

**LAND REFORMS AND DALITS: THE PUNJAB VILLAGE COMMON LAND
REGULATION ACT 1961 AND IT'S IMPLEMENTATION IN SANGRUR
DISTRICT**

*Dissertation submitted to Jawaharlal Nehru University in partial fulfillment of
the requirements for the award of the degree*

MASTER OF PHILOSOPHY

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2018



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Declaration

I declare that the dissertation titled “Land reforms and Dalits: The Punjab village common land regulation act 1961 and its implementation in Sangrur district” submitted by me in partial fulfillment of requirement for the award of the degree of Master of Philosophy to Jawaharlal Nehru University is my own work .It has not been previously submitted for any other degree in this or any other university.

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Acknowledgement

I pay my sincere gratitude to my supervisor Prof. Yagati Chinna Rao who since the beginning contributed to the development of this dissertation with his suggestions. This dissertation would not have seen the light of the day without his continuous and encouraging support required at different stages. I would like to thank my father Mr. Lal Chand without their help and support this journey would not have been possible I want to extend my thanks to Dr. Raj Kumar Khoshla, my friend and classmate Mr. Arvind Kumar, my friend and roommate Mr. Pardeep Kumar Ranga research Scholar School of Environmental Science JNU, New Delhi, Mr. Gurmeet Singh former research scholar CSRD/SSS/JNU for their support at every moment when I required their help. I also want to thank Mr. Yogesh Kumar research scholar department of political science, who since my post graduation helped and guide to pursue my dream of research and higher education. His contribution will be memorable especially for his support which helped me to fulfil my aspiration to join JNU in 2016.

I would like to thank my other family members without their help and support this journey would not have been possible. It is their immense support and care which help me in every moment of this project.

Ashok Kuma

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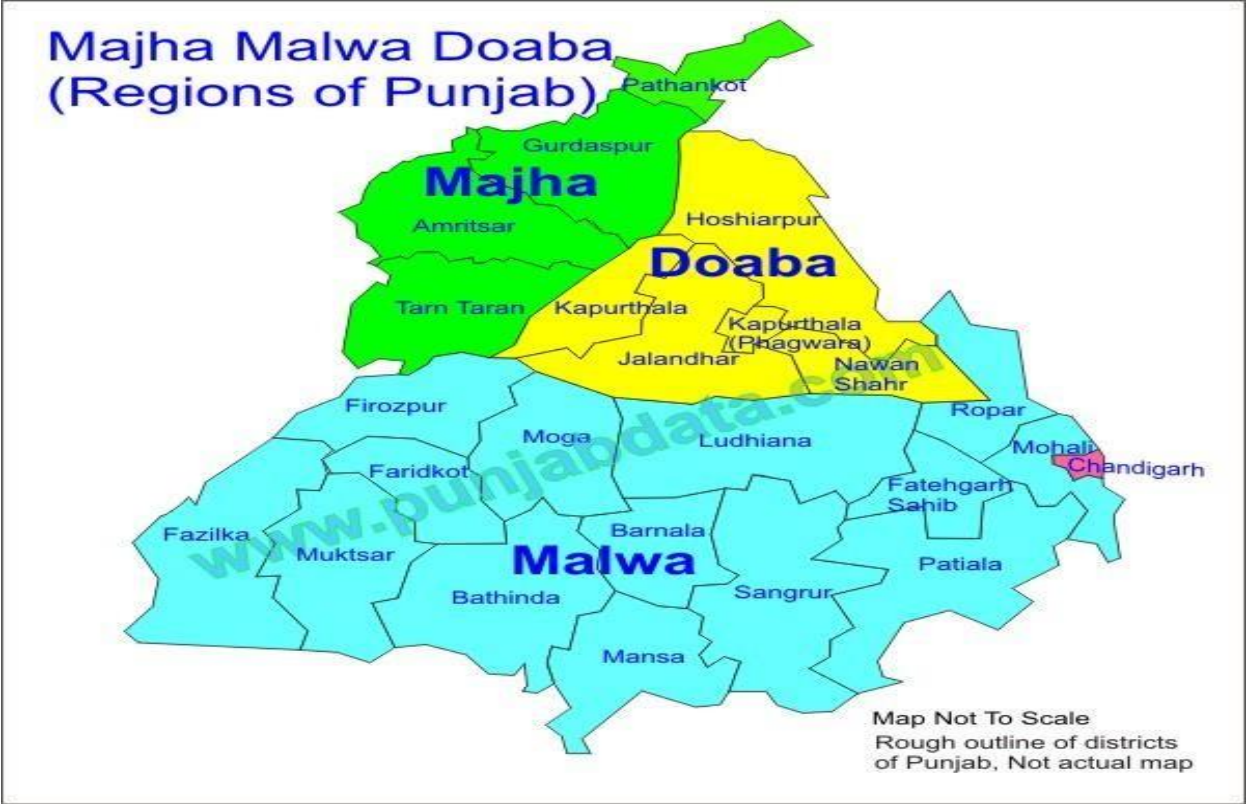
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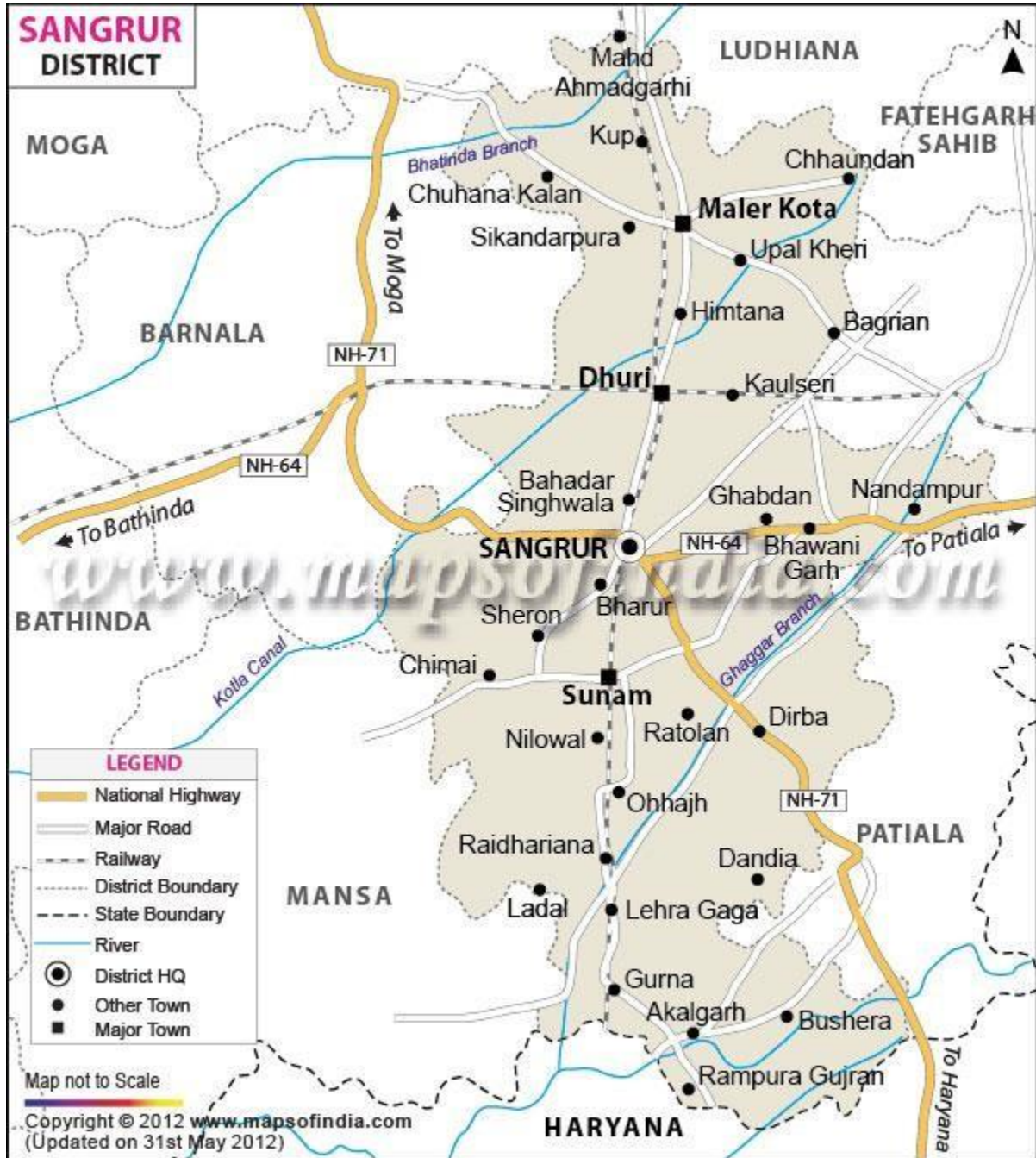
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Abbreviation

PALA- Punjab Alienation of Land Act

PVCLA- Punjab Village Common Land Act

PKMU- Pendu Kranti Kari Mazdoor Union

ZPSC- Zameen Prapti Sangharsh Committee

MP Member of Parliament

PEPSU Patiala and East Punjab States Union

Pb. Punjab

Glossary

Brani	Dry Land
Killa	Acres
Shamlat Deh	Common Land or Panchayati Land
Khalsa	the Pure (Concern to Sikhism)
Poramboke	Government Land
Dalits	Depressed Classes
Lambardars	A village head appointed for collect land revenue in village
Zaildars	Appointed for 40 to 100 villages
Siri-	Agricultural Labour who work for Upper Caste Landlords
HYV	High Yield Variety
FIR	First Information Report
IPC	Indian Penal Code
Police Station	

Shahukar	Moneylender
Hara Chara	Green feed for cattles
Zathebandi	Association of persons
Sangat Pangat	To Sit Together and Eat
Agricultural	Tribe notified tribes in PALA1900
Jati	Caste
Mazdoor	Laboures
Land Ceiling-	Maximum size of land an Individual /family can hold ownerships
Benami transaction	Transfer of a property on name of non existing Person
Zaildar	head of few villages (40 to 100) to collect land revenue
Bisweddar	Maharaja Patiala appointed for collect Land Revenue (Batai)
Lambardar	a person who have maximum land in village work like Sarpanch, Lambardars transfers hereditary.

Introduction

Indian economy categorizes agriculture into primary sector.¹ In rural India three-fourth of poor people are living and poverty has mainly been rural phenomenon of our country. Over the years it has reported that majority of the rural poor are dependent on natural resource for their livelihood, employment and income of household. The utilization Land has always been complicated issue in post Independence India. Land is important natural resource for the livelihood. It is major income source for most of the population of India. The sustainable and socio-economic well-being of people is decided by their use and the handling of land resources. Conflict over land utilization and ownership is unavoidable. Since independence, the high population growth, widespread poverty and weak existing institutional mechanism for land management are some of the major challenges in equitable distribution of land resources to every sections society.²

Right to use to land is of primary importance in rural India. It remains the principal determinant of rural income distribution. Large no of Indian poor rural, derive their livelihoods principally from their own labour. An equitable land distribution strategy would generate more employment and sustainable livelihood for the rural poor. With this primary objectives i.e., raising agricultural productivity, reducing poverty and promoting economic inclusion would certainly improve the access to land for the poor and other socially excluded groups in rural India.³

Agrarian economy, land is one of the important asset in which major population of rural areas are dependent on labour, agriculture and animal husbandry. Due to this, from policy makers to academicians it is major significant issue for them. In the post - independence period, India engaged in the process of nation building with pressure on high productivity from land and its equitable distribution. Government policy intervention has four important components of land reform i.e., abolition of intermediaries, fixing ceiling on land holdings tenancy reforms, and consolidation of land holdings. This social and economic change is strategically intervention of the state. In rural india, the ownership of land is enduring a social status. Social stratification and hierarchical structure has been maintained through this unequal distribution.⁴ Land holders are upper castes, middle class are cultivator and dalit and tribal are agriculture labour.⁵ The denial of access to land, functions as a means of exclusion and a mechanism of bondage. Therefore, the

¹, M.V. Rao, V. Suresh Babu, Suman Chandra and G. Ravindra Chary, *Integrated Land Use Planning for Sustainable Agriculture and Rural Development*, Apple Academic Press, Canada, 2016, p. xxiv

² *Ibid.*, p. xxvi

³ Robin Meams, Saurabh Sinha, *Social Exclusion and Land Administration in Orissa, India*, The World Bank South Asia Region, Rural Development Sector Unit, May 1999, p. 1.

⁴ Sucha Singh Gill, *Land Reforms in India vol.6*, Sage publication, New Delhi, 2001, pp. 16-20

⁵ *ibid.* ,1

landlessness is at the core issue of Dalit, deriving their dependency on caste Hindus for their sustainable livelihood.⁶

The Dalits were not allowed to own land due of the religiously sanctioned and socially enforced caste structure.⁷ The vast majority of Scheduled Caste families are out their livelihoods from agriculture, mostly as agricultural laborers and some from farming operations. Allied occupations i.e., dairy, piggery, sheep and goat rearing, poultry etc., also provides livelihood opportunity to poor Scheduled Castes communities. Despite having well provision in place for distribution of lands to landless people, the Dalits are still remained land less or own small holdings of less than an acre. It is thus clear that despite seven decades of efforts of Government and numerous legislations on land reforms, access of land by the socially excluded communities has not been improved in our society.

