

Why Land Reforms Remained an Unfinished Task in Bihar

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Abstract: Land is not only the source of livelihood, subsistence and survival but it is also a precondition for a just, democratic and socially, politically and economically inclusive society. It is very much associated with the citizenship rights which give a sense of belongingness, equality, and freedom. It is also important to address the question of massive inequality, poverty, hunger and exclusion from every sphere of life. Proper food and homestead are also fundamental to our life as it falls within the realm of natural rights. These are the very first things which a living being needs. Not only the human being, even animals require secure shelter and food for their survival. Yet, we have today a situation in the country where a large number of people do not have access to proper food and shelter. Because right over the land is the source of these fundamental requirements, every human being should have the freedom and ability to obtain it. These natural rights needs to be articulated as legal and human rights in order to force the society and the state to recognize these basic needs for a just, democratic and dignified human existence in the society and also to obligate the state to make provisions. This paper seeks to analyze that how the political parties delayed and diluted the process of land reforms.

Keywords: *land productivity, land Reforms, equitable distribution, Zamindari, Rayat, Exploitation, Ceiling, Consolidation, Abolition, Bhoodan, Semi- Bondedness etc.*

I. INTRODUCTION

In the year immediately following India's independence, the national objective of poverty abolition was envisaged as simultaneous progress on two fronts: equitable distribution and high productivity. Thus land reform was visualized as an important pillar of a strong and prosperous country. Early five year plans of India allocated a substantial budgetary amount for the implementation of land reform. In some states and regions, a degree of success has been registered with regard to the abolition of the *Zamindari* system, abolition of intermediaries, protection of tenants, rationalization of different tenures, imposition of ceiling on landholdings and consolidation of land etc. After independence, the state of Bihar became one of the earliest states in India to introduce various land reform legislations.. But when these legislations came to be actualized on the ground level, Bihar witnessed tremendous tensions between the landlord i.e. *zamidars*, landless agricultural labourer and poor peasants. According to a survey conducted by the Communist Party of India (Marxist-Leninist), about 60% of rural families are landless (DNA2014).¹ This paper would seek to analyze that despite there being the presence of various caste-class movements, socialist Bahujan parties remaining in power for long periods of time and also that there was no dearth of various legislations for land reforms, why the implementation of land reforms remained an unfinished task in the state?

II. POLITICS OF LAND REFORMS IN BIHAR

Politics of land reforms can be understood through the role of parties and their commitment towards radical agrarian restructuring. We don't see very clear-cut position of different parties on the issue of land reforms. Their priority often changes at different point of time, even the method of achieving the goal of equitable land distribution gets changed. If we take the example of Congress party, among the goals enunciated by the congress movement prior to the achievement of independence from the United Kingdom was that of comprehensive agrarian reforms. But over the period of time the Congress party got divided on the issue of land reforms. Within the Congress party there were some people who were committed to radical reforms. These people were mainly from the Congress socialist party which was comprised of people like Jaya Prakash Narayan, Rammanohar Lohia, and Minoo Masani. Jawahar Lal Nehru also had similar view as of Congress socialist Party. On the contrary there were people like Rajendra Prasad who had traditional and conservative

¹ Pradeep Kumar Mishra "Poverty alleviation in Bihar alternative Views", Economic and Political Weekly, Feb, 2017, p.63

view on land question. Even Gandhi, whose influence generally bridged the gap between radicals and conservatives, was probably ambivalent on the question of agrarian reforms. He was closely associated with the landed middle classes and large industrialists particularly Marwari and Gujrati businessmen, the principal financier of congress movement. Gandhi taught the lesson of mutual forbearance and tolerance between the landlords and industrialists and peasants and workers.²

They kept speaking the language of radical economic and social change while assuring that no action would be taken to unduly upset conservative landed and industrial interest within the party. Even after independence was achieved, radical language on land policy, followed by conservative action, became standard practice within the Congress throughout India, and especially in Bihar. Periodic directives have been given to the state by the centre to both legislate and implement the reforms consistent with the “directive principles of state policy” within the constitution of India.³

Bihar, the third most populous state in the country with 3 % of the geographical area of India and about 8% of its population, is frequently characterized as the ‘most backward state of India’. At Present it is the least urbanized state of India. With an urban population of about 10% the agricultural sector, employing about 73% of the workforce in the state, is very backward with low product. The productive employment in the non-agricultural sector has not grown as much as in other states. Rural industries which are there in the state such as sugar, jute etc. have collapsed in recent years⁴.

