

AN INQUIRY INTO GENESIS AND SOCIO-ECONOMIC
IMPACT OF LAND REFORMS IN PAKISTAN WITH
PARTICULAR REFERENCE TO NWFP



BY

SHAHRIYAR KHAN

CENTRE FOR APPLIED ECONOMIC STUDIES
UNIVERSITY OF PESHAWAR
PAKISTAN
1998



**IN THE NAME OF
ALLAH
THE MOST BENEFICENT
THE MOST MERCIFUL**
And He is alone the Helper

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Approval Certificate

This thesis entitled "An Inquiry Into Genesis And Socio-Economic Impact Of Land Reforms in Pakistan With Particular Reference To NWFP". Submitted by Mr. Shahriyar Khan, in partial fulfilment of the requirement for the degree of Doctor of Philosophy in Applied Economics is hereby approved.

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ABSTRACT

This study traces the genesis of land reforms in Pakistan with particular reference to the North West Frontier Province (NWFP), appraises their socio-economic impact, and examines the case for further reforms. It embraces the tenancy, quasi-distributive, and distributive reforms introduced in post-1947 period in Pakistan, but the main focus is on the distributive land reforms (DLRs) of 1959, 1972, and 1977.

The genesis of land reforms, designed to reduce concentration of land ownership, is traceable to the legislations introduced in early fifties to improve tenancy situation, confer ownership rights on occupancy tenants, and abolish the Jagirs. These reforms proved as precursors to the DLRs the first of which was introduced in 1959.

The chronology and contents of land reforms-in the wider sense, clearly show that the ruling political parties adhered to the policy of gradualism, rather than radicalism, on the land reform front. In the first phase, lasting over a decade, the reforms aimed at only minimizing the adverse impacts of mal-distribution of land-through tenancy and quasi distributive reforms, but avoided correcting the land distribution pattern. Mounting pressure for imposing a land ownership ceiling led the government to introduce the required legislation, but only as late as 1959.

The 1959-Land Reform was by all standards a very lenient reform as clearly indicated by the high land ceilings, liberal concessions, and several exemptions provided by it. Even where no exemptions/concessions were available, a person could retain as many as 36,000 PIU worth of land or 500 acres/irrigated or 1000 acres/un-irrigated land, whichever be more, which was considered to be too high a ceiling. The 1972-land reform lowered the ceiling to 12,000 PIUs, again rather too high as indicated by the fact that the average farm size then obtaining in the country was a mere half of the subsistence holding (12.5 acres). This realization led to a further lowering of land ceilings to 8,000 PIUs in 1977.

All the three DLRs were launched with great expectations with respect to their positive socio-economic impacts. This study finds that on the whole the impacts have been of a positive nature, but their quantum has been too small to be called significant. A definite limit to land ownership has been imposed, and the old craze for land accumulation seems to have subsided.

But very little of the privately owned land has changed hands, a very small percentage of big land owners has been affected, and similarly a very small

percentage of small farmers/tenants has been benefitted as will be borne out by the following statistics.

<u>Sr.No.</u>	<u>Particulars</u>	<u>Unit</u>	<u>Land reforms of 1959, 1972 & 1977</u>	
			<u>NWFP</u>	<u>Pakistan</u>
1.	Affected landlords	Number	502	-
2.	Total area resumed	Acres	407,381	4,055,364
3.	Area given to tenants/small farmers	Acres	161,578	1,777,711
4.	Number of beneficiaries	Number	37,549	262,700
5.	Average area received per beneficiary	Acre	6.78	4.3
6.	Total resumed area as %age of total privately owned land in NWFP		6.94	4.5

Thus, only 6.94% of the privately owned land was resumed in NWFP. This is too small an area to affect the land ownership pattern even mildly.

Similarly, only 37,549 persons were given land. They constituted approximately two percent of small land owners/tenants who were land aspirants. The smallness of the number of beneficiaries, and also the fact that on average they got 6.78^{6.94} acres each, is clearly indicative of the smallness of land reform achievements and impacts. Distribution of land on such a small scale should be expected to produce no visible or lasting change at macro level and that is confirmed by relevant data. At micro-level i.e; beneficiaries household level, visibility of positive impacts of land reforms is, however, much better. All land recipients have experienced some socio-economic improvements-which most of them attribute to a large extent, to land reforms. The improvements are indicated by increase in the area owned by beneficiaries, rise in agri productivity/employment level/income, better access to educational and medical facilities, and beneficiaries expression of a sense of improvement in their socio-economic lot.

Although the past reforms have not made a visible and lasting impact on land ownership pattern and associated aspects of agri and rural sector, their achievements are on the whole of a positive nature. The noted positive impacts at macro and micro levels underscore, if anything, only the need of further reforms of more radical nature and a wider scope. The land ceilings need be lowered and they should be placed on family holdings. There is simultaneously a need also to check proliferation of farms i.e; the trend towards decline in farm size need be checked. The reform package should be such that it provides for equitable distribution of land, paves way for scientific agriculture, provides for more employment, and in the ultimate analysis turns agriculture into a dynamic sector.

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Chapter 1

INTRODUCTION

OUTSET

A highly skewed distribution of land produces a similar distribution of wealth and political power. This relationship holds true particularly in the farm sector dominated economy. Concentration of wealth and political power reinforce and perpetuate each other for the benefit of a handful few but with quite opposite impact on the wealth and welfare of the nation in general. Social scientists all over the world have, generally speaking, considered this situation inimical to economic development and promotion of a just and equitable socio-economic and political order. When land's concentration is combined with unfair tenancy customs and laws, the social, economic, and political distress of the masses intensifies all the more.

Pakistan which was born in 1947 as an independent state inherited all these unwholesome legacies of the colonial era. Complete and reliable statistics on the nature and extent the problem of skewed distribution of land in various parts of Pakistan in 1947, or by about that year, are not available. But the fact that this problem did exist and was of acute nature is borne out by some statistics pertaining the post 1950 period. Thus, according to the Land Reform Commission for West Pakistan (1959), by about the year 1955, in the areas now constituting Pakistan, only a fraction of one percent of the land owners had as

much as 15% of the total privately owned area comprised in holdings of 500 acres or more of land. On the other extreme as large a proportion as 64% of land owners owned upto or below five acres of land and their total holdings accounted for only 15.37% of the entire area in the private sector. More or less a similar land ownership pattern obtained in NWFP, as will be seen in table 1.1.

Table 1.1

**DISTRIBUTION OF LAND AND AREA OWNED
BY SIZE OF OWNERSHIP IN PRE-1959
PERIOD IN NWFP AND PAKISTAN**

Sr. No.	Size of ownership (Acres)	Locality	Percentage of total		Average Holding (Acres)
			Owners	Area	
1	up to 5	NWFP	70.27	31.86	03.25
		Pakistan	64.44	15.37	02.27
2	5 to 25	NWFP	21.65	25.22	08.30
		Pakistan	38.66	31.74	10.03
3	25 to 100	NWFP	06.94	19.66	30.39
		Pakistan	05.63	31.83	37.06
4	100 to 500	NWFP	01.08	10.80	71.77
		Pakistan	01.13	15.77	133.91
5	500 and above	NWFP	00.06	12.40	1441.19
		Pakistan	00.12	15.39	1335.92
6	All sizes	NWFP	100.00	100.00	07.17
		Pakistan	100.00	100.00	09.60

Source: Compiled from Report of the Land Reform Commission for West Pakistan 1959.

tenancy reforms which were further refined under land reform law of 1977. The distributive land reform of 1959, 1972, and 1977 provided for:

1. Ceiling on ownership of agricultural land.
2. Resumption of the excess land; on payment in 1959 and 1977, and without compensation in 1972.
3. Distribution of the resumed land among tenants and other eligible persons.

Implementation of the land reform law of 1977 was held in abeyance, and later on practically shelved, by the martial law regime which seized power in 1977. The land ceilings fixed by the land reform law of 1977, are, however, still in force.

THE PROBLEM

The land and tenancy reforms as introduced in Pakistan, especially those of 1959 and later years, were introduced with several loudly voiced resolves, hopes, and expectations. The reformers had claimed that these would bring about a socio-economic revolution on agri front, provide distributional justice, end man's lordship over man, provide security and honourable existence to tenants, etc. The social scientists, political reformers, social workers, etc., had advocated land reform on a number of grounds. The important ones being:

1. These would rationalize the land distribution pattern and tenancy situation.

2. Consequent upon the above: (i) the operated holdings would be rendered manageable; (ii) incentive and ability to introduce scientific methods in agriculture would increase (iii) risks and uncertainty will be minimized on tenanted farms; and (iv) a healthy socio-economic environment conducive to development would emerge.

Nearly forty years have elapsed since the first distributive land reform (1959) was launched, and almost twenty years have gone past since the launching of the last of the series (in 1977). This is a sufficiently long period to allow for the initiation, acceleration, and consolidation of the socio-economic improvements expected of these reforms. How far the expectations have been met and with what socio-economic impact? What lessons can be drawn from the past successes and failures of land reforms, for formulation of future policies? Is there a case for further land reform? These and other relevant questions have yet to be inquired into and answered scientifically and comprehensively. An in-depth inquiry of this nature is required for verifying the validity of some old arguments for land reform, determine relevance of case for more reforms in the changed socio-economic set up and develop a sound basis for generalizations on the causal connection between land reform and economic development. The present research is aimed at these and other relevant questions.

OBJECTIVE

The specific objective of this study is to:

- i. inquire into the genesis of land reforms in Pakistan with particular focus on their social, political, and economic imperatives; (ii) describe and analyse the post-1947 distributive and quasi-distributive land reform laws and policies with focus on the reforms introduced in 1959, 1972, and 1977; (iii) evaluate the socio-economic impact of land reforms at national level and with particular focus on North West Frontier Province (NWFP); (iv) highlight and analyze their successes and failures; and (v) based on the aforesaid and other inquiries develop a case, if any, for further land reforms.

HYPOTHESES

The present study is basically of a descriptive nature, aiming at collection, collation, and analysis of information that would throw further light on and help acquire deeper insight into the initiation of land reforms, their contents, intents, impacts, and other relevant aspects. Therefore, the study was originally designed not to be restricted to verification of a rigid set of hypotheses. In order, however, to control its sprawl so as to not let it get unwieldy, it was found advisable that a set of hypotheses should be addressed to. The following hypotheses were.

therefore, incorporated into the study without, however, disturbing its descriptive character.

1. The land ceiling laws have not induced a reduction in land ownership's concentration.
2. Land reforms as introduced in Pakistan, were motivated by political rather than economic factors.
3. In the existing and the prospective socio-economic settings, a further reduction in land ownership ceiling will not necessarily contribute to acceleration of pace of economic development.

ORGANIZATION OF THE STUDY

The study is organized into twelve chapters. Chapter 1 is the Introduction of the study. Chapter 2 review the literature and research carried out to date, on land reforms, land tenure issues and allied aspects. Chapter 3 explains methodology. Chapter 4 traces the genesis of land reforms in Pakistan while the next chapter review the distributive land reforms laws and policies. Chapter 6 and 7 shows implementation and progress of land reforms strategies in Pakistan and in NWFP respectively. Chapter 8 assess the socio-economic impact of land reforms in NWFP. Chapter 9 evaluate the socio-economic impact of land reforms on sample beneficiaries in selected Districts of NWFP. Main findings and conclusion are given in Chapter 10 and 11 respectively. The final chapter presents the summary and recommendations.

Chapter 2

REVIEW OF LITERATURE

Numerous articles and books have been written on the subject of land reforms. The enormity of literature on this subject is indicated by the fact that the "bibliographies on land tenure and land reform, issued in 1955, 1959, and 1972 by FAO, contain between them some 10,000 references" to which thousands of more must have been added during the last quarter of the current century till now. A review of literature on this subject is, therefore, nearly as big a task as explorations into new researchable questions from its domain (land reform). This enormity of literature doesn't, however, minimize the need for further research. There are thousands of books and articles on this subject, because this subject admits more than two views and it is of interest in most countries of the world, and also because the interest waxes and wanes in the same country from time to time. In order, however, to control its sprawl, the review has been kept selective in terms of topics, regions, as well as published works on the subject. To keep the review in a logical sequence it appears appropriate to start with a conceptual clarification with respect to land tenure and land reform.

CONCEPTS OF LAND TENURE AND REFORM

According to Dorner P. (1972:17)... "land tenure system embodies those legal and contractual or customary arrangements whereby people in farming gain access to productive opportunities on the land. It constitutes rules and procedures

governing the rights, duties, liberties and exposure of individuals and groups in the use and control over the basic resources of land water" "Land reform means changing and restructuring these rules to make the land system consistent with the overall requirements of economic development" (Dorner P. 1972 p.17-18). In Dorner's view of land reforms, the measures that have to be taken "may include: expropriation of large estate and the distribution of land among the tillers abolition or improvement in tenancy condition by converting tenants into owners or by reducing rental payments; issuance of land titles to the tillers to provide them with greater security; and transformation of tribal and other traditional forms of tenure in the interest of the cultivators of land" (Dorner; 1972).

The above excerpts from Dorner's 'Land Reform and Economic Development' (1972) more or less represent a consensus view of the concept of land tenure and reform expressed in the vast body of literature on the subject. Some authors prefer to use the term land reform in a more restricted sense to cover only the measures addressed to the problem of land ownership's concentration or to this problems as well as that of security of tenure. King R. (1997: p.6) takes the view that by "land reform is specifically meant land tenure reform" which is "of two main types: land redistribution, which involves the breaking up or combining of existing holdings and leads to a change in scale of ownership; and tenancy reform, which effects improvements in tenancy

contracts, with no change in distribution of ownership".

Barring a few who would label as land reform all such measures that have something to do with the land (e.g; restriction on land's parcelling, sale or distribution of colonized land, reclamation of land, consolidation of land, etc), most works on land reform define 'land reform' in the way of Dorner and King. Shafi and Khoja (1960) take a similar view in Pakistan's context. They restrict land reform's scope to correction of mal-distribution of land and improvement of tenancy situation.

Tai (1974:12) uses the term "land reform" in a broad sense stating: "The objectives of reform are to attain just relationship among the agricultural population and to improve the utilization of land. The means by which these objectives are attained are government sponsored tenurial changes. These changes encompass both re-distributive programs (land redistribution and tenancy reform) and development programs (cooperative farming and publicly instituted land settlement). The former programs seek to re-allocate equitably the sources of agricultural income, while the latter aim at improvement of farming efficiency and at expansion of farming. Of all reforms, land redistribution is the most important. For in the developing countries today the most common, conspicuous, and serious land-tenure problem is inequality of land. As a direct response to that problem, land redistribution has practically become a universal feature of all

programs adopted in these countries. None of the other three programs can make such a claim. Because of this land redistribution is frequently regarded as synonymous with land reform. In reality land redistribution may be more appropriately considered a basic agrarian change to which all other reform measures bear a more or less dependent relationship".

Thus, though Tai starts with a broader meaning of the term "land reform" he, too, seems to subscribe to the narrow definition of the term. Tenancy reforms, re-distribution of land, cooperative farming, land consolidation, etc; are all links of the same chain, or essential steps in the process of agri-rural transformation and overall development. But the term "land reform" encompasses only the actions addressed to tenancy situation and land ownership pattern. It is this view that is held of "land reform" by most authors and is, therefore, used in the present study.

THE CASE FOR LAND REFORM

The need, and the case, for land reform stems from land's importance as crucial determinant of pace and direction of economic growth and development, income distribution pattern, and even the pattern of political power in agri sector dominated economies. Some typical cases of such economies are Pakistan, India, and most Asian countries as they existed in the fifties of the current century. Numerous authors have propounded and presented logical constructs

and also empirical evidences to prove that land reforms are an essential prerequisite to economic development, a congenial social set up, fair and stable political system, and in short for promotion of a just and equitable socio-economic order free from misery and exploitation. Some works in this context are reviewed as follows.

FARM SIZE AND PRODUCTIVITY

First the productivity argument i.e; small farms are more efficient than the large farms, is examined as this is one of the major arguments that is put forth in favour of land reform.

Sen (1964) found small farmers operating better quality land than the large farmers and hence securing better yields than the latter.

Dovring (1970): "In Hungary, data for the period 1929-38 show that not only were the smallest farms producing almost twice as much per unit of land as the large farms but they also marketed more. Although the large farms sold a greater proportion of their total output, the small farms produced enough per unit of land to sell about 40% more product per unit of land (measured in value terms) than did the large farms. Thus the small farms were by no mean disconnected from the market. They even made a proportionately greater contribution to market supplies than large forms".

Bardhan (1973) interviewed 1000 individual Indian farms to analyze (a) the well-known inverse relationship between farm size and productivity and (b) returns to scale. He observed constant returns to scale in predominantly wheat areas and diminishing returns to scale in paddy areas. He further argued that both in paddy and wheat agriculture, the observed negative relation between output per acre and farm size is likely to be the result more of inverse relation between size and inputs than of scale dis-economies.

Khan (1975) states that the relationship between the total value of output per acre and the size of holding is positive.

Khan (1977) using 1974 data from 498 irrigated farms in Punjab and 234 irrigate farms in Sind found a significant inverse relationship between total output per acre and farm size, in spite of significantly positive relationship between yield per acre of individual crops and farm size.

Aslam (1978) estimated both production and profit functions for different crops to comment on the relative productivity of farms in different size-categories. He has used farm level data collected in 1974-75 based on interviews of seventy-one farmers chosen in four villages in Faisalabad. He concludes that there is no surprising result, since the point has been made quite forcefully in the Indian context that this result holds for specific crops, since this measure of size does not take into account the higher cropping intensity on small farms.

Singh (1979) argued that small farmers have higher land productivity (total output per acre) under traditional technologies. He based such argument on the basis of analysis of data of farm management study (FMS) from over 3000 owner farms in six States of India. He observed a consistent pattern of negative relationship between farm size owned and productivity in all sample States.

Singh (1981) argued that small farmers are more efficient in the use of their resources than large and better endowed farmers. The efficient utilization of resources also explains higher land productivity.

Mahmood and Haq (1981) tested the negative relationship for Pakistan and concluded that the observed negative or positive correlations between land productivity and the farm size in the case of Pakistan are result of over-aggregation. They argued that the productivity is high on small farms due to intensive irrigation use and on large farms due to capital intensive input. They further observed that the middle level efficient entrepreneur farmer has so far failed to emerge.

From the foregoing review and numerous other works it is gathered that the farm size alone is not the most crucial determinant of land's productivity. The management factor, farmer's access to credit, marketing, extension services, etc in conjunction with farm size determine it. Besides, the argument of small farm versus large farm doesn't seem valid or relevant as the big land owners

don't operate their lands in one chunk. Their lands are operated in several small pieces by different operators. Introduction of mechanical farming has further weakened the thesis of inverse relationship between productivity and farm size, but such evidences can still be found aplenty.

Employment Generation

One of the major imperatives for land reforms is seen by the reforms proponents in the need for more jobs in LDCs and the positive role of land reforms in employment generation. Peter Dorner in his celebrated work "Land Reform and Economic Development (1972)" dwells at some length on this aspects as follows:

"Increased production, as noted earlier, is only one of the many requirements of agricultural development. Despite the early development emphasis on industrialization, difficulties were experienced in absorbing large increases in the labour force in the relatively small urban sector. Rural population continued to grow, though at a slower rate than total population because of rural-to-urban migration. Much of the very rapidly growing urban population could be absorbed only in precarious, low productivity urban jobs.

Historical evidence shows that the absolute number of rural people declines only in later stages of development (Dovring, 1964). For example, in the United States, the non-farm population exceeded that on farms by the 1880s while the absolute number in farming first reached its peak around 1915. A major and rapid absolute decline in the US farm population did not occur until about 1940.

In Japan, this rapid decline in the farm population did not occur until after 1950.

Given these developmental requirements of increased output and employment, a labour-intensive approach with reliance on yield-increasing technical innovations in the earlier phases of agricultural development seems most appropriate. Such an approach would produce the required increases in agricultural production and avoid displacing labour prematurely. It is a prescription for agricultural research (including the development of types of mechanization appropriate to the labour-surplus conditions of most less-developed countries), for large increases in the use of yield-increasing inputs such as fertilizer, improved seeds, insecticides and pesticides, for increases in irrigation facilities, and for building the service institutions in extension, marketing and credit (Johnston and Mellor, 1961).

Mechanization which is basically labour-displacing rather than yield-increasing would be minimized. However, this would not preclude certain types of mechanization which, although labour-displacing to some extent, could also be land-saving, yield-increasing or risk-reducing. Under appropriate private rental, cooperative or state-sponsored arrangements, such mechanization services could be made available to farmers on small farms or to those farming under a cooperative system. Or, as in the case of Japan, special small-scale implements and power sources could be developed for a small-farm agriculture.

At times tillage operations can be more effectively performed with tractor power (deep ploughing) than with human labour and animal power. Improved tillage may have a direct influence on yields. It may be critical to mechanize certain operations in order to encourage and facilitate double cropping. Weather patterns and

the crops' growing cycles may restrict the number of days available for preparing land and planting the second crop after harvest of the first crop. Sometimes new high yielding varieties require more timely operations in both planting and harvesting to yield at their increased potential. All these factors must be evaluated, but mechanization that is primarily labour displacing should be restricted".

Dorner's emphasis on restricting "labour displacing mechanisation" which is associated with large farms is an indirect pleading for small farms which are relatively more labour intensive. It is unlikely or rather difficult to adopt Dorner's advice and also keep intact capitalistic farming. If the imperative of more jobs is to be achieved, and the non-farm sector is not yet sufficiently developed, then the option has to be for smaller farms.

Owen (1966) observes that "Agriculture is not susceptible of so great a division of occupations as many branches of manufactures, because its different operations cannot possibly be simultaneous. One man cannot be always ploughing, another sowing and another reaping. A workman who only practiced one agricultural operation would be idle eleven months of the year. The same person may perform them all in succession, and have, in most climates, a considerable amount of unoccupied time".

Dalrymple (1971), reports: "In Chekiang province in China in the mid-1950s, the change from single to double cropping of rice increased the demand

for labour by 80%. The labour requirements for triple cropping were up to 2 to 3 times greater than for double cropping in Taiwan, depending on which of several rotations are involved".

Johnston and Cownie (1969): There is strong case for employment of more labour rather than more tractors in agriculture in Pakistan. They argue that the existence of yield increasing innovations (e.g., the new varieties and fertilizer) which are neutral to scale and consistent with the existing system of small scale agriculture increases the advantage of the labour intensive capital saving alternative.

Warriner (1970): In the United Arab Republic (Egypt and minus Syria) the supply of labour on the present land area is excessive in relation to labour requirements. Opinion differs as to size of the true surplus (i.e. the number which could be removed from agriculture without reducing production). According to the first five year plan estimates, the surplus in 1960 amounted to 25 per cent of the male agricultural labour force or 1.1 million out of a total of 4.4 million.

Johnston (1970): The prospects that unemployment and underemployment will become increasingly serious during the next two or three decades (as a result of the combination of a rapidly growing labour force and a pervasive bias towards a capital intensive pattern of investment) is one of the critical problems that needs to be illuminated by better understanding of agriculture-industry

interactions under the unique conditions confronting the contemporary developing countries.

Jocoby (1971): Agricultural development, envisaged only fifteen years ago as a process of socio-economic advance, has been narrowed to the scope of increased agricultural output, while man, in feudal times a tool for the exploitation of the land and thus an essential appendage to the land, seems gradually to be losing his relevance to agriculture, and this, despite the fact that in the underdeveloped countries there is no alternative place for him in urban industries and services.

These and numerous other works clearly bring out the reality that employment generation is a major issue in developing agro based economies and redistribution of land so as to increase the number of farm holdings is an inescapable measure to deal with the problem.

Land Reform and Development

The productivity and employment generation arguments take a rather narrow view of positive aspects of land reforms. It is possible to conceive of, and find, situations where productivity may be positively related to farm size and so may be the case with employment's level (in terms of mandays per unit of land). Even if such situations are a universal phenomenon, the need for land reform stays un-diminished because of its proven character as a catalyst or crucial

pre-requisite for development. No author on the subject will be found holding an opposite view. Some of the leading authors' views are as follows:

King, R. (1977:4) observes that "arguments for land reform fall under three main heads. The social equity argument is based on the ethical-moral premise that inequality and, worse still, exploitation are bad things. Secondly, and partly linked to the first argument, land reform has become closely involved with ideological positions and, therefore, with political dogma. Finally, and more recently land reform has been strongly argued on economic grounds, either for the benefit of the individual farmers, or as part of an overall development policy". King then goes on to say: "most land reforms occur in situations where great disparities in wealth, income and power exist in agriculture. Proposals for land reform assume that such inequalities are handicaps to progress, and indeed there is some evidence to indicate that extreme inequality acts as a bottleneck to development by depriving both the very rich and the very poor of any real incentive to work for higher productivity. Because there are great inequalities in many underdeveloped countries, because there are many influences tending to make such inequalities cumulative and because the forces opposed to changing this situation are firmly entrenched, there are strong arguments for an egalitarian emphasis as a rough guide to reform policy. Stated in this way, land reform can both have a basic function of providing some measure of social justice, and act to remove barriers to economic development".

Dorner (1972) also forcefully argues in favour of land reforms as an instrument, a pre-requisite, for development. In his words "land reform is often viewed as an instrument primarily for the achievement of greater equity and social justice. However, with population often pressing on land resources and with technology opening the way for major advances in the levels of living for all people, reform has the dual purpose of serving as both a redistributive instrument and a vehicle for achieving increased productivity. To achieve the latter, land reform must be accompanied by changes in the pre-reform structure of supporting services — agricultural credit, marketing, research and extension, input supply, and processing and storage. Only through increased productivity widely shared can the quality of life of the underprivileged millions be enhanced. Without increases in productivity, redistribution alone will achieve only modest and temporary benefits. Land reform improves the prospects for raising production and productivity since new incentives for increased work and investments are created as a result of the more equitable distribution".

Dorner (1972) further argues: "Land tenure reform and its potentialities must be viewed within the overall requirements of development. The redistribution of property rights in land can break down certain rigidities within a society and set the stage for a different organization in the agricultural sector, but it alone will not achieve development (Carlk, 1971). Land tenure reform

may, however, make it possible for the agricultural sector to contribute in an effective way to overall development objectives. While land reform is not a sufficient measure and needs to be accompanied by many other programmes, it is often essential for providing a stable base for a country's future economic and political development".

