

An Alternative Approach to Barga Reforms in West Bengal

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1. Introduction :

The major objective of Barga reform measures has been to secure the tenure of Bargadars by restricting the power of landowners through legislative measures. Bargadars Act, 1956 and Maintenance and Preservation of the Record-of-Rights Act, 1956 under the West Bengal Land Reforms Act had been the two most important devices for this purpose. In West Bengal Barga Reforms had often come to be a popular political slogan. Even from time to time it turned into issues of political movement also. But in practice, land itself got little significance under Barga Reforms of West Bengal, although the need and brilliance of these reform measures could not be questioned. In fact, many of its important implications on the growth and development of rural economy have been ignored. The impact of reforms on productivity of land, efficiency of farms, uses and misuses of land, aggregate loss or gain to society etc. are yet to be considered

In this paper, an attempt has been made to evaluate the impacts of some selected issues of Barga Reforms on land and society. For this purpose, productivity of land net return per crop to bargadar and landowner, nature of application of inputs in bargahold land, social cost of bargahold cultivation etc. have been examined in this study. A few policies have also been recommended to achieve a maximum benefit from barga reforms.

The data for analysis have been obtained through a primary survey conducted in the villages located in Cooch Behar and Midnapore districts of West Bengal State.

2. Bargahold Cultivation in Practice :

In bargahold cultivation two persons of antagenastic interest are involved :— Landowner and bargadar.

In the study area four types of landowners are observed :

a) who hold their land in village but lives far away from the village and engaged in service. b) who hold the land in the village but work outside the village and are engaged in service. c) who are self-cultivators but the holding size is very large to

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manage by family labour. d) who cannot cultivate the land for lack of cattle or other facilities and give the land to bargadars. There are two types of bagadars found in the study area :

a) besides barga land, who have own land for cultivation b) who have only bargaland and often work as marginal labour.

The share of produce in Bargahold cultivation is fixed up as per West Bcngal Land Reform Act, (s 16, 1956) in the proportion of 50 : 50 in a case where plough, cattle, manure and seeds, needed for cultiuation are given by the person owning the land, or in the proportion of 75 : 25 in other cases (s 16 (b), 1970). After receiving the share landowner will produce a receipt to the bargadar

Landowner cannot eviet bargadar from his land arbitrarily. Bargadar also cannot keep the land fallow. Cultivation by bargadar would be terminated only for some reasonable groups described in article no s 17 (1), 1956.

The bargadar can record his right to cultivation. He is able to procure the copy of document (mentioning the area, type of land, owners' name etc.) of the land he cultivates. In this connection land revenue officer is the person-in-charge (s 50, 1965) to maintain the record of right.

In 1978, the State Government has issued the circular through Board of Revenue, West Bengal laying down the guidelines for recording the names of bargadar which is known as Operation Barga. Upto 1986, 13.4 lakhs of bargadar has been recorded under the Operation Barga.

2.1 Holding Size :

The average size of holding of bargahold cultivation has been found to be 1.99 acre. in the study area, although it varies from 0.41 acre to 9.00 acre.

2.2 Share of Produce :

It has been noted that 87% of the bargadars interrogated, deliver 50% share of their produce to land owner. But only 19% of the land owners (belongs to (a) or (d) catagory of owner) supply the seed and only 3% of owners supply both seed and fertilizer. The author did not came across a single case land-owner bears the full cost of cultivation. Inspite of prevailing laws, landowners are receiving 50% of produce without bearing the cost of cultivation.

2.3 Barga Recording :

Since 1979 to 1983, an intensive recording in the name of Operation Barga was done in all villages surveyed. 83% of the bargadars interviewed have gone for recording their rights. Among the rest, a few bargadars cultivate land of different owners

under the condition that they would return it to the landowners after one or two years of cultivation. It implies that temporary bargahold cultivation is parallelly practiced and in these cases, bargadars cannot claim their right to cultivate the land by inheritance as per West Bengal Land Reforms Act. In 95% cases, reason of unwillingness to record bargadars' right has been to avoid the dispute with landowners. For other cases, this is due to ignorance of farmers who think recording means claiming of land unduly.