The above characterization of Bihar as backward state has something to do with its historical context. Bihar, at pre- independence period was one of the region where permanent settlement was introduced in 1793 wherein the *zamindars* were made the intermediaries for collection of land revenue from peasants and in return they had to pay the fixed amount of land revenue to the state under the permanent settlement, the revenue demanded was fixed at 9/10 of the rent that the *zamindars* were assumed to collect from their tenants. The right of the land was vested in the landlords, but no protection was given to the class of actual cultivators (tillers). It was only through Act 19 of the 1859 and more clearly through Act of 1885 (Bihar tenancy Act) that the right of tenants got some legal recognition⁵. Often, *zamindars* framed out the right of rent collection to subordinate against who imposed their own arbitrary assessment on the *Raiyats*. The hierarchy of land tenure that was stabilized by hierarchy proved inimical to agricultural revolution. It shows clearly the agrarian structure inherently exploitative and detrimental to agricultural development.

Immediately after independence, Bihar was the first state in the country to do away with the *zamindari* system, whereby the much hated system of intermediaries between the actual tillers and the state was abolished and the tillers came in direct contact with the state. However, *zamindari* was abolished; the former *zamindars* were not deprived of their homestead and private lands, which were quite large. And therefore, *zamindari* abolition was complemented by the imposition of ceiling Act passed in 1962. Though, a number of legislative measures were taken by the government with regard to the agrarian sector, the implementation of the various laws remains far from satisfactory. In spite of all the laws enacted continued to be exploitative and detrimental to growth. However, there have been some important changes in the class status of the various sections of rural society over the years.⁶ The upper middle castes, particularly the three numerous dominant castes, Yadav, Koeri, and Kurmi, had significantly improved their economic position in the post- independence period. These three castes have been the important beneficiaries of the so called green revolution in Bihar, in whatever small manner this might have happened in the state. However, in spite of these changes in the fortune of the backward castes, the fortunes of agricultural labourers and the poor peasants (comprising mostly schedule and lower backward castes), who constitute about half the rural households, did not change, in several parts of the state it deteriorated. The three years of famine in the mid 1960’s led to a further deterioration in their already miserable condition. More and more poor peasants were converted into agricultural labourers. This social, economic and cultural exploitation of the downtrodden prepared a fertile ground for a militant movement.⁷ It provided fertile ground for some groups with revolutionary Maoists ideology to start working in some part of the state. It first started with Bhojpur district and soon the flames of agrarian tension reached to other districts. In the wake of these changes, the socialist party and communist party also launched ‘the land grab movement’ in 1970-71 directed against the big landlords. With the mounting frustration of the poor more and more areas came under the hold of Naxalbari type movement. Perhaps it is because of their movement that the government came up

² F. Tommasson Jannuzi, ‘Agrarian Crisis in India- The case of Bihar’, Sangam press limited Pune: 1974, p 5.

³ Ibid,7

⁴ Alakh N Sharma: ‘Agrarian relation and socio-economic change in Bihar’ economic and political weekly. March 5.

⁵ Arvind N Das(1983):Agrarian unrest and socio-economic change in Bihar,p 23. Manohar publication Delhi

⁶ Alakh N Sharma (2005): Agrarian relation and socio-economic change in Bihar, economic and political weekly, march 5

⁷ Ibid, 965

with some land reform measures in the mid 1970. To understand the process of land reform legislation and the politics behind its non implementation, we broadly divide land reform process into following phases.