Tai, H (1974) dwells extensively in his book *Land Reform And Politics* (1974) on the consequences of land ownership concentration and comes to the same conclusion as above that land reform is precondition to development. He observes: "Since the most obvious consequence of defects in a traditional land tenure system is agricultural stagnation, a basic alteration of the system constitutes a precondition to agricultural progress. Provided with ownership of land, security of holding, and an equitable share of agricultural products, small owner-farmers and tenants will be disposed to exert a greater effort and to make a greater investment, and will have a greater incentive to increase production. Only then can they favourably respond to and effectively utilize added material inputs and improved services. Thus, the removal of institutional defects in land tenure is a step toward shaping a progressive peasant mentality as well as a measure leading to a rationalized pattern of land use. In this sense, land reform is as much a change of the land as a change of the man who tills it" (Tai, 1974).

A host of other authors, too view land reform as a pre-requisite to initiation and acceleration of development process in a pre-dominantly, agricultural economy. The Planning Commission of Pakistan professed the same view in First Five Year Plan (1955-60), which was subsequently subscribed to by the Land Reform Commission for West Pakistan in their report of 1958, and which led to the first land ceiling legislation in Pakistan in 1959.

THE LAND REFORM PROCESS

Review of literature on land reforms during the current century reveals that although widely accepted as an essential pre-requisite to development among the ruling quarters and also outside, transformation of the gospel of land reforms into action has been slow and far from perfect in democratic countries. Gradualism rather than radicalism has characterized the land reform process. At first, most countries have sought to improve tenancy situation and introduce quasi distributive reforms. This has been followed by imposition of ceiling on land ownership, and that too come gradually, in two or more stages.

Khan, M.A. (1982) reports that in Pakistan during the first decade after independence the main thrust of land reform policy was towards provision of security to tenants and introduction of quasi distributive land reforms (e.g., grant of ownership to occupancy tenants, and allotment of land to landless person in new colonized areas) rather than limiting the ownership of land. Ceilings on land

ownership were imposed in stages in 1959, 1972 and 1977 and their adequacy is still a debatable subject.

Naqvi, *et al.* (1987) have the same view of the process of land reforms in Pakistan. They highlight the delayed start on land reform front (for imposition of limits to land ownership), and inadequacy of the measures in this respect.

Tai, H. (1972) examines the land reform experience of eight non-communist countries (Taiwan, Philippines, India, Pakistan, Iran, Egypt, Colombia and Mexico) and finds gradualism in reforms a characteristic feature of democracies.

The policy of gradualism has been held responsible for lackluster performance of land reform where it has been pursued. Iran, Pakistan, Bangladesh, India, Sri Lanka, Philippines, South Korea, and several other countries invite this blame; see Ashraf and Banuazizi; Qayyum, A; Siddiqui K; Mathur, K; Zaheer M; Wanasing, S; PO, S; in Inayatullah (1980).

The policy of gradualism in the democratic countries is, however, quite understandable. In democracies, any such change must come through legislation. The legislatures, however, being themselves the big land owners, and hence the affectees of reform, would be the last persons to readily agree to any sweeping and quick reforms. They yield only little by little and that is what has actually happened on the land reform front.

Galbraith (1951; pp. 695-6) explains and defends this as follows "Unfortunately some of our current discussion of land reform in the underdeveloped countries proceeds as though this reform were something that a government proclaimed on any fine morning that it gives pensions to old soldiers or as it might reform the administration of justice. In fact a land reform is a revolutionary step. It passes power, property and status from one group in the community to another. If the government of a country is dominated or strongly influenced by the land holding groups the one that is losing its prerogatives, no one should expect effective land legislation as an act of grace the world is composed of many different kinds of people but those who own land are not so different whether they live in China, Persia, Mississippi, or Quebec -- that they will meet and happily vote themselves out of its possession". Galbraith wrote this as early as 1951, but that aptly 'explains the slow moves on the land reform front before and after 1951. With Galbraith's observations in the background, it seems pertinent to ask; what then motivates the ruling class to introduce the land reforms. Tai, H. (1972 pp.7) finds the answer in the "perceived need of the elite for political legitimacy". King, R. (1977); Dorner, P. (1972); Laxminarayan and Tyagi (1980s); Naqvi, et al. (1987); and several other authors accredit land reforms to internal political pressure in respective countries, the West's struggle to contain communism and the general realization that land reforms are a necessary, if not a sufficient, pre-condition to economic development in agricultural sector dominated economies.

POLICIES AND STRATEGIES OF LAND REFORM IN SELECTED COUNTRIES

Though at the cost of brevity it seems appropriate to give excerpts of some authors on the above subject in the context of Iran, Pakistan, Bangladesh, India, Sri Lanka, Philippines, and South Korea as that would help develop a clearer view of the various aspects of land reforms in the contemporary Asian countries.

IRAN Ashraf and Banuazizi in Inayatullah (1980)

"On the basis of the preceding review of the processes of land reform in Iran, a number of basic conclusions may be drawn. These conclusions relate mainly to the major characteristics of Iranian land reform and their impact upon the nature and direction of the reform processes and upon the social, economic, and political consequences of the reform program.

The Iranian land reform may be characterized as (1) a reform which was set in motion under mounting exogenous pressures generated by the Soviet-American rivalry specially during Kennedy's and Khrushchev's global and regional policies of the late fifties and early sixties; and (2) a reform from above, which was formulated and implemented by an apathetic, inefficient and corrupt bureaucratic network with minimum participation by peasantry, the intelligentsia and the working class.

An examination of the experience of land reform in Iran reveals that its limited success may be attributed to the workable method of land distribution as well as to the stage of, and options included in, the program. While the simplicity of the distribution program allowed Iran's lethargic bureaucracy to implement the land reform measures, its various stages and options disarmed the resisting landowners stage by stage and group by group.

As a whole, Iran's land reform led either to the sale of land to the occupant sharecropper or to the division of the plot between the landowner and the sharecropper according to the traditional practice of crop division. Thus, from the standpoint of land distribution, the Iranian land reform program had the following consequences: (1) almost 90 percent of the total of 55 to 60 thousand villages in Iran were affected in one way or another; (2) the ownership of about 40 percent of the total land holdings was transferred to the sharecropping peasants; (3) about 30 percent of the villages were positively affected in the process; and finally (4) the pattern of mal-distribution of cultivable land remained virtually unchanged.

The land reform program of the 1960s and its related measures also led to the emergence of a variety of agricultural enterprises and the further expansion of others. These could be classified into three major types: (1) Middle-size and small traditional or quasi-traditional enterprises such as

family small-holding, half-and-half cultivation and lump cultivation; (2) large scale capitalist enterprises such as agri-businesses, capitalist extensive agricultural firms with wage labour, and quasi-plantations; and (3) large scale state controlled farms such as agri-businesses, farm corporations and production cooperatives. It should be noted here that one of the major dysfunctional aspects of land reform program was the disorganization of group farming (*boneh system*) which was an integrated part of sharecropping organization of production. Coupled with the small size of units and the failure of such new production organizations as farm cooperations and production cooperatives, the disintegration of *boneh* system created severe difficulties for optimization of agricultural production and utilization of mechanized implements in small units of agricultural production.

The impact of land reform upon the power structure of national, regional and village communities was Three fold: (1) at the national and regional levels the traditional land owners who occupied the key positions in the bureaucracy and the legislature in the Pre-land reform era lost their power basis qua land owners; (2) in the areas in which the large land owners maintain their landed properties, however, they managed to hold a degree of political power at the regional and local levels; (3) at the village level, the upper stratum of the community filled the power vacuum in villages where the land owners were removed from the scene.

In the final analysis, the Iranian experience of land reform and its supportive reform measure which have led to the weakening of rural communities and the replacement of the exploitative forces in the village class structure attest to the fact that superimposition of reform measures from above may not necessarily result in the desirable rural development. Radical changes in the larger polity and economy accompanied by the mobilization, politicisation and participation of villagers are the prerequisites for an integrated and self-reliant rural development".

PAKISTAN (Qayyum A. in Inayatullah (1980))

"Land Reforms in Pakistan have been motivated in the main by sociopolitical considerations and to a lesser extent by requirements of economic development. Evaluation of results at government level has been conspicuous by absence. Alternatives to fixing of ceiling do not appear to have been explored either to maximize production or to ameliorate the conditions of the tenants and the landless rural poor. Some advantages in economic terms have obviously been achieved. Their extent (e.g. percentage of tenants becoming owners) does not appear to have had any appreciable impact. Even in the socio-economic field in which greater advantages were claimed, micro-level studies are still to be carried out to bring out their true nature, extent and results as well as side-effects.

There is no doubt that leakages have taken place in implementation. The actual extent of this leakage is, however, a matter of guess as no study on this question has so far been organized or completed.

In strategy, the system of semi-judicial tribunals passing order in open courts after hearing parties and their advocates has a distinct edge over purely executive procedures. But more judicious, corruption-free decision-making could have been achieved through a system of special tribunals subject in all matters to the supervision of superior courts.

The vesting of ultimate power of review in the executive government and appointment of elective ministers as Chairmen of Land Commissions and as Tribunals were manifest handicaps though the actual extent of damage done due to these arrangements has not and perhaps cannot be determined.

A careful and scientific evaluation of what has been so far achieved should precede any modifications of existing policy and strategy.

BANGLADESH (Siddiqui, K. in Inayatullah (1980))

Production relations, or to go by the USAID report, the "hierarchy of interests" in land in Bangladesh have not been transformed by means of state intervention; the legislations and ordinances of the Government of

Pakistan and Bangladesh have not altered in any substantial way the traditional agrarian structure (USAID, 1977:69). As a consequence, the economy in general, and the agricultural sector in particular have stagnated.

The similarity between the land reforms of the 50s and those of the 70s is striking: meagre legislations to begin with, followed by dilution through amendments, and finally nothing tangible at the level of implementation.

In the Bangladesh situation, worthwhile land reforms can be formulated and implemented only by the intended beneficiaries. The implication is clear; rather than raising false hopes, attempts have to be made first towards organizing the landless and the poor peasants, and in the process making them conscious of their objective situation in the society. From then on, it will be entirely their task.

INDIA (Mathur, K. in Inayatullah (1980))

Land reform policies have been directed at restructuring the agrarian society through reforms in tenancies and distribution of ownership. In the area of tenancy, policies are based on the principle of land to the tiller doctrine. But the major effort has been to regulate tenancy and not to abolish it. Such measure have been concerned with

regulation of rents, and providing security of tenure. In the area of removing inequalities, attention has been directed towards fixation of land ceilings and distributing surplus land to the landless and marginal land holders..... The experience of the last thirty years seems to confirm the view that the socio-political forces opposing land reform measures are so strong that every move to implement them has been thwarted.... This "chance of success" is further dampened when one places the land reform issue in the wider perspective of development strategy. The emphasis on industrialization, urbanization and economic growth as measured by rise in national income has led to demands of marketable surplus from the rural sector. These demands can be met with the use of modern technology and equipment and by commercializing agriculture. Hence agricultural development efforts in the last decade or more have been marked by technological and not equity concerns. For the success of such concerns larger landowners became the major pillars of support and the government focussed its attention on issues of supply of modern inputs and price incentives for agricultural development. Quick result in the form of the Green Revolution reinforced the assumptions of the strategy.

SRI LANKA (Wanasinghe, S. in Inayatullah (1980))

The policies and programmes of land reform adopted by the Sri Lankan governments in the post-independence period were always

responses to pressures from within the country. The political system based on universal franchise caused the policy makers to be sensitive to the internal pressures emanating from the predominantly rural electorate. The post-independence years' perception of the problem of landlessness evoked the response of state aided colonization. The growing population explosion and the worsening tenurial conditions of the fifties saw the genesis of the Paddy Lands Act of 1958. The explosions of the frustrations generated by the worsening of the agrarian conditions, the galloping unemployment problem and the failure of the Paddy Lands Act evoked the third policy response of the land reform of 1972. External pressures on policy makers had no role in evoking such policy responses.

The study indicates that during the past thirty years there have been two divergent policy approaches to the problem of landlessness. One policy approach sought to relieve landlessness and unemployment and to achieve increase of agricultural (food) production through an extension of the area under cultivation by means of construction of irrigation schemes and state-aided settlement schemes. The other approach laid stress firstly on tenurial reform and, later on, on redistribution of land to the tiller to provide a base for modernization of agriculture and through such means relieve land-lessness and employment and increase of production. The

protagonists of the former approach appear to have viewed land reform as a threat to the concepts of right to private property. Even with the rapid decline in the man/land ratio, they would appear to have preferred to seek modifications to the programme of extension of the land area, through reduction of settlement unit size, etc. rather than push an alternate policy.

Thus, both the Paddy Lands Act of 1958 and the Land Reform Law of 1972 came as a policy response spearheaded by the more radical groups in the policy-making elites of the times. An interesting feature of the development history of Sri Lanka, however, is that once a policy or programme survives the initial process of formulation and decision-making and acquires its legitimacy, it is never officially negated or given up. It continues to receive vocal support from all sections of the political elite. In effect, what goes on the statute book does not get erased. Nevertheless, it gets conveniently overlooked amidst the pressures of other more immediate matters. This, in effect, is what happened to both the above measures. The 1958 reform came to be conveniently ignored after the exit of the minister concerned. The 'policy of extension' came to the fore once again. Despite the bemoaning by committed officials, it took six years to get the minimal changes necessary in the Paddy Lands Act of 1958 on to the statute book. By then it was, too late. The 1972 reform

fell a victim to confusions in goal perception. What started as a programme of land to the tiller actually turned out to be merely an expropriation of a section of the socio-politico-economic elite. The expropriated land under the control of the state machinery was used as a means at the disposal of the new elite, to keep a vast source of patronage and other benefits under their control. The tiller waited in vain.

The Sri Lankan experience serves to underline several pre-requisites for a successful land reform programme. The first of these is a clear and strong political will, based on agreement on goals and processes, behind such a programme. The second is the mobilization of the beneficiaries prior to the launching of the programme; the third is the minimal dependence of existing bureaucracies for the implementation of such a programme. In the absence of these pre-requisites the programme has a greater chance of failure than of success. The land reform measures may remain enshrined in the statute books. They may be periodically dusted up to serve political platforms. They may also serve to whet the appetites of future researchers. But they only create frustration in the ranks of the tillers who were led to expect much from them. History does not indicate that they would be content to wait patiently for all time.

PHILIPPINES (Blondie PO in Inayatullah (1980))

The present Philippine land reform program has adopted the essential features of the Hardie program. Basically an American conceived program, it is premised on the pursuit of the capitalist modernization path of development which views increased output, political stability and the modernization of the rural sector as the answer to poverty and economic stagnation. The rise of a middle class of small owners is seen as a desirable outcome serving both aims of political stability and modernization of agriculture. Private ownership of land is retained and differentiation in the rural sector is pressured. Where land redistribution is successfully carried out for a particular segment of the rural population it is seen as a condition for increased agricultural efficiency and the expansion of the urban industrial sector through: 1) the expansion of agricultural exports for foreign exchange earnings; 2) the provision of sufficient food for growing urban populations; 3) the outflow of capital and manpower from agriculture to industries; and 4) the enlargement of rural demand for non-agricultural goods and services. Implicit in this strategy is thus the subordination of agricultural needs to industrial needs. In this context, the emphasis on support services such as infrastructure, market institutions and credit merely serve to enhance profitability for the dominant groups in a given economy. It is no wonder then, that for those

countries such as Taiwan and Japan for example which had initially successfully carried out land redistribution, second-generational problems were to arise consisting of: reconcentration of land, increasing proletarianization of the rural population, growing gaps between the urban and agricultural sectors especially in income levels, increasing costs of living, and deterioration in agriculture's terms of trade.

In the context of the concrete experiences of the Philippines, the question arises of whether even the narrow aims of the above land reform program can at all be achieved. Massive industrialization has not materialized for various reasons which basically stem from an "agro-merchandising" economy that continues to generate more than enough profits for the groups who determine the country's development. Under such conditions, basic weaknesses of a land reform are reinforced as equity goals are set aside whenever they conflict with the other goals of reform. The concern for political stability, for example, leads to compromised land reform measures which are designed in a way as not to antagonize landlords who constitute a stable base of support for the government. The drive towards higher output and modernization, on the other hand, again overshadows equity as plantation and capital-intensive farms are excluded from land reform and as productivity and modernization programs take precedence over land reform.

This order of priorities is expressed in the greater amount of money poured into "integrated rural development" programs, infrastructure projects (electrification, irrigation, roads) and credit programs..... That infrastructure and modernization projects entail a sacrifice of peasant welfare has been shown in recent years in the many instances in the country when the whole farming communities have been displaced by dams and industrial complexes or crop fields destroyed by floods and pollution. In fact, these projects, invariably initiated with foreign financial assistance, merely serve to enhance foreign access to and control over the Philippine countryside.

So far, rural development programs, including land reform programs, have not only failed to challenge the basic causes of rural poverty in the Philippines in many instances, these have served to deepen inequality and dependence.

The Philippine experience has shown that the elimination of rural poverty may be possible only through a reorganization in the system of control over the limited resources in society as a whole which would allow the efficient use of these resources and the expansion of the country's productive capacity to meet the needs of the majority. Such a reorganization entails the transfer of power and assets—principally land

from the monopolistic control of a minority to the majority of the working population. Land reform is, thus, primarily a political process through which the peasantry, in an assertion of power, confront landlords and their allies and unilaterally assume control over land and other agricultural assets. It cannot simply be legislated, passed and carried out from above. Rather, through the peasant land reform movement, snags and compromises which have characterized land reform measures so far, can then be avoided as the peasants themselves carry out investigations of their own local communities and decide for themselves the manner with which they shall take over lands according to varying conditions in each locality. In this way, the ground work is laid towards a development that is based on equality, self-reliance and the participation of the majority in the productive collective endeavour, in decision-making and in the benefits which accrue from productivity and growth.

KOREA (Sang-Woo Rhee in Inayatullah (1980))

Land reform in 1950 was constructive in a sense that it helped transform the old hierarchically structured Korean society into a modern egalitarian society. It liberated farmers from the yoke of the landlord class and destroyed the economic foundation of the old yangban class. The land reform program has in fact homogenized the whole Korean society into a commoners society.

Economically, however, the land reform program cannot be regarded as successful. It has neither improved the financial status of the farmers nor served the interest of landlords. The program actually served only the interests of handful big businessmen. The program imposed a heavy financial burden on the farmers in the form of the installments to be paid for the distributed lands. Many of the poor farmers, already impoverished, could not bear this burden, and resold the distributed lands illegally to their relatively rich neighbours or to the urban nouveau riche and assumed tenant status again.

The impoverished farmers lacked the capital to invest in fertilizers and improved seeds to improve the productivity of land. This prevented the modernization of agriculture. Limiting the size of which each farm household could own to three jungbo was not conducive to the introduction of agricultural machines.

The aim of mobilizing dead land capital for investment in industries was partially fulfilled but only at the sacrifice of small landlords. About 84 percent of the landlords received government bonds equivalent in cash value to less than two thousand U.S. Dollars. This amount was not large enough to be invested for any meaningful purpose. Most of them had to

sell them to a few rich businessmen at a discounted value of 30-70 percent of the face value. Anyway, in this manner capital was taken out from the land and transformed into commercial or industrial capital.

Politically, the land reform served partly to reduce the influence of Communists on farmers. The reform disenchanted both the urban (impoverished landlords) and rural (former tenants) population and indirectly precipitated the political turmoil of the 1950s which finally resulted in the collapse of the Syngman Rhee government.

It can be concluded that land reform itself has not contributed much to the improvement in rural conditions which would have become worse if rapid industrialization had not absorbed excessive rural labour power and enhanced the non-farming income of farmers. The Land Reform Act of 1950 has not contributed much to the rapid growth of the Korean GNP either. Instead, it has to some extent, hindered the modernization of agriculture.

Land reform has played a positive role in transforming Korea society from a feudalistic hierarchical structure into an egalitarian homogeneous one. By this transformation, land reforms have created a condition necessary for the blossoming of genuine democracy in South Korea.

CONCLUDING NOTE

The existing body of literature on land reforms in Pakistan and the contemporary developing world provides useful but still insufficient insight into the imperatives, genesis, impacts, and other aspects of land reforms. Several deficiencies are noted in the contemporary world's context as also in that of Pakistan. A common feature of most works on the subject is, that they mostly take a macro-level view of the issues to the neglect of regional and sub-regional analysis in a given country. This holds true particularly for Pakistan and its North-West Frontier Province (NWFP). Lumping together several regions of diverse characteristics impairs objective and comprehensive analysis of the land reform process. A better approach lies in undertaking in-depth analysis of the process at regional and sub-regional level, build up macro-level data, and then generalize for the country and its regions. The existing literature is deficient in this respect in so far as NWFP is concerned. The present study attempts to fill up this gap by undertaking macro, meso, and micro level analysis encompassing Pakistan as a whole, the NWFP as a whole, its districts, and a sample of beneficiaries of land reforms.

Another deficiency in existing literature is that most of it lacks a dynamic view and analysis of the land reform issues. It is either in the nature of an 'obituary' of, or a 'praise' for, the land reform exercises. Most of the works don't take the inquiry into the future i.e., are more reforms needed? and what would be the best policy to pursue? This deficiency is felt all the more in

Pakistan, and particularly in the context of its different parts like NWFP. The present study endeavours to make a contribution in this respect, in the form of a land reform model which might meet the challenges that may be in store for the country and the NWFP in the next century. Adjustment and re-adjustment of land ownership patterns is not a one for all time action. Placing a ceiling on land ownership is not necessarily an all time imperative. Similarly, a land ownership ceiling alone will not itself achieve the wider objective of initiation and acceleration of the process of development. The relevance of land ceilings, tenurial reforms, and other measures changes with socio-economic situation. The present study reviews and evaluates the land reform experience of Pakistan, and inquiries into the need for further land reforms, if any, in the light of the socio-economic transformation that has taken place during approximately the four decades after the first land reform (of 1959), and in the light of the vision of the situation on the development front at home, and world situation in general, during the next two decades. As such, this study is expected to make a useful addition to the existing body of literature on the subject.

Chapter 3

METHODOLOGY

INTRODUCTION

This study is conducted at three levels viz; i) macro-level incorporating the whole of Pakistan, ii) meso-level addressing the relevant issues in the context of NWFP taken in general and its various districts, and iii) micro-level, focusing on a sample of households (in NWFP) of beneficiaries of land reforms. Accordingly, it is based on secondary and primary sources of information as will be described later in this chapter. In order to objectively evaluate the land reform experience of Pakistan, brief information is provided also on land reform measures taken in twenty one countries upto the year 1973 by when Pakistan had launched its second major land reform.

The time reference of the study is post-1947 period. The inquiry is taken also into the future to study whether or not there is a case for more reforms and the various whys! whats! and hows! of the question. Thus like its areal contexts, it has three time contexts, past, present, and the future. The past's analysis concentrates on distributive land reforms of 1959, 1972 and 1977. Before, however, describing the specific methodological approaches it seems appropriate to introduce the study area which is done as follows.

THE STUDY AREA

At the macro-level the study area comprises the whole of Pakistan. At the meso-level, the NWFP is the unit of study.

Pakistan came into being as an independent country in 1947. It then comprised the present Pakistan and the present Bangladesh which were organized in five provinces viz; the present Punjab, Sind, NWFP, and Balochistan (then called West Pakistan or West Wing), and East Bengal Province (also called East Pakistan). In (1956),[?] the four western provinces (the now Punjab, Sind, NWFP, Balochistan) were merged into one Unit and named West Pakistan province, while East Bengal province was named as East Pakistan. Later in (1970),¹⁹⁶⁹ the one unit was dissolved to re-create the province of Punjab, Sind, NWFP, and Balochistan. East Pakistan separated from Pakistan in 1971 and was named Bangladesh.

For the purpose of this study, Pakistan means, in all time contexts, the country as it exists now embodying what was previously West Pakistan.

The North West Frontier Province has also undergone administrative re-organization after its restoration as a separate province in (1970),¹⁹⁶⁹ It has now 19 district^s and 7 divisions, as against 11 districts and 3 divisions in 1970. New districts and divisions were created more than once after 1970. This study, however, presents statistics by reference to the districts as existing in 1977 when the last of the three reforms was introduced. In so far as the basic economic

features of Pakistan as a whole and the NWFP taken separately are concerned they can be summed up in a few sentences as follows:

The study area was heavily agri-sector based in the late forties. Very few industrial units existed in the country, while the situation in NWFP was much worse. Much economic transformation has taken place during the last fifty years at national level considered as a whole and also at NWFP level. Agriculture is still the dominant sector at Pakistan level, and more so in NWFP, but its relative importance has considerably declined over time. In the NWFP the service sector has flourished faster than any other sector during the last three decades. Much expansion has taken place in manufacturing sector, too, but it is still considered on the sick-list, while agri-sector has been more or less stagnant for over two decades after making good progress in the sixties. This province has experienced large scale immigration (from Afghanistan), emigration, as well as out-migration and its economy carries many visible hall marks associated with migration on such a large scale. On the whole, its (migration's) economic impact appears to be favourable, but many problems also appear to be in store in the province due to immigration and returning migrants. On the whole, its commodity producing sectors-including agriculture, have not been performing well for over a decade. The development potentials are, however, great both in the agri and non-agri sectors. Some selected statistics on the economy of Pakistan and that of NWFP are presented in Table 3.1.

Table 3.1

**BASIC STATISTICS ON ECONOMY
OF PAKISTAN AND NWFP**

Sr. No.	Particular/Characteristics	Unit	Pakistan	NWFP
1.	Population (1997)	Million	135.28	18.45
2.	Geographical area	ml/hect.	79.61	
3.	Reported area	ml/hect.	58.50	5.84
4.	Cultivated area	ml/hect.	21.55	4.20
5.	Cultivated area as % of reported area (1996)	%	36.84	72.00
6.	Population per cultivated hectare (1997)	men/hectares	6.3	4.4
7.	Agriculture's contribution to GDP:			
	• 1959-60	%	19.3	--
	• 1969-70	%	32.3	--
	• 1979-80	%	50.4	--
	• 1996-97	%	24.0	--
8.	Agri. sector's growth rate:			
	• 1960-70	%age	6.3	
	• 1970-80	%age	1.7	
	• 1980-90	%age	4.9	
	• 1990-97	%age	4.0	
9.	Average size of farm (1990)	Acres	9.4	5.5
10.	Agri. sector's contribution to exports:			
	• 1969-70	%	33.0	--
	• 1979-80	%	42.0	--
	• 1995-96	%	16.0	--
11.	Percentage distribution of farms:			
	• Below 12.5 acres	%	92.0	91.00
	• 12.5 < 25.0 acres	%	5.0	6.00
	• 25.0 < 50 acres	%	2.0	2.00
	• 50 acres and above	%	1.0	1.00

-- Not available.