2.4 Termination of Cultivation by Bargadar :

During 1979 to '83 about 50% of the bargadars interviewed lost their barga land partly or fully. This was due to pressure from landowners. This termination was done in two ways. The Landowner often requested bargadar to surrender his land. To avoid the dispute, the bargadar returned it. Sometimes the landowner offered a nominal part of his land (hardly 0.33 acre to 0.66 acre) to the bargadar in lieu of bargadars right of cultivation. Where the bargadar disagreed with owner, court cases were filed, but due to ignorance and poverty the bargadar could not meet the expense of it and ultimately surrendered his right of cultivation.

2.5 Land Productivity :

The productivity of barga cultivated land has been estimated to be Rs. 1172.00 per acre on an average while it is Rs. 2183.00 for self-operated farm. It has been found that irrespective of holding size, the productivity of bargahold cultivation always remained low in comparison to self-operated farm.

2.6 Application of Input :

Input of fertilizer has been found to be totally nil for 39% of the observed land under bargahold cultivation. 50% of the bargadars have not been using fertilizer for cultivation. Rests have applied far less quantity than what was required. Pesticides, insecticides have not been applied for a single unit of land. It is interesting to note that 100% bargaland has remained totally unirrigated. It means that the cost of bargahold cultivation in the study areas usually had mainly two components-cost of seeds and cost of bullock power.

2.7 Economics of Bargahold Cultivation :

To understand the factors of low productivity of land and insufficient use of input in bargahold cultivation, it has been felt necessary to know the economics of Bargahold cultivation.

The following calculations show the net return per crop/for owner and bargadar under different system of sharing of produce :

Let the area cultivated by bargadar is one 'bigha' or 0.33 acre and the crop is

Aman paddy. Then the cost of cultivation and net return in the study area would be :

(a) Situation I : The bargadar bears the cost of cultivation.

Total cost of cultivation Rs. 320 per Bigha.

Yield from 0.33 acre is 8 mounds.

Market value on an average Rs. 70/mound as observed in study areas.

Share of produce = 75 : 25

Bargadars' share = 75% of the produce i. e. 6 mounds = 420.00 Rs.

Therefore,

Cost of cultivation = Rs. 320.00

∴ Net return for bargadar = Rs. 420 - Rs. 320 = 100/-

The net return for bargadar from an acre of land = Rs. 100 × 3 = Rs. 300.00

Landowners' share is 25% of produce i. e. 2 mnds or (Rs. 70 × 2) = Rs. 140/0.33 acre. or Rs. 420.00 per acre of land. But not a single bargadar of the study area is in a position to afford the cost of cultivation timely and adequately. Hence, there chances for further reductions in the amounts of their net return per acre.

(b) Situation II : The owner bears the cost of cultivation.

Total cost of cultivation 274.00

Yield/0.33 acre of land = 8 mnds.

Share of produce 50 : 50

Bargadars' return/acre of land (280.00 - 45.00) = Rs. 235

(deducting Rs. 45.00 as labour cost)

Bargadars' return/acre of land is Rs. 705.00

Hence, the landowner will not be interested to this system of sharing, though the bargadar will surely prefer it.

(c) Situation III : In reality, no input (except seed and labour) is applied and bargadar delivers 50% of produce, though the landowner does not bear the cost of seed and labour. This results into further lower production and in this system, the yield per 0.33 acre of land is 5 mnds only.

Total cost of cultivation : Rs. 115.00

Landowners share is 50% of the produce 2.5 mnds ; i.e. value of produce Rs. 175.00

Net return for landowner = Rs 175 from 0.33 acre of land

Net return for landowner from 1 acre of land is Rs. 525.00

Net return for bargadar from 1 acre of land = (175 - 115) × 3 = Rs. 180.

Thus the gain for landowner is maximum when no input is applied although yield is low in this system.

2.8 Land donation to bargadar by owner and its outcome :

To avoid the recording, landowners ask the bargadar to return his land in exchange of money or a portion of land. In many cases, owner offered a piece of land to bargadar as compensation for foregoing the right of bargadar. Apparently the offer is attractive. But the size of such holdings is usually too small to be economically viable. The highest and lowest net annual income from this type of compensatory holdings have been found to be Rs. 971.00 and Rs. 330.00 respectively. These bargadars in 100% cases depend on daily wage earning and they are never capable to procure adequate inputs for cultivation in time. The late transplantation results in further decline in return. Often this type of farmers remain indebted to mahajans, relatives, friends and neighbours at times of crisis like disease, marriage, death etc. Thus such farmers may be converted again to a permanent daily wage earner after mortgaging and selling his land he got as donation. Normally such lands are purchased by large landowners and absentee landlords who put the lands again under bargahold cultivation. Thus in the events of exercising the rights of bargadars such lands may again be donated to some other bargadars who may lose them in the same way and the system continues. The same process may be repeated on the resold land and the land itself may remain underutilised.