III. PHASE OF ZAMINDARI ABOLITION ACT

If we specifically talk about the *Zamindari* abolition in Bihar, it was the earliest state that had passed the *zamindari* abolition act in 1947. Then in 1948 it was amended and published as *Zamindari* Abolition Act (1948). During the period when Bihar land reform act was passed in 1950, *Zamindars* of Bihar opposed this bill in their fullest strength. With this act the rights of *Zamindars* and title holders on land, trees forests, fish breeding ponds, markets mines and minerals were legally terminated. These rights directly vested with the state government. Not to say about the poor implementation of this act. *Zamindars* despite of government order had not submitted the document of their estates. Land survey and field survey was progressing at the very slow pace mainly because the assembly and the administrative were full of people coming from this gentry. By 1952 notices could be sent to only 155 *zamindars*. Looking at the delay this act was amended again in 1954 and 1959 then only notices were sent collectively to all *zamindars* in Bihar. At the same time clauses V, VI and VII of this act permitted the *zamindars* to keep enough homestead land, *khas* land and land for the purpose of trade handicraft, commerce and for storage etc. Not only they were given many provisions for protection of their land but they also got a lot time to utilize these provisions. As a result *zamindars* started evicting the title holders fast and occupied large tracts of land in the capacity of occupancy *Raiyats*.⁸ Only those title holders could become the owners of land who had the right of occupancy *Raiyats*. They divided their land to keep their land within the ceiling.

The *zamindars* filed thousands of cases in which about 9100 acres of land remain trapped on which the *zamindars* still retain their hold. Yes, many levels of middleman were of course eliminated apart from the strata of erstwhile *zamindars* that became occupancy *rayaiat*. In this way we can say that in the first stage of land reform land was redistributed only to the power wielding class. Harinmoy Dhar gives some case studies indicative enough to justify that as a class their interest remained intact in some form or another. The state compensated them adequately. Till 1969-70, nearly 384 million were paid to the ex-*zamindars* in the form of compensation for the land acquired by the government. The ex- *Zamindars* of Hathwa, Drabhanga, Dumraon and Ramgarh still own large tracts of land.⁹

Zamindars of Bihar even after introduction of *Zamindari* abolition act adopter several means to save their estate. They effectively used their powerful social and political clout. In this effort they have effectively utilized existing institutions such as law, courts and legislature.¹⁰

IV. PHASE OF LAND CEILING ACT

Despite of the implementation of *Zamindari* abolition act, most of the erstwhile *zamindars* still retained a large part of their land. A good number of occupancy and non occupancy *Raiyats* became big *jotdars*, many rich people from the town also purchased in fewer amounts. In this case with the aim of breaking this centralization of land, for the first time in the 1955 the ceiling bill which is called Bihar Agricultural Lands (Ceiling and Management) Bill was introduced in assembly. This bill probably have not been put forward by the Government of Bihar but by the then revenue minister K.B Sahay .¹¹ Due to the strong resistance from the prosperous landowners this bill remained in the cold storage. In 1961, a very loose kind of legislation – Bihar Land Reform (ceiling, Land Allocation and Surplus Land Allocation) Act was brought in .The ceiling act of 1961 was a diluted version of Bihar agricultural lands (ceiling and management) bill, 1955. A careful comparison of the provision of the bill of 1955 and the act 1961 make obvious that the ceiling legislation now in force in Bihar is much less stringent in its intended effect than the legislation earlier proposed, debated and tabled. *Benami*, or factious, transfer of land became the accepted legal method of preserving right on land far in excess of the variable ceiling established by law. By establishing variable ceiling and allowing the landholder to resume lands from his tenants for “personal cultivation”, the act permitted the eviction of thousand of under-*raiya*ts or tenants from lands they had tilled for many years, sometimes for generations, without being recorded occupancy- *rayat* satus.¹²

Bihar land ceiling act 1961 was the diluted version introduced in 1961 as the Bihar Land Reforms (Fixation of ceiling Area and Acquisitions of surplus Land) Bill. Its provision left structural loopholes that

⁸ Hiranmay Dhar, *Institutional constraints to land reform in Bihar, in Land reform in India an unfinished task* ed. Sinha B.K, dutta P.S, Pushpendra(New Delhi: Sage publication, 2000), 125.