MACRO AND MICRO LEVEL STUDY

Land Reform is a provincial subject but excepting the pre-1956 period tenancy and quasi distributive reforms which were introduced by the provincial governments, all of the three distributive and tenancy reforms of the late fifties and later period were introduced at federal level or at the instance of the federal government and were applicable to all parts of Pakistan. Even the pre-1956 reforms were influenced by the federal government's policy. Therefore, whether one wants to study land reforms at Pakistan level, or at provincial level, the sources of information are more or less the same. The sources used in this study are mentioned at appropriate places and in the bibliography. The important specific sources are:

- Published and unpublished official reports, regulations etc.
- Federal Land Commission, Islamabad
- NWFP Land Commission, Peshawar
- Five Year Plans of Pakistan
- Research reports, dissertation, and books on land reform and related subject published by individuals and organizations in Pakistan and abroad.

MICRO-LEVEL STUDY

One of major objectives of this study was to inquire into socio-economic impacts of the land reform of 1959, 1972, and 1977. Besides using secondary data to this end, a sample survey of 120 households was conducted. The sample

represents the households which received land under the land reforms. The sample is equally distributed over the Peshawar valley (comprising the Peshawar and Mardan Divisions) and the Dera Ismail Khan (DIK) district which account for over forty percent of the total land distributed under the land reforms. Hazara's inclusion in the sample was considered but due to resource constraints, non availability of information needed for developing a suitable sampling frame, and more importantly as the Peshawar Valley and DIK district were found to be sufficiently representative of farmers benefitting from land reforms, a wider spread of sample to cover Hazara was not found necessary. Besides, the two sample regions (Peshawar valley and D.I.Khan) are fully representative of irrigated agri zones which are of interest to this study. These facts, however, don't minimize the need for doing a study of beneficiaries on the basis of a larger sample, covering all regions including Hazara. Nevertheless, the present sample provides a representative profile of the beneficiaries and of the impact of land reforms on their socio-economic condition. The aspects covered by the study of beneficiaries households are as follows:

- i- Respondents Profile
- ii- Farm Profile which include tenorial status, size of holding, source of irrigation incidence of water logging, incidence of fragmentation.
- iii- Socio-economic impact of land reforms
- iv- Beneficiaries suggestions regardings further land reforms.

The sample survey of beneficiaries was supplemented by informal interviews with tenants, land owners, government officials, and other persons for their view on various aspects of land reforms.

ANALYTICAL TECHNIQUES

The study is basically of a descriptive type based on historical data, narratives and descriptive analysis embodied in the existing literatures, for assessment of land reforms' impact on the beneficiaries' socio-economic condition, and also on selected macro-economic characteristics e.g; land ownership pattern. The statistical measures used include: averages, standard deviation, and Gini co-efficient. Alongside statistical evidences on various aspects of land reforms, the study uses logical constructs at various places to complement, or in place of, empirical data. The discussion of imperatives of land reforms in the historical context is for example one of the points in the study where its use become^{b/} necessary and is, therefore, made.

Chapter 4

GENESIS OF LAND REFORMS IN PAKISTAN

BACKGROUND

The term "Land Reform" in a broad sense, encompasses direct and indirect measures to bring about equitable distribution of land, rationalize the tenancy system, consolidate the fragmented land holdings, colonize new lands, and restore lands' possession to lawful owners, etc. with the ultimate goal of initiating and accelerating the process of development and promote distributional justice. The post-1947 series of land reforms started in 1950 and the last of these came in 1977 by when over a dozen major legislative measures had been enacted and enforced in the country. The reforms came gradually and almost each of these proved to be precursor of the subsequent one. They did not come with one stroke of pen, nor were they in the nature of interventions of the state on its own. They came in response to, or under pressure of, definite sets of social, economic, and political imperatives or compulsions. What were those imperatives or compulsions? Or to put more simply, what were the arguments in favour of land reforms? This needs to be inquired into before taking up, and also for a better understanding of, the genesis of reforms.

The call for land reforms stemmed from the social, political, and economic problems resulting from highly inequitable land ownership pattern and

exploitative tenancy customs and laws that fell to the heritage of Pakistan from the British colonial rule. Those who subscribed to the distributionist school and also those belonging to the productionist school argued that the highly skewed land ownership pattern and insecurity of tenancy as obtaining in the early post-Independence period, were not conducive to the development of rural sector in particular and the overall economy in general. The then obtaining concentration of political power in the hands of a handful rural elite and the consequent exploitation of masses at large-whether rural or urban, were blamed on land concentration in a few hands. Both the distributionists and the productionists argued that land's equitable distribution was a pre-requisite for speedy economic development, and that delay in reforms would perpetuate the vicious circle of poverty. The distributionists would go all out for land reforms entailing redistribution of land, as to them a fair distribution of land, as of wealth, was a sufficiently justifiable end in itself, even if the secondary developmental effects did not follow or were insignificant.

In order to objectively appraise the arguments of proponents of land reforms it is considered appropriate to critically examine (i) the land ownership pattern in Pakistan in early post-independence period, (ii) the tenancy situation in that period, and (iii) weigh the different claims on benefits of land reforms. To begin with, the land ownership pattern is studied.

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Land Ownership Pattern inherited by Pakistan from the British Colonial rule was characterized by a highly skewed distribution. According to the land ownership statistics given in the report of Land Reform Commission for West Pakistan (1958) pertaining to the period around 1955 (the exact time reference is not known) the following two extreme situations were experienced:

- (i) As many as 64.44% of the land owners were in the 'below five-acres' bracket, and they owned only 15.27% of the privately owned area in the country.
- (ii) On the other extreme the persons owning 500 acres or more, accounted for only 0.12% of total land owners but they owned as much as 15.39% of the total privately owned land.

Thus, just a handful of land owners monopolized a dis-proportionately large part of land. On the other extreme, overwhelming majority of land owners had too little of land to keep them fully employed or help them make the two ends meet.

It seems appropriate at this stage to dilate in some detail on the land ownership situation in different parts of the country, as that would help understand and appreciate the logic and rationale for land reforms, and also of the nature and extent of the reform opposing forces.

LAND OWNERSHIP PATTERN IN PAKISTAN

Before presenting the land ownership data for Pakistan as a whole, it is important to state that the data are not complete. The regions covered are: NWFP excluding Malakand division; Punjab Province; Bahawalpur State (now a part of Punjab province); Sind Province; Khairpur State (now a part of Sind Province); and Quetta Division (now a part of Balochistan Province). Much of the present Balochistan Province is not covered by these statistics. Similarly, it is believed that the coverage of other parts of the country is also incomplete. However, even as such these statistics constitute a good basis for the study of land distribution pattern as most of the land holdings are covered by them. With this clarification the relevant data for Pakistan as a whole are presented in table 4.1.

Table 4.1

LAND OWNERSHIP PATTERN IN PAKISTAN (1955)

Size of holding (acres)	owners (%)	Area owned (%)
Below 5	64.44	15.27
5 - 25	28.66	31.74
25 - 100	5.65	21.83
100 - 500	1.13	15.77
500 & above	0.12	15.39
Total	100.00	100.00

Source: Report of the Land Reform Commission for West Pakistan.

The contrast is striking. The "below 5-acre" land holding group accounted for as many as 64% of total land owners, but they owned only 15% of the total land. Nearly the same proportion of land (15.39%) was found in the 1500 acres and above' bracket but with only 0.12% owners. If the '100 - 500 acres' bracket were to be counted as big farmers bracket then the big farmers i.e. those owning 100 acres or more would come to be 1.25% of total owners and their land holdings would account for as much as 31% of the total land. In picturing up in mind the then obtaining rural power set up, these figures (i.e; the 100 acres plus bracket) should be incorporated as being the representative one (i.e; representing the big land holding group). Thus in the then emerging picture a few land lords are seen having monopolized much of the land and (by virtue of that) also the social and political influence and power which they used for perpetuation of their influence as well as their wealth through brutal exploitation of the tenants and the small land owners.

The NWFP situation was not much different from that of the country in general. In fact, in this province the land concentration was more prominent in the higher brackets than in the country taken as a whole as will be seen in Table 4.2.

Table 4.2

LAND OWNERSHIP PATTERN IN NWFP (1955)

Size of holding (acres)	Owners (%)	Area owned (%)
Below 5	70.27	31.86
5 - 25	21.65	25.22
25 - 100	6.93	19.66
100 - 500	1.09	10.77
500 & above	0.06	12.40
Total	100.00	100.00

Source: Report of the Land Reform Commission for West Pakistan

The highly skewed distribution of land ownership in NWFP is evident from the data given in the above table. While as many as 70.27% of the land owners owned only 31.86% of the total area and their holdings were less than five acres each, at the other extreme those owning 500 acres or more constituted a mere 0.06% of the total owners but owned as much as 12.40% of the total area of the province. The feudalistic set up obtaining in the rural NWFP in the early fifties is amply indicated by these statistics. The inequitable distribution of land comes in sharper focus if the land ownership brackets of below 25 acres and '100 acre and above' were compared. The former accounted for almost 92% of the total land owners and 57% of the land holding, while the latter (100 acre and above) had the corresponding figures of 1.15% and 23.26%, respectively. What social, economic and political effects are produced by this pattern of land ownership, is not hard to imagine.

In Punjab Province and Bahawalpur State (the latter was merged with Punjab Province in 1955) the land ownership pattern was as skewed as observed in the case of NWFP; the difference being only of degree. In Punjab, less than one percent of total land owners owned almost about 23% of the total land. This group belonged to the land bracket of 100 acres and above. In contrast in the lower bracket of below 5 acres, there were 67.37% owners and only 16.46% land.

The picture obtaining in this respect in the Bahawalpur state was much worse. About 37% of total land owners in this State belonged to the below 5 acres bracket and owned only 5.31% of total land. Whereas those having 500 acres or more accounted for a fraction of one percent land owner (0.17%) but had 11.18% of the land (Table 4.3).

Table 4.3

**LAND OWNERSHIP PATTERN IN PUNJAB PROVINCE
AND BAHAWALPUR STATE (1955)**

Land holding (acres)	Punjab province		Bahawalpur state	
	Owner (%)	Area (%)	Owners (%)	Area (%)
Below 5	67.37	16.46	36.93	5.31
5 - 25	28.22	39.08	49.15	38.01
25 - 100	3.84	21.44	12.28	27.95
100 - 500	0.52	13.27	1.47	17.55
500 and above	0.05	9.75	0.17	11.18
Total	100.00	100.00	100.00	100.00

Source: Report of the Land Reform Commission for West Pakistan

The Sind Province and Khairpur State presented a much worse scene in respect of land distribution than Punjab and NWFP. The land distribution pattern—highly skewed as it was, clearly indicated presence of a highly feudalistic set up in these areas. As will be seen in Table 4.4, in Sind province nearly one percent of the land owners owned 500 acres or more and their holdings accounted for nearly 30% of the total land. At the lower end of the ladder about 30% of the land owners had less than five acres of land each, and their holdings accounted for a mere 3.46% of all the privately owned land.

Table 4.4

**LAND OWNERSHIP PATTERN IN SIND PROVINCE
AND KHAIRPUR STATE (1955)**

Land holding (acres)	Sind province		Khairpur state	
	Owners (%)	Area (%)	Owners (%)	Area (%)
Below 5	29.65	3.46	31.70	6.28
5 - 25	45.36	17.99	53.81	42.33
25 - 100	16.53	23.28	12.22	22.12
100 - 500	7.51	25.42	2.01	21.34
500 and above	0.95	29.85	0.26	7.93
Total	100.00	100.00	100.00	100.00

Source: Report of the Land Reform Commission for West Pakistan

In the Khairpur state, the situation was a little better as compared to the Sind Province. The top land holding group (500 acre and above) had 0.26 owners

and 7.93% land, while the bottom group (below 5 acres) showed the corresponding figures of 31.70% and 6.28%, respectively. But on the whole the distribution was very skewed.

In Quetta Division the distribution pattern was more skewed than in Sind. Put in figures, a mere 0.15% owners owned 33.73% of the land-each of them 500 acres or more. In the below 5 acres group, there were 46.74% owners and only 5.26% land (Table 4.5).

Table 4.5

**LAND OWNERSHIP PATTERN IN QUETTA
DIVISION (1955)**

Size of holding (acres)	owners (%)	Area owned (%)
Below 5	46.74	5.26
5 - 25	39.15	21.78
25 - 100	11.16	22.08
100 - 500	2.44	17.15
500 - above	0.51	33.73
Total	100.00	100.00

Source: Report of the Land Reform Commission for West Pakistan

The land ownership statistics pertaining to Quetta Division may be taken as a proxy for the settled parts of the rest of Balochistan in that period (1955).

It is, however, thought-as also indicated by recent data pertaining to Balochistan Province (reported in Pakistan Census of Agriculture 1990) that around the year 1955, the land ownership pattern in what is now Balochistan Province as a whole would be more skewed than that obtaining in Quetta division in 1955.

Summing up, the land distribution statistics presented in Tables 4.1 to 4.5 clearly show that a small group owned a disproportionately large part of the privately owned land in Pakistan. The relevant summary statistics are reproduced in Table 4.6 to facilitate subsequent analysis and discussion.

Table 4.6

**SUMMARY STATISTICS OF LAND OWNERSHIP
PATTERN IN PAKISTAN(1955)**

Sr. No.	Locality	% of total land owners who were in:		% of total area accounted for by:	
		Below 5 acres bracket	500 acres & above bracket	Below 5 acres bracket	500 acres & above bracket
1.	NWFP	70.27	0.06	31.86	12.40
2.	Punjab	67.37	0.05	16.46	9.75
3.	Bahawalpur state	36.93	0.17	5.31	11.18
4.	Sind Province	29.65	0.95	3.46	29.85
5.	Khairpur state	31.70	0.26	6.28	9.93
6.	Quetta Division	46.74	0.15	5.26	33.73
7.	All Pakistan	64.44	0.12	15.27	15.39

Source. Based on previous Tables 4.1 to 4.5

It is a common knowledge that the big landlords conceal their land ownership by registering land under fictitious names. These are known as *Benami* holdings. On what scale it was done in the past, or is done in present times? No authentic report is available on this subject, but it is widely believed that the concealment of landed wealth through fictitious registration was done on a large scale in the fifties and the practice continues unabated. The actual extent of land concentration was most probably larger than indicated by the above given statistics. From the table it is clear that while the overwhelming majority of the land owners had land holdings of below subsistence level, yielding income not enough even to keep the body and soul together, a handful few land owners possessed a dis-proportionately large part of the total area which provided them not only superabundance of wealth but also great political power which was used to further increase their wealth and thus perpetuate and strengthen their hold on the poor rural masses.

LAND TENANCY SITUATION IN EARLY POST INDEPENDENCE PERIOD

In 1947- the year of Independence, two types of tenants obtained in the country viz.: the occupancy tenants, and the tenants at will. Both of these systems posed serious problems. In fact, the cry for re-distribution of land was initially sparked by these problems as they affected some of the land owners and all the tenants, as will be borne out by the following analysis.

(i) Occupancy Tenants

The occupancy tenants were a well protected class of tenants and practically speaking they were the de facto owners of the land held by them as tenants. According to the Land Reform Commission for West Pakistan, (1958), an occupancy tenant had a more or less permanent heritable and, on fulfillment of certain conditions, transferable right to occupy the land for as long as he paid the rent fixed by authority. The occupancy tenants, paid just a nominal rent, and some tenants paid no rent at all. They, however, regularly paid land revenue, local rates and cesses charged by the state. In the words of the Land Reform Commission of 1958, they enjoyed 'most of the privileges associated with the ownership' of land¹.

The occupancy tenancy system agitated the minds of the tenants just as much as of the legal owners. The rights to occupancy tenancies had been earned by the tenants fore-fathers by performing certain services to the concerned land owners. Yet, although the occupancy tenants fulfilled all obligations of land owners, they could not claim full ownership of the land concerned. The land owners, on the other hand, were aggrieved by the fact that although they were the owners de jure, but for all practical purposes the occupancy tenants were the owners. The lawful owners did not get due share in produce and could not eject

¹ *Report of the land reform commission (1958) for west Pakistan P.7*

the occupancy tenants, or sell the land. Continuation of such a system was highly questionable. The land owners and the tenants, both, saw no justification in this system's continuation and it was ultimately abolished in NWFP in 1950 and in Punjab in 1959.

(ii) Tenants at Will

Excepting the occupancy tenants, who — as discussed above, were well protected by the law, all other tenants were tenants at will, at the time of Independence (1947). The tenants-at-will operated the land without a written contract, and could be ejected by the land owners just at will. No notice for ejection was required by law, nor was any compensation payable to the tenants for the investment made by them on the farm. Most landlords violated the customary norms with respect to sharing of costs and produce. Instead of treating the tenants as equal partners in the farming business, and extending them a fair treatment and respect, the landlords treated them as virtual slaves. The tenants were made to bear a much greater portion of farming costs than the normal share and were deprived of the due share in the produce. They were forced to provide free labour (*begar*) to the landlords, and were subjected to exploitation of the worst kind, including violation of honour of their women, extraction of money and goods on various pretexts etc.

Arguments Against Maldistribution of Land

In the preceding section, the land ownership pattern obtaining in various parts of Pakistan, in early fifties, was analyzed and described. It was found that all provinces suffered from maldistribution of land. While a handful of landlords owned thousands of acres each, most of the farmers owned or operated below subsistence level holdings. This phenomenon i.e. the maldistribution of land, aroused considerable debate over a long period of time. It was criticized on social, economic, as well as political grounds. The majority view was that the obtaining land ownership pattern was undefendable on any ground. Main arguments against maldistribution of land were as follows.

1. Maldistribution of land gives rise to a skewed distribution of wealth and income and the society is divided into clearly identifiable groups of 'have' and 'have not', which leads to unrest, chaos, and crisis in the country. A society characterized by disharmony of interests among its different segments is unable to make the best use of its resources and skills, and thus, the process of development slows down and may even stop, or go in reverse.
2. Concentration of wealth and political power in a few hands stifles economic growth and development through its negative impact on consumption and production patterns. Since a disproportionately

large part of wealth and income is held by a few persons, a correspondingly large part of income is spent on luxuries and objects of ostentatious consumption. Consequently investment starts flowing to industries that produce luxury goods. On the other hand effective demand for essential goods stays low because of mass poverty, and that stifles the growth of essential goods producing sector, of which agriculture is the most prominent example. If this process of wealth accumulation does not stop, then ultimately such an economy sooner or later has to face economic crisis manifested in the form of scarcity of essential goods, inflation, unemployment, and a general stagnation for varying periods.

3. The division of society into the wealthy and the poor produces friction, tension, and unrest, which are detrimental to work discipline and hence to smooth operation of the productive sectors of the economy.
4. Concentration of land in few hands is not conducive to farming efficiency. The landlords with too much of land, can not manage their farms efficiently because of financial and managerial constraints. In fact, they need not be very efficient, because even at low level of productivity they enjoy super-abundance of wealth

due to the large size of their land holdings. Besides, due to concentration of land in few hands, the vast majority of farmers has to operate holdings, which are too small and fragmented to enable them to use scientific methods of cultivation. These petty holdings can not keep farmers fully employed with the result that farming in such a situation becomes a secondary occupation receiving inadequate investment and little attention as a result of which yields tend to be low and so are the profits.

5. Land concentration necessitates resort to tenanted cultivation. A large class of tenants emerges as actually experienced in Pakistan. The big landlords must rent out lands because they can not manage it all by themselves. The small land owners and the landless farmers need to rent in land so as to augment their meagre land holdings. In this deal the tenants as well as the landlords try to secure the maximum advantage for themselves. The landlords being in a better bargaining position, tend to use it to their advantage and thus the ill will between the landlords and tenants starts. In certain situations, the tenants group up and exploit the landowners. These two classes are hardly ever in peace with each other. Conflicts rather than harmony of interests characterize the relationship

between landlords and tenants. These conflicts often develop into big confrontations which are highly detrimental to peace and progress.

6. The concentration of land in few hands is found quite undefendable when viewed in proper historical perspective. All lands in NWFP as also in other parts of Pakistan were owned by the state or owned by the communities collectively. Each household got land in proportion to the number of its members. This mode of distribution was done away with by the British colonial rulers who granted large estates to those who served their political interests. Gradually, a small number of landlords, with British colonial rulers backing, grabbed others lands and also got large land grants from the government. Thus, a class of big landlords and jagirdars emerged. The land owned by them was grabbed, not fairly earned, and as such this mode of land acquisition was not defensible on any ground. The big landlords served the interest of rulers, did not use the land productively, and exploited the masses. They impeded the process of economic development and perpetuated tyrannical rule of the colonial powers.

To sum up, maldistribution of land led to maldistribution of wealth and income, and kept the whole society locked in the vicious circle of poverty. Hence the need to do away with this set up was felt.

Some Benefits of Land Reforms

The foregoing analysis of land ownership pattern obtaining in the country in the early post-independence period, amply and clearly brings out the fact that it was highly detrimental to economic development and more so to development of a harmonious society. Hence the need for land reform, involving redistribution of land-so as to eliminate or at least minimize concentration of land ownership, was stressed. Elimination or minimisation of maldistribution of land would be defensible even as an end in itself as that would help promote a just and equitable socio-economic order, where no single person would have power to subjugate and exploit other persons. The case for land reform in Pakistan was, however, based on some more solid bases, not just on the idealists view of perfect equality in land distribution. The proponents of land reform argued that it would energize the agricultural sector- and ultimately the economy as a whole, through its positive impact on land utilization, crop yields, employment, and income, distribution as will be borne out by the ensuing discussion.

Land Utilization: Intensity of land use is normally low on large land holdings as compared to smaller holdings. The explanation lies, among other

factors, in the management problems and the fact that a big land owner does not have to use his land as fully as does a small farmer. If, therefore, the size of ownership were curtailed, the land owners would have to use land more fully to secure more output from smaller holdings. It would also be possible to manage it more conveniently. The ideal factor-proportion on a smaller unit would be more easy to attain than on big farms. This means, greater as well as better utilization of land.

Better Yields: One of the widely advocated points in favour of land reform was that it would help improve farm productivity by producing both incentives and compulsions to that end. The incentive to produce more would result from grant of ownership of land to landless tenants, providing land to small land owners to upgrade their holdings to subsistence level, and establishment of equitable social and economic order enabling the tenants, the small farmers, the agricultural labour etc., to work more fully and reap full reward for their labour. All these positive impacts were expected to produce opportunities for working more fully and efficiently than before, and it was logical to expect that the impact would emerge in the form of higher yields which in turn would lead to higher profits per unit of land and pave way for a further increase in agri investment and thus starting healthy and sustainable development in the farm sector . It may be clarified that owner operated farms are not necessarily more

efficient than the tenant operated ones in all situations. There are plenty of empirical evidences showing that tenant operated farms, in many places, produce more yields and profits than the owner operated farms. This, however, does not contradict the argument that, generally speaking, the owner operated farms are, or would be, more efficient than the tenant operated farms, if the owner operators are at least as equally well placed, if not more, as the tenants in respect of technical know how, financial resources, access to extension services, etc. More often than not, this set of condition would be found present meaning that similarly more often than not the owner operated farm would be more efficient than purely tenant operated farm.

Yields were expected to rise also on the farms of the land owners who were to be the target of reforms. Because, they would operate their lands - after land reform, more efficiently to offset the loss of income due to reduction in their land holdings.

More Employment: One of the important benefits expected from land reforms was that a wider distribution of land would create conditions necessitating the use of labour intensive techniques. It would also, as already stated, raise the level of land's utilization and also cropping intensity. The resulting benefit would emerge in the form of more employment both in terms of number of the employed and the number of productive hours of the workers.

A fairer Distribution of Income: The immediate and the most important benefit expected to flow from land reform was that it would result in a fairer distribution of wealth and incomes. This would contribute to the welfare of the masses both in material and psychological terms even in a situation where none of the afore-mentioned benefits, viz., higher yields, more employment etc., were immediately achieved in the wake of reform. Alternatively speaking, by bringing about a wider dispersal of land ownership, land reform would help reduce poverty and hunger. While it could be doubted whether land reform would help assuredly improve productivity, employment, land utilization, etc., it could hardly be questioned that it would immediately help bring about an improvement in the welfare of the masses even if the gross domestic product (GDP) remained unchanged. It was then expected that once equitable distribution of wealth and income was achieved, the stream of secondary benefits such as improvement in agricultural productivity, more jobs, better land use, briskness in trade etc., would automatically follow, as its induced effects. Those pleading for a just and equitable society would be happy with land reform if it succeeded simply in producing equitable distribution of wealth without achieving all or most of its secondary beneficial impacts on production, employment, etc. For this school, equitable, if not equal, distribution of wealth was, as also stated above, itself an all satisfying end. If it promised accelerated development that was to be viewed as the additional benefit not the main end of reform.

APPROACH TO LAND REFORMS

The demand for land reforms had begun to be voiced soon after establishment of Pakistan in 1947. Review of the literature on land reforms published during 1947-58 would reveal hardly any dissent on the subject. Excepting, of course, the feudal lords, few would be found opposing this proposition. There was, however, a long debate on approach to, and the time table for, reforms. Two distinct sets of views or schools of thoughts emerged on the subject.

One school of thought-comprising economists and the urban intelligentsia advocated placing a ceiling on land ownership, abolition of absentee landlordism and jagirs and re-distribution of land in such a way as would minimize land's concentration in a few hands. This school also advocated for protection of tenancy rights. Prominent among advocates of this approach was Zahid Hussain, Chairman of Planning Commission, and author of the First Five Year Plan of Pakistan. He viewed distributionist reforms as a pre-requisite for economic development of the country. Long before the publication of the First Five Year Plan (1955-60) many others voiced similar opinion in books, articles, news papers and public meetings. They viewed the institution of landlordism as a heritage of the British colonial regime and thought it right to abolish it with the end of the colonial rule. The more radical would not be satisfied with any thing

less than outright abolition of private ownership of land, and its distribution among the actual tillers of land on equitable basis. The radicals, however, did not have much following. The weight of opinion of the intelligentsia in general was in favour of retention of private proprietary rights in to land, and the land's redistribution in a manner that would eliminate or minimize its concentration. They pleaded for this course of action, as a necessary condition for initiation and acceleration of the process of economic development.