Land Rights of Dalits

Since times immemorial the Dalits have been betrayed of rights over land resources. During the feudal period the rights of land were negative in that they were entitled only to certain demeaning rights. They were excluded socially, politically, culturally, economically, emotionally and psychologically from the mainstream of Indian society.⁸ They had no freedom to walk on the public streets of the villages or small towns, and even if they had to walk through these streets in the service of their feudal lords.⁹ They were supposed to clean those streets with brooms which were tied to their waists owners of space. The Dalits were denied to enjoy the freedom in public space. The exclusion of the Dalits was, of course, cumulative as they were also excluded from the more dignified occupations and education. This exclusion was achieved by the upper caste by making available to Dalits only those occupations which were considered defiling, such as tanning of leather scavenging and leatherwork. It also the fact that due to the obvious paucity of land or resources or employment the large number Dalits are migrating from one state to another in search of their livelihood. Sizeable numbers among them were bonded laborers too. Their life

⁶ UNNATI, *Dalits and Land: Status and Related Issues*, Government of India and UNDP-India, 2012, p.3.

⁷ *ibid*

⁸ *ibid*

⁹ S. Kavita, Land Distribution and Status of Dalits, *IOSR Journal of Humanities and Social Science (IOSR-JHSS)*, Volume 21, Issue 2, Ver. VII (Feb. 2016), p. 17.

condition was wretched and extremely inhuman. Women and children were subjected to atrocious harassment and torture, particularly in the migrated workplace. Practically there was no right for Dalits over the land during the pre-British period.¹⁰

In India, for the first time the right over land was provided to Dalits during the British period. In the last half of 19th Century, the European Missionaries working in Madras presidency who studied pathetic and deplorable conditions of Dalits and submitted a memorandum to the then British Government pleading for the intervention of the Government. The Government of Madras Presidency appointed Sri Tremenheere, the Collector of Chengalpat District in 1891 to conduct an enquiry into the conditions of Dalits. After due conduct of enquiry he sent a report describing the pitiable plight of the Dalits. After discussing the situation of Dalits it was the decision was came in the favor of Dalits. As a result, the colonial government enacted a law in British Parliament in 1892 to assign cultivable land to the Depressed Class people. In pursuance of it the Government of Madras Presidency issued two important orders on 30-9-1892 and 1-2-1893 to assign Government lands to Dalits on a condition of keeping a right with the Government to resume the lands assigned in the event of alienation and reservation of Government lands and lands purchased by Government at sales for arrears of Land Revenue (Bought in lands) to be reserved for depressed classes for assignment.¹¹

With the agreement of the above policy, the wastelands were measured and good portions were reserved for Depressed Classes (Dalits). Where wastelands were not sufficient, large blocks of land in the form of unreserved forests, un-assessed wastelands, and Poramboke lands were transferred for assignment to Depressed Classes (Dalits) for cultivation. The policy of assignment of land to Depressed Classes started from 1918 in every Ryotwari¹² village. In 1919, a Special Officer was appointed to protect Depressed Classes. In the course of time the officers started co-operative societies for the benefit of Scheduled Castes. In addition to assignment of

¹⁰ ibid. ,2

¹¹ Ibid, p.18.

¹² Ryotwari System was introduced by Thomas Munro in 1820. In Ryotwari system the ownership rights were handed over to the peasants. British government collected taxes directly from the peasants.

Government lands, the private lands were also acquired and assigned to Depressed Classes which began in the Tanjavur during the First World War period and it was slowly spread over to other districts from 1924.¹³

In order to protect the interest of the tillers to land and bring equity in agriculture, the Government gave top priority to Land Reforms which included abolition of intermediaries, tenancy reforms, imposition of ceilings on landholdings, distribution of surplus land, allotment of government land, consolidation of holdings and protection of lands of Scheduled castes and Tribes.¹⁴

Caste in Punjab

The caste system Punjab state has its own significance in the history of the state. Gurudwara Shaheed Burj Sahib is located in Chamkaur Sahib in the district of Rupnagar (Ropar), Punjab. Burj Sahib is smaller than its better-known neighboring gurudwaras—Qatalgarh Sahib and Garhi Sahib. Burj Sahib was built as a memorial to Bhai Jiwan Singh (1649-1705), a warrior and an early Sikh chronicler. Bhai Jiwan Singh was martyred in the Battle of Chamkaur Sahib in 1705. The original shrine where the Guru Granth Sahib is housed today is believed to have been built by Mazhabi Sikhs. Mazhabi Sikhs belonged to the caste of Bhai Jiwan Singh. Bhai Jiwan Singh was born Bhai Jaita and it was he who brought back the severed head of Guru Tegh Bahadur to Guru Gobind Singh (then Gobind Rai) in 1675, when the Guru was executed by Aurangzeb in Delhi. The young Guru Gobind is said to have proclaimed, “Ranghrete Guru ke Bete” (Those who belong to the Ranghar caste are sons of the Guru).¹⁵ It was considered an honour for the low-caste Jaita to be hailed thus. Adopting the name, Jiwan Singh was inducted into the panth, which paved the way for many other low-caste families to enter the Khalsa fold.

Bhai Jiwan Singh was a writer of considerable ability. His composition Sri Gur Katha—a biography of Guru Gobind Singh—could be an important source for the study of Guru Gobind

¹³ Ibid., p. 18.

¹⁴ Ibid.,

¹⁵ Karthik Venkatesh, The Various Strands of Dalit Assertion in Punjab, Jan 25, 2017, p. 2, https://www.thehinducentre.com/multimedia/archive/03159/139_The_Various_S_3159144a.pdf

Singh's life. Another important early Dalit cultural figure was Giani Ditt Singh (1850-1901) of the Singh Sabha Movement. Originally a member of the Vedantic Gulabdassi sect, Ditt Singh was drawn into the Singh Sabha movement. The movement was attempting in the last quarter of the 19th century to articulate a distinct Sikh identity independent of Hinduism. Ditt Singh was in the forefront of articulating these positions in several works of Sikh philosophy and theology.¹⁶

The 20th century witnessed the flowering of talents like Sant Ram Udasi and Lal Singh Dil, besides a host of others who all wrote from a specific Dalit standpoint. Sant Ram Udasi (1939-1986), who hailed from a Mazhabi Sikh family, initially attempted to create a space for himself within the confines of Sikhism, but came to the conclusion that caste consciousness had established itself strongly. In the 1970s when the Naxal ideology gained considerable currency among a section of Punjab's literati, Udasi emerged as a powerful radical poet, publishing three books of poetry, *Lahu Bhije Bol* (Blood-soaked Words), *Saintan* (Gestures) and *Chounukrian* (The Four-edged). He was arrested and tortured for his Naxal connections. The tortures to him were apparently far more severe than were meted out to the high-caste Jat Naxals owing to his Dalit origins.¹⁷

Lal Singh Dil (1943-2007), who was from a Chamar family, also became involved in the Naxal movement in the early 1970s. Arrested, tortured and forced to leave Punjab in 1971, Dil moved to UP where he supported himself by doing a string of odd jobs. He also converted to Islam during this time hoping to shed the burden of caste. Returning to Punjab in 1983, Dil supported himself by running a tea-stall in Samrala, near Ludhiana. He published three important collections of poetry *Satluji di Hawa* (The Breeze of the Satluji, 1971), *Bahut Saare Suraj* (A Million Suns, 1982) and *Naglok* (The City of Snakes, 1997), besides his autobiography *Dastaan* (1998).¹⁸

In Punjab, both Udasi and Dil were strident voices who articulated their Dalit consciousness without hesitation. In a documentary on Punjab's Sufi traditions and the Dalit connections with the Sufis, *Kitte Mil Ve Mahi*, Dil states a position not dissimilar to Mahatma

¹⁶ Ibid., pp. 2-3.

¹⁷ Ibid., p. 3

¹⁸ Ibid., 3

Phule's position in Ghulamgiri. Ghulamgiri talks of usurpation of land that originally belonged to the lower castes through deceitful means. Dil too makes a similar claim on behalf of Punjab's Dalit population. Contemporary poets like Balbir Madhopuri, Manmohan, and a host of others continue in the vein of Udasi and Dil. They continue to be assertive about Dalit identity even while attempting to look at historical traditions in new light. When Guru Gobind Singh initiated the institution of the Khalsa on April 13, 1699, he explained in an address that he wished for all Hindu castes to abandon their caste identities and adopt a life of cooperation and intermingling with each other with one expression of this intermingling in inter-caste collective dining. This was in effect a continuation of the practices (including the idea of inter-dining—langar) initiated by Guru Nanak towards creating a casteless society.¹⁹

The creation of the Khalsa has united a considerable section of the population. The largest numbers of those who entered the new creed were members of the Jat peasantry that took over the leadership of the community from the Khatri (the caste of the Gurus). Members of lower castes too—Chuhras, Chamars, Nais etc.—were well represented in the Khalsa. The Sikhism was meant to create a new casteless society. But the age-old prejudices did not abandon their hold on society. Sikhism only succeeded in tempering the practice of caste in the region. The lower-castes remained mostly on the margins of society practicing professions that the other higher castes avoided. In terms of both its religious and caste make-up, Punjab presents a picture fairly different from other parts of the country.²⁰ Since the formation of the composite Punjab in 1966 (post the creation of Haryana and the union of the hill regions with Himachal Pradesh), the state has had a Sikh majority. As per the 2011 census, Sikhs constitute about 58 per cent of the population. Hindus constitute the majority of the remaining 42 per cent since Christians and Muslims are a miniscule minority together accounting for just over three per cent.²¹

Theoretically Sikhism does not recognize caste but practically it is divided into several castes. A few of these castes are overlap with Hindu castes of the same name and societal stature. As opposed to the Hindu caste system, which has a textual basis in the Manu smriti and the

¹⁹ Ibid., pp. 4-5

²⁰ Ibid p. 3

²¹ Ibid., pp. 4-5.

Purusa Sutra, the caste system among the Sikhs is based on power and privilege. Keeping with that paradigm, the dominant Sikh caste and the de facto ‘high caste’ is the Jat Sikh community—the peasantry that traditionally owned much of the land and did most of the farming. They constitute close to 60 per cent of the Sikh population, which amounts to about 30–35 per cent of the total population of the State. Then there are the Khatri and Arora castes among the Sikhs who are also found among the Hindus. Other Sikh castes include the Ramgarhias, Tarkhans, Chimbans and others, who could be said to constitute the middle caste strata of Sikh society.

The Scheduled Caste community among the Sikhs consists mostly of Mazhabi Sikhs, who hail from the Ranghreta, Chuhra and Balmiki Hindu castes that converted to Sikhism. These castes were traditionally associated with scavenging and sweeping professions. Another Scheduled Caste community, the Ravidassis, consists largely of people from the Chamar (leather-workers) community. The Dalit population in Punjab is close to 29 per cent (Census 2011), the highest in the country (in percentage terms). The Mazhabis along with the Chamars, Balmikis and Adi Dharmis (Ravidassis), comprise close to 85 per cent of the total Dalit population in Punjab. The Chamars, Balmikis and Adi Dharmis (Ravidassis) are counted as Hindu, though in practice, they also follow a few tenets of the Sikh religion, too. Dalits are part of the social fabric of both the Sikh and Hindu religions, the dominant religions of post-partition Punjab. Equally, Dalits could be said to comprise a separate community of their own, a distinct qaum, to use a Punjabi phrase, that has its own traditions, icons and religious and secular practices.²²

In the 20th century, the influence of modernity spurred a hitherto unseen assertion within the Dalit community. In post-independence India, the affirmative action policies and democratic political processes have also contributed to a strengthening of this assertion. Equally, a cultural awakening in music and literature led to a new spirit within the community.²³

Land and Dalits in Punjab

²² Ibid., p. 5.

²³ Ibid.

