of the Government on the floor of the House that the land reform measures will be completed by the end of December 1973. I want to know...

**MR. SPEAKER:** I am not allowing.

**SHRI SAMAR GUHA:** I would like to know whether that commitment is going to be implemented.

**MR. SPEAKER:** He has already replied to it in his main statement.

श्री० योशिनन्द बास (रिश्कारिया) : मैं जानना चाहता हूँ कि क्या मंत्री महोदय इस से सहमत हैं कि भूमिसुधार लागू करने में और कार्यान्वित करने में अधिक कठिनाई होती है ? क्या वह इस के लिए तैयार हैं कि ग्रामीण स्तर पर वह कुछ इस तरह की समितियाँ बनाये जिन में गैर-सरकारी लोग हों और उन में अधिकतर भूमिहीनों का बहुमत हो तथा उन की देख-रेख में प्रान्तीय सरकारें जो कानून बनाती हैं भूमिसुधार के लिए वह लागू हों ? क्या मंत्री महोदय इस से भी सहमत हैं कि कोई तारीख निश्चित की जाये जब तक सारे देश के राज्यों में भूमि सुधार लागू कर दिए जायें, तथा इन दोनों उद्देश्यों के लिए मंत्री महोदय क्या कार्रवाई करने जा रहे हैं ?

SHRI ANNASAHEB P. SHINDE: I have already said about association of beneficiaries with regard to implementation of land reforms. There are these popular committees and Government has accepted this position. We have communicated in writing to the State Governments that that will be the position as far as the implementation is concerned. I have also mentioned already about the processes of law having been completed by the States. There are only two or three States where the laws are before the Assemblies or Select Committees. They are also elected bodies like ours and they take their own time. However we have approached the Chief Ministers to expedite the process, as I have mentioned already.

SHRI T. BALAKRISHNIAH: Are Government aware that the Govt. of Andhra Pradesh has enacted the Land Ceiling Act recently? If so, what steps have the Central Government taken to see that the Land Ceiling Act is implemented in Andhra Pradesh?

SHRI ANNASAHEB P. SHINDE: This matter was discussed....

MR. SPEAKER: It is a general question.

SHRI ANNASAHEB P. SHINDE: This matter was recently discussed in the Consultative Committee and Government of India wants to see that this is done as early as possible.

श्री हुकम चन्द कछबाय : एक प्रश्न के उत्तर में अभी मंत्री महोदय ने कहा कि भूमि-सुधार कानून लागू करने में उन को काफी कठिनाइयाँ हैं। मैं जानना चाहता हूँ कि कौन-कौन सी कठिनाइयाँ आ रही हैं और वह किन के द्वारा पैदा की जा रही हैं ? राजस्थान, मध्य प्रदेश और उत्तर प्रदेश के डाकूग्रस्त क्षेत्रों में अभी कुछ दिन पूर्व बोहड़ों को ममान करने की एक योजना चली थी, उस को बन्द कर दिया गया। मैं जानना चाहता हूँ कि वहाँ पर कितना मुधार किया गया है और अभी तक कोई जमीन बांटी गई है या नहीं ? अगर नहीं बांटी गई है तो कब तक बंटने वाली है ?

SHRI ANNASAHEB P. SHINDE: What I said was that the implementation was tardy. But, as I said, by involvement politically, by formation of political committees, with the support of all political parties, etc. implementation process may be expedited. So far as individual States are concerned, Madhya Pradesh has enacted the law and they will be implementing it and surplus land will be declared as such in the course of implementation of the land reforms.

श्री हुकम चन्द कछबाय : राजस्थान, मध्य प्रदेश और उत्तर प्रदेश में जो डाकू-ग्रस्त क्षेत्र हैं वहाँ भूमि को समतल करने की एक केन्द्रीय योजना थी, उस को अब बन्द कर दिया गया है। मैं जानना चाहता हूँ कि उस को बन्द करने के क्या कारण हैं, और जो भूमि समतल की गई

है उस को वितरित करने में क्या कठिनाई आ रही है? इस का उत्तर मुझ को नहीं दिया गया।

SHRI ANNASAHEB P. SHINDI: I require notice.

**Scheme for Slum Improvement**

\*106 SHRI M. KALYANASUNDARAM:-  
SHRI SARJOO PANDEY:

Will the Minister of WORKS AND HOUSING be pleased to state.

(a) whether the Central Government's scheme for slum improvement is gaining ground;

(b) if so, the positive features of this scheme;

(c) which are the States where this scheme was implemented, and

(d) names of the cities and number of people benefited by this scheme?

THE MINISTER OF WORKS AND HOUSING (SHRI BHOLA PASWAN SHASTRI): (a) Yes, Sir.

(b) The Central Scheme for Environmental Improvement in Slum Areas envisages cent per cent grants to the State Governments for providing amenities like water supply, sewers, storm water drains, community baths and latrines, widening and paving of existing lanes and street lighting in slum areas.

(c) and (d). A statement is placed below

STATEMENT

*Statement showing the State, City and Population benefited under the Central Scheme for Environmental Improvement in Slum Areas*

State	City	Population benefited
1 Maharashtra . . .	Bombay . . . . .	3,36,449
2 Maharashtra . . .	Poona . . . . .	8,006
3 Maharashtra . . .	Nagpur . . . . .	95,959
4 Uttar Pradesh . . .	Lucknow . . . . .	1,69,400
5 Uttar Pradesh . . .	Kanpur . . . . .	1,57,951
6 Delhi Union Territory . . .	Delhi . . . . .	3,70,040
7 Andhra Pradesh . . .	Hyderabad . . . . .	1,06,770
8 Gujarat . . . . .	Ahmedabad . . . . .	23,139
9 Mysore . . . . .	Bangalore . . . . .	80,146
10 Tamil Nadu . . . . .	Madras . . . . .	2,05,896
11 West Bengal . . . . .	Calcutta . . . . .	10,00,000
12 Rajasthan . . . . .	Jaipur . . . . .	22,858
13 Madhya Pradesh . . . . .	Indore . . . . .	38,433
14 Haryana . . . . .	Rohtak . . . . .	12,112
<b>TOTAL</b>		<b>26,30,159</b>