Another school of thought comprising mostly the politicians from the ruling party and elite bureaucracy-though favoring a general ceiling on land ownership, advocated that gradualism would be the best policy and that the adverse effects of maldistributions could be minimized without placing a ceiling on land ownership — by undertaking such measures as statutory protection of tenancy, rationalization of tenants' share in input and land's produce, abolition of illegal cesses imposed by the landlords, abolition of forced labour, imposition of limits on self cultivation of land, etc. These and other such measures to protect tenants and improve their share in land's produce, would help eliminate minimize the impact of a skewed distribution of land without amending the distribution itself, as the gradualists saw it. The gradualists never challenged the needs for land's re-distribution, but that would come in the long run in their scheme. The most prominent proponent of this approach was the Muslim League Agrarian

Reform Committee (MLARC) which reported on the subject in 1949. The MLARC recommended ceiling of 150 acres of irrigated or 300 acres of semi-irrigated or 450 acres of un-irrigated land for individuals as a long run aim of land reform program. It recommended that before approaching the long run aim, the government should improve the tenancy situation and undertake quasi-distributive reforms such as abolition of jagirs and occupancy tenancy.

The recommendations of Muslim League Land Reform Committee with respect to land ceiling were mild by any standard. They contained escape clauses in the form of the recommendation to start the reforms programme with tenancy reforms and to enforce land ceilings only in the long run. The committee did not define the 'long run'. The time table for enforcement of land ceilings was thus kept as an open question.

Review of the chronology of tenancy and distribution land reforms (DLRs) in post-1947 period amply proves that ruling elite's approach on the subject was heavily guided by the recommendations of MLARC. The radicals would go as far as to say that MLARC report was planned to only diffuse the pressure for land reform and thus gain time to find escape from it by implementing some tenancy reforms. There appears to be much truth in these notes of skepticism as to real intention behind setting up the MLARC. The skepticism is strengthened by the fact that though the First Five Year Plan (1955-60) recommended adoption

of land ceilings that had been proposed by MLARC, the legislative assembly-comprising mostly the big landlords, did not approve the recommendation. Thus governmental approach on land reform issue was gradualist on the whole. It preferred to go slow beginning by adopting tenancy reforms, quasi-distributive reform, etc. and deferring the solution of real issues to the long run. And when the government finally started implementing land ceiling policy, it was as late as 1959 i.e. eleven years after Independence. The laws on land ceiling were also characterized by gradualism as after the land ceilings of 1959, the limits were lowered twice-in 1972 and 1977, and yet these are considered to be rather too high.

GENESIS OF THE REFORMS

A full decade after 1947 was spent-rather wasted, debating the issue whether or not land ceilings be fixed, how high or low, and when to go for that. The reformative action during 1947-58 was confined, as discussed above, to mitigation of adverse effects of maldistribution of land without correcting land distribution pattern. Rationale behind this approach is by itself a good subject for a full fledged study. Presently, it seems appropriate to briefly describe chronologically, the various measures introduced in Pakistan in post-1947 period to bring about tenancy and distributive land reforms. They were introduced through as many as fourteen legislative Acts and Ordinances. The first of these

was enacted in 1950. These laws and ordinances are listed and briefly described in Table 4.7.

Table 4.7

CHRONOLOGICAL LIST OF LAND, TENANCY, AND ALLIED REFORMS IN PAKISTAN

Sr. No.	THE REFORM LAWS	PURPOSE
1.	The N.W.F.P., Tenancy Act 1950.	To grant ownership rights to occupancy tenants in NWFP
2.	The NWFP Protection and Restoration of Tenancy Rights Act 1951.	Security of tenants-at-will in NWFP
3.	The NWFP Tenancy (Amendment) Act 1959	More stringent measures for security of tenants in NWFP
4.	The NWFP Abolition of Jagirs Act, 1950.	Abolition of Jagirdari System in NWFP
5.	The Punjab Protection and Restoration of Tenancy Right Acto 1950	Security of tenants-at-will in Punjab
6.	The Punjab Tenancy (Amendment) Act 1950.	Security of tenants in Punjab
7.	The Punjab Tenancy (Amendment) Act 1952.	Grant of ownership rights to occupancy tenants in Punjab.
8.	The Punjab Abolition of Jagirs Act 1950.	Abolition of Jagirdari system in Punjab
9.	The Sind Tenancy Act, 1950.	Protection of tenants-at-will (Haris) in Sind
10.	West Pakistan Land Reforms Regulation - 1959 issued as Martial Law regulation No.64 of 1959.	To place a ceiling on land ownership; redistribute land; provide security of tenants; prevention of sub-division and fragmentation of land; consolidation of land holdings.
11.	Land Reform regulations of 1972, issued as "Martial Law Regulation 115" of 1972, applicable to all Pakistan.	<ol style="list-style-type: none"> 1. Reduction in land Ceiling 2. Further improvement in tenancy regulations.
12.	Land Reforms (Balochistan, Pat Feeder Canal) Regulation, 1972, issued as Martial Law Regulation 117" of 1972.	Re-distribution of land in parts of Balochistan Province.
13.	Abolition of Sardari System in Balochistan	To restore Tuman land to their original owners, and abolish the Sardari system
14.	Land Reform Act II of 1977 introduced separately by four provinces of NWFP, Punjab, Sind, and Balochistan.	Land Ceilings lowered to 8,000 Produce Index Units without any exceptions and exemptions.

The reforms listed above can be divided into five major categories in terms of aims and functions served by them. The categories are:

1. Tenancy reforms
2. Distributive reforms
3. Quasi distributive reforms
4. Restitutive reforms
5. Farm efficiency-oriented reforms

Major characteristics of these reforms are briefly described as follows:

TENANCY REFORMS

Main thrust of the tenancy reforms has been to: (i) provide security of tenure to the tenants, (ii) improve the overall economic condition of tenants and (iii) protect them against exploitation by the land lords. The measures taken to these ends are briefly described as follows.

Security of Tenure: In early post-independence period, all tenants, except the occupancy tenants, were tenants-at-will-as they could be ejected any time at land owners will. The tenancy laws have materially altered the situation in this respect by making ejection of tenants dependent not on the will of land owners, but on tenants failure to carry out their contractual obligation. Furthermore, legal

procedures must be fulfilled to terminate the tenancy. Thus, the main thrust of the tenancy law has been to (i) reduce the number of grounds for tenants ejection, (ii) ensure that ejection is made only through a legal procedure and (iii) enable the tenants and the land owners to have equal access to legal redress. This was not achieved in one go. In the tenancy reform laws enacted before 1950, the conditions for ejection were larger in number than is the case at present, and were more favourable to the land lords. Moreover, the legal cover for security of tenure was in certain cases not available. For example, in addition to the factors of ejection contained in the existing law, the tenancy laws in vogue in Punjab and NWFP in the late forties provided that a tenant could be ejected if he was engaged in a campaign for non payment of land revenue and other taxes. This provision became a lever in the hands of the landlord against the tenant, as the landlord could easily fabricate charges of this kind. The court procedures were also much more complicated and costly previously than presently. The major flaw in the old system was that even where the tenant had already been ejected, the responsibility of proving that the ejection was against the law lay on the tenant. Similarly, the provision in the tenancy laws of late forties that a tenant must have cultivated a piece of land as tenant for a certain minimum number of years in order to render him eligible to legal protection against ejection, was quite unrealistic as the landlord could and did easily evade this law by moving the tenant from one farm to another every year or two. This

provision, which was included in Sind tenancy act, led to mass shifting of Haris (tenants) from one farm to another and this practice spread also to Punjab, resulting in great hardships to tenants. The flaws and anomalies in the early post-independence period took time to surface and to be noticed and were gradually rectified. Although enforcement of customs and laws is still far from perfect, the current situation is distinctly better than four decades ago. In fact it is widely held among social scientists that the tenancy reforms have produced more profound and positive impact in rural areas than the distributive reforms, and their beneficiaries run into million.

DISTRIBUTIVE LAND REFORMS (DLRS)

The land reform regulations of 1959, 1972, and 1977 belong to this category. They imposed ceilings on land ownership, provided for resumption of the land in excess of the ceilings, and distribution of the resumed land among landless tenants and small farmers. They were oriented to the objective of redistribution of the land. These reforms are studied in detail in subsequent chapters.

QUASI DISTRIBUTIVE REFORMS

Quasi distributive reforms denote the measures that enabled a class of tenants, small land owners, and the landless people to acquire land, or ~~and~~ ownership title of the land already possessed by them, without recourse to land

ceiling regulations. The following measures taken in the past belong to this class of reforms:

- i. Grant of proprietary rights to occupancy tenants.
- ii. Allotment of state land in pat-feeder area of Balochistan.
- iii. The peasants charter of 1976, providing for preferential treatment to peasants in the matter of allotment of state land. 412/13

RESTITUTIVE REFORMS

The restitutive reforms denote measures for restoring land to its actual owner. In a broader context, these reforms cover also the measures designed to restore the benefits from land to the real owner. As such, the following measures belong to this category:

- i. Abolition of jagirdari system
- ii. Restoration of 'Tuman' land to the actual owners.

Abolition of Jagirs: Jagirs were abolished in NWFP in 1950 and in the Punjab province in 1952. In other parts of the country these were abolished in 1959 to the following effects:

- i. The rights of jagirdars to collect land revenue, cesses etc; on behalf of the state and to retain the authorized portion of these collections, were withdrawn.
- ii. The land grants made by way of jagirs were also withdrawn.
- iii. Creation of new jagirs were forbidden.

The immediate beneficiary of abolition of jagirs was the state itself, as it regained the source of income denied to it by the 'jagirdari' system. But this was not the major motive behind the move which was prompted by other wider considerations in which the welfare of the people working and living on the jagir land was the major one.

Tuman Land: 'Tuman' land means the land placed at the service of the sardars (tribal chiefs-all in Balochistan) by members of the concerned tribes. This was a sort of compulsory gift, made by the land owners to their tribal chiefs. In 1976, the sardari system was abolished. Consequently the entire 'Tuman' land held so by the sardars was made restorable to the actual owners. In the NWFP, Punjab and Sind no such land existed.

FARM EFFICIENCY ORIENTED REFORMS

The land reform regulations of 1959 and 1972 provide for two important sets of measures to the following ends:

- Consolidation of holding.
- Prevention of all such actions which have the effect of reducing the holding to less than a certain specified size.

The measures are incorporated into the land reform regulations ostensibly to protect and promote the efficiency of farming. Hence they can be titled as farm efficiency oriented reforms. The list of this category reforms can be enlarged to

include several more measures designed for bringing about improvements in farm productivity and profitability. A few examples are agri credit facilities, cooperatives, agri research and training, agri marketing improvement, etc. This category of reforms is outside the scope of the present study and is, therefore, not elaborated further.

CONCLUDING NOTE

Genesis of land reform process in Pakistan can be traced to the first set of legislations introduced in 1950 for protection and restoration of the rights of tenancy which set the ball rolling towards distributive reform the first of which came in 1959. Gradualism rather than radicalism characterized the land reform process in Pakistan like most of the developing countries in the contemporary world. The country's experience with the distributive land reforms (DLRs) is studied in detail in the ensuing chapters.

Chapter 5

DISTRIBUTIVE LAND REFORM LAWS AND POLICIES: A DESCRIPTIVE ANALYSIS

INTRODUCTION

In the previous chapter, imperatives, approach to, and the genesis of land reform in Pakistan were described and analyzed. It was observed that for full one decade after securing independence in 1947, the political parties in power could not make up their mind on the nature, extent, and time table of distributive land reforms. Instead they took a number of measures to minimize the adverse impact of land's concentration which, many observed, were designed to distract peoples attention from the central problem of land concentration, so as to gain time to find some escape from distributive reforms. Thus for full ten years after independence, the land ceiling issue was side tracked. However finally a concrete step in that direction was taken in 1959 when for the first time ceilings were imposed on land ownership. The land ceilings were lowered in 1972 and again in 1977. In this chapter a detailed study is undertaken of various aspects of the land reforms of 1959, 1972 and 1977. In order to place the subject matter of study in a logical sequence, first the land reform administration is described, which is followed by a descriptive analysis of land reform laws and procedures introduced in 1959, 1972, and 1977.

Land Reform Administration

Land reform is a provincial subject, but all the three land reforms in Pakistan were introduced at national level because of the particular obtaining political situations at the time of promulgation of land reform laws. The land reform regulation of 1959 was introduced through a martial law regulation issued by the Chief Martial Law Administrator who was also President of Pakistan. The Martial Law Regulation 64 of 1959 — popularly called MLR-64 was applicable only to West Pakistan — i.e; the present Pakistan. The existing four provinces of Pakistan were a single unit in 1959. Lahore was West Pakistan's capital. The West Pakistan land Commission based at the Board of Revenue, Lahore, was given the responsibility of implementing the law.

The One Unit was dissolved and the old provinces of NWFP, Punjab and Sind were restored and Balochistan got provincial status, in 1969. In 1972, new land ceilings were fixed under Martial Law Regulation 115 (MLR-115), issued by Z.A Bhutto (who was then President as well as Chief Martial Law Administrator of Pakistan). Its implementation was made provincial responsibility. Separate land commissions were constituted in each of the four provinces for this purpose. At the federal level, the central land reform committee constituted in 1959, was converted into Federal Land Commission with a view to co-ordinate, follow-up, and check the work of provincial land commissions.

The land reform of 1977 was also announced by late Z.A Bhutto. He was then the Prime Minister of Pakistan. The Prime Minister's announcement was in the nature of a policy proclamation, and not a land reform law, the enactment and administration of which is a provincial responsibility under the 1973 constitution. The provinces, however, immediately and in totality adopted the land reform policy announcement of Z.A. Bhutto and enacted land reform laws based on it.

LAND REFORM LAWS AND PROCEDURES

In this section the following information is presented and described with respect to land reforms introduced in 1959, 1972 and 1977.

1. Land ceiling law
2. Procedure for resumption of excess land
3. Compensation policy with respect to resumed land.

Land Ceilings

The land reform regulations under study, lay down (i) limits beyond which individuals and organizations may not own land, and (ii) conditions that govern the retention of state land by individuals and organizations. This study focuses on limits applicable to individuals in respect of land ownership. The limit was 36,000 produce index unit (PIU) in 1959. It was brought down to 12,000 PIU in 1972, and further reduced to 8,000 PIU in 1977. The concessions and exemptions as provided in the 1959 law enabled an individual to retain much more than

36,000 P.I.U. In 1972 too, some relaxations were provided. The 1977 law, however, provides for no relaxations. In order to reach an objective assessment of the comparative merits of the three reforms, a detailed study of the regulations on land ceiling is undertaken as follows.

LAND CEILINGS UNDER MLR 64 OF 1959

The main provision of M.L.R. 64 of 1959 on the subject under study are presented below:

when admin 36,000 P.I.U.

Individual's Holdings: On the subject of limits on individuals' holdings, M.L.R. 64 laid down that no person shall, at any time, own or in any capacity possess land in excess of five hundred acres of irrigated or one thousand acres of un-irrigated land, or irrigated and un-irrigated land the aggregate of which exceeds five hundred acres of irrigated land; one acre of irrigated land being reckoned as equivalent to two acres of un-irrigated land. The law provided for several exemptions as stated below: (MLR-64 Para-9):

(a) "an existing owner may retain, out of his present holding such additional area, if any, which would bring the total area retained by him to the equivalent of thirty six thousand produce index units; (b) a recognized educational institution or a university may own or possess such additional area as it may need for the purpose of research or demonstration; (c) Government may allow charitable or religious institutions approved by it to own or possess any additional

area. (d) Government may in public interest, allow owners or operators of recognized existing studs and livestock farms to retain such additional areas under such farms as it considers necessary for the purpose, for so long as such areas are maintained as stud and livestock farms; (e) an existing owner may retain, out of his present holding, such additional areas, not exceeding one hundred and fifty acres, as may be under orchard for so long as it is maintained as such, provided that: (i) the area under orchard is in compact blocks of not less than ten acres each; and (ii) it has been shown as area under orchard in the revenue records at least since 'Rabi' 1956-57; (f) an existing owner whose holding is greater than the area of five hundred acres of irrigated land or the equivalent of thirty six thousand produce index units, may transfer to any or all of his heirs such additional area, if any, as taken together with any area gifted by him to all or any of his heirs on or after the fourteenth day of August, 1947 and any area retained by him under clause (e) above, would bring the aggregate area so transferred to the equivalent of eighteen thousand produce index units provided that the maximum area permissible to be retained under clause (e) shall in no case, be treated as more than the equivalent of six thousand produce index units".

Special provisions for female dependents: In addition to the aforesaid concessions, a person holding ancestral land was allowed to transfer "a maximum area equivalent of six thousand produce index units to each of his female dependents".

Land held by waqf (Trust): Under paragraph 10 of MLR-64, the land included in any *Waqf* (Trust) ceased to form part of such *Waqf*. All such land, except "the portion, if any, already specifically dedicated for a religious, pious or charitable purpose" was to be reverted to its beneficiaries according to the Muslim Law of inheritance, as though no *Waqf* had been created.

LAND CEILING UNDER LAND REFORM REGULATION, 1972

The land reform of 1972, introduced through Martial Law Regulation 115 (MLR-115) which was later on titled as Land Reform Regulation 1972 (LRR 1972), further scaled down the ceilings, provided fewer exemptions than under MLR-64, of 1959, and laid down measures to prevent escape from the ceiling law. Main provisions on land ceiling under the 1972 law are as follows:

Limit on Individuals' Holdings: The Land Reform regulation, 1972, laid down that no person would "own or possess in any capacity more than 150 acres of irrigated land or 300 acres of un-irrigated land or the irrigated and un-irrigated land the aggregate area of which exceeds 150 acres of irrigated land (one acre of irrigated land reckoned as equivalent to two acres of un-irrigated land) or an area equivalent to 12,000 produce index units whichever be greater." Originally in MLR-115 the upper limit of produce index unit was 14,000 but later on it was reduced to 12000 without changing the acreage. These limits were applicable to every individual and also to a company, cooperative society, religious, charitable

or educational society or institution and to a trust or waqf, whether public or private, but not to (a) University established by law and (b) educational institutions exempted by government from the operation of ceiling regulation. The LRR 1972 provided for only one relaxation to ceiling and that was, that a person who owned a tractor in working order or there was installed tubewell of not less than 10 horse power on his land on 20.12.1971, could retain an area equivalent to 2,000 produce index units over and above the general ceilings provided under the regulation.

Civil Servants Holding: Land Reform Regulation 1972 took a special note of land holdings of civil servants and provided that "no person who has been in civil service of Pakistan and has at any time between the first January, 1959, and two years of his ceasing to be in civil service, acquired any land or any right or interest, therein, by any means whatever, either in his own name or in the name of any of his heirs or any other person, shall own or possess any land exceeding one hundred acres."

Stud, Livestock Farms and Shikaragahs: All areas under studs or livestock farms, whether state land or otherwise, allowed to be retained under MLR_64 of 1959 were made resumeable by the Government. Similarly the ownership of all areas under Shikargarh (hunting reserve) was to vest in Government.

Land Allotted in Border Area: Land granted under the West Pakistan Border Area Regulation of 1959 within five miles border belt but exchanged by the allottees with lands in the safe interior was made resumeable under the regulation under reference.

SAFEGUARDS AGAINST EVASION OF M.L.R. 115

In order to guard against evasion of the land reform regulations, the MLR-115 provided the following:

- i. Transfer of land made in any manner on or after the 20th of December, 1971 by a person owning or possessing an area more than the prescribed ceiling was declared void, and the land involved in such transfer was to be treated as belonging to the declarant for purposes of determining the area to be retained and the area to be surrendered by him.
- ii. All transfers made between first of March, 1967 and the 19th of December, 1971 by a person owning or possessing an area more than the prescribed limit between 1st March 1967 and 19th December, 1971 were required to be subjected to scrutiny and only the following transfers were to be accepted as bonafide:
 - (a) Gift in favour of heirs (owner's wife, husband, son/daughter of a deceased):
 - (b) Gift in favour of widowed or unmarried sister who had not received her due share of inheritance of ancestral land:
 - (c) Exchange of land of the same or substantially the same produce index units; and

- (d) Other transfers in which adequate consideration had been paid, and the transferred land was in the management and possession of the transferee who was also paying the land revenue or other charges in respect of such land.

LAND CEILING UNDER LAND REFORMS ACT OF 1977

On the subject of land ceiling the Land Reforms Act, 1977 lays down that "No person shall own or possess land, including his share in shamilat (communal land), if any, in excess of one hundred acres of irrigated land or two hundred acres of un-irrigated land, or irrigated and un-irrigated land, the aggregate of which exceeds one hundred acres of irrigated land (one acre of irrigated land being reckoned as equivalent to two acres of un-irrigated land) or an area equivalent to eight thousand produce index units of land, whichever shall be greater". No exemption of any kind from the ceiling regulation is available under the 1977 land reform law.

PROCEDURE FOR RESUMPTION OF THE EXCESS LAND

The affected declarants i.e. land owners whose land was resumed under land reform regulation (1959, 1972, 1977) were given the choice to retain any part of their holdings. This was, however, to be subject to the condition that they "shall as far as possible, select compact blocks of not less than the size of an economic holding". This provision enabled the affected land owners to retain the best land, and surrender the least or relatively less productive land. A lot of land

surrendered by landlords was unculturable. Resumption of unculturable land would make no practical difference to the pattern of income distribution, for the simple reason that it has zero or negligible opportunity return. There was, however, no easy alternative to this rule and things would be much worse if the choice was left to the state, as in such a situation the affected landlords would have lost their best quality land, of which the long run consequence on land development incentives would be very adverse. The objection to the clause on the choice of area was, however, met to an extent by that concerning compensation for the resumed land, discussed as follows.

COMPENSATION FOR THE RESUMED LAND

In 1959, compensation was paid for the resumed land and also for the permanent installations and structures on it. For the resumed land the prescribed rate of compensation was as given below.

Table 5.1

**RATE OF COMPENSATION PAYABLE FOR THE
LAND RESUMED UNDER MLR-64 OF 1959**

Produce index units	Compensation rate
First 18,000 units of resumed land.	Rupees 5 per unit (or Rs.400 per acre approx.)
The next 24,000 units	Rs. 4 per unit; (or 320 per acre approx.)
The next 36,000 units	Rs. 3 per unit; (or Rs. 240 per acre approx.)
The next 72,000 units	Rs. 2 per unit; (or Rs. 160 per acre approx.)
The balance of the resumed area	Rs. One per unit; (or Rs. 80 per acre approx.)

Source: Federal Land Commission

Compensation was paid through heritable bonds which were transferable, but not negotiable, through banks. The redemption period was 25 years, and the bonds carried four percent simple interest per annum.

Regarding the permanent installations and structures on the resumed land, the MLR-64 provided that these "shall not be removed or demolished, but compensation on the basis of actual cost incurred, subject to depreciation, shall be payable to the owner".

Under the land reform regulation of 1972, no compensation was paid for the resumed land.

Under Land Reforms Act of 1977 compensation for the resumed land was payable at the rate of rupees thirty per produce index unit or approximately rupees 2,400 per acre of irrigated agricultural land. For permanent installations, structures, and buildings, if any, on the resumed land, the basis of compensation was the same as that laid down under land reform regulations of 1959. Regarding the form of compensation, the Land Reform Act 1977 lays down that "payment shall be made through heritable bonds which shall be transferable and negotiable through or with banks and which shall be redeemable, at the discretion of the Federal Government, by 30th day of June 1987 and shall carry interest per annum with effect from the first day of July, 1977, at the rate of one percent above the bank rate as notified by the State Bank of Pakistan, from time to time".

Disposal of Resumed Land

In so far as disposal of the resumed land is concerned land reforms laws of 1959, 1972 and 1977 were more or less identical. The broad principles governing disposal of resumed land (other than the land under orchards, shikargah, studs, livestock farms, and the land resumed from religious, charitable and educational societies) were as follows:

1. The tenant in cultivating possession of the resumed land got first preference in sale/allotment.
2. Tenants of the adjoining fields and other tenants in the village follow in the order of preference.

3. In case all the eligible tenants received land under land reforms and there was still some land left in a village, then to the land so left, the first claim would be that of land owners in the same village having below subsistence holdings.
4. The land, if any, left after meeting the claims of tenants and others in a village would be utilized in any manner that may be prescribed by the Government.

In respect of land under orchards, shikargah, studs and livestock farms, and that resumed from religious, charitable and educational societies, the regulation empowered the government to dispose of such land in any manner as it may decide. Generally speaking the first claim to such land would be that of the persons from whom it was resumed.

FINANCIAL BASIS OF DISPOSAL OF RESUMED LAND

1959 Land Reforms: The land resumed under land reform of 1959 was disposed of by sale. The tenants who were in cultivating possession of the resumed land, got the first right to purchase it. The sale was made at the uniform price of rupees eight per produce index unit, which meant approximately Rs. 640 per acre of irrigated land (of 80 produce index units). The price was payable in equal installments spread over a period of 25 years. Interest was charged at the rate of four percent on the balance payable. In case there was land left unsold and there were no preferential claimants to it, then such land was

saleable through open auction. In this case, the facility of payment of price in installments was not available.

1972 land Reform: Under the land Reforms Regulations, 1972, land was given free to the eligible persons. The 1972 land reform regulation also remitted the entire amount that was outstanding against recipients of land under the land reform of 1959. The amount so remitted was Rs. 10.50 million in NWFP. This remission benefited 12,096 tenants in NWFP.

Under the Land Reform Act-1977, tenants got the resumed land free of cost, on the same conditions as those applicable to recipients of land under the 1972 Reform, as described later on in this chapter.

SIZE OF LAND ALLOTMENT

Under the land reform regulations of 1959 and 1972 the scale of allotment of resumed land to individuals was as follows:

- i- Where an eligible person possessed no land, he would get not more than 12.5 acres (being the area of subsistence holding).
- ii- Where an eligible person already owned some land he would be allotted the area needed to raise his holding to 12.50 acres.
- iii- Among the persons falling in the preceding category first preference in land allotment would be given to the person whose own holding was nearest to the subsistence holding.

In 1977, the scale of allotment was restricted to the maximum limit of 12 acres. All other conditions continued to be the same as in 1972.