⁹ *Ibid*,125

¹⁰ *Ibid*, 131

¹¹ F. Tomasson Jannuzi, “Agrarian crisis in India the case of Bihar” (Pune: Sangan press limited,1974),72-84.

¹² *Ibid*,p83

helped the landlords to circumvent the ceiling laws in very successful manner. Some of its weaknesses are indicated as below:

1. Instead of a family this act recognized the individual landholder as a unit for fixation of ceiling area.
2. Landholders holding land in excess of ceiling area were allowed to transfer portions of his land to sons, daughters and others relatives within one year of the commencement of the act., This opened the way for fictitious
3. family division, *benami* transfers and other manipulations to circumvent the provision of the act
4. The Act allowed the individual landholder to possess up to ten acres of homestead and fifteen acres of orchard land in addition to a liberally fixed ceiling area. That means a family consisting of five landholders was entitled under
5. This Act to hold 225 acres of land.
6. This Act gave the landholders a virtual mandate for evicting sharecroppers by permitting landholders to resume land for personal cultivation from non occupancy under- *Rayats*.¹³

The decade of seventy was unique in many ways. It was the decade when the land grab movement was launched by communist parties. This movement pressurized the government to take proper action with regard to ceiling surplus land to be distributed in landless people. Finally it was realized that the Act 1961 would not enable the government to acquire much land. Later a fresh Act was enacted named Bihar(Land Reforms land of Ceiling Area and Acquisition of Surplus land) Amendmenht Act, 1972, which was amended further in 1973. The Act of 1972 was better than 1962 in many respect.

Phase of Land ceiling Act

As the third stage in land reforms the question of tenancy reform came to the fore. The weakest tiller of the land have always been tenants, sub tenant and sharecroppers who have been evicted at will and exploited by those having superior rights interest in land. It has been estimated that there are still about million concealed tenants in India who have not received the legal protection provided under the law.¹⁴

The agriculture census figures for Bihar shows that both during 1971 and 1981 the leased in area was 0.4% to total operated area. On the other hand the NSS data shows that the operated area lease in during 1971-72 was 14.50% and it declined to 10.72% during 1981-82. Apart from that the study conducted by A.N Sinha Institute indicates that the percentage of households leasing in during 1981-82 in the state was as high as 59.04%.¹⁵ NSS data further indicates that Bihar emerged as the state with the highest incidence of share cropping (73.32%). Therefore, knowing the fact that sharecropping is the major form of tenancy it becomes important to talk about the security of tenure and fair rent of tenants.

The tenancy laws in the state prescribe 25 % of the gross produce to the sharecropper. The empirical study done by the IAS probationers of 1987-88 batch of three districts Aurangabad, Samastipur and Madhubani show that all the sharecroppers paid higher rent than the statutorily prescribed norms. The study by probationers also revealed that the administrative machinery hardly implements the statutory provision of fair rent. The position with respect to security of tenure indicates that 56% of the sharecroppers face frequent change of eviction. They are quite insecure as tenants and are virtually tenants at will. The tenancy law in the state prescribes that a non occupancy tenants would be conferred that status of occupancy tenants, after working as a tenant continuously for 12 years. This law in itself is retrogressive as 12 years is a long period but even this provision hardly implemented. The sharecroppers awareness is also very low an even if some of them are aware, they are afraid to assert themselves due to fear of reprisal and evictions.¹⁶ Tom Brass in his article Migration, Tenancy and Bondage in Purnea District, Bihar argues that the present unequal land holding structure in Bihar, even as permitted under the ceiling laws, necessarily gives rise to sharecropping and through this the debt bondage relations which contribute substantially to the economic underdevelopment of the state.¹⁷

When we talk about tenancy reform in Bihar, there was eviction of title holder in large number. The congress Agrarian reform committee which was known as Kumarappa committee had suggested that those real

¹³ K.Gopal Iyer, Evaluation of land ceiling measures in Bihar, ed. B.N Yugandhar and K. Gopal Iyer (New Delhi: Sage Publication, 1993), 87-118.