The rural areas of Punjab are largely Sikh-dominated with Jat Sikhs constituting the majority. In terms of numbers, Jat Sikhs are only matched by the Scheduled Castes. The Jat Sikhs of Punjab are primarily an agricultural community and they are the dominant caste in the State.²⁴ The Sikh empire of Ranjit Singh and the subsequent British rule over Punjab helped the Jat Sikh population considerably by establishing their hold over the land in the State. Dalits, on the other hand, were deprived the ownership of land under the Punjab Alienation of Land Act (1900) that forbade the transfer of land to non-agricultural castes. Post the formation of composite Punjab in 1966 and the subsequent Green Revolution, the economic and social clout of the Jat Sikh community increased considerably. Alongside this, the political influence of the Jat Sikhs also increased as most Punjabi political parties reflected the marginalized groups in the state. The economy of Punjab is mostly rests on agriculture and this sector provides more jobs in the state. As a result many Dalits, particularly Mazhabis, had to work on the land of the Jat Sikhs for their livelihood. Given this scenario the relationship of the Mazhabis with the Jats is that of landless agricultural workers versus property owners, leading to regular clashes.²⁵

In recent times it has been witnessed that the attempts by Dalits to enforce the provisions of the Punjab Village Common Lands Regulation Act in its true spirit has not been welcomed by the Jats. The Act, passed in 1961, stipulated that a third of every village's panchayat land—government owned land managed by the panchayat (shamlat in local parlance) and allocated to villagers through public auctions—would be reserved for members of Scheduled Caste communities.²⁶ For a long time, the Jats managed to circumvent the provisions of the act by propping up Dalit proxies, who would bid for the land. The Jats would thereafter manage the land employing Dalits as laborers. In village Benra in Sangrur district, a Dalit collective—the Pendu Mazdoor Union—managed to secure the land in 2008 despite the mechanism of the local administration. Similar efforts were successful in another village in Sangrur—Balad Kalan—and

²⁴ Census of India 2011

²⁵ Ibid., p. 6.

²⁶ Punjab village common land Act 1961

in Shekha village in Barnala under the auspices of Zameen Prapti Sangharsh Committee in 2014. The struggle remains underway in a number of villages throughout Punjab.²⁷

In Punjab, violence has been an endemic part of such struggles land rights by the Dalits in the state. After a local villager obtained the shamlat land in an auction, the Dalits of the village occupied the land in protest since it was common knowledge that the land allottee was a proxy. Requests to the local administration to cancel the allotment as it was avoided the Act but was ignored. It has also witnessed that the Jats attacked a Dalit rally that was protesting the injustice. Subsequently, Dalit households were attacked in the village. Consequently cases were slapped on Dalit activists. The issue continues to remain unresolved. Land is bound to be a central issue in the years to come in the context of rural Dalits attempting to carve out a space for themselves. Chamar assertion has been largely an urban and a semi-urban phenomenon. Mazhabi assertion in rural Punjab is perhaps the next issue on the anvil.²⁸

The land is not only the source of livelihood for poor Dalits but also it is dignity for them in the Punjab society. However, it is the fact that they have been denied land by the system through land regulation Act. Taking the advantage of the law, the higher caste people grab land illegally. When Dalits seek protection from law against caste Hindu atrocities, the retaliation comes in the form of denial of wage labour in the lands upper caste landlord. This is often coupled with social boycott, which includes the stoppage of water supply to Dalit lands, non-supply of necessities of life and so on. The fair distribution of land strikes at the roots of an unequal social order and skewed power relations. It frees the marginalized from the clutches of perpetual bondage, for want of a sustainable livelihood. Laws and regulations in India prohibit the alienation of Dalit lands, set ceilings on a single landowner's holdings, and allocated surplus government lands to be re-distributed to Scheduled Castes and Scheduled Tribes. However, land ownership patterns remain in the upper caste Jats of the state.²⁹ The land reforms resulted nothing benefited to the Scheduled Caste of the state.³⁰

²⁷ Ibid., pp. 6-7.

²⁸ Ibid.

²⁹ Ibid., pp. 3-4.

³⁰ Thirnavukarasu, .Land reform and Tribal Development, Kalpaz Publication, New Delhi, 2006, pp.24,39

Statement of problem

Punjab is an agrarian state. The economy of the state is depends on agriculture production. It has surplus food crop production, and the green revolution played a significant role in agricultural production. However, Dalits have always been marginalized of landlessness. The population size of Schedule Caste shares 31.94 per cent of the total population of the state. The Jats population is 21 per cent of total population of Punjab. However, in term of ownership of agricultural land, the Jats have owned more than 95 per cent of total agricultural land and dominated in every spheres of the state. The Schedule Castes share more proportion of population but owned only 3.20 per cent of total land and majority of them are landless laborer.³¹

The Government of Punjab has enacted Punjab Village Common Land Act 1961 for the welfare of landless peoples of the state, and this Act reserved 1/3 of Shamlat land for the members of Schedule Caste family for the agricultural purposes.³² Lack of awareness or fear from upper caste, this Act is still not implemented properly. It has not been benefited to the targeted people. The Dalits have failed to claim their right over land ownership and always they are subject to marginalization. The Dalits who have not owned land they depends on upper caste landlords for getting an opportunity to work in the agriculture land to maintain their livelihood.

As per the Constitution provision, the land reform in India is state subject. It has been reported that 80 per cent farmers are small and marginal farmers who have only 20 per cent of the cultivable land.³³ Social protection policies and programs designed to give special treatment to a particular segment of society, and for the marginalized section of society for their social and economic upliftment. But in rural area of Punjab it has been found that the social protection policies are marginally implemented. It has not been fully achieved its objectives.³⁴

The social exclusion of Schedule Caste has been prevailing in Indian society since ancient time due to Verna system of Hindu social order. In the landholding system the similarly Dalit

³¹ Census of India 2011

³² PVCLA 1961,

³³ Ibid.

³⁴ Ibid.

were excluded to own land. Although the colonial government has brought many land reform policies to redistribute land to Dalits but it has not served the greater objectives of the Dalit community. In this context worth needed to present Dr. B.R. Ambedkar's speech given in parliament in the context of social protection policies: " I feel, however, good a constitution may be, it is sure to turn out to be bad because those who are called to work it, However bad a Constitution may be, it may turn out to be good if those who are called to work it hapenned to be a good lot." and this was happened in Punjab regarding the Punjab Village common land act 1961 and for the implementation of land ceiling Act.³⁵

In the "caste in question" Dipankar Gupta explored the role of land in the social importance of community. He argued that Yadav Jats were the part of Shudra varna but because of land holding they are dominant in the present Indian society. They are economically and socially in very well condition in India.³⁶ According to him land is very important natural resources which helped the peoples of lower Varna to established them or make important their community as an important segment of society.

Review of literature

Many social scientists have worked on caste based discrimination and still lots of research have been continued on this issue, but in the context of land distribution and the role of landlessness in the marginalization of Dalits much work has not been done. There are lots of literatures available about how Dalits have been excluded in mainstream society and what was the impact of landlessness on their socio-economic status have been discussed in very less proportion.

³⁵ Speech given by Dr. B.R. Ambadkar in Parliament

³⁶ M. Thangraj, Dipankar Gupta,, (Ed), *Caste in Question: Identity*, New Delhi Sage Publication, 2004,

Dipankar Gupta in his book *Caste in Question* argued that the concept of caste-based hierarchy is not valid in present scenario because the traditional view of caste Brahmins are at top and Shudras are at bottom is no longer valid in the present scenario in Indian society. He proves that according to Varna system the Brahmins were at top position and the Shudras were the lower segment of society. But in the present time the Ahirs, Jats and Gujjars are Shudras become dominant caste because they are landlords.³⁷ The Punjab Brahmins are not in the dominant social situation but Jat Sikh are in dominant position because they are mostly land holders. According to him land is most important material which ever community has land they are important and become hierarchical in society.³⁸

Harish K. Puri is another prominent scholar; in his work 'Dalit in Regional context' he argued that history is an important material factor to determine the social economic life of every individual. In Punjab the Dalit population ratio is exceptional in India because of Sikhism untouchability in Punjab was not in practice but he never discussed land reforms and role of landless in social and economical exclusion of schedule castes in Punjab.³⁹

M. Mufakharul Islam written "Punjab Land alienation Act and professional moneylenders" about why this act was enacted and its objectives is divided population in two groups agricultural tribe and non-agricultural tribe and its objective was to stop transferring of land through mortgage and transfer of land ownership to the non-agricultural tribe. So the non-agricultural tribe were permanently alienated to land ownership and mortgage of agricultural land.⁴⁰ Prior to this Act, the transfer of land ownership was very much in number but after the enactment of this Act the transfer of land was decline in Punjab approximately 50 per cent. So we can say his study was focused on what was the reasons for the enactment of Punjab alienation act and after the enactment of this Act what was the outcome of this Act in to stopping the land ownership

³⁷, Dipankar Gupta (Ed), *Caste in Question: Identity*, New Delhi Sage Publication, 2004,

³⁸ Ibid.

³⁹ Harish K. Puri, (ED.), *Dalits in Regional Context*, Jaipur, Rawat Publication, 2004

⁴⁰ M. Mufakharul Islam, The Punjab Land Alienation Act and the Professional Moneylenders, *Modern Asian Studies*, Vol. 29, No. 2 (May, 1995), pp. 271-291

transfers. But not anything written what was the impact of this act to Dalit situation because they were earlier landless and because they were not included in any district of Punjab in agricultural tribe so that they were remain landless. This Act was also a reason for the landlessness of Dalit in Punjab.⁴¹

Amrinder Pal Singh “Farm worker vs. Rich Farmer”, the study was on Gurdaspura village in district Ludhiana. In this village 66 household were there 40 were landless harijans (chamar) and out of 20 were industrial labour and 20 were agricultural labour. Total of 26 were jats how they dominant jats employed Dalit because of their landlessness and dependency of agriculture laborer income. They work in the field of Jats as agricultural labourer 10 to 11 Hrs. and get wages of Rs 5 In October 1977 they demanded for to increase their labour Rs. 5 to Rs. 6 and for they have to face social boycott by the Jats community they will not give them work at their field and even their cattle's will graze in their fields⁴². So he discussed one incident of social exclusion of Dalit in particular place but in whole Punjab, these kinds of many incidents were happened and still going on.⁴³

Ronki Ram in “Social Exclusion, Resistance of Deras Exploring the Myth of Casteless Sikh Society in Punjab”⁴⁴. Dalits are mostly landless. There are major numbers of population followers are from the lower caste background. it is rare that the head if a head of any deras is from lower caste background or from the non-jats Sikh, Nirankari belongs to khatri caste sacha sauda and radha swami belongs to Jat sikh and their followers are mostly from Dalits. So control also lies in the hand of upper caste the sikh empire during Ranjit Singh period and British government helped them to make hold over land but how Dalit were discriminated because of their landlessness. His study on Doaba which is a sub region of Punjab but not discussed about

⁴¹ Ibid.

⁴² Amrinder Pal Singh, Farm worker Vs Rich Farmer, economic and political weekly, vol.14, No. 42, 1979, 1753-1754

⁴³ Ibid.

⁴⁴ Ram, Ronki, Social Exclusion Résistance and Deras: Exploring the Myth of Castless Sikh Society in Punjab, *Economic and political Weekly*, Vol. 42, No.40, 2007,pp A79-A85

the Malwa region of Punjab which is mainly agricultural area and in this area proportion of land is more than the Doaba region.

Paramjit Singh Judge written on “social change through land reform” said that why the land reforms were not succeeded to bring social change. He also defined the reasons for failure of land reform. Another important work done by Paramjit Singh was on “Mapping Dalit contemporary reality and future prospects in Punjab.”⁴⁵ This work was based on empirical investigation of rural and urban Punjab. The urban Dalits have undergone rapid changes in their condition which have been transformed into political empowerment at local level despite the changes; there is certain aspect of their life, which was not undergone change. But land which is hardly touches in his work which plays very important role for consciousness of every category. In rural Punjab jats are dominant because of land holding and situation of Dalits in urban are better than rural Dalits because rural Dalits have depend for agricultural labor and urban Dalits have alternative sources of income so the situation of Dalits in rural areas varies because they are mainly depends on agricultural labour but in urban areas they have other source available for their income sources⁴⁶.

Surinder S. Jodhka in “Beyond ‘Crises’: Rethinking Contemporary Punjab Agriculture”⁴⁷ discussed about the situation of agricultural growth was at highest during 1960s to 1980 because of green revolution. In this context he mainly discussed about the impact of green revolution on the agriculture of Punjab but after 1980 powerful ethnic movement (Khalistan movement) was crisis in Punjab. He also discusses causes of crisis in agriculture of Punjab but never discussed the situation of Dalits who are mainly engage in or works as agricultural laborers. So he has written in more in economical perspective than social situation of Punjab. Agrarian changes, non-

⁴⁶ Paramjit Singh Judge, *Mapping Dalits contemporary Reality and Future prospective in Punjab*, Jaipur, Rawat Publication 2009.