3. Cost Incurred to Society :

Total recorded area under bargahold cultivation in the surveyed villages has been 315.25 acres in 1986 (as per statement of J. L. R. O. of Cooch Behar and Keshiari) and the total unrecorded bargahold area has been estimated to the tune of 50 acres (15% of recorded land only). Thus the total area under barga cultivation has been found to be about 365.25 acres.

The difference in productivity under bargahold cultivation and self cultivation is Rs. 1011/acre approximately. Thus the total loss incurred to the economy of the villages due to lower land productivity in bargahold cultivation is Rs. 3, 69, 267.75 or say Rs 3.7 lakhs per year. According to the official report of 1986, above 20 lakh acres of land have been recorded through the device of operation Barga. Considering a modest difference of Rs. 1000.00 per acre due to difference in productivity level of bargahold cultivation compared to self-cultivated owners' land, the total estimated loss to the state economy amounts to more than Rs. 200.00 crores per year for cultivation of Aman Paddy only. Thus the society is bearing the huge loss due to bargahold cultivation. This has again cumulative effect on total rural economy.

Salient features of Bargahold Cultivation in West Bengal—A Concise Overview

Average holding size of bargadars	Recorded Bargadars	Bargadars delivering share of produce in proportion of 50:50	Inputs, supplied by landowner		
			Seed	Manure+Seed	Residual input
1.79 acre	83%	87%	19%	3%	Nil

Land productivity		Loss due to fall of productivity	
Self-cultivator's own land	Bargahold land	Study area	State
2183.00	1172.00	Rs. 3.7 lakhs	Rs. 200.00 crores

From the above analysis, bargahold cultivation appears to be, to some extent, anti-productive in nature. The present legislative measures which have been implemented for barga reforms go on contrary to the growth of rural economy and fail to control the misuse of good arable land. Therefore, a reform of present measures seems to be urgent and unavoidable.

4. Towards an Alternative Approach :

It appears from the above discussion, that the present barga-holding system impedes the growth of rural economy. Therefore, the future land reforms must be viewed with elimination of the undesirable effect of the present system. It can be sought in three ways.

i) The barga-hold system of cultivation is to be abolished totally and the legislation should not allow hiring of land from any person for cultivation in any form. The owner can possess the agricultural land only for the personal cultivation. If the fails to cultivate the land for a certain period of time without any considerable reason, the land will vest in the state and is to be distributed among the real tillers.

But this measure will create two serious problems.

There are 13.4 lakhs of recorded bargadars in the state, Personnel cultivation by land owners means elimination of these 13.4 lakhs of bargadars and they are to be accounted as the surplus labour.

On the other hand, vesting of land of the owner (in condition of keeping the land fallow), means further reduction of productivity since the vested land has to be distributed among the landless or marginal farmers as per W. Bengal land reforms act (s 49, 1980). It has already been observed that the minor addition of the vested land never makes the holdings of the recipients economic in size.

ii) Secondly, bargahold cultivation can be abolished totally and the realeased land may be taken under collectivized cultivation. But under present socio-political and economic structure of the country, collectivisation in its all sense, is an absurd idea and cannot be achieved immediately.

iii) Thirdly, Barga holding system should exist, but land reforms legislation is to be altered or modified in such a way that both of landowner and bargadar get interested in barga hold cultivation and this seems to be most realistic approach

To achieve the maximum benefit from reform measures, the following aspects should be taken into account in reforms policies.

a) Share of produce is to be in such a ratio that it should make the owner interested to invest for cultivation and bargadar also gets benefit of higher productivity by offering his labour as well as involvement.

b) Transfer of land from owner to bargadar or vice-versa is to be restricted if it affects the production.

c) Wrongful eviction of bargadar by owner and similar other devices should be stopped.