TERMS AND CONDITIONS OF ALLOTMENT UNDER LAND REFORMS OF 1972 AND 1977

In 1959, land was sold to tenants and others on the condition that the purchaser would not sell or transfer in any manner the land in question unless he had paid for it in full. But in 1972 and 1977 the land was allotted free of cost to tenants and others subject to the following terms and conditions:

1. The allottee shall not transfer the land allotted to him by sale, mortgage, gift or in any other manner, but can mortgage it in favour of the government or a cooperative society for obtaining loan for development of the land. This restriction was to hold valid for a period of 25 years in case of land allotted under MLR-115 of 1972 and for 20 years in case of land allotted under the Land Reform Act-11 of 1977; the period to be counted from the date of allotment.
2. The allottee shall:
 - i) keep the land in a proper state with respect to cultivability and fertility;
 - ii) use the entire land only for agricultural purpose;
 - iii) not use any part of the land for construction of building except such buildings which the Deputy Land Commissioner decides to be necessary for agricultural purpose;
 - iv) follow the cropping patterns that may be prescribed by the government from time to time;
 - v) self-cultivate the land;

- vi) not sub-let the land, provided that if he is unable to self-cultivate the land due to being physically disabled, he shall get it cultivated by his son, grandson, son-in-law, or a nephew, and if there be no such relative, then he shall have it cultivated by a person who is appointed by the Deputy Land Commissioner;
 - vii) join such association or a co-operative society for improving the productivity and profitability of the land, which the Chief land Commissioner may direct him to;
 - viii) pay all the dues regularly;
 - ix) not obstruct a public thoroughfare or cause obstruction in the accrual of right and privileges on the land to the authorized person, if any;
 - x) comply with the orders that may be issued from time to time by the Collector in respect of demarcation and construction of boundary lines on the land;
 - xi) maintain the irrigation channels in good condition, and shall not, without permission from the irrigation authorities, construct or modify any canal, pond, or 'nullah' (drain); and shall
 - xii) without let or hindrance allow Land Commission's officials and other persons authorized by the Land Commission, to enter his farm at any time and allow them to perform the following work or any work relating to the following:
 - a) to secure compliance of the terms and conditions of allotment, or to check whether or not these are being complied with: and/or
 - b) to collect such information which is needed to protect the interest of the Government.
3. In case the Deputy Land Commissioner or an Assistant Commissioner is satisfied that the allottee of the land has violated any condition of allotment, then he can request the allottee to personally explain his position; and where the officer under reference is not satisfied with the

allottee's defence, he may withdraw the land from him or impose on him a fine of upto Rs. 1,000.00 which shall be recoverable as arrears of land revenue. But this shall be done subject to the condition that where the violation is repairable, the officer concerned shall not order resumption of land without giving adequate time to the allottee for repairing the damage; the time to be given for this purpose shall not exceed 30 days from the date of issue of the order.

4. Where an order is passed for resumption of land from the allottee, the latter shall return it to the Government within 30 days of the order to this effect. If he fails to do so, the Deputy Land Commissioner shall be authorized to use police force for this purpose, if the need may arise.

This concludes the details and description of the land reform regulations. Critical comments on these regulations are deferred to a later stage as first it is considered appropriate to review the implementation of the land reform laws, as done in the next chapter and onwards.

Chapter 6

REVIEW AND ANALYSIS OF IMPLEMENTATION OF THE DISTRIBUTIVE LAND REFORMS IN PAKISTAN

In the previous chapter, the study's focus was on regulations of distributive land reforms (DLRs) with respect to land ceiling, compensation policy, and distribution of resumed land. In the present chapter, the progress of implementation of land reforms upto January 1997 is studied at all Pakistan level. The progress indicators are (i) the number of landlords from whom land has been resumed; (ii) area resumed from them; (iii) mode of utilisation of the resumed land; and (iv) the number of persons benefitted from the reforms.

THE AFFECTED LANDLORDS

All persons who owned land in excess of the land ceiling laid under land reform laws of 1959, 1972 and 1977, were required by law to file declarations of their land holdings. The declarations were scrutinized by the concerned authorities, and the land in excess of the ceiling was resumed by the government. It was legally compulsory to file declaration of land holding and non-compliance of the law in this regard was punishable with fine, imprisonment, or confiscation of the land so concealed. A similar penalty was laid down for concealing the correct information. The data on number of land owners who filed declarations, and of those from whom land was resumed under DLRs under study are given in Table 6.1.

Table 6.1

**TOTAL DECLARANTS OF EXCESS LAND AND
DECLARANTS AFFECTED BY LAND REFORMS
REGULATION OF 1959, 1972, AND 1977**

Province	Total declarants			Affected declarants		
	1959	1972	1977	1959	1972	1977
N.W.F.P	1014 ^{a)}	709 ^{b)}	424 ^{b)}	74 ^{a)}	232 ^{b)}	196 ^{b)}
Punjab	2245 ^{a)}	1148	2039	#	1064	1125
Sind	2497 ^{a)}	3257	1041	#	911	414
Balochistan	148 ^{a)}	423	287	#	134	60
Total	5904 ^{a)}	10537	3791	#	2350	1795

- Sources:
- a) Herring and Choudhry, "The 1972 Land Reform ... Pakistan Development Review (1974).
 - b) N.W.F.P., Land Commission.
 - c) All other data obtained from the Federal Land Commission, Islamabad.
 - # Data not available.

In Table 6.1, it will be seen that not all of the declarants had to surrender the land possessed by them, in physical terms, in excess of the legal ceiling. This is explained by the following factors.

- i- Under the land reform regulations, the land ceilings are fixed in physical terms to be adjusted by reference to produce index unit (PIU) of the land. The PIU is a measure of land's productivity. Linking the ceiling

to PIU makes it possible to retain larger number of acres than specified in the law, if PIU of the land concerned is low. For example, under the 1977 land reform law, the land ceiling is 8000 PIU or 100 acres of irrigated or 200 acres of un irrigated land. If, however, the PIU of a declarant's land is 20, then he will retain 400 acres. If he has only 400 acres or less, then he will not be required to surrender any land although in physical terms his holding exceeds the ceiling laid under the land reforms. Thus it is more realistic to talk of land ceiling in terms of PIU than acres.

ii- In the first instance declarations were filed by all persons who owned or possessed land in excess of the statutory ceiling. But in a large number of cases, the land in the possession or legal ownership of a person is not necessarily entirely all his own due to social conditions obtaining in the country. Land is held by many persons on others behalf, too. If the land reform authorities are satisfied that a declarant's land is not entirely his own, then only the net holding is considered for resumption under the land reform act.

iii- The large number of exemptions and relaxation's provided under the 1959 land reform, and also to an extent under 1972 reform, enabled escape of many declarants from surrendering the land to the state.

LAND RESUMED

The government resumed four million acres of land under the three land reforms under study till January 1997. Of these four million acres over fifty percent area was resumed under the 1959 reform.

Table 6.2

LAND RESUMED UNDER LAND REFORMS IN PAKISTAN

Province	Area Resumed							
	1959		1972		1977		All reforms	
	Acres	%	Acres	%	Acres	%	Acres	%
NWFP	240406	9.43	143775	10.76	23200	13.50	407381	10.04
Punjab	1243335	48.80	346705	25.96	99745	58.04	1689785	41.67
Sind	932461	36.60	320350	23.98	31408	18.28	1284219	31.67
Balochistan	131631	5.17	524846	39.30	17502	10.18	673979	16.62
All Provinces	2547833	100.00	1335676	100.00	171855	100.00	4055364	100.00

Source: Federal Land Commission, Islamabad.

Although the basic land ceiling under land reform of 1959 was 36,000 PIU with liberal exemptions, yet it yielded 2,547,833 acres or as much as 63% of the land resumed under all the reforms in Pakistan. The subsequent two reforms did not result in resumption

of substantial land although the ceiling was substantially reduced and exemptions were minimized. Khan (1982) attributes this to the following factors:

i. "In 1959 the reform came sooner than was expected. The big landlords did not get adequate time for land reform evading measures. The land reform administration, too, was probably more fair than in 1972 and later. The landed class had, however, been made wiser by the 1959 land reforms. So when the 1972-Reform came, by then more alert ones had taken safeguards to evade it or minimize its impact. The same holds valid for the 1977-Reform.

ii. But what sounds a more cogent explanation is the pattern of land ownership obtaining in 1959 and after. In 1959 a disproportionately large part of land was concentrated in the high land brackets. There were many very small owners and a small number of very big owners (in 1959). The intermediate brackets did not suffer from such a marked disproportion. This explains why despite a high ceiling the 1959 Reform yielded more as compared with 1972 one and later."

DISPOSAL OF RESUMED LAND

The land resumed under the land reforms under study was disposed of in accordance with the policy explained in the previous chapter. Preference was given to tenants in cultivating possession of the resumed land, other tenants in the area, small land owners, etc. The government retained only the land which was not allottable for its being unfit for cultivation or/and for which suitable applicants were not available. The disposal of the resumed land is shown in Table 6.3.

Table 6.3

**MODE OF DISPOSAL OF THE LAND RESUMED
UNDER LAND REFORMS TILL 1997 IN PAKISTAN**

Sr. No.	Mode of Disposal	Area disposed off:				
		1959	1972	1977	Grant Total	
					Acres	%
1.	Allotted to tenants	884,751	369,788	18,069	1,272,608	31.38
2.	Allotted to small farmers and landless persons	303,423	190,415	11,285	505,123	12.45
3.	Auctioned	206,374	-	-	206,374	5.10
4.	Leased as live stock/stud farms	45,566	3,927	-	49,493	1.22
5.	leased as shikargah	129,485	-	-	129,485	3.19
6.	Reverted to leasee	-	34,712	7,134	41,846	1.03
7.	Allotted to government Dept.:	640,084	237,935	5,595	883,614	21.79
8.	Not yet disposed of	338,150	498,899	129,772	966,821	23.84
9.	Total	2,547,833	1,335,676	171,855	4,055,364	100.00

Source: Compiled from the records of the Federal land commission, Islamabad.

Tenants and small land owners were given 44% of the total land resumed under the land reforms. The government departments--mainly the Forest Department, got 22% of the land, while a good 24% has not been disposed of. The break up of the land not yet disposed of is given in Table 6.4.

Table 6.4

**PARTICULARS OF THE RESUMED AREA NOT DISPOSED
OF UP TO JANUARY, 1997 (PAKISTAN)**

Sr. No.	Reasons for not disposing of the resumed area	Undisposed of resumed land of:				
		1959 Reforms (Acres)	1972 Reform (Acres)	1977 Reform (Acres)	All Reforms	
					Acres	%
1	Area under litigation	60,941	221,081	41,201	323,223	33.43
2	Area which can be allotted if water made available	51,765	9,821	6,543	68,129	7.05
3	Area of which allotment is being finalized	-	172,969	70,163	243,132	25.15
4	Totally un-allotable	225,444	95,028	11,865	332,337	34.37
5	All reasons	338,150	498,899	129,772	966,821	100.00

Source: Federal Land Commission

PERSONS BENEFITED BY THE REFORMS

In all 262,700 tenants, small landowners and landless, persons have been benefited by the land reforms in Pakistan taken as a whole. Most of beneficiaries got land under the land reforms of 1959, and they account for 70 % of the total beneficiaries of all reforms. The corresponding figures for the 1972 and 1977 reforms beneficiaries are 28 % and two percent respectively (Table 6.5).

Table 6.5

**NUMBER OF LAND ALLOTTEES UNDER LAND REFORMS
IN PAKISTAN (JANUARY 1997)**

Sr. No.	Allotees	1959		1972		1977		Grand Total	%
		Number	%	Number	%	Number	%		
1.	Tenants	133,650	72.9	51,640	69.55	3,222	54.76	188,512	71.57
2.	Small Farmers	49,616	27.07	13,689	18.43	738	12.54	64,043	24.31
3.	Landless persons	-	-	8,924	12.02	1,924	32.70	10,848	4.12
4.	Total	183,266	100.00	74,253	100.00	5,884	100.00	263,403	100.00

Source: Federal land commission Islamabad.

Chapter 7

PROGRESS OF IMPLEMENTATION OF LAND REFORMS IN NWFP

Main focus of the study in the previous chapter was on review of progress of implementation of land reforms at Pakistan level including the aggregative situation in the different provinces. In the present chapter, facts pertaining land reforms' implementation are studied in detail with reference to the North West Frontier Province.

TOTAL DECLARANTS AND AFFECTED LAND OWNERS

Under the land reform regulations 1959, in NWFP a total of 1014 persons filed declarations of their land holdings, but only 74 of them were found liable to surrender land to the state. Those required to surrender land are called "affected declarants" in official parlance. The corresponding number was 709 (total declarants) and 232 (affected declarants) in the case of 1972 land reforms. In 1977 the total declarants were 424, and affected declarants were only 196 (Table 7.1).

Table 7.1

TOTAL AND AFFECTED DECLARANTS OF LAND IN NWFP UNDER LAND REFORMS OF 1959, 1972 AND 1977

Land reform regulation of	Declarants	
	Total	Affected
a	b	c
1959	1014	70
1972	709	231
1977	399	175

Source: NWFP Land Commission

The largest number of affected declarants was from D.I. Khan in the case of all the three land reforms. The other leading districts in this respect are Peshawar, Mansehra and Mardan as they existed before 1977. These districts were subsequently split to create more districts. The district-wise number of total and affected declarants is given in Table 7.2.

Table 7.2

**DISTRICT-WISE NUMBER OF TOTAL AND AFFECTED
DECLARANTS UNDER LAND REFORM REGULATIONS
OF 1959, 1972, AND 1977 IN N.W.F.P.**

Sr. No.	District	Number of Declarants:						
		1959		1972		1977		
		Total	Affected	Total	Affected	Total	Affected	
1.	Abbottabad	#	6	23	5	36	9	
2.	Mansehra	#	6	55	32	137	19	
3.	Kohistan	#	8	a	a	a	a	
4.	Swat	#	a	130	2	a	a	
5.	Dir	#	a	a	a	a	a	
6.	Chitral	#	a	a	a	a	a	
7.	Peshawar	#	a	105	47	67	47	
8.	Mardan	#	7	78	26	30	27	
9.	Kohat	#	7	56	13	36	3	
10.	Bannu	#	4	45	6	10	-	
11.	D.I Khan	#	32	217	101	129	84	
12.	All Districts		1014	74	707	232	424	196

- Sources: i. Herring R and Chaudhry, "The 1972 Land Reform" Pakistan Development Review (1974).
- ii. NWFP land Commission, Peshawar.
- # Districts wise DATA not available
- (a) Land reform regulations were not applicable to these areas.

LAND RESUMPTION

In 1959 the affected declarants' total land holdings were about half a million acres of land out of which the government resumed 240,406 acres accounting for 48% of the declared land. In 1972, the area resumed was 141,316 acres accounting for about 50% of the affected declarants total land while the corresponding figures for 1977 land reform were 23,174 acres and 29.54% respectively.

Table 7.3

AREA OWNED BY AND RESUMED FROM AFFECTED DECLARANTS UNDER LAND REFORMS OF 1959, 1972 AND 1977 IN NWFP

Land Reform Regulation	Total area declared (acres)	Area resumed (acres)	Area resumed as %age of total area declared
1959	499,515	240,406	48.13
1972	285,354	141,316	49.66
1977	78,320	23,174	29.54
Total	-	404,896	-

Source: NWFP Land Commission Peshawar.

The largest resumption of land was made under the 1959 land reform which accounted for 59 % of the total land resumed under all the three land reforms done so far. The 1972 land reform accounted for 35 % of the total land

resumed land while the contribution of the 1977 land reforms was only 6 %. These figures are in conformity with the situation obtaining in the periods concerned. The 1959 land reform was the first of the kind and more or less took the landlords by surprise and they did not have time to take land reform evading measures. The fact that at that time the country was under Martial Law was an additional and a very forceful factor that ensured that the landlords would make largely honest declarations, and the concerned authorities would enforce the law fully and fairly. The total land resumed under the 1959 land reform was, however, below expectation and this is blameable on the liberal concessions and exemptions provided under the land reform regulations.

The land reform regulation of 1972 resulted in resumption of only 141,316 acres of land, although the land ceiling was much lower than the 1959 limits. The performance of the 1977 land reform was much worse than that as indicated by the fact that only 23,174 acres could be resumed. This dismal state of affairs is ascribable to large scale fictitious transfers of land after 1959 and later on after 1972, inadequate enforcement of the law, and more importantly the faulty approach to the use of land ceiling. These aspects will be discussed in detail in a later chapter.

Consequent upon resumption of land from the affected land lords, the average holdings of the later declined as shown in Table 7.4. ✓

Table 7.4

**AVERAGE HOLDING OF AFFECTED LANDLORDS
BEFORE AND AFTER LAND REFORMS**

Land reforms of	Average Holding (acres)		Reduction in average holding due to land reform (%)
	Before land reform	After land reform	
1959	6750	3501	48.14
1972	1235	622	49.64
1977	447	315	29.53

Source: Based on data from NWFP Land Commission, Peshawar

DISTRICT-WISE REVIEW OF IMPLEMENTATION OF LAND REFORMS

In the preceding part of this chapter, the analysis was focused at provincial level. For a more minute study of land reforms' performance and impact, the study needs to be taken to districts level. The present part attempts at that.

Table 7.5 provides district-wise information on: affected declarants, total area owned by them, area resumed from them and average holding of the affected declarants before and after the land reforms of 1972 and 1977 as the required information about the 1959 reform is not available.

Table 7.5

**DISTRICT-WISE AREA OWNED BY AND RESUMED
FROM AFFECTED DECLARANTS IN NWFP UNDER
LAND REFORMS OF 1972 AND 1977**

Sr. No.	District	Affected declarants (Number)		Total area owned by affected declarants (Acres)		Total area resumed (Acres)		Area resumed as % age of area owned	
		1972	1977	1972	1977	1972	1977	1972	1977
1.	Abbottabad	5	8	8,603	8,542	5,430	573	63.11	10.53
2.	Mansehra	32	17	108,084	10,256	56,839	1,711	52.58	16.68
3.	Kohistan	-	-	-	-	-	-	-	-
4.	Swat	2	-	2,848	-	4,055	-	83.98	-
5.	Dir	-	-	-	-	-	-	-	-
6.	Chitral	-	-	-	-	-	-	-	-
7.	Peshawar	47	42	12,283	9,731	5,629	4,057	29.54	41.69
8.	Mardan	26	24	11,565	8,810	4,202	4,036	36.05	45.80
9.	Kohat	13	9	20,897	17,066	10,560	3,550	51.05	20.80
10.	Bannu	6	-	4,146	-	3,146	-	49.10	-
11.	D.I. Khan	101	75	112,687	28,915	53,746	9,448	47.69	32.67
12.	All districts NWFP	232	196	285,554	178,320	141,316	23,174	49.66	29.59

Source: NWFP Land Commissions

REGIONAL DISTRIBUTION OF THE RESUMED LAND RESUMED

By January, 1997 by when implementation of the three land reforms had been almost completed, the government had resumed 405,296 acres from land owners. The southern region comprising Kohat, Bannu, and D.I.Khan districts accounted for almost half of this area, while the Hazara region's contribution was a little over forty percent. The remaining ten percent came from the Peshawar valley and Malakand region.

Table 7.6

**DISTRICT-WISE AREA RESUMED UNDER
LAND REFORMS (UPTO JANUARY, 1997)**

Sr. No.	District	Area Resumed	
		Acres	Percent
1.	Abbottabad	43,634	10.77
2.	Mansehra	125,391	30.94
3.	Kohistan	-	-
4.	Swat	4,055	1.00
5.	Peshawar	15,091	3.72
6.	Mardan	20,287	5.00
7.	Kohat	54,008	13.32
8.	Bannu	3,875	0.96
9.	D.I. Khan	138,296	34.29
Total		405,296	100.00

Source: NWFP Land Commissions Peshawar.

Note: Discrepancy in statistics in this table and table 7.3 is due to difference in time reference of data.

LAND USE CLASSIFICATION

Out of the total area resumed under the 1959 land reforms only 65% was classified as cultivated. In the case of land reforms of 1972, the corresponding figure was as low as 21%. Thus, overall, only 40% of the resumed land was under cultivation.

Table 7.7

LAND USE CLASSIFICATION OF RESUMED LAND

Sr. No.	Type of land	Land resumed under the reform of			
		1959		1972	
		Acres	%	Acres	%
1.	Cultivated	152,913	63.60	28,470	20.73
2.	Un-cultivated	87,494	36.40	108,851	79.27
3.	All Types	240,406	100.00	137,321	100.00

Source: NWFP Land Commission Peshawar.

UTILIZATION OF RESUMED LAND

By early 1997, the government had allotted and sold 376,255 acres to tenants, small land owners, landless persons and others. The area so disposed of, is shown in Table 7.8.

Table 7.8

DISPOSAL OF THE RESUMED LAND IN N.W.F.P.

Sr. No.	Mode of disposal	Area disposed of	
		Acres	%
1.	Allotted to:		
	a) Tenants	112,645	29.94
	b) Small land owners	45,247	12.02
	c) Landless persons	3,686	0.98
	Sub Total	161,578	42.94
2.	Auctioned	25,779	6.85
3.	Leased out in the private sector for use as stud/livestock farms	2,136	0.57
4.	Given to Government Departments	186,762	49.67
5.	Total	376,255	100.00

Source: NWFP Land Commission, Peshawar.

BENEFICIARIES OF LAND REFORMS

In all 37,549 persons have received land under the three land reforms done so far in NWFP. Under the 1959 land reform, 24,314 persons got land, while the corresponding figure for the 1972 reform is 12,613. Under the 1977 land reform only 652 persons have been given land.

Table 7.9

NUMBER OF RECIPIENTS OF LAND AND AREA RECEIVED BY THEM UNDER LAND REFORMS OF 1959, 1972, 1977 IN NWFP

Sr. No.	Land Reform of	Class of land recipients	Number of recipients	Total area received (Acres)	Average area received (Acres)
1.	1959	i Tenants	20,000	68,646	3.4
		ii Small Owners	4,254	32,624	7.6
		iii All Categories	24,314	101,170	4.2
2.	1972	i Tenants	9,174	41,456	4.5
		ii Small Owners	3,017	12,470	4.1
		iii Landless persons	422	3,686	8.7
		iv All Categories	12,613	57,612	4.6
3.	1977	i Tenants	552	2,543	4.6
		ii Small owners	100	253	2.5
		iii Landless persons	-	-	-
		iv All categories	652	2,796	4.3
4.	All reforms	i Tenants	29,756	112,645	3.8
		ii Small owners	7,371	45,247	6.1
		iii Landless persons	422	3,686	8.7
		iv All categories	37,549	161,578	4.3

Source: Based on data supplied by the Land commission, NWFP, Peshawar.

The land recipients (37,549 in number) have received 161,578 acres in all or 4.3 acres per person. This is the overall average for the three reforms. The average is more or less the same for each of these land reforms taken separately: 4.2 acres in 1959, 4.6 acres in 1972 and 4.2 acres in 1977. District wise data pertaining to area disposed of and persons benefited are given in Table 7.10.

Table 7.10

**DISTRICT-WISE NUMBER OF ALLOTTEES AND AREA
ALLOTTED UNDER REFORMS OF 1959, 1972
AND 1977 IN N.W.F.P UP TO JANUARY 1997**

Sr. No.	District	Number of persons given land under the land reform of:				Total area allotted (Acres):				Average size of allotment; all reforms (Acres)
		1959	1972	1977	Total	1959	1972	1977	Total	
1	Abbottabad	7719	1596	48	9303	26444	5322	124	31890	3.4
2	Manselra	11101	3806	87	14994	95817	8745	381	44941	3.0
3	Mardan	922	921	109	1991	7069	2990	384	10449	5.3
4	Peshawar	961	716	198	1836	2540	2881	886	5107	2.8
5	Kohat	1099	180	-	1349	4790	631	-	5421	4.0
6	Bannu	69	333	-	422	418	1865	-	2283	5.4
7	D.I. Khan	243	4551	-	6994	24292	34061	-	58353	8.3
8	Swat	-	263	-	263	-	698	-	698	2.0

Source: NWFP Land Commission Peshawar

COST OF LAND TO ALLOTTEES

As also stated earlier, of the 161,578 acres given to the 37,549 allottees under study, 101,70 acres were given on payment. This means that out of the average of 4.3 acres per allottee, 2.7 acres or 63 percent area was given on payment, and the rest free of cost.

Chapter 8

IMPACT OF LAND REFORMS IN NWFP

-I-

MACRO-LEVEL INDICATORS

The land reforms of 1959, 1972, and 1977 were launched with great expectations with respect to their socio-economic impact. Their avowed aims were: abolition of the institution of land lordism; a more equitable distribution of land; creation of both compulsions and incentives to make a more productive use of land, so as to accelerate the pace of economic development and create a just and equitable social order in the country. How far have these reforms been able to achieve the expectations pinned on them? In other words, what has been their impact on socio-economic condition in the province? This question is studied in the present chapter.

Analysis of impact in this chapter will be done at two levels viz; global-for NWFP as a whole, and regional i.e; at district level. Many expectations were pinned on land reforms. All or most of the socio-economic evils and ills existing in the country were blamed on maldistribution of land. Hence, following the land reforms, it was expected that these ills or evils would vanish or minimize. Their list is long. In order to prevent the analysis getting unwieldy, it is considered

appropriate to select and concentrate only on key indicators of land reforms impacts. The following are selected as being the most important indicators.

1. Land ownership pattern
2. Beneficiaries of reforms
3. Productivity of land

APPRAISAL OF IMPACT AT PROVINCIAL LEVEL

and this is the case for the indicators of land ownership pattern which are analyzed. The land ownership pattern is analyzed.

LAND OWNERSHIP PATTERN

The land ownership pattern obtaining in NWFP- as in the country as a whole, in early post independence period was criticized for its being highly skewed. Three successive land reforms should be expected to have reduced land concentration. To what extent has this expectation been satisfied. To know this it is necessary to have comparable time series of data on land ownership patterns in pre and post reforms period. Although the required type of data is not available, a rough picture can be constructed of the impact of reforms on land ownership pattern on the basis of the available information presented and analyzed below.

No significant change has taken place in land ownership pattern which continues to be nearly as highly skewed now as before land reforms. In pre-reform (pre-1959) period, 1.15 percent of the total land owners in NWFP owned 100 acres or more each, and their holdings accounted for 23% of the total private holdings; the average area owned per owner was 145 acres in this land bracket. In 1971, just before the second land reform (launched in 1972), the corresponding figures were 0.22 percent and 14 percent respectively and 260 acres. Five years later in 1976, the '100 acres and above' category accounted for 0.19 percent land owners, 12 percent of the total land, and the average size of holding was 260 acres.

Table 8.1

**LAND OWNERSHIP PATTERN IN NWFP
1955, 1971 AND 1976**

Size of holding (acres)	owner (%)	Area (%)
1955		
- Below 5	70.27	31.96
- 5 < 100	28.69	44.78
- 100 & above	1.14	23.36
1971		
- Below 6.5	86.56	39.13
- 6.5 < 100	13.22	58.24
- 100 or above	0.22	12.63
1976		
- Below 6.5	85.94	40.54
- 6.5 < 100	13.88	47.87
- 100 or above	0.18	11.59

Source: Report of the Land Reforms Commission for West Pakistan; and NWFP Land Commission Peshawar.

Another measure of land ownership pattern in the province is furnished by the 1990 Census of Agriculture. The relevant data are presented in Table 8.2.