¹⁴ Sukumar Das, A Critical Evaluation of Land Reform In India (1950-1995), Land reform in India an unfinished agenda, Sinha B. K, Dutta P.S, Pushpendra, (Sage publication New Delhi, 2000.

¹⁵ Concealed Tenancy: Dilemmas of Sharecroppers in Bihar by K.Gopal Iyer in Land Reforms in India Volume 1, ed by B.N yugandhar and K. Gopal Iyer, (sage publication: new Delhi), 1993, p, 249

¹⁶ Concealed Tenancy: Dilemmas of Sharecroppers in Bihar by K.Gopal Iyer in Land Reforms in India Volume 1, ed by B.N yugandhar and K. Gopal Iyer, (sage publication: new Delhi), 1993, p, 263.

¹⁷ Migration, Tenancy and Bondage in Purnea District, Bihar by Tom Brass in Land Reforms in India volume 1 ed by B.N Yugandhar and K.Gopal Iyer, (Sage publication: New Delhi) 1993, p, 283.

tillers who are not themselves the owners of land but who had been cultivating the land hired by title over a period of more than six year, would get the ownership right over such land. From the first to the forth plan a lot of concern was expressed that in the name of self cultivation reoccupation of the land the landowners was going on unchecked.

The newly emerging landowners started changing the title- holder after every one or two year so that they would never get caught in legal problem. The most common form of title holding in Bihar is tenancy. Normally poor and small middle peasants are engaged in tenancy. Contrary to the tenancy laws a tenant never gets more than fifty percent of the produced. They are not legally protected as all tenancy is oral there is no record .In the absence of security of titleholders and due to the change in tenancy year after year and finally due to the exploitative system in the division of harvest the tenants are not interested in increasing the quantity or quality of the produce..

All laws made for security of tenancy have proved insufficient till date. No government has expressed their political will to solve this problem. Karpuri thakur during his tenure as chief minister had taken up the problem for updating of land records and keeping tenure records so as to protect the rights of the tenants. But after this problem went ahead for some times in Kosi division this was stopped saying that this will become like a survey and tenants would record their names in large numbers leading to destruction of peace in this agricultural area.

Transfer of power from one hand to the other hand entail transfer of power also and hence involves fierce political battle, even a political revolution.¹⁸ Over the last forty years, Bihar has witnessed a sort of political revolution, the *rayat* and under *rayats* of yesterdays now holds the reins of political power. In place of traditional upper castes landlords, kurmis-yadava-koiri kisan proprietors along with the similar castes of upper castes have acquired dominant status in the political affairs of the state.¹⁹

V. PHASE OF LAND CONSOLIDATION

Like tenancy reform the work of holding was given up after some time. Absence of up to date records of land itself blocked its progress. Wherever there were efforts to keep it going, large land owners using the muscle and money power took over the fertile land of peasants into their possession and left their infertile lands to them. Seeing an attack on their interests the peasants stated opposing land consolidation and finally this process came to a halt.It was said that land consolidation was a major cause for the development of agriculture in Punjab. But in Bihar this was the reason for peasant's problem.

Phase of Bhoodan

At the time when tenancy of Tebhaga and Telangana and else have started an armed struggle against landlordism. A new movement in the form of Bhoodan was started by Binoba Bhave in the year between 1951-69 asking landlords, to handover land to him for peaceful distribution to the landless. To the theoreticians of the movement, Bhoodan became a revolutionary means of making a direct appeal to the masses. The goal was the creation of "Kingdom of kindness" through changing man's heart and building a new social order. In the new social order there would be no government, since government use the *danda shakti* Bhaevian ideal has been the creation of *lok shakti* vested in village republic.²⁰ He travelled all over India over 80000 km on foot, urging landlords of the village to donate to him 50 million acres of land to distribute among the landless poor peasants. Actually 18.58 million hectare of land were received through Bhoodan movement but only 9.88 million hectares out of this could formally be distributed to the landless poor while the distribution of the remaining 8.60 million hectares was affected by reasons, such as the land being unfit for agriculture or encroachment upon land, donation document being missing or the donation being contested by heir. Apart from the lack of administrative organization and coordination, there have been other reasons for the slowness of distribution of Bhoodan land in Bihar. Firstly the donated lands are widely scattered throughout the state and the Bhoodan committee in Bihar has been small. There were very less full time members in the Bihar movement and few among them had the time to devote to the distribution related activities.²¹