⁴⁷ Surinder Singh Jodhka, Beyond ‘Crises’: Rethinking Contemporary Punjab Agriculture
Economic and Political Weekly, Vol. 41, No. 16 (Apr. 2006), pp. 1530-1537

freedom and attached labour – he discussed in the situation of attached laborers and their situation in which they are living like a life of slave. He has also mentions about the land reform that was the best method for the empowerment of landless in rural areas of third world countries but in Punjab the rise of rich farmers as political ruling class will also meant a future marginalization of Dalits and landless peoples. In this context he has further talked about land reform and relation of Dalits and also about the landless peoples in Punjab but he never discussed the implementation of Punjab village common land Act 1961 because the reserved Shamlat land is also in the possession of Jats community.⁴⁸

Sucha Singh Gill "changing land relation in Punjab and implication of land reform" examine the changing land relation and relevancy of existing land reform measures in the Punjab he discussed very well information about the land reforms initiatives taken by the goverments of Punjab and haryana.provisions on land ceiling Act1972, and other land laws in punjab, he focused on how landlord manipulated data to show minor as adult, banami transactions and other method they used to hold land beyond the ceiling limit, because of that land reforms not achieved its objectives. His work is very important in the context of implimentation of land reforms, but never discussed situation of Dalits in punjab. impact of landlessness to their socio- economic situation.⁴⁹

Given this backgroud the prsent research is an attempt the situation of Dalits in punjab. A lot of work has done by the many researchers and scholars and there are many researchers are working on the socio- economic status of Dalit but very little research had been done on issues related with land and social exclusion of Dalits in the landless perspective. Specifically in the context of Punjab. There were many legal statutes that have been enacted for them in land distribution but in reality it has not executed as per the provision of law. In this present study I focus on mainly on Punjab. What is actual social reality in Punjab in the context of agricultural land holding and causes of their social exclusion and marginalization.

⁴⁸ ibid

⁴⁹ Sucha Singh Gill, Changing Land Relation in Punjab, and Implications for Land Reforms, *Economic and political Weekly*, Vol. 24, No.25, A79-A85

Objectives of Research

The objective of this study is to explore the socio-economic situations of scheduled castes in Punjab and the importance of land for them how they are marginalized because of the situation of landlessness. To enquire the place where the Act has been implemented, to what extent they had benefited from implementation of the Act. Specifically in Malwa region and practical applicability of Punjab village common land Act 1961, which was enacted by the Punjab government for the economic upliftment of the schedule caste peoples of the Punjab and what the role of landlessness in their socio-economic situation and marginalization. This Act was enacted in 1961 and This Act reserved 1/3 of Shamlat land for the scheduled castes but till date the actual reality is just opposite the expectations of the makers of this Act scheduled caste peoples are struggling for their legal right they have very less proportion of agricultural land.

Research Questions

- What is the Role of Punjab alienation of land Act 1900 in socio-economic exclusion of dalits in Punjab?
- What are the reasons responsible for non-implementation of PVCLA 1961 till now?
- What are the Causes of failure of Punjab Land reform (ceilings) Act 1972 Situation?
- How the peoples of Sangrur performing collective farming on their share of Panchayati land?

Hypothesis

The Punjab Village common land Act 1961 which was enacted before 57 years for the welfare of scheduled caste families to provide them 1/3 of part of Shamlat land for the agricultural purposes but it is still not properly implemented in Punjab. Earlier people stated to claims their share in Shamlat land so that in some village of Sangrur they were socially boycotted by the

upper caste peoples of the village. Some place they were faced physical violence from upper caste.

Research Methodology

The purpose of present research implementation of Punjab Village Common Land Act 1961 for the benefits of Schedule caste peoples in Punjab. For present study Sangrur district of Punjab has been selected because in the district a lot of Panchayati land is available. So for this purpose the Descriptive method used for historical and theoretical analysis.

Chapterisation

In this background the dissertation is divided into three main chapters apart from introduction and conclusion to explore the reasons why Dalits are landless and what are the reasons because of that they are presently landless and what are the reasons land reforms were not successful. The chapter-1 deals with socio-legal reasons of their landlessness. The second chapter deals with post-colonial policies and legal provisions which were initiated by the center or state government for the upliftment of landless, but practically those not benefited to the needy segment of society and the third chapter is concern with implementation of Punjab Village Common Land Act 1961 for the benefits of Dalits in Punjab.

The details of chapter are discussed as follows:

Introduction: The Introduction chapter deals with conceptualization and trying to trace the historical reasons because of those Dalits have no land, and upper castes have land, and how it benefited to the upper caste for their social and economic dominance in society.

Chapter: 1: This chapter attempts to analysis the objectives of land reforms in India after 1947 and what were the reasons the land reform not achieved its goal.

Specifically deals with the Non-implementation Punjab Village CommonLand Act 1961.

Chapters: 2: This chapter deals with Social and Legal reasons in Dalit assertion of land. This chapter looks into the historical cause because of those Dalits are landless in Punjab before the and during Britishers period.

Chapter: 3: This chapter is exploring the places where this Act is Implemented and what kind of problems Dalits faced during their struggle for getting their share in Panchayati Land.

Conclusion: The conclusion chapter summarized Dalits and landlessness in Punjab. It is also stated in this chapter that how Dalits have been socially excluded in the context of landlessness by the system, the landlord in the state. Lastly this chapter concluded with the research findings of the study.

CHAPTER 1

Colonial Policies and Land reforms

Historical Background of Land reforms in India

Most of the countries of the world got independence, from the exploitative colonial rule during the period of 1940s to 1960s, which exploited the natural resources and economy of these countries for their self interest, to meet the needs of resources and market needs of their industries and to cater the food needs of their population, and have used them as their colony, and India was also one of them who got independence from British rule in 1947.⁵⁰ After Independence from British rule India had brought many land reforms for abolish intermediates. The objectives behind these land reforms were to increase and develop the agricultural production. In this direction first step was taken by passing a law related to abolition of Zamindari system, with first amendment in Indian constitution when article 31A and 31 B were introduced.⁵¹

The government of India neither adopted the socialist model of economy nor capitalist model of economy because social and economic situation of our country was not in favor of these models, but Indian situation demands mixture of both models, so Indian government opted mixed economic model of development. As we know, India is an agrarian country and Indian economy mainly depends upon agricultural activities, and at that time landholding was a very big issue for them so the government of India regulated Land reforms in India for socio economic development of the country. According to S.T. Thirumalai in 1947,⁵² Indian agricultural land was administered under three systems, of which the Zamindari system extending in major nine provinces covered nearly 57 per cent,⁵³ Mahalwari system was prevalent in 5 percent of the area, and Raiyatwari system was prevalent in about 38 per cent of the area. Before 1947 the concept of security of land tiller was not present and there was a parasitical layer between the tiller and the

⁵⁰ B.K Sinha, Pushpendra, Land Reforms in India an Unfinished Agenda Sage Publication New Delhi, 2000, pp.30-34

⁵¹ Constitution of India Amendment first amendment Article 31A introduced, 1951.

⁵² Ibid.

⁵³ Sucha Singh Gill, *Land Reforms in Indian Intervention for Agrarian Capitalist Transformation in Punjab and Haryana*, New Delhi, Sage Publication, pp.29-30

Zamindar that collect revenue from the tiller of land. The tax amount was fixed proportion of amount which was varied according to the state.⁵⁴

After 1947, the Uttar Pradesh was the first state where Zamindari Abolition Act 1950 was enacted. But because right to property was a fundamental right at that time, so the Allahabad High court had declared this statute ultra-vires of Indian constitution and this statute created problem for Zamindar, Talukdars and other intermediaries, because the constitution of India provided under Article 31 right to property as fundamental right. This right created many problems for the government also to acquire land for public purposes, so taking it into consideration the government of India had removed this right from the list of the fundamental right and incorporated this right into legal right by the way of first constitutional amendment in 1951. During 1950 to 1955 all states of India enforced laws related to land reforms, abolition of the Intermediaries and Zamindari System.⁵⁵

The process of Land reforms in India can be divided into three phases⁵⁶

- 1 1951 to 1955
- 2 1955 to 1971
- 3 1992 to 1995

Bhoodan Movement 1951-1969

This movement was initiated by Vinoba Bhave. This movement was started after the Tebhaga movement of Telengana. He started this movement with the objective of peaceful redistribution of land to the landless from the landlords. So that he demanded land from the landlords of country for distribute their land to landless. For this movement he travelled across the whole India more than 80,000 kilometers on foot. It was the first national level social movement with objective of land distribution. And he got positive response from the peoples.

⁵⁵B.K Sinha, Pushpendra, Land Reforms in India an Unfinished Agenda Sage Publication New Delhi, 2000, pp.30-34

The half million donors donated him 18.58 million hectare land and out of 9.88 million hectare land was distributed to landless. So that with help of this movement said proportion of land distributed between the landless which benefited them. And the rest land had some reason like some land were non cultivable, some had documents related problems because of that rest land which was donated by the landlord for Bhoodan not distributed among the landless peoples.⁵⁷

Second Phase of Land Reform in India

Feudal land system, Zamindari System were resolved legally abolished so that in this period main objective was redistribution of land and land ceiling, how much maximum ownership of land can hold an individual or a family and also abolition of intermediaries. The first land ceiling law (The West Bengal Land Reform Act) was introduced in West Bengal, after that different state decided different land ceiling.⁵⁸

Third Phase of Land Ceiling

During India Gandhi government in 1972 a conference held in New Delhi with chief ministers on dated 23 of July.⁵⁹ In this meeting land ceiling related decision was taken regarding the land ceiling, new limits guidelines were decided to determine the limit of holding land ownership, and surplus land should be given to landless and also agricultural labour. In this period land ceiling limit was revised and the new ceiling limit was implemented with retrospective effect from dated 24 Jan.1971.⁶⁰

⁵⁷ *ibid.* , 20

⁵⁸ *ibid.* , 21

⁶⁰ B.K Sinha, Pushpendra, Land Reforms in India an Unfinished Agenda Sage Publication New Delhi, 2000, pp.30-34

Tenancy Reforms

The Punjab Land Tenancy Act 1887 was enacted by the British government which deals with tenant and landlord. This Act consists 112 sections and divided into seven chapters. This Act was enacted to define the definition of tenant, land, landlord and rights and liabilities of tenants. This Act provided some security toward the cultivator of land.⁶¹ Earlier situation of tenants and cultivators of land very bad, the tenants can be ejected by the landlord any time, they depends on the will of landlord. This Act, had provided proper procedure for the ejection of tenant from land which is cultivated by the tenants, so that this Act specified the duties and liabilities of both landlord and tenants and if there is any conflict or issue arises between them what procedure should be followed for that and what kind of remedy for it. Now both are bound in legal relation. If tenants have right to occupancy that it also duty to pay rent for that part of land which tenant is cultivating.⁶²

Punjab Security of Land Tenures Act 1953

This was also a part of land reform in Punjab so that this statute was enacted with the objective of, to define how much or maximum piece of agricultural land, an individual can hold ownership right. This statute has 28 sections which deals with or provide security to tiller of land in legal sense. According to the provisions of this Act an individual have right of non-displaced for 30 standard acres and in case of a displaced person, he have right to hold 50 standard acres of land

⁶¹ A Lawyer, *The Punjab Land Tenancy Act 1887*, Jain General Law Agency, Chandigarh. 1976, pp. i-iv.

⁶² Rajesh Gupta, *Land Laws in Punjab*, New Garg law House, Chandigarh, 2013, pp.146-205

for the purpose of self cultivation purposes.⁶³ Section 14 A defines procedure for ejection of tenant. ⁶⁴

Agriculture play vital role in India's economy. 54.6 percent of the population engage in agriculture and allied activities.⁶⁵ (Census 2011) Land is not only a very important economic resource but at some extent it is a matter of dignity or proud in Punjab.

"the Punjab state have total geographical are 5.03 million hectares out of which 4.20 hectares is used for cultivation and cropping intensity of Punjab is 189%. The Punjab received Krishi Karman award for year 2010-11 for the record production of 278.67 lacs tons of food grain production.⁶⁶

⁶³ J.L. Jain *The Punjab Security of Land Tenures act 1953*, Jain Law Agency , Chandigarh, 19765, pp.1-2

⁶⁴ Ibid.

⁶⁵ *Annual Report 2016-17*, New Delhi, Ministry of Agriculture & farmer Welfare, p. 1

⁶⁶ *Annual draft agricultural Department . Punjab 2010-11*,p.1

Table- 1.1 Land Use Pattern of Punjab

Sr. No.	Classification	1900-91	2000-01	2007-08	2008-09	2009-10	2010-11	2011-12
1	Reporting area for land use	5533	5533	5533	5533	5533	5533	5533
2	Forest	222	280	287	296	295	294	293
3	Land not available for cultivation	426	438	507	517	528	532	533
A	Land put to use non agricultural use	343	410	483	494	503	508	508
B	Barren and uncultivable land	83	28	24	23	25	24	25
4	Other uncultured land	57	22	10	10	11	12	11
5	Fallow land	110	43	42	39	41	37	36
6	Net area sown	4218	4250	4187	4170	4158	4158	4158
7	Area sown more than one	3283	3691	3695	3741	3717	3724	3722
8	Total	7501	7941	7869	7912	7875	7882	7880

	cropped area							
9	Net Irrigated Area	3909	4038	4077	4067	4073	4070	4071
10	Gross Irrigation Area	7055	7664	7688	7724	7714	7724	7723
11	Cropping Intensity %	178	187	189	190	189	189	189

Sources - Draft agricultural Department. Punjab 2010-11⁶⁷

Land reforms in Punjab

Land is an important natural economic resource but also a matter of social dignity and proud. A landlord feels always proud on his land property. Jats in Punjab, Yadavas in Utter Pradesh are dominant because of land, otherwise they belong from Shudra Varna.⁶⁸ Hira Singh Discussed in his edited book, Recasting Caste Ahir cultivate in their fields and Chamars (Schedule Caste) work in the fields of Rajputs (Upper Caste),⁶⁹ it shows Dalits works in for upper caste on their agricultural field they work as agricultural labour and that was their main source of income to survive. So that they depended on them, and the other side Yadavas are performing agriculture on their own fields so that generate self revenue to survive.