Table 8.2

**FARMS AND FARMS AREA BY THE SIZE
OF FARM IN N.W.F.P. (1990)**

(Area in acres)

Size of farm (acres)	Number of farms		Farms		Cultivated area		Cultivated area as % of farm area	Average size of farm
	Number	%	Acres	%	Acres	%		
1	2	3	4	5	6	7	8	9
NWFP Province								
All farms	1068862	x	5837886	x	4205238	x	x	x
Govt Farms	35	x	10193	x	5757	x	x	x
Private Farms Total	1068827	100	5827693	100	4199481	100	72	5.5
Under 1.0	177335	17	85437	1	76862	2	90	0.5
1.0 to Under 2.5	315917	30	485975	8	423201	10	87	1.5
2.5 to Under 5.0	247757	23	829748	14	679396	16	82	3.3
5.0 to Under 7.5	131582	12	751312	13	596783	14	79	5.7
7.5 to Under 12.5	101630	10	954116	16	721847	17	76	9.4
12.5 to Under 25.0	59517	6	992058	17	693804	17	70	16.7
25.0 to Under 50.0	25036	2	810104	14	542107	13	67	32.4
50.0 to Under 150.0	8975	1	629927	11	346130	8	55	70.2
150.0 and above	1078	*	289016	5	119351	3	41	268.1

Source: Pakistan Census of Agriculture, 1990

The land distribution pattern shown in Table 8.2 cannot be called equitable by any standard. It is nearly as skewed as obtaining forty years ago.

The land reforms of 1959, 1972, and 1977 resulted in resumption of 403,896 acres of land in all. This area constitutes 6.94% of the total of 5,837,886 acres estimated to be privately owned in the province (according to the 1990 census of agriculture). Out of the total resumed land (of 403, 326 acres) only 161,000 acres have been given to tenants and others.

Resumption of only 6.94% and redistribution of 2.77% the total privately owned land cannot be expected to produce any impact on land ownership pattern. It did affect some landlords but on the whole no visible reduction in land's concentration has been caused by land reforms. Wider distribution of land now than before ,and reduction in land in higher brackets, are attributable chiefly to land sales and inheritance transfers. Land reforms have contributed in this respect, but the contribution is very small. Complete and comparable statistics on area in different land holding brackets, and even on total area in private ownership in different years, are not available. Therefore, it is not possible to correctly quantify the contribution of land reforms to thinning down of land concentration in the higher land holding bracket. While the total area resumed under the three land reforms of hitherto constitutes only a small part of the total privately owned land, this area expressed as percentage of the total land of affected declarants was not very impressive either. "In 1971, a total of 9,312,192 acres of land was reported to be in the private possession of the people of

NWFP. Adding back to this figure the area of 113,457 acres resumed in 1959, but not reverted to private ownership, the pre-1959 privately owned possessed area would be 9,425,649 acres. By January 1997 the land commission had resumed 403,326 acres under the reforms of 1959, 1972 and 1977. This constitutes only 4.3 percent of total areas of 9,425,649 acres under reference. The smallness of this percentage points clearly to the insignificance of these reform's impact on the land ownership pattern in general" (Khan, 1980).

The 1959 — reforms led to resumption of only 24.64 percent of the area falling in the above ceiling group. The corresponding figures are 17.29 percent and 2.14 percent for the 1972 - reforms and the 1977 - reforms respectively. Similarly the 1959 - reforms affected only 10.34 percent of the owners in the above ceiling group. The corresponding figures are 16.14 percent for 1972 - reform and 4.19 percent for the 1977 reforms.

BENEFICIARIES OF LAND REFORMS

Only 37,286 persons have received land under land reforms. The area received by them was 4.3 acres per person on average; 1.4 acres free and 2.9 acres each on payment. Khan (1981) estimated that the land recipients constituting only about two percent of the land aspirants could get land under these reforms. Considering that the average area was only 4.3 acres each, the insignificance of

reforms becomes all the more clear. Relevant excerpts from Khan (1981) are given below (the figures are for upto 1980).

"The reforms under study have directly benefited 37,286 tenants and others in NWFP excluding Swat. They received 4.3 areas of land each on the average; 1.04 acres free of cost, and 2.9 acres on payment. The figure of 37,286 beneficiaries must be read with reference to the number of land aspirants so as to draw objective conclusion as to the extent of impact. This is done as follows"..... In 1971, there were 1,999,479 land owners in the below 12.5 acre holding group in NWFP (excluding Malakand Division). Comparable data for 1959 are not available. For the purpose of analysis let it be assumed that the situation in 1959 and in 1977 in this regard was identical to that in 1971, and that all allotments of land becoming due under the reforms of 1959, and 1977 were made in 1980, and that there were no landless tenants meaning that only the 1,999,479 land owners under reference would be eligible to receive land under the reforms. The 1,999,479 land owners under - reference constitute what may be called 'aspirants' for land under the land reforms. But only 37,286 or 1.83 percent of them received it The small land owners in

question, owned 6,513,404 acres in 1971. The area allotted under all the three reforms up to January 1997 comes to 160,443 acres, 161,578 acres, minus 1130 acres estimated to have been allotted in Swat district of the Malakand Division. This area would enhance the land holdings in the below subsistence group by only 2.9 per cent.

Impact on Productivity

Impact of land reforms on productivity can be objectively ascertained by studying a sample comprising recipients of land, those whose land was resumed, and others who were not affected by the land reform. A full fledged study is under taken of the sample house hold and is discussed in the next chapter. Twenty years have gone past since the last reforms was introduced (in 1977) and as many as thirty eight years since the 1959 reforms, and considerable economic transformation has taken place in the province and in the country since 1959. The land reforms' impact on productivity has, therefore become rather impossible to segregate from that of other factors. The available evidence are, however, on the whole favorable to land reforms i.e. their productivity impact has been positive. Reporting in early eighties Khan (1981) observed as follows regarding impact on the farms of recipients of land under reforms.

"On the farms of land reforms beneficiaries, cropping intensity as well as the yield per acre declined immediately after the land allotments under reference. This is attributed mainly to two factors. First, since the land recipients did not have to share with the erstwhile owners the produce of the land allotted to them, they relaxed down and did not cultivate the land fully and as intensively as before. Secondly, the abrupt withdrawal of landlords participation in financing and marketing activities, left them with reduced resources with consequential adverse impact on cropping intensity and yield as observable clearly in the few years following the reforms of 1972. By now, the negative impacts can be expected to have been erased. It is quiet logical to expect that given sufficient time for re-adjustment the land recipients concerned would cultivate their land better than before. They have now incentives to work more and also the opportunity to do so, as they have, more land of their own to work on. If it can be claimed that owners cultivate their own land better, then it is reasonable to hope that the land recipients under reference would do likewise as they now do not have to share their land's produce with others. With appropriate institutional arrangements for supply of credit, marketing facilities etc.: the land allottees can be enabled to produce better results".

About impact of land reforms the big farms Khan (1981) observed; "The three reforms introduced so far are said, in certain quarters, to have given rise to doubts and uncertainty as to the future of private ownership of land. Living in such a state of uncertainty, the big land owners, it is contended, have lost interest in land improvement. This view appears to be quite unfounded. Neglect of one's own land as a safeguard against future reforms is quiet an illogical course. The big land owners know of other ways; land alienations by sale, gift, transfer in fictitious names etc.; are the already well known practices. Even dis-allowing this means, it is only logical to hypothesize that faced with reduced holdings, it is more probable than not that the landlords use more scientifically their land in order to secure maximum possible revenue as a hedge against the income displacement effects of any future reforms. Their inputs would, however, be heavier on the most fertile land. But it does not stand to reason that the less fertile one would experience a withdrawal of investment for fear of future reforms. The achievement account of the post reforms period is already before the landlords. The most fertile lands have been most nominally affected so far. Even halving of the present ceiling is not likely to affect them much. Going by impressionistic data and reports on the utilization of modern agricultural inputs, there are strong suggestions that the process of modernization of farming on big farms has not been adversely affected by land reforms. On the contrary, the latter have produced compulsion for improvement in productivity".

II. APPRAISAL OF IMPACT AT DISTRICT LEVEL

In the preceding section, the analysis of impact of land reforms was addressed to the province taken as whole. It would be appropriate to analyze the impact at district level as a more microscopic analysis may bring out facts that may not be visible at provincial level. The present analysis is done in terms of the districts that existed at the time of the first land reform. Some of these districts' administrative boundaries were changed to create more districts in the seventies and eighties. The land reform data is, however, available in terms of old districts, and hence it is appropriate to conduct the analysis by reference to old districts area. The largest area was resumed in Hazara district (now Hazara Division). For this reason, but more particularly as it seems appropriate to move from north to south/mountainous to plane area, the region wise analysis of impact is started with Hazara.

Hazara: In the old Hazara District, comprising the existing districts of Haripur, Abbotabad, Mansehra, Buttagram, and Kohistan, only about nine percent of the total privately owned land was resumed. The area allotted/sold to tenants and others was much smaller-only four percent. Resumption of such a small percentage of total land would produce hardly any impact on landownership pattern. Considering that only half of the resumed land was re-distributed, the insignificance of impact becomes clear all the more. It is estimated by Khan (1981) that the beneficiaries who got land under land reforms accounted for only

four percent of total landowners in Hazara Division in 1976. The beneficiaries expressed as a percentage of below-subsistence holdings accounted for only 4.36 percent.

Mardan: In Mardan district only 2.5 percent of the privately owned land was resumed. The area redistributed accounted for only 1.33 percent of total private holdings. The beneficiaries of land reforms constituted only 0.63 percent of the district's total land owners and only 0.4 percent of the below subsistence (below 12.5 acres) group. What impact would these meager resumptions and redistribution make in the area? None, of course. It is worth mentioning that Mardan district lies in the belt which has the province's most fertile lands and is known to have a number of landlords possessing huge landed estates. The smallness of land resumption and redistribution figures are, therefore, rather surprising. Concealment of actual holdings and underestimation of produce index units are suspected.

Peshawar: The performance of land reforms in Peshawar district was no different from Mardan. It is estimated that in this district the total holdings of landowners in 1976 would be 767, 808 acres if there had been no land reforms in the province. The area resumed from land owners under the reforms of 1959, 1972, and 1977 was 15,091 acres which comes to only about two percent of the total land owned (in 1976) by land owners in the district. The performance of land reforms should, however, be assessed by reference to area actually redistributed

which was only 5107 acres accounting for only 0.67 percent of the privately owned land in this district. A redistribution of this level would not produce any impact on land ownership pattern.

The insignificance of land reforms in this district is clearly proven also by the data regarding the number of actual beneficiaries of land reforms and the number of tenants and below subsistence land holdings. As will be seen in table 8.3, the district had 339,607 below subsistence holdings. The land reforms were supposed to provide land to this group of small landowners besides land less tenants. The actual number of land recipients under land reforms was, however, very small-only 1875 i.e; only 0.54 percent of below subsistence farmers. Hence practically no positive impact was produced in this district by land reforms.

Kohat: The kohat district's situation was more or less similar to the districts studied above. In this district, the area resumed under land reforms was 54,008 acres which was only 1.78 percent of the total privately owned land. The area redistributed was even smaller- only 5421 acres which was a mere 0.18 percent of total private land in the district.

Only 1349 persons received land under land reforms. They accounted for 0.26 percent of the below subsistence land owners. Thus land reform's impact was insignificant on the district rural economy.

Table 8.3

**DISTRICT-WISE DISTRIBUTION OF LAND RECIPIENTS
IN RELATION TO LAND ASPIRANTS**

Sr. No.	District	Number of Land owners in 1976		Land recipients (up to January 1997)		
		Total all size groups	In below 12.5 acres group*	Number	Percent of:	
					Col. (c)	Col. (d)
a	b	c	d	e	f	g
1.	Hazara	576,442	560,185	24,357	4.23	4.35
2.	Mardan	308,339	276,726	1,952	0.63	0.41
3.	Peshawar	347,234	339,606	1,875	0.54	0.55
4.	Kohat	547,232	512,987	1,349	0.25	0.26
5.	Bannu	244,404	226,294	422	0.17	0.19
6.	D. I. Khan	142,050	111,114	6,994	4.92	6.29

Source: Based on data supplied by the NWFP land Commission, Peshawar

* This class of owners is called land aspirants for the purpose of this study.

Table 8.4

**DISTRICT-WISE DISTRIBUTION OF THE LAND
RESUMED AND DISTRIBUTED UNDER LAND
REFORMS IN NWFP UP TO JANUARY 1997**

Sr. No.	District	Total land owned privately in 1976*	Area Resumed under land reforms of 1959, 1972 & 1997		Land re-distributed among individuals	
			Acres	d as % of col. c	Acres	f as % of col. c
a	b	c	d	e	f	g
1.	Hazara	1,885,225	169,025	8.97	76,831	4.08
2.	Mardan	783,742	20,287	2.59	10,449	1.33
3.	Peshawar	767,808	15,091	1.97	5,107	0.67
4.	Kohat	3,040,353	54,008	1.78	5,421	0.81
5.	Bannu	1,073,260	3,873	0.36	2,283	0.21
6.	D. I. Khan	1,958,206	118,957	7.10	58,354	2.98

Source: Based on data supplied by the NWFP land Commission.

* The figures in this column represent the area that was to be in private ownership in 1976 but for land reforms.

Bannu: In this district the area resumed (3,873 acres) accounted for only 0.36 percent of total privately owned land. The area redistributed was even smaller, only 2283 acres or 0.21 percent of total private land holdings. Out of the 226,294 below subsistence (below 12.5 acres) land owners, only 422 persons received land under land reform. This is too small a number to produce any impact on over all well being of small owners.

Dera Ismail Khan: The performance of land reforms in D.I Khan was much better than other districts, but still not good enough to produce tangible impact on its rural economy. Since the produce index units of land in D.I.Khan are much lower than the fertile Peshawar valley, the real impact of reforms was smaller than indicated by data on acres and persons affected.

The total land resumed in D.I.Khan was 138,957 acres. It accounted for 7.10 percent of the district's total privately owned land. Only in Hazara district the corresponding figure was higher (8.9 percent). However, what is important is the area redistributed, which was 58,354 acres. It accounted for only about three percent of the total privately owned land.

The number of beneficiaries of land reforms was 6,994 which was 6.29 percent of the land owners in below subsistence land holding group. In this respect this district compares favourably with other districts in the province. But

still it can not be said that the land reforms produced a worth while impact in D.I.Khan. Only three percent of the land was redistributed and only six percent of the land aspirants were benefitted. A redistribution on this negligible scale can not be expected to alter the shape of things in the rural areas of the district.

CONCLUDING NOTE

From the appraisal of land reform impact as undertaken above, it is clear that the reforms failed to make a noticeable impact on land ownership pattern. They affected only seven percent of the privately owned land, which is too small to effect a change in the character of land's distribution. Similarly, the number of beneficiaries was small likewise — only about two percent of the small farmers and tenants received land under land reforms. Considering that the beneficiaries received 4.3 acres each, the impact of reforms on their economic lot would be positive but not very substantial. Impact on productivity was negative initially but positive after a few years of each reform.

This is, however, not to be taken to mean that the reform failed. They did produce positive impacts of various kinds, but the impacts were neither widespread nor sufficiently deep too accelerate the pace of development and eradicate disparities in land ownership pattern as had been expected of these reforms. This much about macro-level situation. In the next chapter the micro-level impacts are appraised.

Chapter 9

IMPACT OF LAND REFORMS IN NWFP (II) A MICRO-LEVEL STUDY OF LAND RECIPIENTS

In the previous chapter, analysis of impact of land reforms was undertaken at macro-level i.e., the N.W.F.P province taken as a whole, followed by meso-level analysis i.e., the districts considered separately. The broad conclusion was that the reforms did not produce the impacts that had been expected of them. Only 407381 acres of land were resumed from landlords, out of which 161,578 acres were distributed among 37,549 landless tenants and others. Expressed in percentages, only $\frac{6.94}{10.04}\%$ of the privately land was affected by these reforms, while the beneficiaries of reforms constituted only $\frac{2.94}{1.83}\%$ of the small land owners and tenants. Thus, on the whole the impacts were not very visible or profound.

Although the reforms under study did not materially alter the overall land distribution pattern and the level of well being of the landless tenants and small land owners taken in general, they were expected to produce profound positive impacts on the welfare of those who were given the resumed land. In a previous chapter it was noted that on an average, a beneficiary got 4.3 acres, which — according to official claims upgraded his holding to the subsistence level (i.e; 12.5 acres). Although, land allotment on this scale (4.3 acres per beneficiary) is small, yet it should make a worthwhile contribution to the beneficiary's well

being. How far this expectation has been achieved? This necessitates taking the study of impacts to the micro-level where the unit of study is the beneficiary of the reforms. As stated in chapter 3, a sample of 120 beneficiaries was selected for this study. The findings are reported in this chapter. While the central subject of the micro-level study is to evaluate land reform's impact on the beneficiaries' land holdings and overall socio-economic condition, it also provides background information about the beneficiaries and their views on some aspects of land reforms. To place the findings in a proper sequence and context, it seems appropriate to first present profile of the beneficiaries.

PROFILE OF BENEFICIARIES

Tenure Status: The overwhelming majority (72%) of the beneficiaries are owner cultivators. Rest of them (28%) are owner-cum-tenants i.e., they own some land and have also rented in some from others.

Table 9.1

DISTRIBUTION OF SAMPLE BENEFICIARIES BY TENURIAL STATUS

Sr. No.	Tenurial status	Number	Percentage
1.	Owner	86	71.67
2.	Owner-cum-tenant	34	28.33
3.	Tenant	Nil	-
4.	All types	120	100.00

Sources: Field Survey

Size of Holding: Area owned by the sample beneficiaries is on average 3.35 acres. They have rented in 0.44 acres and rented out 0.04 acres and thus their average net operated holding comes to be 3.75 acres.

Table 9.2

SIZE OF HOLDING OF THE SAMPLE BENEFICIARIES

(Acres)

Sr. No.	Tenure Status of land	Total area	Average	Standard Deviation
1.	Area owned	402	4.67	1.03
2.	Area rented in	52.50	1.54	0.08
3.	Area rented out	5.0	1.25	0.04

Source: Field Survey

The sample survey's findings on size of holdings of the beneficiaries is not as expected. According to land allotment policies pursued under the land reforms of 1959, 1972, and 1977, a beneficiary was supposed to get so much land as would raise his holding to 12.5 acres in the case of land reforms of 1959 and 1972 and 12 acres under land reform of 1977. Thus, e.g.; if an eligible person had eight acres of his own, he would get only 4.5 acres under land reforms of 1959 or 1972 and 4.00 acres under land reform-1977. If he didn't have any land of his own, then he would get 12.50 acres under land reforms of 1959 and 1972, or 12.00 acres under land reform of 1977. Thus, the land reforms' beneficiaries would be expected to be possessing 12.50 or 12.00 acres of land each i.e., land equal to subsistence holding. But contrary to what was expected, the area owned

by the beneficiaries is only 3.35 acres each, which is only 1/3rd of the expected level. This points to the fact that the land allotment policy has not been pursued in letter and spirit. The explanation lies in the fact that in the localities covered by the sample survey the land resumed from landlords was not enough to allot land to the tenants on a scale that would upgrade their holdings to subsistence level. Had the government implemented its policy of providing subsistence level holding to every beneficiary, then the number of land recipients would have had to be kept low which would have created problems as many deserving ones would have been left out.

Sources of Irrigation: Barring 25% of the sample farms total area, which is rainfed, rest of the land is irrigated-32% by canals and 33% by tubewells and the rest by other sources. It is noteworthy that a good 13% of the farms are irrigated by the sample farmers own tubewells.

Table 9.3

**CLASSIFICATION OF SAMPLE FARMS
BY SOURCE OF IRRIGATION**

Source of irrigation	No.	% age
Canal/Watercourse	38	31.67
Public Tube-well	8	6.67
Personal Tube-well	16	13.33
Stream/Pond	6	5.00
Rain fed	30	25.00
Other (water purchased)	22	18.33
Total	120	100.00

Source: Field Survey

Incidence of Waterlogging and salinity: Incidence of waterlogging and salinity is quit high on the sample farms. Ten percent of the farms are affected by waterlogging, seven percent by salinity, and fifteen percent by both waterlogging and salinity as shown below in table 9.4.i.

Table 9.4.i

**DISTRIBUTION OF SAMPLE FARMS BY INCIDENCE
OF WATER LOGGING AND SALINITY**

Sr. No.	Incidence of water logging/ salinity	Number	Percentage
1.	Water Logging	12	10.00
2.	Salinity	8	6.67
3.	Both W.L.& Salinity	18	15.00
4.	Not applicable	82	68.33
5.	All	120	100.00

Source: Field Survey

The area affected by waterlogging and salinity is 31% of the total (operated) area of the sample beneficiaries farms. Considering that the net operated holding is only 3.83 acres on an average, the waterlogging/salinity free area comes to be only 2.62 acres per farm as shown in table 9.4.ii.

Table 9.4.ii

**FARM AREA OF SAMPLE BENEFICIARIES AND
INCIDENCE OF WATERLOGGING AND SALINITY**

Sr. No.	Particulars	Area (Acres)	Percentage
1.	Area not affected by W.L. and salinity	315.0	68.55
2.	Area affected by:		
	i- Waterlogging	16.50	3.59
	ii- Salinity	8.00	1.74
	iii- Both W.L. and Salinity	120.00	26.12
3.	Total area	459.50	100.00

Source: Field Survey.

Land Fragmentation: As many as 53% of the farms which are fragmented. Over 50% have more than two fragments. The corresponding figure are 71.5% and 62% respectively for the NWFP as a whole, as found in the 1990 Census of Agriculture.

Table 9.5

**DISTRIBUTION OF SAMPLE FARMS BY
FRAGMENTATION AND NUMBER OF FRAGMENTS**

Response	Number	%age	Number of fragments			
			Two	Three	Four	Five & above
Yes	64	53.33	28 (43.75)	18 (28.13)	14 (21.87)	4 (6.25)
No	56	46.67	-	-	-	-
Total	120	100.00	-	-	-	-

Note: Figures in parentheses are percentages of number of the total farms with there fragments.

Source: Field Survey.

Land Utilization: Bulk of the farm area — 86.40%, is cultivated. But for waterlogging/salinity, this percentage could be higher. In the NWFP as a whole, the cultivated area constitutes 72% of the total farm area, according to the 1990 census of Agriculture.

Table 9.6

LAND UTILIZATION OF SAMPLE FARMS

(In acres)

Sr. No.	Land utilization	Total Area	Average	Standard Deviation
1.	Cultivated area	397.0 (86.40)	3.31	1.02
2.	Uncultivated area	62.50 (13.60)	0.52	0.04
3.	Total	459.5 (100.00)	3.83	0.99

(Figures in parentheses are the percentages)

Source: Field Survey

IMPACT OF LAND REFORMS

In this section relevant aspects of land reforms and their impact on the sample beneficiaries are presented and discussed. To begin with, it is seen whether or not the respondents owned land before the land reforms.

Land Ownership Before Reforms: All but seven percent of the sample beneficiaries owned land before the land reforms. They, however, owned a mere 0.25 acre each on average and augmented their holding by renting in 3.99 acres each, raising their holding to 4.24 acres on average.

Table 9.7.i

**NUMBER OF SAMPLE BENEFICIARIES
WHO OWNED LAND BEFORE LAND REFORMS**

Sr. No.	Land ownership status of beneficiaries before land reform	Number	% age
1.	Land owners	112	93.33
2.	Land less	8	6.67
3.	All	120	100.00

Source: Field Survey

Table 9.7.ii

**AREA OWNED AND RENTED IN BY SAMPLE
BENEFICIARIES BEFORE LAND REFORM**

(In acres)

Sr. No.	Tenure status of lands	Total Area	Average	Standard Deviation
1.	Area owned	30.50	0.25	0.02
2.	Area rented in	478.50	3.99	1.07
3.	Total	509	4.24	1.29

Source: Field Survey

Table 9.7.iii

**DISTRIBUTION OF SAMPLE TENANTS BEFORE
LAND REFORMS BY TERMS OF TENANCY**

Sr. No.	Terms	Number	Percentage
1.	25% of the output	Nil	--
2.	50% of the output	68	56.67
3.	75% of the output	6	5.00
4.	Fixed amount	46	38.33
5.	Total	120	100.00

Source: Field Survey

Table 9.8

**FARM AREA OBTAINED BY SAMPLE FARMERS
DURING THE LAND REFORMS**

S.No.	Particulars of Farm Area	Area (in acres)
1.	Total	376.50
2.	Average	3.12
3.	Standard Deviation	0.89

Source: Field Survey

A comparative study of Table 9.7.ii with Table 9.2 shows that the area owned by the respondents before and after land reforms was 0.25 acres and 3.35 acres respectively. Thus, land reforms resulted in an increase of 3.10 acres in their ownership. But simultaneously, the average area rented in by them declined from the pre-reform figure of 3.99 acres to 0.44 acres. This is logical sequel to land reforms, as part of the land previously cultivated as tenants was given to the sample beneficiaries under land reforms. It is, however, interesting that the sample beneficiaries' average operated holding declined from pre-reform figure of 4.24 acres to 3.75 acres after reform. This calls for a critical comment, which is deferred to a later part of this chapter.

Quality of Land: The land allotted under the land reforms has been the subject of much criticism. It has been widely alleged that most of it was not fertile. The sample

beneficiaries' response on the quality of land allotted to them corroborates this report. Almost 57% of them reported that the allotted land was of bad quality, as shown in table 9.9.

Table 9.9

**SAMPLE BENEFICIARIES RATING OF THE QUALITY
OF LAND ALLOTTED TO THEM UNDER LAND REFORMS**

Sr. No.	Rating as to quality of land	Reforms: 1959, 1972, 1977	
		Number	Percentage
1.	Good	44	36.67
2.	Very good	16	13.33
3.	Excellent	4	3.33
4.	Bad	56	46.67
5.	Total	120	100.00

Source: Field Survey

Only three percent of the total respondents reported that they had been given land of excellent quality. Another 13% considered the quality 'very good', while 27% thought it to be good.

Cost of Land: As many as 88% of the beneficiaries got land free of cost. While of those who had to pay for land, six out of the seven such respondents had to pay only a nominal price. It may be recalled that under the 1959-land reform, land was allotted

on payment-though just nominal. The beneficiaries were not required to pay for land under the subsequent land reforms. All arrears on account of land price payable under the 1959-land reform were remitted in the 1972 land reform.