4.1 Making share of produce and earnings viable :

A bargadar will be interested for barga cultivation when he finds more benefit here than what he may expect from daily wage earning. On the other hand, an individual owner will be interested to it when he finds more benefit from barga cultivation than by using hired labour in personal cultivation.

If the share is in 40 : 60 ratio for bargadar and owner respectively and if owner bears the cost of cultivation (Other than labour cost) then the net return for owner and bargadar per bigha or 0.33 acre of land can be calculated as follows.

I. Return for owners :

i) Cost of cultivation of 0.33 acre of land in Kharif season = Rs. 215.00 (it includes cost of manure seed, pesticides, irrigation and other minor cost).

ii) Expected value outturn = (8 mnds × Rs. 70.00) = 560.00

iii) The owner's share of the value of outturn is

$$\text{Rs. } \left(\frac{560.00 \times 60}{100} \right) = \text{Rs. } 336.00$$

iv) Return for owner from 0.33 acre of land = (336.00 - 215.00) = Rs. 121.00

v) Then the return for owner from an acre of land = Rs. 363.00 = Rs. 360.00 (say)

II. Return for Bargadars :

i) Cost of cultivation for bargadar for 0.33 acre of land in Kharif = Rs. 105.00 (only cattle cost and labour cost during harvesting)

ii) Bargadars share of value of expected outturn

$$= \left(\frac{\text{Rs. } 560 \times 40}{100} \right) = \text{Rs. } 224.00$$

iii) Net return from 0.33 acre of land = Rs. (224.00 - 105.00) = Rs. 119.00

iv) Then his net return from an acre of land = Rs. 357.00 = Rs. 360.00 (say)

III. Net return per bigha of land for land owner if cultivation is done by hired labour.

- i) Cost of cultivation
 - a) cost of labour = Rs. 175.00
 - b) cost of hired cattle = Rs. 60.00
 - c) Manure, pesticide, irrigation etc. = Rs. 215.00
 - d) other minor additional cost = Rs. 10.00
-
- Rs. 460.00

ii) Expected value of output = Rs. 560.00

iii) Expected return = Rs. (560.00 - 460.00) = Rs. 100

iv) Expected return from 1 acre of land = Rs. 300.00

IV. Earning of Bargadars from daily wage earning

i) Days of gainful earning in a year on an average = 120 days,
No. of days in a season he remains engaged = 30 days.

ii) Earning/day on an average = Rs. 10.00

iii) Earning in a season = Rs. 10.00 × 30 = Rs. 300.00

From the above analysis, it appears that earning from bargahold cultivation at 40 : 60 ratio is more gainful from the owners as well as the bargadars point of view. The normal productivity of arable land and payment of wages to agricultural labours may be considered for any region of the state accordingly suitable ratios can be evolved for making bargahold cultivation viable to both owner and bargadar. However to execute the new proposal for larger benefits of owner and bargadar the sections on procedure for deposit of produce by bargadars (S 16 (2) - 16 (7), 1970) and termination of cultivation by landowner (S 17 (1a, 1b, 1c) 1956) in present land reforms legislation should be strictly adhered to.

To name a few, the following modifications of existing land reforms legislation are important :

1. Change in share of produce (Sec 16(1) 1970)

a) Share of produce will be fixed at 40 : 60 or any such suitable ratio, depending on the regional conditions, for bargadar and raiyat respectively.

b) Owner will bear the costs of cultivation (other than labour and cattle cost)

c) Normally the payment of the share of produce to the owner will not be a binding on the part of the bargadars, if the owners fails to bear the cost of cultivation and does not agree to pay the costs of inputs at market rates.

2. Existing acts on transferability of holding (section 5(1) 1955) under Rayats

Act will be applicable on bargahold land also.

a) All such transfer irrespective of value must be registered.

b) The landowner will not be allowed to transfer any part of the land to the bargadar as a compromise for release of bargahold, if the land is below the economic holding size.

c) However in exceptional cases there should be provision for transfer if the said additional land makes the bargadars holding size economically viable.

Besides these, existing sections on procedure for deposit of produce by bargadars (S 16(2)–16(7) 1970) and termination of cultivation by bargadars (17 (1a, 1b, 1c,) 1956) under bargadars act should be applied more seriously, so that the wrongful eviction of bargadar by owners could be checked.

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