Dalits are landless from ancient times due to Varna system after that during British period were remained landless in Punjab, the Punjab Alienation Land Act 1900 was one of reason in the context of Punjab. During in post independent period land reforms, have taken place in India for abolition of Zamindari system with the objective redistribution of land so that beyond the limits

⁶⁷ ibid. , p.24

⁶⁸ Depankar Gupta, *Caste in Question*, New Delhi, sage Publication 2004,p.44

⁶⁹ Hira Singh, *Recasting Caste*, New Delhi, Sage Publication, 2014. Pp.xix

of land ceiling, surplus land should be given to landless and the preference should be given to members of schedule caste, which was not successful.⁷⁰

The government of India issued guidelines to state government to enacted land ceiling Act⁷¹ in their state according to their requirement to stop the Zamindari system in India because agricultural is in state subject list so that state government have right to make laws to deal with agricultural sector.⁷² And redistribution land to help the landless in their socio economic development. The government of India had passed an Act in 1950 by the way of amendment in Indian constitution to abolish landlordism.⁷³ After that different state had passed Act to abolish landlordism according to their situations. In PEPSU area PEPSU abolition of Biswedari ordinance⁷⁴ was issued in 1950 after that in Punjab for the Abolition of intermediaries Ala Malkiyat and Talukdar Act 1951 enacted by the state government to achieve this above said objective. It was re enacted in 1952 than institution of Zamindari system was abolished in budget session of state legislature October 1952; a bill was passed for the abolition of Jagirdari system in the PEPSU state in 1953. In 1950 the in PEPSU abolition of Biswedari ordinance was issued. In both areas occupancy Act were passed vesting rights in the occupancy tenants. The final shape to tenancy legislation was given by Punjab security of land tenure act 1953.this was applicable in Punjab and another land related Act was PEPSU tenancy and Land Act 1955, which was applicable in PEPSU area.⁷⁵

⁷¹ Sucha Singh Gill, *Land reforms in India-Intervention for agrarian capitalist transformation in Punjab and Haryana* ,Sage Publication: Vo.6 p.190.

⁷² Constitution of India

⁷³ B.K Sinha, Pushpendra, *Land Reforms in India an Unfinished Agenda* Sage Publication New Delhi, 2000, pp.30-34

⁷⁴ Biswedari System- it was enforced in PEPSU area for collection of land revenue(Batai) from the tenants

⁷⁵ ibid

The Punjab security of land tenure Act 1953 which was enacted on dated 15 April 1953.⁷⁶ It consists 28 sections. The primary objective of this Act was to insure some part of land to cultivator of land, and minimum time periods regarding ejection of tenants. So that in this Statute has provision for the land ceiling. How much maximum an individual can hold land. A landlord after the ejecting tenants may either cultivate that land himself or might be give that to any other tenant. The legal provision was that a tenant should not be ejected up to area of 5 acres(including any other land held by him) until tenant had been settled to any other alternative land means 5 acres secure land was given to a tenant,⁷⁷ whether the tenant had land given by big or small landlord that was irrelevant.⁷⁸

PEPSU laws have provision if a tenant hold a particular land or that land is in the continues possession of tenant from 12 years at the commencement of this Act (Dec.3,1953)⁷⁹ PEPSU law gave security of tenure up to 15 standard acres to tenant. This provision was in PEPSU laws but according to Punjab laws a tenant who is a big land holder would not be ejected till an alternative land had been given to tenant so land landlord had to provide him firstly another land for ejection from present land and for the small land holders has been given security up to 5 standard acres

PEPSU and Punjab both laws which contains provisions those enable tenants to voluntarily acquires ownership in the non resume able area if they had continuous standing of 6 years in Punjab and 12 years in PEPSU area. The amount of compensation in PEPSU area was 90 times the land revenue (including rates and less) or Rs 200 per acre whichever is less The amount of compensation payable in Punjab was 3/4 of market value⁸⁰

The land ceiling was in Punjab 30 standard acres (50 standard acres for displaced person) and Punjab government had empowered to take over surplus land above permissible limits. In the PEPSU area land ceiling was 30 standard acres (40 acres in case of displaced person) but

⁷⁶ ibid

⁷⁷ Sucha Singh Gill, Land Reforms India, Vol. 6, Sage Publication, New Delhi, 2001, p.31

⁷⁸ Ibid. ,26

⁷⁹ J.L. Jain, *Punjab Security of land Tenure Act 1953*, Jain Law Agency: Chandigarh, 1976. P.9

⁸⁰ Sucha Singh Gill, Changing Land Relation In Punjab and implication of Land Reform, Economic and Political Weekly, 1989. A 79-A85.

there were some exemptions to co operative garden colonies, land granted for gallantry to army person, orchards, well run farms, and tea estates. These exemptions were in both states Punjab and PEPSU.⁸¹

After 1947, the government of India had brought many land reforms to abolish intermediaries, and to increase the agricultural productivity and develop agriculture sector in new lines. So that government will achieves their socio economic development of India.⁸² There were many statutes were enacted in Punjab related to Land ownership, tenancy and land reforms in India and in the context of Punjab. The legal provision can be divided into two parts.

Before 1947

The British government enacted some statutes related to land in Punjab. It appointed zaildars and Lambardars in village to ensure their land revenue from the villages.⁸³ The Punjab Tenancy Act of 1887 and the Punjab Alienation of Land Act of 1900 were passed. The Punjab Alienation Of land Act about which we have discussed in previous chapter. In this chapter we shall explore the Provision of Tenancy Act 1887. And After 1947 the Punjab Security of Land Act 1953, Land ceiling Act were enacted by the government of India with the objective of land reforms. The role of India Gandhi is very important in land reforms. She performed much amendment in the Indian constitution, during her second tenure.⁸⁴

Objectives behind Land Reforms

After 1947 when India got independence many land reforms were introduced in India that was a constitutional amendment, enactment of specific Act (central or state government) or any social movement those all have certain objectives.

1. Re Distribution of Land among the landless

⁸¹ Shyamala Bhatia, Social change and politics in Punjab, Enkay Publication, new Delhi, 1987, pp.220-229

⁸² *ibid.* , 27

⁸³ Rajesh Gupta, Land Laws in Punjab, New Garg House, Chandigarh, 2013, pp. 143-205

⁸⁴ *ibid*

2. Raising productivity of land for more production
3. Planned Socio economic development
4. To stop the exploitation of tenants from the landlords
5. To ensure social harmony in rural society because the land distribution pattern had created tension, which threaten the foundation of socio economic scenario of the society.⁸⁵

So that main goal of the government was to established socio economic development in India because our situation they adopted that mixed economic model which will ensure socio economic development in India. There were some other social movements India which had tried to establish land reform in India or re distribution land in India to ensure socio economic develop in India.

Establishment of the congress agrarian reform committee initiated in December 1947 which was setup by Dr. Rajindra Prasad under the chairmanship of Sh. J.C. Kumarappa was another major milestone in the direction of land reforms in India. Revenue Minister Conference took place in Delhi December 1947. The objective behind to constitute this committee was to examine and make recommendations regarding agrarian reforms arising out of the abolition of Zamindari system and the conditions prevailing in different provinces⁸⁶.

This committee has also to consider co operative farming and prepare report. Primarily their focus was to eliminate the all intermediaries between cultivator of land and state. They also have to make report on positions of small land holdings, landless laboures, and methods of improving agriculture production, Sub tenants, and the conditions of rural population. This committee submitted their report on July 9, 1949,⁸⁷ which suggests very situation of land ceiling or ownership to land holding to land tiller (actual land cultivator) is very low. the main problem in transfer of land to tiller and in to achieving in socio economic goal of modern society which was this committee gave its suggestions that for reduction in large land holders, redistribution

⁸⁵ Sucha Singh Gill, Changing Land Relation In Punjab and implication of Land Reform, Economic and Political Weekly, vol.24, No.25, 1989, A79-A85.

⁸⁶ Konrad Bekker, Land Reforms Legislation in India. *Middle East Journal*, Vol. 5, No. 3 ,pp. 319-33

of surplus land and rehabilitation of landless this committee report categories three types of reforms.

Economic Holdings

Basic Holding

Optimum Holding⁸⁸

And there were two other classes of peoples those depended on agricultural

Landless labourers and cultivators of pro uneconomic holding these peoples suppose to survive primarily on agricultural wages so that the surplus land which is beyond the land ceiling limit should be given to them for the cooperative joint farming by the village community and the land ownership model which was this committee suggested 'land to tiller' means the land should be given to person who is actually cultivating the land by his physical labour to land, or performing agricultural labour to land. The view of committee was land should be held for use and cultivator should have given permanent inheritable right of the land. There were certain exceptions which committee had suggested that widows, minor, and Person with Disabilities.⁸⁹

The committee was wants to suggest that the land holding should be either held by land tiller (who perform physical labour in cultivation of land) or it may held by village community so behind it they wants to suggest that big landlordism should be abolished and land should be given to actual agricultural labourers.

The congress agrarian reform committee submitted its recommendations were not uncontested within the congress party and outside the congress party. The first draft of five year 1952 plan rejected land ceiling as too costly to implement and perceived its controversy to the productivity imperative in agriculture. A publication published in 1955 by the ministry of food and agriculture referred the land ceiling issue is a subject of heated controversy. It compared absentee landlords as absentee owner in industry (shareholders) which was opposite to the

⁸⁸ ibid. 29

⁸⁹ ibid.

committee report. The ministry report argue that the landlords could not be condemned unless land resources were being insufficient used.⁹⁰

The agricultural ministry justified the resumption of land from tenants for self cultivation. The arguments of modernization and efficiency were invoked both for land resumption as well as against land ceiling. So that it is showing their attitude which was clearly some extent against the redistribution of land or land ceilings they were against the land reforms legislations and not in fully favor of to implement land reform in India.⁹¹

Their legislations related to land reform have full of loopholes the provincial administration which was supposed by to enact this land ceiling and related to land reform legislation was dominated by landed elites so that they continuously delayed and diluted land reform legislations for suit their interest. Landlords wielded considerable clout in the state and central administration.⁹²

The second five year plan (1956) recommended exception from land ceiling for large farms that were efficient mechanized and based on heavy investment. This was reflecting in the ceiling laws passed by various state assemblies. Thus the debate on land policy reflected the balance of political forces and the nature of Indian state how the protected the interest of landlords.⁹³ It had two main features which were silently worked for the benefits of landlords. First to promote capitalism modern efficient farming and second is two abolish the intermediaries between the cultivator and the government. So that the second feature was for protecting tenants and providing ownership to tiller of land, but whenever it involved conflict with the first the land policy allowed eviction of tenant's .under the provisions of land resumption for self cultivation within the ceiling limit.⁹⁴

⁹⁰ B. K. Sinha, Pushpendra, Sukumar Das, Land Reforms in India an Unfinished Agenda, NewDelhi, *Sage Publication*,2000, pp. 29-40.

⁹¹ *ibid*

⁹² *ibid*

Sucha Singh Gill, Changing Land Relation in Punjab, and Implications for Land Reforms, *Economic and political Weekly*, Vol. 24, No.25, pp. A79-A85

⁹⁴ *Ibid*. 31

Reason in failure of Land Reform

Now we are familiar with many land reform legislation and recommendations which were prepared by the committees for the redistribution of land so that landlordism would be abolish and land should given to tiller but those were not successful because of that situation of land tiller is an agriculture laboures and these are mostly from scheduled caste family.

There are many flaws in land legislation in Punjab and PEPSU. The first one is that the passing of land reform legislation relatively took longer time because of that the land owners prepared themselves to face these land reforms. As result before implementation of land reforms a large number of land owners ejected tenants on papers as well in practice because mostly bureaucrats were from land owners families and the other side state assembly and local administration was also dominated by them. It is well known fact that community which is dominant in authority over the political or administrative authority can fulfill its interest with the use of these authorities.⁹⁵ It was the reason that why landlords were able to suppress tenants.

The provisions like self cultivation, voluntary surrenders, and exceptions from the provisions of ceiling of land under the 'co operative garden colonies,' well run farms, were the serious legal flaws which favors land owners and did grave harm to the tenants. The 1972 Act still contains various loopholes which benefit the landlords from ceiling of land. For instances exception from ceiling of land was given to those lands which had been transferred in various names up to July 20, 1958 or in case of a person in question who died before Decembers 23, 1972 so that with use of these provisions numbers of landlords managed to retain their land.