Table 9.10

**DISTRIBUTION OF SAMPLE FARMERS BY RESPONSES
ON PRICE FIXED UNDER LAND REFORMS**

Response	Number	Percentage	Price paid by respondents	
			Nominal	Market
Yes	14	11.67	12	2
No	106	88.33	---	---
Total	120	100.00	---	---

Source: Field Survey

Land Allotment Problems: Some 62% of the respondents reported that they faced administrative and other problems in the matter of allotment of land to them. Nearly half of these respondents complained that the revenue department's officials (patwaris and tehsildars) favored the landlords. Another 35% of them reported that the landlords used coercive means (including weapons) against them with a view to desist them (the beneficiaries) from taking possession the resumed land. The connivance of revenue department's officials and the landlords against the tenants is a common knowledge. The sample beneficiaries' reports further corroborate this. The usual alleged practices included: delaying tactics in the matter of completion of paper

requirements for allotment of land, direct intimidation of eligible beneficiaries so as to frighten them away from the land, and allotting the land but not readily passing on its possession to the allottee.

Table 9.11

**DISTRIBUTION OF THE BENEFICIARIES BY RESPONSES
ON FACING ADMINISTRATIVE PROBLEMS**

S.No.	Problems faced?	Number	Percentage
1.	Yes	74	61.67
2.	No	46	38.33
3.	Total	120	100

Source: Field Survey

Table 9.12

NATURE OF PROBLEMS FACED BY SAMPLE BENEFICIARIES

Sr. No.	Nature of problems	Number	Percentage
1.	The Government did not co-operate.	4	3.33
2.	The landlord did not co-operate.	6	5.00
3.	Potwaries/Tehsildars favoured the landlords.	36	30.00
4.	We were frightened by the Govt. officials.	2	1.67
5.	Landlords used weapons/power	26	21.67
6.	Not Applicable	46	38.33
7.	Total	120	100.00

Source: Field Survey

Land Operating Problems: Only 28% of the beneficiaries of land reforms reported that they did not face any problem in operating the land received under land reforms. The problems faced by the rest of the respondents were (i) lack of resources and (ii) the burden of cost. This second problem, too, belongs to the first category as it stemmed from lack of resources.

Table 9.13

**DISTRIBUTION OF THE SAMPLE BENEFICIARIES
BY OPERATING PROBLEMS**

Sr. No.	Problems	Number	Percentage
1.	Lack of resources	46	38.33
2.	Burden of costs	40	33.33
3.	No problem	34	28.33
4.	Total	120	99.99*

* Figures don't add to 100 because of fraction.

Source: Field Survey

The problems faced by beneficiaries can be grouped under a single category viz; lack of resources. As ascertained from response shown in table 9.13 and also from discussion held with them, most of them lived hand to mouth before the reforms. When they got land due to land reforms, their links with their erstwhile landlords got broken. Previously the landlords would finance part of the costs and also provide loan to the respondents for their production and

consumption need. But after the reforms this relationship broke down and no substitute was immediately available to the land allottees. Thus, immediately after the land reforms, the later were left high and dry, and they had to depend on their own resources which were too meager to fully meet their consumption and production needs. Consequently, crop production on many farms did not improve and on many farms it actually declined during the first few years after the reforms, as also gathered from unpublished reports of the NWFP land commission. This is clearly corroborated by the findings of the survey of sample beneficiaries as given in Table 9.14.

Table 9.14

**CLASSIFICATION OF THE SAMPLE FARMERS
BY RESPONSES ON RISE IN PRODUCTIVITY**

Sr. No.	Responses	Number	Percentage
1.	Yes	52	43.33
2.	No	26	21.67
3.	No change	42	35.00
4.	Total	120	100.00

Source: Field Survey

Impact on Agriculture: Although the beneficiaries were constrained by resource scarcity factor immediately after land reforms, they seem to have overcome it and have achieved good progress in respect of level of agricultural produce. Before the land reforms, 72% of them got only subsistence level produce from their

farms, only 5% were able to achieve surplus, while as many as 23% faced deficit due to which they had either to buy agricultural produce for home consumption to meet the deficit or they had to keep their consumption level lower than their needs. The situation, however, considerably improved after the reforms. Thus at the time of the survey, in 1997, the respondents in 'deficit' category had declined to 8.3% (compared with 23% in pre-reform period). More significantly the 'surplus' producing category's share rose to 27%. The 'subsistence' group also now constitutes the majority, but its share is now 65% as against 72% before the reforms.

Table 9.15

**DISTRIBUTION OF SAMPLE BENEFICIARIES
BY LEVEL OF AGRICULTURAL PRODUCE**

Sr. No.	Level of Agri. produce	Before land reforms		After land reforms	
		Number	%age	Number	%age
1.	Subsistence level	86	71.67	78	65.00
2.	Surplus	6	5.00	32	26.67
3.	Deficit	28	23.33	10	8.33
4.	Total	120	100.00	120	100.00

Source: Field Survey

Post Reform Economic Position: Following improvement in level of agricultural production in post-reform period, the overall level of economic well-being has taken a turn for the better. A good 38% of the respondents have reported that they are better off now than before. While the 'no change' category has the

majority (58%) of the beneficiaries, and 3%, think that they are worse off than before.

Table 9.16

**IMPACT OF LAND REFORMS ON THE OVERALL
ECONOMIC POSITION OF RESPONDENTS**

Sr. No.	Economic position after reforms	Number	Percentage
1.	Better off	46	38.33
2.	Worse off	4	3.33
3.	No change	70	58.33
4.	Total	120	100.00

Source: Field Survey

While reading table 9.16, it is important to recall that the average size of allotment of land under the reforms was only 3.10 acres in the case of these beneficiaries. A large part of the allotted land was of low fertility, and the farmers were faced with financial problems, too. With these facts in the background, and also the population growth factor, the level and direction of improvement in respondents' economic position appears to be, on the whole, positive, but still far from revolutionary. More on this subject later on.

Impact on Employment: One of the major arguments in favour of land reforms was, and is, that they help raise the level of employment in general, and that of

land recipients' family labour in particular. The sample respondents were asked whether or not this happened in their cases? As many as 70% of them reported in affirmative.

Table 9.17

**IMPACT OF LAND REFORMS ON LEVEL OF EMPLOYMENT
OF BENEFICIARIES FAMILY LABOUR**

Sr. No.	Absorption of family labour	Beneficiaries	
		Number	Percentage
1.	Increased	84	70.00
2.	Decreased	6	5.00
3.	No change	30	25.00
4.	Total	120	100.00

Source: Field Survey

Yield per Acre: Only 8% of the total beneficiaries reported a rise in yield per acre on their farms, after land reforms. In the case of 27 % farms, the yield decreased, while it remained unchanged on 65% farms. This finding runs apparently counter to the argument that land reforms are conducive to productivity. However, considering the smallness of the size of land allotments, the farmers lack of resources, and the fact that no help was provided by the government to the land allottees in the form of credit and marketing facilities, extension services, etc.; these findings are not unexpected. Infact, they support

the argument that making the tiller the owner of the land that he tills is not a sufficient condition for productivity improvement. It is infact only one of the necessary condition in that direction. To bring about productivity improvements much more than making the tiller the owner of the land, is needed, as will be discussed in detail at a later stage in this study.

Table 9.18

POST LAND REFORM YIELD PER ACRE

Sr. No.	Yield per acre	Farm	
		Number	Percentage
1.	Increased	10	8.33
2.	Decreased	32	26.67
3.	Remained the same	78	65.00
4.	Total	120	100.00

Source: Field Survey

Overall level of Income: Although productivity level of most farms has remained unchanged after the reforms, the overall level of income from farms activities has risen on as many as 85% of the farms. Only two respondents (1.67%) reported a decline in this respect, while 13% reported no change over the pre-reform level.

Table 9.19

**OVERALL LEVEL OF INCOME FROM FARM
ACTIVITIES AFTER LAND REFORMS**

Sr. No.	Level of Income	Beneficiaries	
		Number	Percentage
1.	Risen	102	85.00
2.	Fallen	2	1.67
3.	Kept the line	16	13.33
4.	Total	120	100.00

Source: Field Survey

Table 9.19 may apparently look contradicting the findings given in table 9.18, but inherently, it is not so. First it appears that the land reforms beneficiaries have under reported productivity improvements. During the last two decades, a general improvement in productivity in all parts of the province has characterized the farm sector, though its level has not been upto expectations and needs. Thus, contrary to what the sample beneficiaries have reported in table 9.18, it appears to be more true that on most farms, productivity has increased after the land reforms.

The rise in overall level of farm income is more importantly explained by a general rise in farm products prices. If adjusted for inflation, the rise would not be that substantial as viewed by the farmers who do valuation by reference to current, not constant, prices. But even so it would be on the positive side.

There are also informal reports of diversification in farm enterprises. The number of livestock units per acre is now more than before and so is the contribution of livestock to farm income. The small farmers seek to offset their disadvantage in respect of land holdings by keeping more of dairy animals per unit of land than the large farmers. It was observed during the survey, that the sample livestock holdings of beneficiaries at the time of survey were substantially more than the pre-reform period.

Another important explanation of this situation is furnished by the fact that the sample farmers now do not have to share their produce with landlords. Previously, they had to give 50% of the produce of rented in land (which constituted 94% of their operated area) to the landlords, whereas the entire produce is retained now by them for themselves. This factor has more than offset the negative developments noted in respect of productivity per acre. Thus, the sample farmers response shown in table 9.19 can be accepted as valid, and that speaks of positive impact of land reforms.

SOCIAL CHANGE

The reforms have favorably affected some social characteristics of the beneficiaries. For instance, literacy ratio is higher after the introduction of land reforms, as reported by 75% beneficiaries households. Housing structure of close to 70% of the beneficiaries are better than before, and 50% households have reported improvement in their social contacts. The reforms have produced

positive impact on health of the household members and also on provision of utilities, as reported by the beneficiaries.

Table 9.20

DISTRIBUTION OF THE SAMPLE HOUSEHOLDS BY STATE OF LITERACY RATIO AFTER LAND REFORMS

Sr. No.	Literacy Ratio	Number	Percentage
1.	Increased	90	75.00
2.	No change	30	25.00
3.	Total	120	100.00

Source: Field Survey

Table 9.21

DISTRIBUTION OF THE SAMPLE FARMERS BY OVERALL SOCIO-ECONOMIC IMPACT AFTER LAND REFORMS

Sr. No.	Impact on	Effect		
		Positive	No improvement	Total (= 100)
1.	Health of H.H members	46 (38.33)	74 (61.67)	120
2.	Education of H.H members	94 (75.33)	26 (21.67)	120
3.	Provision of utilities	40 (33.33)	80 (66.67)	120
4.	House structure	84 (70.00)	36 (30.00)	120
5.	Social Activities	60 (50.00)	60 (50.00)	120

Source: Field Survey

Note: Figures in parentheses are relevant percentages

It is difficult to objectively and clearly isolate land reforms' impact on the social characteristics such as education, health facilities, etc. as they are influenced by a large number of factors among which increase in land holding, affecting the economic well being and hence access to educational and health facilities, could be an important one, but not necessarily the crucial one. Availability or non-availability of a school, a health unit, road, electricity, etc. in itself makes difference to the situation, whether peoples' incomes are high or low. The level of these facilities/amenities is determined by many economic, social and political factors which may be found active even in a situation where conscious economic reforms are absent. It can, however, not be denied that taking these factors as given the peoples' level of income is one of the crucial determinants of their access to these facilities, improved situation, etc. The land reforms under study have made a definite, though small, contribution towards economic well being of the beneficiaries which in its turn has improved their access to better social services.

NEED FOR FURTHER LAND REFORMS

All but two of the sixty respondents are in favour of a further land reform. Put in percentage they are 98.33% of the total respondents. This overwhelming response in favour of a further reform can be taken as an indicator of sense of dis-satisfaction of the respondents with the past reforms. At the same it is

indicative of the fact that the beneficiaries have a favourable view of the past reforms as they have had a positive impact on their socio-economic well being, but the beneficiaries are not satisfied with the quantum of benefits, and hence they want more reforms-and more drastic.

Table 9.22

**DISTRIBUTION OF SAMPLE FARMERS BY RESPONSES
ON NEED FOR FURTHER LAND REFORMS**

Sr.No.	Responses	Number	% age
1.	Yes	118	98.33
2.	No	2	1.67
3.	Total	120	100.00

Source: Field Survey

SAMPLE BENEFICIARIES PERCEPTION OF FEATURE OF FURTHER REFORMS

Not only that the sample beneficiaries want another land reform, they have quite radical and largely objective perception as to land ownership turf and ceiling. Their perceptions are, of course, quite different from those of the official quarters, and can be taken to represent the small farmers point of view.

Minimum Holdings: As many as 77% of the respondents have suggested minimum holding of 4 < 6 acres per household. Another 15% respondents have suggested 6 < 8 acres.

Maximum Holdings: The single largest group of respondents 43% of the total, is in favour of upper limit of 18 < 20 acres, while 38% respondents have recommend 16 < 18 acres. Thus broadening the interval to 16 < 20 acres would cover 82% of the respondents. Only about 7% respondents suggested 20 < 24 acres limit.

Table 9.23

**DISTRIBUTION OF THE SAMPLE FARMER BY
SUGGESTED LIMITS OF OWNED LAND (IN ACRES)**

Sr. No.		Number	% age
A)	<u>Minimum Limit per person</u>		
1.	< 2 acres	2	1.67
2.	2 < 4	6	5.00
3.	4 < 6	92	76.67
4.	6 < 8	18	15.00
5.	8 < 10	2	1.67
	Sub-Total (1 to 5)	120	100.00
B)	<u>Maximum limit</u>		
1.	< 10 acres	2	1.67
2.	10 < 12	4	3.33
3.	12 < 16	8	6.67
4.	16 < 18	46	38.33
5.	18 < 20	52	43.33
6.	20 < 24	8	6.67
7.	24 < 26	---	---
8.	26 and above	---	---
	Sub-Total (1 to 8)	120	100.00

Source: Field Survey

Looking at the respondents perception of the future reforms, it is clear that the overwhelming majority is in favour of upper limit of 16 < 20 acres per person. More on this subject in a later chapter.

FARM SIZE LIMITS

The sample beneficiaries were asked about their perception of the farm size limits. Both the minimum and maximum limits were inquired into. The response is reported as bellow:

Minimum limit: The single largest number of respondents — 62%, favours farm size of 5-10 acres, while 28% respondents recommend 10-15 acres as the minimum limit. The consensus can be expected to be in favour of 12.50 acres which is considered to be subsistence holding in most areas of the province.

Maximum limit: The majority view-held by 67% respondents, is in favour of 15-20 acres. A good 23% respondents have suggested 20-25 acres as the upper limit.

It may be clarified that the above limits are inclusive of area owned and rented in by farmers. This implies that in the new scheme of land reforms as recommended by the respondents there would be limit both to the area owned and the area rented in for farming. This subject is taken up for further analysis in a later part.

Table 9.24

**DISTRIBUTION OF THE SAMPLE FARMERS BY
SUGGESTED FARM SIZE**

Sr. No.	Suggested farm size	Respondents	
		Number	Percentage
A)	<u>Minimum limit (acres)</u>		
1.	Upto 5.00	6	5.00
2.	5-10.00	74	61.67
3.	10-15.00	34	28.33
4.	15-20.00	6	5.00
5.	20 and above	Nil	---
	Total (A1 to A5)	120	100.00
B)	<u>Maximum limit (acres)</u>		
1.	Upto 10	2	1.67
2.	10-15	10	8.33
3.	15-20	80	66.67
4.	20-25	28	23.33
5.	25-30	Nil	---
6.	30 and above	Nil	---
	Total (B1 to B6)	120	100.00

Source: Field Survey

PRICE OF LAND UNDER NEW REFORM

Only 15% respondents have recommended that the land under new reforms be given to farmers at a nominal price. All others want the land to be given free

or if a price has to be paid to land lords, then it should be paid by the government, not the land recipients

Table 9.25

**DISTRIBUTION OF THE SAMPLE FARMERS
BY SUGGESTED TERMS AND CONDITIONS OF
TRANSFERRING THE OWNERSHIP OF LAND**

Sr. No.	Suggested terms and conditions	Number	Percentage
1.	Free of cost	12	10.00
2.	Nominal price paid by farmers	18	15.00
3.	Nominal price paid by Govt.	36	30.00
4.	Market price paid by farmer	Nil	---
5.	Market price paid by Govt.	54	45.00
Total		120	100.00

Source: Field Survey

CONCLUDING NOTE

From the analysis of data yielded by sample survey of the beneficiaries of land reforms it is concluded that the reforms have produced positive and visible impact on the beneficiaries socio-economic condition. The impact is clearly reflected in beneficiaries income, employment level, farm production, farming efficiency, etc which are better than before. These impacts would have been much deeper and positive if each beneficiary had been given land of equal to subsistence holding i.e; 12.5 acres. Thus, the findings stress for the need for another land reform.

Chapter 10

MAIN FINDINGS

In the preceding chapters the inquiry, description, and analysis centered around genesis, intents, contents, and impacts of land reforms, with special focus on distributive reforms of 1959, 1972, and 1977, introduced in Pakistan with particular reference to NWFP. In the present chapter the study's main findings are recapitulated, on which will be based the conclusion with respect to the study's hypothesis and the recommendations for future course of reforms, which form the subject of the next two chapters. The main findings are:

1. Study of the genesis of land reforms in Pakistan clearly brings out the fact that they were governed by a conscious policy of gradualism. Although, the need for re-distribution of land was never denied in any governmental policy pronouncement, yet it was never considered the prime priority. Instead, during 1947-58 only tenancy and quasi distributive reforms were introduced so as to minimize the adverse impacts of a skewed distribution of land ownership. The issue of putting a ceiling on land ownership was relegated to a lower order on the reform agenda.
2. A ceiling on land ownership was placed as late as 1959. It came not only late, but was properly speaking a half-hearted measure as indicated by the fact that it affected, and that, too, very lightly, only the very big land

lords. Nevertheless, it was a positive step towards putting check on land accumulation.

3. Failure, or inadequacy, of the land reform of 1959 became evident pretty soon and provided justification for a downward revision of land ownership ceiling in 1972, which was for the same reason lowered in 1977.
4. The three reforms taken collectively resulted in resumption of 4,055,364 acres of land in Pakistan, including 407,381 acres in NWFP. The resumed land constituted less than five percent of the total privately owned land in the country as also the NWFP.
5. The land distributed among tenants and landless/small landowners was 1,777,711 acres on all Pakistan level, and 161,578 acres in NWFP.
6. Only 262,700 persons in Pakistan as a whole, and 37,549 in NWFP, received land under these reforms. Area received per beneficiary was 6.78 acres in Pakistan taken in general, and 4.3 acres in NWFP.
7. The persons benefitted by land reforms accounted for less than two percent of small farmers and landless tenants in NWFP. Thus, the reforms failed to bring about any noticeable improvement in the landholdings of the target class taken as a whole.

8. The study didn't find any evidence in NWFP to confirm that land allotments to the beneficiaries were of an order that would provide them subsistence holdings of 12.50 acres each or upgrade their pre-reform holdings to that level (i.e. 12.5 acres). The average holding of the beneficiaries was on the contrary found to be only 3.83 acres in which the share of land received under land reform was 3.12 acres, accounting for 81.5% of the total holdings on average.
9. Crop yields declined on most of the land reform affected farms immediately after land reforms. The same was the case on the farms of beneficiaries of land reforms. The overall situation, however, stabilized a few years after each land reform.
10. On the whole the great expectations pinned on land reforms didn't materialise. Considering that less than five percent of the land was affected and less than two percent of the tenants and small land owners were benefitted by these land reforms and worse still, no support services like credit, agri. extension, marketing facilities etc, were provided by the government to land allottees, the results could not have been any better. The beneficiaries, beside being small in number, were widely scattered and that prevented formation of their cooperative bodies or associations which they badly needed to secure finances and services to develop and manage their farms without their erstwhile landlords support.

11. Land reforms were introduced with the avowed aim of reducing land's concentration. This objective has not been achieved. Land ownership is still highly skewed as indicated by the fact that as much as 17% of the total farm area in NWFP was comprised in only one percent of the total farms in 1990 and the 1997 situation is not thought to be any better.
12. Resumption of land from big land owners was expected to reduce their political power. This has, however, not happened despite three reforms as in evidenced by the fact that the legislative assemblies are dominated by big landlords and their like minded allies. The success of these politicians in defying tax on agricultural income is a clear indicator of their undiminished political power.
13. Although the DLRs have only slightly affected the large holdings and benefitted only a negligible, rather invisible, proportion of landless tenants and small farmers, yet the country as a whole and especially the NWFP has experienced socio-economics improvements on a noticeable scale, especially in the sixties and seventies, and this process is continuing. The cases in point are: agri. development (green revolution) of the sixties, a general briskness in economic activity throughout the last three decade, weakening of landlords hold on tenants and rural masses in general, reduction in the incidence of absolute poverty, etc. This study accredits

these improvements to the general process of development, mass awakening, rural-urban migration, emigration, etc, rather than land reforms or any other single reform such as tenancy reforms.

14. While the DLRs have made little or no impact on the rural scene, the impact of tenancy reforms has been much wider, deeper, and visible as they have directly or indirectly affected the vast majority of land owners and tenants whose number runs into millions in the country. As reported by the 1990 Census of Agriculture, out of the total farms in NWFP, 13.5% are operated by tenants and 8.4% by owner-cum-tenants, and they respectively account for 11.6% and 15.5% of the total area of all farms in the province. The weakening of landlords influence on rural masses is to a large extent attributed to tenancy reforms which have also been instrumental in improving the economic lot of the tenants. The swing in favour of self-cultivation is also attributed to these reforms as they have moved the weights in favour of tenants on account of which the land owners withdraw land from tenants on the first available opportunity and instead of renting out land they prefer cultivating it with hired labour.
15. Upsurge in land's prices, land rents, and introduction of improved technology packages which are beyond small farmers reach have further widened income inequality among farmers of different land brackets, and the income inequalities seem to be widening with time.

16. New imperatives have emerged for further land reforms addressed to the issue of rehabilitating and strengthening the agricultural sector in particular and the overall economy in general, rather than as a mean for pursuing narrow political or economic agenda.

SUMMING UP

From the findings of the study as recapitulated above it emerges that:

1. The past governments followed the path of least resistance on the land reform front, going first for tenancy situation's amelioration and then later, and step by step, for distributive reforms.
2. Although the land ownership pattern continues to be highly skewed, meaning that the reforms were insufficient, the placing of a ceilings on land ownership has put a statutory check to land accumulation and that is a positive achievement of the land reforms.
3. The distributive land reforms have only slightly affected the landlords, and benefitted an insignificant proportion of tenants and small land owners; less than five percent of the land has been affected and less than two percent of the tenants and small farmers benefitted.
4. While impacts of distributive land reforms have gone largely unnoticed among the target population, those of tenancy reforms have been much deeper and wider.

Chapter 11

CONCLUSIONS

In the previous chapter main findings and some broad conclusions of the study were presented. Attempt is made in this chapter to recapitulate and analyze the study's conclusions with respect to key questions about land reforms as embodied in the study's problem statement and hypothesis.

If the conclusions were to be summed up in one sentence then an apt statement would be that the distributive land reforms have produced impact of a positive character but that has been on such a small scale that it can be called simply of a 'salutary' nature, underscoring, if anything, only the need for a new package of land reforms embracing all segments of the agricultural sector. The 'tenancy reforms' have, on the other hand, proven to be more impact producing than the DLRs, but they too have not come upto affected groups (land owners and tenants) expectations and consequently one cannot yet claim that it is all quiet on the tenancy front. On the contrary, tenancy situation has begun to boil up again. These being generalized conclusions, in what follows the study's conclusions on selected questions and hypotheses are presented.

HYPOTHESIS 1:

A major hypothesis of this study was that "LAND REFORMS AS INTRODUCED IN PAKISTAN HAVE NOT INDUCED A REDUCTION IN

LAND OWNERSHIP'S CONCENTRATION". This hypothesis is found valid by the present study. As observed in previous chapter, only about five percent of the total privately land was resumed under the three land reforms, whereas the land redistributed among the beneficiaries was even smaller, only three percent of the total privately owned land. Quite clearly a redistribution on this scale would not make any perceptible difference in land ownership pattern. Accordingly the Gini co-efficient of land's distribution is still too high estimated to be 0.51 percent for 1990 and believed to be close to that figure in 1997, which indicates that land's distribution is highly skewed even now.

Although land ownership is still characterized by highly skewed distribution, there are seen strong tendencies towards thinning of land's concentration in top land bracket of '50 < 150 acres' and '150 acres & above'. Operation of the law of inheritance rather than the resumption of land under land reform accounts for the thinning down in these brackets. For the same reason, the below 5 acres bracket accounted for much more farms and farm area in 1990 than 1980 as indicated by the following data for NWFP based on agri-censuses of 1980 and 1990:

Size of owner operated farms (acres)	1980 (Owner farms)		1990 (Owner farms)	
	Farms (%)	Farm Area (%)	Farms (%)	Farm Area (%)
Below 5	66	20	71	25
5 < 12.5	23	26	21	29
12.5 < 25.0	6	16	5	16
25.0 < 50.0	2	11	2	13
50.0 < 150.0	3	14	1	11
150 & above	#	15	#	6

(# = Below 0.5 percent)

Since many land owners rent out part of their land the extent of land concentration is not fully represented by the statistics about owner-operated farms as given above, but the latter do serve as a good proxy for proprietary holdings. It is significant that land's concentration in 'over 50 acres' groups has thinned downed after 1980 (from 27% in 1980 to 17% in 1990) and increased in 'below 12.5 acres' bracket (from 46% in 1980 to 54% in 1990). On the other hand the 12.5 < 50.00 acres' group's position has stayed stable both in terms of percentage of farms and farm area. All these trends point to decline in land's concentration, but despite that the overall land ownership pattern is still highly skewed. If a process of wider dispersion of land has set in, the credit doesn't go at all to land's redistribution effected through land reforms, but to operation of law of inheritance, rural urban migration, changes in land prices and rents, and

several other factors that have contributed to sale and transfer of land to the above noted effect. Land reforms have made a positive contribution in this direction, by setting a statutory limit to land ownership although there are evidences, as alluded to above, to conclude that the above noted trend would have set in even in the absence of a statutory limit, but still the latter's positive contribution cannot be minimized.

HYPOTHESIS 2:

Irrespective of all positive attributions to land reforms, it remain a fact that they failed to produce the targeted impacts on land ownership pattern, tenancy situation, and general socio-economic situation. Why so? On this question the study's hypothesis was that this was so because "LAND REFORMS AS INTRODUCED IN PAKISTAN WERE MOTIVATED BY POLITICAL RATHER THAN ECONOMIC FACTORS". The political motivations of land reforms are clearly indicated by the land reforms time table, as well as, their contents. The land reform of 1959 was introduced less than four months after the military coupe and was ostensibly designed to win masses support for the military regime, and also to cow down the landed gentry. The land reform of 1972 was introduced in a similar manner, and again through a martial law ordinance. The same holds true for the land reform of 1977 which was announced three months before the general elections ostensibly to win the rural vote (by Z.A. Bhutto).