The Bihar Land Tribunal Act, 2009

¹⁸ Choughary, Prasanna K. "Land Reforms In Bihar:Need for a fresh Appraisal". In Land Reforms In india Volume 1 Bihar Institutional Constraints, by B.N yugadhar and K. Gopal Iyer,24. New Delhi: Sage Publication, 1993

¹⁹ Ibid., p. 25

²⁰ Jannuzi, F. Tomasson.Agrarian Crisis In India he Case of Bihar, P. 94-95Pune : Sangam Publication limited,1974

²¹ Ibid., p.103

Just before the Bihar Assembly election the Nitish government came up with the above mentioned 'The Bihar Land Tribunal Act 2009'. This Act was constituted to address the land related issues of *Raiyats* of state. There are huge number of cases related to land dispute are pending before different forums in the state and the present machinery including civil court is overburdened because of pendency of huge number of disputes relating to land. The Bihar government is facing complexities arising out of the multiplicity of adjudicating machinery and delay in the settlement of disputes. Therefore, to ensure the speedy disposal of disputes under various land laws the state came up with this act saying that the people of the state are faced with undue hardship in getting their grievances redressed. But to fulfill the above mention vision of the Government does not seemed to have any difference with the earlier legislations on land reforms. This act is legislation in the continuation of any other legislation passed in the state.

Bandopadhyaya Commission's Recommendation on Land Reforms in Bihar: Unwillingness of Government to Implement in Its Spirit

The One of the key promises made by Nitish Kumar after becoming the Chief Minister of Bihar was to carry out land reforms. Indeed, the deepest source of Bihar's backwardness lies in the near-total absence of land reforms, and the setting up of a Land Reforms Commission (LRC) under the chairmanship of D. Bandyopadhyay, credited as a key architect of land reforms in West Bengal, was therefore widely welcomed by all well-wishers of the cause of development of Bihar. The Commission was initially granted a period of one year which was subsequently extended to two years and that expired in June 2007. The full report of the Commission was eventually submitted to the Chief Minister in April 2008. The Bihar Government is, however, yet to take even the first minimum step of making the report public.

Fifteen months later, when the landless rural poor and deprived sharecroppers and tenant cultivators have started demanding immediate implementation of the Commission's recommendations, the Government of Bihar has woken up only to set up another committee to study the recommendations of the Commission, a much-too-familiar bureaucratic technique for delaying and diluting any real step. To understand how the government would like to mutilate and murder the Commission's report, let us look at this one example. The Commission has recommended "assignment of at least 10 decimals of land to shelter less household of 5.84 lakh non-farm rural workers each who are in the state of semi-bondedness as they live on the land of other landowners", but the State's SC/ST Welfare Minister recently told the Bihar Assembly that the government was contemplating giving only three decimal plots to shelter-less people belonging to *Mahadalit* castes. Like all its predecessors, the Nitish Government too thus seems all set to give the agenda of land reform a quiet burial. Citing NSSO figures, the LRC report points to a reverse trend of land concentration between 1992 and 2003, the proportion of large landowners has gone down from 0.2 per cent to 0.1 per cent, yet their share in total land area has increased from 4.44 per cent to 4.63 per cent over the same period!