Mostly these land owners were economically well and the tenants or landless laboures were economically poor so that was beyond the economical capacity of tenants to acquire ownership of land. Therefore these landless peoples did not have adequate resources to compete with landlords. On the other hand land owners have good relations with auctioning officers. They used economic resources to approach revenue court with the help of lawyers who defend them in

⁹⁵

Ibid

court and other side landless and deprived peoples who actually needed land did not get land by auction. This was tragic outcome of the open auction policy.⁹⁶

It frustrated the cherished idea ideology of land to tillers and these tiller or land cultivators were mostly from schedule caste or schedule tribe. They were not economically well and socially sound to participate in these auctions and they were also not well informed about these provisions. They have some extent fear from the land owners also. The second reason was bureaucracy is also responsible in non implementation of land ceiling or land reforms. These bureaucrats were mostly from upper caste who are mostly landlord families so that they never wants to land reforms in implementation the reason was behind that they will lose surplus land and the second most important reason was the their servants will become equal to them so that we can assumed they were biased towards the landlords.⁹⁷

On the implementation of land ceiling and disposal of surplus land in July 1972 the governor of Punjab appointed a committee headed by Harcharan Singh to probe into the setting up of sizable agricultural farms on evacuee land by officers, their relatives and other influential public men. The surplus evacuee land of various kinds after the rehabilitation of refugees from Pakistan was inherited by government of India which transferred to the government of Punjab in 1960-61 at price considerably below their market value. It was expected that Punjab government will distribute 3,74,000 acres among the landless.⁹⁸ (Sucha Singh Gill). The government had adopted the open auction policy to dispose this land. But the influential persons through restricted auctions and illegal deals acquired a major part of this land.⁹⁹

This committee after its investigation founded many illegal deals by the influential persons including the agricultural minister, development minister, parliamentary secretary, assembly speaker, congress MP s and founding members of the Punjab state assembly, some senior police officers and several provincial civil servants, these influential persons had acquired

⁹⁶ Sucha Singh Gill, Land Reforms India, Vol. 6, Sage Publication, New Delhi, 2001, pp. 152-168

⁹⁷ ibid

⁹⁸ Sucha Singh Gill, Land Reforms India, Vol. 6, Sage Publication, New Delhi, 2001, pp. 152-168

⁹⁹ Sucha Singh Gill, Changing Land Relation in Punjab, Economic and Political Weekly, 1989, pp. A79-A85

⁹⁹ Ibid. 33

land in the name of relatives, obliging tenants or landless Schedule caste. The fact was that the elite of the Punjab society the individuals in commanding political positions, law makers reversed the process of land reform, and because of their influence those were exonerated by the state government after the resignation of ministers and speakers of legislative assembly had been taken up.

The caste factor had played an important role in non implementation of the land reform because the mostly the beneficiaries belongs from lower castes and whereas the land owners belongs to upper castes. According to Punjab land ceiling Act 1972 , the top priority should be given to members of schedule caste means to give land to the landless laboures particularly those belongs to schedule caste but practically it could not happened. As per the norms laid down by the government of India, priority should be given to weaker section of society schedule caste and schedule tribe for the distribution of land.¹⁰⁰ But schedule tribe is not in Punjab so that priority should be given to schedule caste in assignment of land.¹⁰¹

When the legally surplus land was allotted, the previous owners did not allow the beneficiaries to take possession of land because beneficiaries socially politically backward and economically weak so that they are not able to get proper benefits from land reforms and other side landlords were socially economically and politically advanced or developed then the beneficiaries. The other peoples of village were also in favor of landlords.

The lower caste peoples depended on landlords for many reason so that they could not go against the land owners and their dependency for wages other fear from landlord was one of the main cause of because of that they did not go against the landlord. And the outcome of that is schedule caste is still landless and mostly land holding is in the hands of Upper caste this shows that how they misuse the land reform.

The schedule caste and schedule tribe could not benefited only by direct transfer of land, but if the land was transferred to them was mostly of poor quality which needs heavy investment,

B.K. Sinha and Pushpendra, Sukumar Das (Ed.) Land Reforms India an Unfinished Agenda, New Delhi, Sage Publication, , p.34.

¹⁰¹ Ibid 33

and outcome of that they could not be expected to mobilize their own resources nor they get credit from financial institutions. Inevitably land was left uncultivated and passes into the hands of those with adequate recourses.¹⁰²

According to data compiled by the ministry of agriculture the middle of 1986 it transpired that under amended ceiling law only 18,50,447 hectare of land had been declared surplus, 13,12,536 hectare had been taken possession of and 9,22,529 hectares land had been distributed. There was 58 % increase in vesting, 27% increase in taking possession and 10% increase in distribution of vested land; compared to what was done under old laws during the record phase of reforms the Bhoodan movement in Punjab also got much land¹⁰³.

The question was where is reaming land, this land is also used by the landowners, village panchayat in Punjab also have huge land, but mostly this land is also under the control of upper caste (Jats Sikhs) In Punjab. This is the main reason jats have 95% land in Punjab (census 2011) and schedule caste peoples who share 31.94 % population of Punjab they have only three percent land in Punjab.¹⁰⁴

So that to ensure the certain share of lower caste (Schedule Caste) the Punjab government enacted Punjab Village common land Act 1961. This Act secure (reserved) 1/3 of Panchayati land to the member of schedule caste.¹⁰⁵ But practically because of unawareness and their socio economic situation it was used by upper caste (Jats Sikhs) on the name of member of schedule caste.

Land owners used many methods to avoid land reforms legislations devaluation of land was one of the method used by the land owners Especially in Punjab land ceiling Act 1972, the provision in ceiling Act were, how much maximum size of land can hold a family or an Individual. According to land ceiling limit a family (includes two adults and three minor) can hold ownership of land, 17.5 acres for double cropping land under assured irrigation, 27 acres for

^{102.} Sucha Singh Gill, Changing Land Relation in Punjab and Implication for land Reforms, Economic and Political weekly, Vol.24,No.25,June 24, 1989, p. A-80

¹⁰³ ibid

¹⁰⁴ Census of India 2011

¹⁰⁵ Punjab Village Common Land (Regulation) Act 1961, Singla Law Agency , Chandigarh, 2016

one crop land under assured irrigation, 51 acres for *Barani (Dry Land)*¹⁰⁶ land and, so that the landlords manipulated land records to showing double cropping land as single cropping land means the land which produces two crops in year they showed that land produces single crop in a year.¹⁰⁷

Apart from this they produces fake age certificate of minors and showed in documents as independent and separate cultivator through Benami transfers because according to Act" family means two adults and three minor children,¹⁰⁸ so that when the number of family members exceed from five the or there were three adults in family the permissible area for each members excess of five, subject to condition that additional land shall be allowed for not more than three such members. Some time landlords managed suits with help of fake tenants.¹⁰⁹

Such suit was decided in favors of the tenants because the landlords did contest them. A copy of decision used to be submitted in the office of SDM (Sub Divisional Magistrate (civil) and on paper the land was distributed among the fake tenants. In such cases the revenue officials including SDM exhibited 'exemplary efficiency', some of landlords have pressured the beneficiaries for voluntarily surrender or to ensure Benami transfers (in the name of non existing person) with help of revenue officers and police.

These kinds of transaction occurred or loopholes of laws used for the benefits of landlords were possible only with the convenience or help of the officials of revenue department. Implementation of land reform was not easy task because of lack of time at the disposal of officials concerned helped or we can benefited to the landlords in manipulating land records, the executing machinery had taken implementation of land reform as an additional burden to them.

It is very clear that land reform played vital role in third world countries like china, India which got independence in 1950s -1960s. Most of the countries adopted land reform for the development. But in India because of caste based segment of society and in context of Punjab

¹⁰⁶ Barani- Dry Land

¹⁰⁷ Sucha Singh Gill, Changing Land Relation in Punjab and Implication for land Reforms, Economic and Political weekly, Vol.24, No.25, June 24, 1989, pp. A-79-A85

¹⁰⁸ Bardhan Pranav K., Variation in Extent and forms of Agricultural Tenancy, EPW, Vol.11, No. 38 1976, pp. 1541,1543-1546

casteism is more complex because of Sikh religion according to Varna system Jats were part of forth Varna which is Shudra but because of they have land ownership they are dominant in Punjab.¹¹⁰ In Punjab is land is not only a resource but it is matter of proud.

In Punjab *Zaildari*¹¹¹ and in PEPSU area *Biswedari system* was prevailed which was like permanent Zamindari system.¹¹² Caste was a crucial factor which affected very much to the land reforms in Punjab. Most of the landlords belongs from upper caste and tenants especially landless laboures who belong from lower caste. The schedule caste were mostly landless and because of that they were depends on the land of Jats for their needs and they work in their land as laboures. Their dependency becomes the reason of their social and economic marginalization.

There were many Act passed by the in Punjab by the government for land reforms Punjab Village common land Act 1961, Punjab Land Ceiling Act 1972 are very important statutes because both are mainly concern with schedule caste.¹¹³

The Punjab village common land Act resaved 1/3 of total Panchayati land for the members of schedule caste which is given to them every year by the way of auction.¹¹⁴ The Punjab land ceiling Act 1972 has fixed a new level of land ceiling in Punjab and the surplus land should be given to members of schedule caste and schedule tribe because of this reason they are important land reform for the schedule caste because they have provision to benefits the members of schedule caste. But in practical sense these land reforms did not succeeded. Land owners used different ways to abide these land reforms. Bureaucracy was also biased in favor of land owners, Benami transitions, devaluation of land their socio economic situations political power and other factors helped land owners to abide land reforms provisions.¹¹⁵

¹¹⁰ Depankar Gupta, *Caste in Question Identity*, New Delhi, Sage Publication, 2004 p.44-45

¹¹¹ Zaildari System- Appointed by British Government for 40 to 100 village

¹¹² Sucha Singh Gill, *Land Reforms India*, Vol. 6, Sage Publication, New Delhi, 2001, pp.189-190.

¹¹³ Ibid. 37

¹¹⁴ Punjab Village Common Land Act 1972 Singla Law Agency, Chandigarh, 2016

¹¹⁵ Ibid.

The objective behind land reforms was land should be given to tillers (the actual cultivator of land) and schedule caste were landless laborers at some extent some places they got surplus land but most of them did not taken advantage of that land. those who got land not cultivated it because they have fear from so called upper caste landlords they did not have courage to cultivate that land and ultimately upper caste peoples against got that land or cultivated that land so that mainly land reforms were took place in documents practically it remained to landlords.

CHAPTER 2

Social and Legal Reasons in landlessness of Dalits in Punjab

In the present chapter I shall discuss about the historical background and the cause behind the landlessness of Dalits in Punjab. In this context this chapter has been focused on social and legal reasons of the landlessness of the Dalit community of the state. On the other hand, this chapter also covered how it has been benefited to upper caste peoples in their social and economical development. In this broader framework this chapter divided into two stages i.e., first, Earlier Dalits could not have right to hold ownership of land property because of strict orders implementation of Varna, and second, during the British period how the land ownership policies had indirectly affected them. The best example is the Punjab Alienation of Act 1900.

Basically land holder feel proud for land holding primarily because it is an important economical resource. The Punjab state is agricultural state and food grain production is very high in comparison to other states of our country and also it supplies food grains to other states. The Green revolution has played very important role in agriculture production in the state¹¹⁶.

¹¹⁶ Annual report agricultural development department Govt of India

It is very clear according to Hindu religion which created Varna system in India which is in lower to higher caste structure. However, Sikhism was a social movement started by the Guru Nanak Dev ji in 14th century which was against the caste based identity and discrimination He gave the concept of *Sangat-Pangat*,¹¹⁷ and their 10th Guru Gobind Singh Ji gave to surname 'Singh' for men and 'Kaur' for women but present time surname are related to theirs Caste that one can identify their caste with the surnames. Jats are called Jats Sikh. The Chamar Caste peoples have two sub caste in Punjab.

Ramdasia and Ravidasia

The Ravidasia caste peoples practice Sikhism religion, and Ramdasia peoples follows Adi-Dharam, and the, Balmiki caste peoples called Majhabi Sikh.¹¹⁸

Land and Dalits

Agriculture play vital role in India's economy. As per the Census 2011, there are 54 per cent population are engaged in agriculture and allied activities.¹¹⁹ Land is not only a very important economic resource but it is some extent matter of dignity or proud in Punjab.¹²⁰ Punjab which is situated in northern part of India and it share 50323 sq. foot geographical area in total area of India (According to Annual report 2010-11, Department of Agriculture Punjab). The Punjab state have total geographical are 5.03 million hectares out of which 4.20 hectares is used for cultivation and cropping intensity of Punjab it is 189 per cent. Punjab received Krishi Karman award for year 2010-11 for the record production of 278.67 lacs tons of food grain production.¹²¹ Land holding in Punjab mainly lies in the hand of Jats Sikh Community. The Punjab

¹¹⁷ Sangat Pangat, To sit Together and Eat Food.