HYPOTHESIS 3:

One of the major arguments in favour of land reforms was that they would contribute to initiation and acceleration of the process of development. The study's hypothesis in this respect was: "IN THE EXISTING AND THE PROSPECTIVE SOCIO-ECONOMIC SETTINGS, A FURTHER REDUCTION IN LAND OWNERSHIP CEILING WILL NOT NECESSARILY CONTRIBUTE TO ACCELERATION OF PACE OF ECONOMIC DEVELOPMENT". This study's findings don't confirm this hypothesis. Although there are evidences of substantial development having taken place in the country despite wholly inadequate land reforms, there is a sound case for a further reduction in land ceiling so as to rationalize the land ownership pattern. A further scaling down of land ownership ceiling alone will, however, not be sufficient to accelerate the pace of development. It must be accompanied by a whole package of reform addressed to the imperative of acceleration of the process of development to take care of such issues as farming efficiency, rural employment, rural—urban migration, fair distribution of land, a fair and dynamic system of tenancy, etc.

CONCLUDING NOTE

The long series of land reforms, including tenancy reforms, have made contributions of positive nature in the targeted directions, but their impacts have been too mild to produce any radical change in land and income distribution

pattern or/and other aspects of the rural economy. This is attributable largely to the policy of gradualism, piece meal, and half hearted reforms. In spite of this flaw, the land reforms have set in slow, though imperceptible process of change in positive directions which proves more than ever before that a new set of land reforms - in its wider sense, is needed and that its imperatives are perhaps more numerous and pressing than fifty years ago. An attempt is made in the next chapter to further dilate on this aspect.

Chapter 12

SUMMARY AND RECOMMENDATIONS

In Chapter 10 the study's main findings and in the next chapter the conclusions were presented. Though somewhat repetitive, in this chapter a self contained summary of findings and conclusion is presented so as to serve as the context for the recommendations which constitute the chapter's main objective. Put in brief, the study finds (i) that though the past land reforms have made positive contribution to the socio-economic situation, they haven't been fully or even moderately successful in achieving their avowed targets, and (ii) that there is a strong case for a further land reform in its broad sense so as to put the agricultural sector on an even keel and accelerate the pace of development in general. In order to fully appreciate the imperatives for new reforms and the appropriateness of recommendations in that regard, it seems apt to present a summary of what this study finds with respect to the past reforms.

THE PAST REFORMS: A RECAPITULATION OF SUCCESSES AND FAILURES

Although three attempts have been made to rationalize land ownership pattern, the overall character in this respect still remains more less the same as fifty years ago. The situation is optimized in the 1990 Census of Agriculture according to which (in 1990) farms of the size of 150 acres or more accounted

for only two percent of the total farms but as much as 24% of the total farm area in the country. These statistics do not tell the whole truth as they pertain to the operated, not proprietary, holdings and as a lot of land is held in fictitious names. Even disregarding this skepticism, the existing land ownership pattern is clearly highly skewed, and a clear proof of failure of the past land reform.

There is still high rate of rural unemployment; the ordinary farmer is unable to get the credit facilities; farm to market approach infrastructure is still poor; level of adoption of improved farm technology is too low; the growers do not get proper return for their produce and thus agricultural sector is in a state of stagnation. Politically the feudals dominate the lower and upper houses of parliament and are resisting the agricultural tax reforms. Socially the people of Pakistan still remain bonded to the feudal lords and the intermediaries when it comes to employment, education, construction of roads and bridges, infrastructure, local development decisions etc. Thus the socio-economic and political fate of the people of Pakistan remains unchanged.

The negligible positive impact of the land reforms on the socio-economic and political conditions of the people of Pakistan suggests that the reforms did not work properly. What was wrong with the reforms? A thorough study of the reforms reveals that they i) were politically and not economically motivated, ii) did not aim at common man's prosperity, and iii) were not honestly implemented

in the sense that a number of flaws were left unattended. As all economic measures have political implications and consequences and all political actions have economic costs and benefits, the said reforms in essence were never intended to harm the landed aristocracy of the country. They were so designed that they did not lessen the socio-political and economic power of the landholders and in the ultimate analysis they proved to be an eyewash.

Seen in the modern economic perspective specially the rising wave of capitalist domination through multinationals, fall of the soviet block, changing theories of employment, importance of land (use and holding), structural adjustment and particularly prosperity (growth, development, welfare) linked with human resource development, it seems that the so called land reforms so far introduced have turned out to be redundant with special reference to the peoples' prosperity. This consequence poses a very serious question that is if the state land holding (collective) has not delivered the goods in the soviet system and has equally worked against the common man under private landholding system and continues to do so then what should be the modus operandi for future to give relief to the ordinaries?

So far as the outcome of reforms in N.W.F.P at micro-level is concerned, the survey's results indicate that at individual level the farmers have got a sigh of relief but their overall socio-economic position has not changed. Whether we

put the responsibility of failure on the shoulders of bureaucracy, politicians or any other the fact is that individuals make the nation and national prosperity is individual prosperity first. The injustice, misery, economic sufferings, poverty and in certain cases pauperization, political bondage, tribal prejudices, unemployment, social discrimination, dehumanization of the ordinary indicate that in the given perspective some measures and actions are needed.

RECOMMENDATIONS II

From the analysis of the performance of the past land reforms it is abundantly clear that there is a strong case for yet another round of land reform in its broad sense so as to accelerate the process of agro-rural development on which so crucially hinges the tempo and character of the country's overall development. What should be the broad approach in this respect? Some recommendations on this subject are presented in this section. Since in any scheme of land reform, the central place is held by the land ceiling issue it appears appropriate to put up recommendations by starting with the land ceiling issue.

Land Ceiling

The current land ceiling of 8000 produce index units per person is too high. Expressed in terms of land area, 8000 PIUs are equal to 100 acres of irrigated or 200 acres of un-irrigated land on average, while in many places

where land's productivity is low the area can be much more than that. The irrationality of the current ceiling can be judged from the fact that the average size of farm, as recorded in the 1990 census of Agriculture, was (in 1990) 9.4 acres in Pakistan taken as a whole and 5.5 acres in NWFP. There is almost a near consensus among economists that the present land ceiling is too high and that ceiling should be placed on the holdings of the individual as well as the family.

The mere fact that the past reforms could affect only about five percent of the total privately land is enough justification for advocating a case for new land ceilings. What should be the new ceilings? This question is a fit subject for a full fledged study. Presently, only some guiding principles can be recommended which are as follows:

- i- Ceiling should be placed on individual as well as the family. For example it can be: so many PIU/acres per person subject to upper limit of so many PIUs/acres per family (husband, wife, son, daughter).
- ii- The ceiling should be in terms of a certain multiple of the average holding and is to be not below the subsistence holding or more than certain multiple of economic holding.
- iii- The land ceiling law should apply to all kinds of land holdings i.e: to families as well as organizations.

These recommendations are only in the nature of 'food for thought' on the subject of new land ceilings. The four provinces substantially differ from each other in several agro-ecological aspects and land ownership pattern, and similar situations obtain within each of the four provinces. Therefore, a common set of land ceiling for all areas is not advisable. Instead, the ceilings should vary from region to region in physical terms as done in Japan, Cuba, Jordan, India, etc. A full fledged study is recommended to determine what the new ceilings should be.

Operated Holdings

An alarming feature of the country's farm sector is the continuous increase in the number of farms and an opposite movement in farm size. Thus as compared with 4.070 million farms in 1980, Pakistan had 5.07 million farms in 1990 while the average farm size declined from 11.6 acres in 1980 to 9.4 acres in 1990. In NWFP the number of farms rose from 0.52 million in 1980 to 1.07 million in 1990 while the farm size declined from 7.8 acres in 1980 to 5.5 acres in 1990.

Thus, below subsistence farms are increasing in number. This has to be checked and reversed. The 1959 Land Reform Regulations provide safeguards against partitioning of farms if the partitioning results in reducing the affected farm to less than 12.5 acres. But, this regulation seems to be in-effective as indicated by the decline in farm size and increase in number of farms in all brackets including 'below 12.5 acres.

It is recommended that measures should be introduced to prevent subdivision of farms. Or alternatively put, while the number of proprietary holdings may not checked that of 'operated holdings' or 'farms be so regulated that all or most of the farms are compact blocks of at least 12.5 acres or preferably more in size. A commission should examine this issue and fix appropriate sizes for different regions.

Land-to-Tiller

The issue of absentee landlords/owners needs to be thoroughly studied to determine its scale and economic implications. On logical plane, the institution of absentee landlordism seems to be quite undefendable. Land should in principle be owned by the tiller/operator i.e; the person who operates it or contributes to its operation. A complete enforcement of the 'land-to-tiller' principle is neither possible, nor such an insistence would be logical or morally permissible. Women, indigents, minors, etc will have to be exempted from the application of this rule. Similarly some other cases can be visualized where legitimate owners cannot physically participate in farming, but have stakes in the land rented out by them. This issue is therefore recommended for serious study to determine the limits beyond which a land owner may not rent out his land.

Limits to Tenants Holdings

Like limits on land ownership, it would be appropriate to place limits also to the maximum area that can be operated under tenancy contract. It is

recommended that no family should operate land as a tenant which together with the land owned by it would raise the total area to more than the new land ceiling. The new land ceiling law can be appropriately worded to incorporate this recommendation.

Benami Holdings

A lot of land is registered under factitious names. In local terminology this is called 'Benami land. This is done to evade the land ceiling laws. Detecting the 'Benami' holdings is a huge task, but it should be undertaken, and the holdings of this kind confiscated and distributed among small and landless farmers.

State Land

The state land that can be developed for cultivation purposes should be so developed and sold/leased out for farming. This land should be operated in parcels of not less than subsistence holding size and as far as possible it should be managed on cooperative basis. Harnessing the state land to productive uses, and its mode of management are far more complex issues than would appear from the simple suggestions made above. This subject should be studied thoroughly and appropriate policy developed accordingly.

Land Consolidation

Fragmentation of land holdings continue to be a major issue in the country. All efforts to eradicate land fragmentation have so far been unsuccessful. This issue should be an important component of the new land reform policy. It

is so complex that it seems rather naive to offer any suggestion in this study to solve it. A full fledged, but a quick, study should be conducted followed by legislation and appropriate administrative and economic measures to solve this problem.

Collective Farming

The new land reform policy should incorporate provision for initiation of experiments in collective farming on state owned as well as private lands. The challenges posed by rapid population growth, imperatives of modernization of the farm sector, and the need for re-organization of the rural economy in general so as to break out of the long continuing vicious circle of poverty, dependence on foreign aid, mass unemployment etc. demand a serious collective effort on the part of masses, and the rural masses appear to be the logical choice for initiating this effort.

CONCLUDING NOTE

Main thrust of the new land reform policy should be towards re-organization of land ownership pattern, tenancy system, and farming system so as to achieve the objective of self-sustained growth with distributional justice in agri sector as well as the rural sector in general, and thus set pace for similar development at national level.

APPENDIX TO CHAPTER 5

PERSPECTIVE ON LAND REFORM EXPERIENCES IN THE CONTEMPORARY WORLD: EVIDENCES FROM SELECTED COUNTRIES

In Chapter 5, it was observed that the approach to land reforms in Pakistan had been characterized by piece meal action, or alternatively speaking by the policy of gradualism. It seems appropriate at this stage to present some information on the land reform measures in some other countries, as that would enable an objective analysis and evaluation of land reform approach adopted in Pakistan. The time reference of the information that follows is the early seventies by when Pakistan had lowered land ceiling twice and enacted all the tenancy laws that are operative at present. The information provided is (i) the year when land reform was introduced, and (ii) the main *provision regarding ceiling on land ownership* in the country concerned.

	<u>Country</u>	<u>Main Provisions Regarding Ceiling on Land Ownership</u>
1.	Mexico Land reforms introduced in 1942	The Ceilings vary from place to place ranging between 100-300 hectares (about 250 to 750 acres) of crop land per individual.
2.	Argentine Land reforms introduced in 1945	No specific law for re-distribution of land introduced. However, after coming into power in 1945, Colonel Peron introduced rent reform by which urban and rural rents were frozen. As a result of inflation the

rents, in real terms, became only nominal. The freezing of rents indirectly produced a re-distributive effect, as low rents obliged the landlords to sell their lands to tenants. The importance of rentiers has declined. But a mere 5% of enterprises own nearly 60% of the land. Due to acceleration in migration to big cities, the landless peasantry has almost disappeared.

3. **Japan**
Land reforms introduced
in 1946

All absentee landlords (i.e.; landlords not resident in the administrative unit of their holding) lost all their land.

- Ceilings varied from 4 to 10 acres according to the average size of holdings in the prefecture concerned. Average ceiling for mainland was 7 acres.

- Ceiling on the total of leased out land in every case was 1/3rd of the ceiling for total holding. Thus, where the ceiling was 6 acres, a landlord who cultivated 4 acres and leased 10 acres could keep his 4 plus 2 acres of the leased land. A landlord who cultivated none and leased 10 acres (or more) would still keep only 2 acres out of the land leased to tenant.

- Owner operated holdings bigger than the ceiling limits could be retained if the

owner could farm them efficiently without the use of regular wage labour. But there were only a few such holdings in the country.

4. **Korea (South)**
Land reforms introduced in 1949

3 hectares (about 7.5 acres) per farm household.

5. **Bangladesh**
Land reforms introduced in 1950 (when it was a part of Pakistan)

All rent receiving interests in all lands stood acquired, so that actual tillers of the land became direct tenants under the government. All ryots (to be called "maliks" henceforth) were to have permanent, heritable and transferable rights to use their land in anyway they liked.

Subletting of land in future was forbidden. However, cultivation under share cropping was not to be treated as subletting but as equivalent to cultivation through wage labour.

All cultivable lands in excess of 33.3 acres per family were to be acquired. This ceiling would be relaxable in case of plantations, gardens, orchards, and large scale farming by the use of power driven mechanical appliances and large scale dairy farming. The excess land thus acquired would be settled with bonafide cultivators holdings less than three acres of land.

6. **India**
Land reforms introduced
in 1950/1972

1950 Reforms

Distributive land reform program was initiated in India in 1950. The land reform laws were introduced by different provinces in different years. Only one Province had passed land reform legislation in 1950. Most of the provinces introduced ceilings legislation in 1960 and 1961. There was no single law applicable to the whole of India. The land reform program proceeded piecemeal, province by province.

Land ownership ceilings varied from Province to Province and from area to area within the same province, depending on the type of the land concerned. The mean range of ceilings was 26-105 acres.

The 1972 Land reform

In 1972, uniform basis of ceilings were adopted for the different provinces. The adopted limits were 10-18 acres of irrigated double cropped land, or 27 acres of single cropped irrigated land, or 54 acres of other land.

7. **Egypt**
Land reforms introduced
in 1952, 1961 and 1969

i. Ceiling under 1952 reform law

In 1952 the ceiling was fixed at 200 feddans (about 210 acres) per person.

ii. Ceiling under 1961 reform law

In 1961 the ceiling was brought down to 100 feddans (about 105 acres) per person.

iii. Ceiling under 1969 reform law

In 1969 the ceiling was fixed at 100 feddans (about 105 acres) per family. The individual holding was not to exceed 50 feddans (about 52-50 acres).

**8. Jordan
Land reforms introduced
in 1952**

Ceiling on ownership is restricted under the reforms introduced in 1952 to the land benefiting from large public irrigation works. This has been achieved through a series of laws relating to East Ghor Canal Project, and so any other areas in East Jordan that in the future may benefit from major irrigation projects. The maximum ownership has been set at 20 hectares (or about 50 acres) per person in such areas.

**9. Taiwan
Land reforms introduced
in 1953**

Each land owner was permitted to own tenanted land not exceeding 7.5 acres of medium grade paddy land or 15 acres of medium grade dry land.

Any surplus tenanted holding exceeding the above limits was required to be sold to the Government for resale to tenants. Land tilled by owners themselves was not affected.

10. **Cuba**
Land reforms introduced
in 1959, 1963 and 1967

1. 1959 Reforms

The first agrarian reform law of the Castro regime, promulgated in May, 1959, provided for a ceiling of 400 hectares (about 1000 acres) and debarred corporations from owning land.

Landless agricultural workers, or peasants with very small holdings, were to receive, free of charge, upto 66 acres of land taken from large land owners. In addition, they were permitted to buy an additional 99 acres at State specified prices.

Formation of co-operatives by those receiving land under reform was encouraged.

Only a few thousand peasants received individual holdings.

Most of the land seized by the government was organized into 600 cooperative farms; and 500 State farms were also organized. By 1961, Private agriculture counted for only 63% of Cuba's cultivated land.

2. October 1963 Reforms

Ceiling was fixed at 65 hectares (about 162 acres).

As a result of this law, 70 percent of the country's cultivated land passed into the hands of the State.

The small private farms remaining after 1963 reforms were put under the tight control of the Government. The average size of the private farms was 13.8 hectares (about 34 acres). These farms have been integrated within the National Association of Small Farmers. This organization is under the supervision of the National Association of Agrarian Reforms (INRA) which controls the supply of seed, fertilizers, tools and credit to the small farmers. Moreover, INRA plans the type of crops that are to be planted, and controls the system of procurement quota. The small farmers are required to sell a part of their crop to the State at prices fixed by the State (which are below the market prices).

3. 1967 Reforms

In 1967, the Castro Government further reduced the freedom of operation of private farms. The Government seized an unknown number of small holdings, around Havana and other large cities, which were given over to the collective farming of fruits, vegetables and other food crops for the urban areas. Towards the end of 1967, the National Association of Small farmers (ANAP) agreed not to sell agricultural surplus from private farms on the free market but to sell all that was produced to Na-

tional Association of Agrarian Reforms (INRA) on the basis of official prices which were lower than the free market prices. The Government began to pay salaries to the private farmers and to promote "collective work brigades" and "mutual aid groups" which put manpower and equipment into common use. Thus private agriculture has largely been eliminated in Cuba.

11. Venezuela
Land reforms introduced
in 1960.

The land reform act aimed at breaking of latifundios. The actual workers on latifundios were made their owners by dividing the land among them.

12. Bolivia
Land reforms introduced
in 1961.

Large agricultural estates (Latifundios), were abolished.

The medium sized private property (size not specified) and well exploited agricultural enterprises were not affected by the law.

Land was restituted to Indian communities from whom landlords had confiscated it after 1st January, 1900.

13. **Colombia**
Land reforms introduced
in 1961 and 1963

i. **1961 Reforms**

Individual holding limited to 200 hectares (about 500 acres) of which no more than 100 hectares (about 250 acres) are suitable as crop land i.e., for cultivation.

Landlord's right to self-cultivation limited to 100 hectares (about 250 acres).

ii. **1963 Reforms**

In 1963, The landlord's right to self-cultivation was limited to 30 hectares (about 75 acres).

14. **Iran**
Land reforms introduced
in 1962 and 1964

i- **The 1962 Reform**

In 1962 the ceiling on private holdings was fixed at one village per individual regardless of the size of the village. The ceiling law did not touch the land of religious institutions.

In 1962 land reform was implemented on a limited scale. It was not enforced in all the villages in Iran. It was infact in the nature of the first stage of a comprehensive agrarian reform program.

ii- The 1964 Reform

In 1964 the ceiling was fixed at 20-150 hectares (about 50-375 acres) per person. The new ceiling provision did not affect the land holdings in villages which were covered by the first stage land reform (of 1962).

Mechanized farms upto 500 hectares (about 1240 acres) were exempted from the application of ceiling rules.

15. **Philippines**
Land reforms introduced
in 1963/1972

i- The 1963 Reform

In 1963 the ceiling was 75 hectares (about 187 acres) per individual or per corporate owner (limited to leased land only).

ii- The 1972 Reform

In 1972 the ceiling was fixed at 7 hectares (about 17.5 acres) per self-cultivating owner.

16. **Nepal**
Land reforms introduced
in 1964

The ceiling was 18.4 hectares (about 46 acres), including 2 hectares (or about 5 acres) for homestead, in the capacity of a landowner and 2.5 hectares (6 1/2 acres) for a tenant.

17. Peru
Land reforms introduced
in 1964/1969

i- The 1964 Reform

Large farming estates called 'Latifundios' were expropriated and turned over to those who worked on them.

The law provided that the small plots of land that the landlords had provided to the Indian peasants for their houses and crops would immediately become the property of the peasants concerned.

The law exempted the large industrial plantations (for producing cotton, sugar and other goods for world market) along the coast. These plantations were being run along modern lines. The congress believed that it would be more efficient to keep the large enterprises than to break them up in small family farms, and so exempted them from the operation of the 1964 law.

ii- The 1969 Agrarian Reform Law

The 1969 law provided for the re-organization of most of the highland haciendas (small farms) into co-operative farms, and for the partial integration of the traditional Indian communities adjacent to haciendas into the new Co-operatives.

The law decreed the seizure of coastal sugar plantations and their organization into co-operative farms. These co-operatives were turned over, in 1972, to boards of directors elected by the workers.

18. Sri Lanka
Land reforms introduced
in 1972

The ceilings was 25 acres of paddy land per person; -50 acres, per person, of other land; but in such land the paddy land should not be more than 25 acres.

19. Turkey
Land reforms introduced
in 1972

The ceilings varied from place to place, depending on land's productivity. In the case of irrigated land, the ceilings ranged from 300 to 1000 donans (about 750-2500 acres) per person. For un-irrigated land the limits were from 475 to 2000 donans (about 1187 to 5000 acres) per person. These limits are doubled if the land is cultivated on modern lines.

20. Chile
Land reforms introduced
in 1972

The land reform law aimed at the abolition of latifundios which were defined as estates exceeding 80 hectares (about 200 acres) of irrigated land. The ownership of latifundios was passed over to those who actually worked there.

**AN INQUIRY INTO GENESIS AND SOCIO-ECONOMIC
IMPACT OF LAND REFORMS IN PAKISTAN
WITH PARTICULAR REFERENCE TO NWFP**

Interview Schedule

1. Introduction:

- (i) Name of respondent _____
- (ii) Name of farm operator _____
- (iii) Address _____
- (iv) Date _____

2. Farm Profile:

(i) Tenurial status of farm operator

- Owner
- Owner-cum-tenant
- Tenant

(ii) Size of holdings

- (a) Area owned _____ Acres
- (b) Area Rented in _____ Acres
- (c) Area Rented out _____ Acres
- (d) Net operated area (a+b-c) _____ Acres

(iii) Source of irrigation

- Canal/Water course
- Public Tube-well
- Personal Tube-well
- Stream/Pond
- Rain fed/Barani
- Any other (Pl. specify)

(iv) Incidence of water logging and salinity

Area affected by W.L _____ Acres
 Area affected by Salinity _____ Acres
 Area affected by both _____ Acres

(v) Is your land fragmented ?

Yes/No

If 'Yes' number of fragments _____

(vi) Land utilization:

- Area cultivated _____ Acres
- Area uncultivated _____ Acres

3. Land Reforms of 1959, 1972 and 1977

(i) Do you know about the Land reforms ?

Yes/No

If 'Yes' go to (ii)

- (ii) Did you own any farm land before the land reforms ?

Yes/No

If 'Yes' Area _____ Acres

If 'No' to (ii)

- (iii) Did you rent in ?

Yes/No

If 'Yes'

(a) What was size of holding ? _____ Acres

(b) What were the terms and conditions ?

You paid to the landlord:

25% of the output

50% of the output

75% of the output

or some fixed amount of _____ Rs./Mds. per month/annum

- (iv) Did you get any farm land during the 1959/1972/1977 Land Reforms ?

Yes/No

If Yes, mention Area _____ acres.

- (v) Was the land fertile ?

Yes/No

The quality of land was

- Good
- Very good
- Excellent
- Bad

- (vi) When you got the land, was it

- fit for cultivation ?

Yes/No

- irrigated ?

Yes/No

- affected by water logging/salinity ?

Yes/No

- fragmented ?

Yes/No

(vii) Was any price paid ?

Yes/No

If 'Yes', the price was:

- Nominal
- Market price
- More than the market price and the price was paid by the govt.
- you
- any other (Pl. specify)

(viii) Did you face any administrative problem, during transfer of land?

Yes/No

If 'Yes', tick the relevant boxes

- The govt. did not co-operate
- The land lord did not co-operate
- Potwaries/Tehsildars favoured. the land lords
- We were frightened by the govt. officials
- Land lords used weapons/powers

(ix) When you got the land, did you face any management/operating problem ? like

- Lack of resources

- Burden of total costs

- and did these problems affect the productivity adversely ?

Yes/No

or

the farm was operated very well and the productivity was increased ?

Yes

No

(3) Socio-Economic Impact of Land Reforms:

(i) Before land reforms, you got

- Subsistence level _____ or

- Surplus _____ or

- Deficit _____ of your agricultural produce.

(ii) After land reforms, you get

- Subsistence level _____ or

- Surplus _____ or

- Deficit _____ of your agricultural produce.

(iii) After land reforms, you feel

- Better off _____ or
- Worse off _____ or
- No change _____

(iv) After land reforms, the absorption of family labour in the farm activities has

- Increased _____ or
- Decreased _____ or
- No change _____

(v) Do you think after land reforms the overall income of your household from farm activities has

- Risen _____ or
- Fallen _____ or
- Kept the line _____

(vi) Due to land reforms, the literacy ratio of your household members has

- Increased _____ or
- Decreased _____ or
- No change _____

(vii) Do you think the yield per acre on your farm has

- Increased _____ or
- Decreased _____ or
- Remained the same _____ after the land reforms took place?

- (viii) According to your opinion land reforms have positive, negative or no effect on the following:

Item	Effect		
	Positive	Negative	No effect
- Health of your H.H.members			
- Education of your H.H.members			
- Provisions of utilities			
- Your house structure			
- Social activities			
- Any other (Pl. specify)			

H.H. = Household

(4) Suggestions regarding Land Reforms:

- (i) Do you think is there any need for further land reforms ?

Yes/No

- (ii) What should be the limits of owned land for farming ?

Minimum _____ acres

Maximum _____ acres

- (iii) What should be the size of holdings (owned and/or rented) to improve yield per acre?

Minimum _____ acres

Maximum _____ acres

- (iv) In your opinion what should be the terms and conditions for transferring the right of ownership from the landlords to the farmers ?

- Free of cost _____ or
- On nominal price, paid by farmer _____ or
- On nominal price, paid by Govt. _____ or
- Market price paid by farmer _____ or
- Market price paid by Govt. _____ or
- Any other (Pl. specify) _____

- (v) Any other suggestion.

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