The proportion of the landless or the near landless among the rural poor is steadily increasing from 67 per cent in 1993-94 to 75 per cent by the turn of the century. Between 1991 and 2001, outmigration from Bihar increased by over 200 per cent, whereas the average increase for all the Indian States stood at just 21.5 per cent. Landlessness aggravates poverty and forces people to migrate out of the State; landlessness also retards the development of agriculture. Between 1991-92 and 1995-96, agriculture in Bihar grew at the negative rate of (-) 2 per cent annum, followed by a very sluggish 0.8 per cent of annual recovery for the next six years (when nationally agriculture grew at three per cent per annum). If despite having "perhaps the most fertile soil in the world and copious water resources" agricultural growth remains so sluggish in Bihar, the LRC finds it "evident that there is a structural bottleneck in Bihar agriculture due to a very queer pattern of land ownership and very extortionate system of tenancy at will which are causing great impediment to accelerated rate of agricultural growth".

The key recommendations of the LRC are threefold: (i) to do away with the present system of classification of land into six categories with ceilings varying from 15 acres for all kinds of land; (ii) to allot between one acre and 0.66 acre of ceiling surplus land to the lowest quintile of agricultural laborers consisting of 16.68 *lakh* households each and assignment of at least 10 decimals of land to shelter-less households of 5.48 *lakh* non-farm rural workers each; (iii) to enact a *Bataidari* Act to ensure secure and heritable right of cultivation to all tenants/sharecroppers with 60 per cent share of the produce (if the landowner bears the cost of production) or 70 to 75 per cent of the produce (if the *bataidar* bears the cost of production)²².

The LRC is aware of the legal loopholes and the administrative apathy that have till date made a mockery of every land reforms legislations in Bihar. And such a state of affairs could continue because of an utter lack of political will on the part of the ruling forces not only within Bihar but also at the Centre. The reason is not difficult to understand. The absence of land reforms facilitates not only the continued feudal domination within Bihar, but also the assures and continuing supply of cheap labor from Bihar without which the Green