¹¹⁸ Ronki Ram, Beyond Conversion and Sanskritisation: Articulating an Alternative Dalit Agenda in East Punjab
Modern Asian Studies, Vol. 46, No. 3 (MAY 2012), pp. 639-702

¹¹⁹ Census of India 2011

¹²⁰ Annual Report 2016-17 Department of Agriculture and cooperation and farmers welfares. Pp1

¹²¹ <http://nfsm.gov.in/krishikarmanaward/backgroundnote.pdf>

Government in Enacted "The Punjab Village Common Land Act 1961 that specifically deals with Shamlat Land".¹²²

This statute reserves under section 6 clause of this Act.¹²³ One third of the total Shamlat Land was reserved for member of Schedule Caste Family for the agricultural purposes. This statute also reserves 10 per cent land for the member of backward class but due to social and economical influence of Upper Caste (Jats Sikhs) and illiteracy lack of proper information this Act is still not Implemented, But due to education and awareness in the part of Punjab, specifically in Malwa sub-region of Punjab, the members of Dalits community started demanding to get their share as per the provisions defined under the statute. The main problem was in implementation of this Act that land was utilized by the Jats Community which a very dominant community in Punjab and they are mostly land holding in Punjab.

As per latest Census, 2011, the total population of is 27.7 million¹²⁴ and the Schedule Caste population in Punjab is 88.60 lacs, which shares 4.3 per cent total Schedule Caste population of India. In Punjab their total population is 31.92 per cent and but they have only 3.20 per cent land so that landlessness affected their socio and economic life. The land of Punjab is not an issue of resource for their livelihood but it is also a part of their social dignity.¹²⁵

Table 1.1 : Caste Based Population in Punjab

Caste	Percent	Sub castes	
OBC	22		

¹²² The Punjab village common land (Regulation) rules,2016, Chandigarh, Singla Law agency. p.15

¹²⁴ Census, government of Punjab, 2011

¹²⁵ ibid

Schedule Caste	31.92	Majhabi 10%, Adi Dharmi 13.1, balmiki/bangi 3.5, bazigar 1.5	
Forward	21	Brahmins, Jats Sikh,, Bania and Katri	
Others	3.8	Muslim, Christian, Budhisth and jains	

Sources- <http://welfarepunjab.gov.in/Static/SCPopulation.html>¹²⁶

Dalits in India were debarred to land holding in India from the ancient time because of the Indian social structure which is based on the caste based identity. The importance of an individual is more concern to his group based identity. In pre-Independence India, the Dalits were debarred for land holding because of the Varna system so that they can work over land as agricultural labour but not as landholding ownership. During Emperor Maharaja Ranjit Singh, Dalits cannot hold ownership of agricultural land.¹²⁷

At that time Indian economy mainly depends on agricultural produces. So that we can assume Dalits can work over agricultural and but in the social practice they have not any social and economical protection or right. It show that the main objective of upper Varna peoples to control economical resources and political power would remained to upper caste peoples only in the Indian society. During British period they were debarred to land holding, the Punjab Alienation of Land Act 1900 is example of it.¹²⁸

¹²⁶ <http://welfarepunjab.gov.in/Static/SCPopulation.html>

¹²⁷ Ronki Ram, "Social exclusion, Resistance and Deras: Exploring the myth of Casteless society in Punjab", *Economic and Political Weekly*, Vol.42, no.40, Oct. 2007, p.4066-4074.

¹²⁸ Punjab Alienation of Land Act 1900.

After that, the Government of India has issued guidelines for land reforms in India so that on the basis that different states of India enacted *Land Ceiling* ¹²⁹ Act to fix maximum size of land acquire or hold ownership an individual which was also failed in implementation. In 1961 Government of Punjab had enacted the Punjab Village Common land Act 1961 for the providing agricultural land that reserved one third of Shamlat land for the Schedule Caste peoples on annual rent basis¹³⁰, but practically this Act had not benefitted to Schedule Caste peoples in Punjab.

The main cause behind it is the lack of awareness, getting actual information and the other reason is the Jats are utilizing these lands in name of Dalit and employ them Siri (as agricultural labour) in their field. In the village community peoples have main source of income is agriculture. Mostly landless peoples works in the fields of landlord and they can not oppose the landowner with the fear that if they do so they will not be employed the agriculture field to work further.

As it is discussed that India is an agrarian country and according to Census 2011 of India 54.6 per cent population is engage in agriculture and allied activities. According to economic survey of India proportion in GDP of agricultural produce is declining but it cannot be ignored the larger portion of population is depending on it. In the context of Punjab the economy is mainly depends upon agricultural products and related to agricultural activities and it 83 per cent land is used for cultivation.¹³¹

Introduction of Punjab Alienation of Land Act

The British government in 1900 passed this Act Punjab Alienation Land Act (PALA) 1900 to deals with the matters of transfer of agricultural Lands ownership in Punjab. There were many reasons for the enactment of this Act which was passed on October 19th 1900 and implemented

¹²⁹ Land Ceiling- maximum size of land an Individual /family can hold ownerships

¹³⁰ Punjab Village Common Land (Regulation) Act 1964, Chandigarh, Singla Law Agency, p. 15

¹³¹ Annual report Punjab government, 2010-11, pp.1

in 1901.¹³² We know Indian economy was mainly depends on the agricultural activities and so that agricultural produces were their main source of income at that time.

Reason for the enactment of this Act

The peasant class borrows money from the moneylenders for agricultural produces and sometimes their personal need. They borrow money by mortgaging their agricultural land so that moneylender has security for the repayment his money. In most cases the peasants were failed to repay the borrowed money to the moneylenders as a result the moneylenders acquire their land. British government charge tax from the peasant and that was a fixed amount by the British government and mostly when moneylenders acquired there agricultural land.¹³³

So that they losing their very important source of income. The main objective was behind in the enactment of this to stop the transfer of ownership or control over the agricultural land to the moneylenders¹³⁴ and the second reason behind it they have political dangers from the peasants. The third reason was in the enactment of this Act can be presume the British government officials had fear from the Hindu middle class in terms of education and economic power in the society because class was politically and socially aware in society and their economical situation was also well.¹³⁵

The Dalits were not in the stream collect capital gain from India and not for the social welfare of Indian society at the same time the British government has done not much for the upliftment of Dalits. The mainly objective of Britishers was to collect their revenue. Therefore the British government has enacted this Act to prevent the ownership of the agricultural land. These are reasons that relate to enactment of Punjab Alienation of Land Act 1900.

Provisions in this Act

¹³² Shadi Lal, *Punjab Alienation of Land Act 1900, 1907*, Lahore, Addition Press. p. 1

¹³³ Ibid. 44

¹³⁴ Shyamala Bhatia, *Social Change and Politics in Punjab 1898-1910*, Enkay Publishers, New Delhi, 1987, pp. 228-229.

¹³⁵ ibid

The Punjab Alienation Land Act 1900 was enacted by the British government to stop the ownership transfer to the urban moneylenders because peasants borrow money from them on high rate of interest and when they never repay that amount the moneylenders take land from the peasant. The tradition of the land ownership has created problem to the British government so that with the help of this present Act the British government wanted to stopped the transferring of land ownership. The PALA Punjab Alienation of Land Act consist 25 Sections, the section 1,2 and 2-A definition clause of this statute. Further this Act can be divided in three part, section 3,4 and 5 described permanent alienation of land, In section 6 to 13 defined temporary alienation of land and rest section 14 to 25 are General provision of this Act.¹³⁶

It is defined under section 4 of this Act about the agricultural tribe, so that this Act created the concept of agricultural tribe in Punjab. so it means those caste are mentioned in list as agricultural tribe they can buy or sell the agricultural land within the same caste peoples which are mentioned in the agricultural tribe.¹³⁷

This Act divided peoples of Punjab in two categories:

1. Agricultural Tribe
2. Non Agricultural Tribe

The Act has created two caste groups in Punjab. The castes which were mention in this Act called agricultural tribe and those are non in the mentioned list are known as non-agricultural tribe. With this division, now only agricultural tribe can hold title of ownership of agricultural land can transfer of title of ownership within the community or caste which is agricultural tribe according to present Act PALA.¹³⁸

Shyamala Bhatia in discussed about “The Deputy Commissioner of Gurdaspur said "Generally I heard in the district of Gurdaspur, Muzafargarh and Umballa that land is passing to the moneylenders. Deputy Commissioner of the district of Shahpur, who had served in the Gurgaon District, the Deputy Commissioner of Hoshiarpur, Mr. Dames of Dera Gazi Khan, Rivas the

¹³⁶ Punjab Alienation of Land Act 1900

¹³⁷ Shadi Lal, *Punjab Alienation Land Act 1900, Section 4 (1)*, Addition Press, Lahore . 1907,p.22

¹³⁸ Ibid.

Commissioner of Lahore, Ogilive, the Commissioner of Derajat, Deputy Commissioner of Montgomery all expressed the same views that the rural peasants have lost their land and it continuously transferred to urban money lenders”.¹³⁹ The report of these officers show the transfer of land to the moneylenders was a big issue for the Britisher because it has created problem to them for the collection of land revenue at that time. The British government enacted this Act Punjab Alienation Act 1900 to prevent the transfer of landed property to the moneylenders.¹⁴⁰

Table 2.1 Notified and Non Notified Tribes

Community	Notified Tribe	Non Notified	Total
Hindu	22,11,00	43,68,000	65,79,000
Muslim	67,28,000	47,16,000	1,14,44000
Sikh	15,08,000	7,84,000	22,92,000

Sources: Shyamala Bhatia “Social Change and Politics in Punjab”¹⁴¹

The second reason was the attitude of government about the Muslim also changed after the mutiny of 1857 about the mistrust of British toward the Muslims was widespread. The Britisher believed that that the revolt was started and also spread by the Muslims because they think in the Mughal *Durbar*¹⁴² they were socially and economically in good position. Mughal rulers

¹³⁹ Shyamala Bhatia, *Social Change and Politics in Punjab 1898-1910*, Enkay Publishers: New Delhi 1987
pp. 215-234

¹⁴⁰ *ibid* 45

¹⁴¹ *ibid.* 45

¹⁴² Durbar - place where king or the ruler held meetings regarding state affairs.

appointed them at good position to them in their Darbar and the social and economical situation of Hindus was not good compare to Muslims at that time.¹⁴³

It is because of the imposition of Jazia and Khiraj taxes which was applicable only to Hindu. These tax systems were not imposed to Muslims. It is clear that the main objective was to force the Hindus to convert into the religion to Muslims so that the tax system would be removed after their conversion. The Hindus were learned English language and got better opportunities in job and economically better position in comparison to Muslims. Another hand Muslim did not learned English and never tried to learn the language as a result Muslims were not in good condition compare to Hindus during the British period.¹⁴⁴

The Britishers think that in the revolt of 1857 Muslims have participated in that movement and they have objective to reestablish their rule again in India. Due to this reason the Britishers had made perception on Muslims that this community is the enemy of British government which led to deprivation of Muslims by Britishers from 1870s onwards. Later there was change in British policy towards the Muslims.¹⁴⁵

Lord Mayo's government and that of his successor Lord Northbrook adopted a policy of conciliating Muslim to British rule. During that period there were few prominent Muslim leaders like Ahmadiya as well as other specially Sir Syed Ahmad Khan. The Sir Syed Ahmad Khan was very prominent leader in the Muslim Community who was the first who praises the Muslim community to learn English because he realized that losses to the Muslim community for not adopting of western education. He realized that Muslims have to learn English.¹⁴⁶

Later Sir Syed Ahmad Khan was the first who established Gulshan School at Moradabad in 1958 and founded Muhammadan Anglo Collage presently (Aligarh Muslim University). However, he was criticized by Muslim Communities due to promoting modern education. But he

¹⁴³ Ibid. Shyamala Bhatia, *Social Change and Politics in Punjab 1898-1910*, Enkay Publishers: New Delhi 1987
pp. 215-234

¹⁴⁴ ibid

¹⁴⁵ Ibid 46

¹⁴⁶ Shan Mohammad, *Mohammad Khan, Writing and speeches of Sir Syed Ahmad Khan (ed.)* Nachiketa Publication, Bombay 1972

knew that only western education and English can help in their social and economical development. It will be helpful for them in getting job as well as social and political positions¹⁴⁷ in the society.¹⁴⁸

Later, they have tried to gain faith from British government by stating that the Muslim are not against the British rule and make them to realize that they are loyal to the British government. Sir Syed Ahmad Khan had written a "The causes of Indian revolt 1857, in which he explained the actual causes of 1857 revolt."¹⁴⁹ The main objective of doing this was to publish book and make the Britisher to realize the revolt which occurred in 1857 was not started by the Muslim peoples. He wanted to show British government that Muslims were not involve in that revolt and it was a misunderstanding about the Muslims.¹⁵⁰

The Muslims are loyal to British government. Behind all this the main objective of Sir Syed Ahmad Khan was to get faith from the Britisher and in this objective he was very much succeeded. Another side, the Hindus, because of the political consciousness they realized danger from the Britisher. This was a important reason Britisher helped Muslims and the another reason was mostly the peasants were Muslims and moneylenders were Hindu so that they wanted to suppress them they enacted this Act.¹⁵¹

The third reason in the enactment of this Act at the passage of time the political consciousness emerged in the Hindus who were educated in the society. Mostly the moneylenders who got land property from the peasant class were elite Hindus and now they have more economical recourses than the earlier time so that they became richer that earlier time. The other side they have advantage of that they availed western education far earlier than the Muslims. The Muslims were not availed western education due to their religious rigidness which never allowed them to learn education from the outside of mothersas (place in Mosque where Muslim Learn)¹⁵².