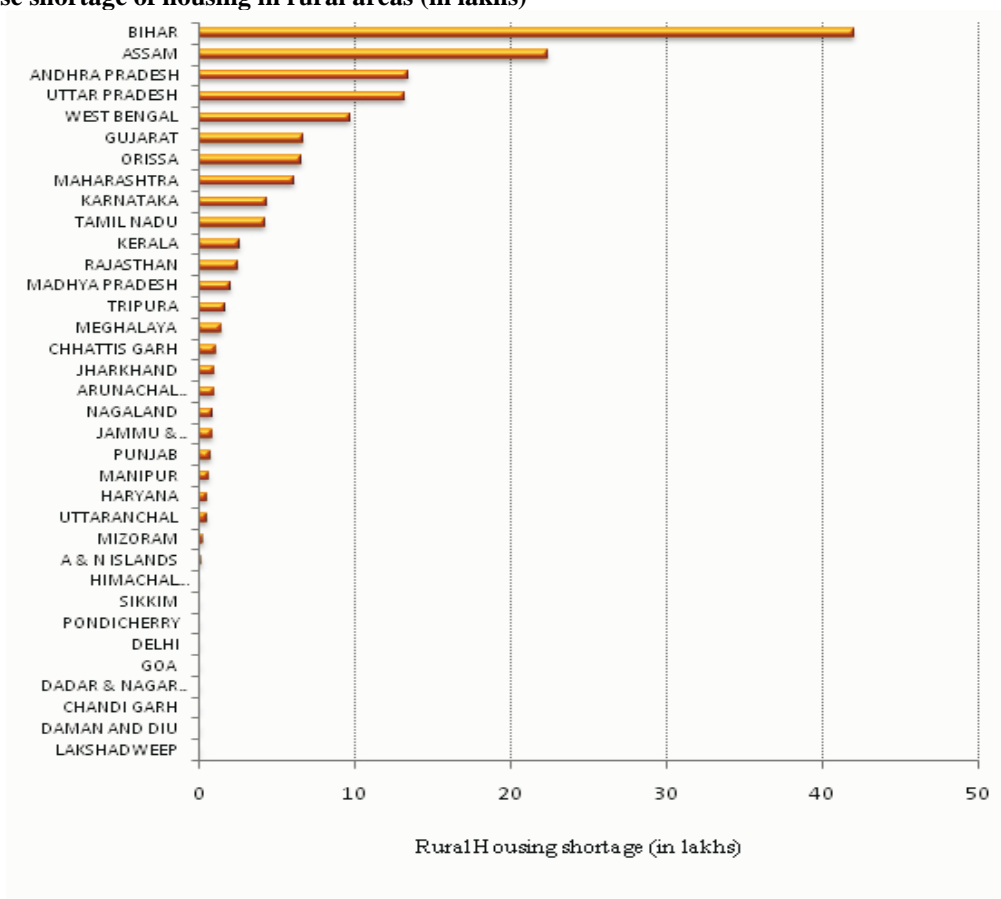
²² Bandopadhyaya committee report 2007

Revolution of Punjab or the economic growth miracle of Maharashtra and Gujarat could hardly have been possible.

Bandyopadhyay believes that his report is modest enough to be implemented. But land reforms, however modest, remain a dreaded anathema to Nitish Kumar's neo-feudal order of 'good governance'. It is instructive to remember that even before the Bandyopadhyay Commission could really embark on its work, Nitish Kumar had explicitly assured the big landowners of Bihar that their interests would not be allowed to be affected! Bihar needs nothing short of a powerful upsurge of the landless poor and tenants to thwart this politics of feudal subversion and translate the recommendations of the Land Reforms Commission into reality.

In order to understand the politics of Bihar we should understand Peter Bachrach and Morton Baratz definition of "nondecision-making" as a manifestation of power in decision-making. They argue that to identify power one needs to analyze decisions that were not made i.e. issues that never even came up for discussion. The same theory of non-decision making has been applied in case of Bihar where political powers of different colours put the issue of land reforms at backburner. According to the report on 'Right to Housing and Homestead Land In Rural Bihar Status, Issues and Challenges' it is pity that there is such a high volume of rural housing shortage in Bihar despite there being laws policies and regulations to grant legal rights to homestead lands of various types. According to a report Bihar ranks first among all the Indian states in terms of the magnitude of rural housing shortage, and, within Bihar, a majority of rural Dalit households lack access to and ownership rights over homestead land.²³

State-wise shortage of housing in rural areas (in lakhs)



Source:<http://www.deshkalindia.com/pdf/Reports/3.%20Report%20on%20Housing%20and%20Homestead%20Land%20in%20Rural%20Bihar.pdf>

Thus we see the emergence of new surplus hungry landlords and big peasants the economically dominant classes in rural Bihar.

²³<http://www.deshkalindia.com/pdf/Reports/3.%20Report%20on%20Housing%20and%20Homestead%20Land%20in%20Rural%20Bihar.pdf>

Despite the above facts we see that in the recently held Bihar Assembly election 2015 the campaign saw both alliances cover a gamut of issues, with varying degrees of emphasis, including religion, caste, development, corruption, nepotism, law and order et al. However, land reform did not come up in popular discourse during the vigorously fought election campaign²⁴.

VI. CONCLUSION

Looking at the emerging agricultural relation and socio-economic condition in Bihar we can come to the conclusion that Indian political leaders who promised land to the tillers during their long battle for freedom, finally opted 'land lord path' of transition. The ruling class adopted the statutory landlordism. The ex-zamindars were, however, allowed to retain land in various ways. The delay in the process of land reform led to large scale 'benami' transitions. The concept of land to the tiller has transformed into 'land acquisition act frequently of surplus land over the ceiling limits in the mid-1970s was essentially a response of the violent outbreak and unrest among the poor peasants and labourers, in some districts of south Bihar. An important achievement of these peasants movements is that agricultural wages has risen in the areas of their influence. They have also contributed in keeping the land reform agenda alive and in some cases have also proved effective in bringing in desired result. In several areas upper caste men have started ploughing their land themselves, which was unheard some years ago. It is also attributed to the fact that now they cannot intimidate poor labourers to accept low wages. Land reforms are therefore, an unfinished task in India, which must be accomplished without further delay to bring in growth with equity and social justice. The above analysis describes the increasing importance of land reforms to the national and global level agenda from the point of view of national food security, economic, ecological and social restructuring.

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