¹⁴⁷ Ibid.

¹⁴⁸ Ibid

¹⁴⁹ Ibid

¹⁵⁰ Ibid. 47

¹⁵¹ Ibid

¹⁵² Shyamala Bhatia, *Social Change and politics in Punjab*, Enkay Publishers, Pvt. Ltd., New Delhi, 1987, pp. 215-220

The Hindus got job, position in council and got benefits from the other sources and the peoples of Punjab among the Hindu class had provided political leadership to Punjab. Lala Lajpat Rai's father was a school teacher, Lala Harkishan Lal was a clerk, Munsif Ram's (Swami Shardhanand) father was kotwal. These leaders were from Punjab they started movement against the British rule so that they organized peoples in their movement which was against the British rule.¹⁵³

The fourth reason during that period Indian economy was mostly depends on the agricultural produce and Lagan which a tax imposed by the British government to the British class so that they had fear the peasant may be politically mobilize and may start revolt of movement against the Britishers. It is because of that they can say that they want to secure their tax revenue which they collect from the peasant of Punjab. In some extent they want to peasant class to be happy because the 40 per cent of recruitment was in Indian from the Punjab.¹⁵⁴ The Britisher know that if this Act will be enacted it will totally prohibit the others to transfer of land ownership.¹⁵⁵

The British government have never forgotten the 1857 revolt and realized that such type of revolt should not occur primarily because such kind of revolt would have adversely impact on the Britishers rule in India. According to Shyamal Bhatia (social change in and politics in Punjab 1898-1910) "The English distrust of educated Punjabi Hindu and their readiness to treat Muslims as a distinct political interest group. Lieutenant - governor Lyall decisively broke with the policy of impartiality by instructing that future vacancies will be filled with "qualified Muslims until the Hindus ratio bore some relation to their proportion among the middle classes of population in the district."¹⁵⁶ So that government wanted to curb the growing power of Hindu elite with the apprehension that they had fear of revolt if a particular group will grow up.¹⁵⁷

¹⁵³ ibid

¹⁵⁴ Shyamala Bhatia, *Social Change and Politics in Punjab 1898-1910*, Enkay, Publishers: New Delhi, 1987
pp.231

¹⁵⁵ ibid. 48

¹⁵⁶ ibid

¹⁵⁷ ibid

It is well known that the main objective of the British rule was to collect more and more revenue from India. The main sources of revenue are agricultural land and agricultural produces they collect tax from the land owners. To maintain their political control over India they had chosen divide and rule policy because they knew that if they wants to maintain their rule over India they have to divide Indian peoples in the different groups like caste, region and religion.

The Britishers with the help of this Act one side wanted to stop land ownership transfer to the moneylenders and other side they wants to create tension between the Hindu and Muslims because mostly moneylenders were Hindu and mostly peasant were Muslim. Another hand they impressed the Muslims that we had enacted this Act in the favors of Muslims because mostly moneylenders were Hindus and now the Hindu moneylenders will not hold title of ownership of land because this Act prohibited them. This Act worried some among the Hindu and Muslims. The Hindu educated peoples tried to fight against the British rule.¹⁵⁸

In the process they tried to make contact with the rural peoples. During the time, natural calamities famines and plague were the big issue in rural area. However, the urban inhabitants influence the rural peoples and educated them to realize the Britishers rule for the rural peoples. It is because of that a relation was established to unite with the urban peoples so that it would be difficult to the British government so that they wanted to stop them. The provisions of this Act totally prohibited the moneylenders and other communities also which were not in the list of agricultural tribe.¹⁵⁹

According to this Act, only members on agricultural tribe which are notified in this Act can sell and by land property with their community means that tribe should be mention in agricultural tribe and agricultural tribes can sell or purchase landed property within their caste or community. So that this Act divided population of Punjab in two part all right related to ownership of landed properly was given to agricultural tribes and non agriculture were debarred for that so that the

¹⁵⁸ ibid

¹⁵⁹ ibid. 49

Dalits were part of non agricultural tribe because of that this statute legally prohibited them to hold land property.¹⁶⁰

So Dalits were before the enactment of this Act were land less and behind this there was social and historical reason behind it and the Dalits are not listed in any district of Punjab in agricultural Tribe so that the enactment of this Act legally debarred them to hold little of ownership of landed property. Mainly Britishers came in India for trade and commerce and the main objective was to make profits and had no intension of welfare of India society so that Dalits question was not an issue to them. The following table shows that agricultural Tribes in district-wise in Punjab state.¹⁶¹

Agricultural Tribes According to District wise

Table 1.2: District wise Agriculture Tribe List

DISTRICT	AGRICULTURAL TRIBES
HISAR	Ahir, Arain, Bisnoi, Dongar, Gujar, Jat, Mali, Patham Rajput, Syed.
ROHATAK	Ahir, Biloch, Gujar, Jat, Mali, Moghal, Pathan, Rajput, Ror, Syed.
GURGAON	Ahir, Biloch, Gujar, Jat, Khanzada, Koreshi, Mali, Meo, Moghal, Pathan, Rajput, Syed.
DELHI	Ahir, Arain, Biloch, Chauhan, Gora, Gujar, Jat, Mali, Meo, Moghal, Pathan, Rajput, Reah, Ror, Taga, Syed,

¹⁶⁰ Shadi Lal Punjab Alienation of Land Act 1900, Lahore, Addition press, 1907.p.21

¹⁶¹ ibid

KARNAL	Abbasi, Ahir, Ansari, Arain, Dogar, Gadi, Gujar, Jat, Kamboh, Koreshi, Mali, Meo, Moghal, Pathan, Rajput, Ror, Syed, Taga, Usmani.
UMBALLA	Ahir, Arain, Biloch, Gora, Gujar, Jat, Kamboh, Magh, Mali, Moghal, Pathan, Rajput, Ror, Saini, Syed, Taga, Labana, (Notification No. 100, Dated 30 March 1906)
HOSIARPUR	Arain, Awan, Bhati, Chhang, Dogar, Girath, Gujar, Jat, Kanet, Mahton, Pathan, Rajput, Saini, Labana, (Notification No. 100, 30 March 1906)
JULLUNDUR	Arain, Awan, Dogar, Gujar, Jat, Kamboh, Mahton, Pathan, Rajput, Saini, Syad, Labana, (Notification No. 100, 30 March 1906)
LYALLPUR (Notification No.79, Dated 12th April 1907)	Arain , Bhati, Biloch, Gujar, Jat, Kamboh, Khagga, Kharral, Kokara, Koreshi, Pathan, Rajput, Saini, Syad
FEROZPURPORE	Arain, Bodla, Dogar, Gujar, Jat, Kamboh, Mahtam, Mussalman, Other Jat, Pathan, Rajput, Saini, Labana, (Notification No. 100, 30 March 1906)
MOOLTAN	Ahir, Arain, Awan, Biloch, Gujar, Jat, Kamboh, Kharral, Khokhar, Koreshi, MahtamMoghal, Pathan, Rajput, Syad, Excluding Bhatia.
JHANG	Biloch, Jat, Kokarsa, Koreshi, Nekokara, Rajput, Syad, Turk, (Notification No. 194, 8th August 1906.)
MONTGOMERRY	Arain, Bhatti, Biloch, Jat, Kamboh, Kharral, Mahtam, Pathan, Rajput, Syad.
AMRITSAR	Arain, Dogar, Gujar, Jat, Kamboh, Moghal, Pathan, Rajput, Syad, Labana, (Notification No. 100, Dated 30 March 1906)
GURDASPUR	Arain, Dogar, Gujar, Jat, Moghal, Pathan, Rajput, Saini, Syad,

	Labana. (Notification No. 100, 30 March 1906)
SIALKOT	Arain, Awan, Baghban, Dogar, Ghakkar, Gujar, Jat, Kamboh, Moghal, Pathan, Rajput, Saini, Syad, Koreshi, (Notification No. 193, Dated 8th August 1906), Labana (Notification No. 100, 30 March 1906)
GUJRAT	Arain, Awan, Biloch, Gujar, Jat, Koreshi, Moghal, Pathan, Rajput, Syed, Labana (Notification No. 100, 30 March 1906)
GUJRANWALA	Arain, Awan, Biloch, Ghakkar, Gujar, Jat, Kamboh, Moghal, Pathan Rajput, Syad, Labana. (Notification No. 100, 30 March 1906)
SHAHPUR	Ahir, Awan, Biloch, Gujar, Jat, Kamboh, Khokkar, Koreshi, Maliar, Moghal, Pathan, Rajput, Syad.
JEHLAM	Akra, Awan, Bhatti, Biloch, Chauhan, Chib, Ghakkar, Gujar, Jalap, Janjua, Jat, Jodh-Kahut, Kasar, Khandoya, Khokkar, Koreshi, Lila, Mairant, Manhas, Maliar, Moghal & Kok, Panwar, Pathan, Phaphra, Rajput, Sial, Sohlan, Syad.
RAWALPINDI	Awan, Biloch, Danial. Dhund, Ghakkar, Gujar, Jat, Jodhra, Kethwal, Khattar, Kureshi, Maliar, Moghal, Pathan, Rajput, Satti, Syad.
ATTOCK (Notification No. 36 Dated 31st Jan- 1906)	Awan, Biloch, Ghakkar, Gujar, Jat, Jodhra, Khattar, Koreshi, Maliar, Moghal, Pathan, Rajput, Syad, Batti, Janjua, Jodh, Kahut, Mairand, Manhas.
MIANWALI	Ahir, Arain, Awan, Baghban, Biloch, Gujar, jat, Kharral, Khokkar, Koreshi, Pathan, Rajput, Syad.
DERA GAZI KHAN	Arain, Biloch, Jat, Khetran, Koreshi, Machi, Moghal, Mujawar, Pathan, Rajput, Syad.
MUZAFFARGARH	Biloch, Jat, Koreshi, Pathan, Rajput, Syad.
LAHORE	Arain, Awan, Bodla, Dogra, Jat, Kamboh, Kharral, Koreshi,

	Labana, Mahtam, Moghal, Pathan, Rajput, Syad.
KANGRA	Dagi, Gaddi, Girath, Gujar, Jat, Kanet, Koli, Rajput, Rathi, Thakur.
LUDHIANA	Arain, Awan, Dogar, Gujar, Jat, Kamboh, Mahton, Pathan, Rajput, Saini, Syad, Labana (Notification No.100, Dated 30 March 1906)

Sources- Shadi Lal, the Punjab Alienation of Land Act XIII Of 1900, Addison Press Lahore.¹⁶²

The above table shows the caste groups, the District this Punjab Alienation Act 1900 had given right to buy or sell the Agricultural land.¹⁶³ They were agricultural tribes according to the this Act and the caste groups which are not listed in Agricultural Tribe they were consider as non agricultural Tribe so that they had not right to buy or sell agricultural land. It clear that, the Act indirectly debarred the Dalits of Punjab to hold ownership of land. The Dalits were not included as a agricultural tribe even in a single district but Jats were included in agricultural tribe in the most of district of Punjab.¹⁶⁴

There were two conditions for which would be satisfied by the agricultural tribe, as given an agricultural tribe have to fulfill that:

1. The person must be belongs from any district of Punjab listed in Colum 1
2. The person must be belongs to any one caste which are listed in Colum 2

According to present Act both conditions should be satisfied that person should be belong to Punjab. He should be residing in the state and should be part of agricultural tribe and if he is selling or buying any land property that should also be in agricultural tribe and to hold title of ownership of landed property. It means if Mr. A is residing in Hosiarpur and belongs from Jat Community and Mr. B is from Amritsar and belongs from Rajputs Caste. If the person B is

¹⁶² Shadi Lal, *The Punjab Alienation of Land Act 1900, Lahore Addition Press, 1907, Appendix pp. v-xi, .*

¹⁶³ Ibid.

¹⁶⁴ Ibid. 53

interested to buy land property of A, he can buy landed property only if Rajputs were listed in agricultural tribe at Hosiarpur. Similarly his caste is listed in agricultural tribe in Amritsar.

This Act mainly divided population of Punjab into two categories which was agricultural tribe and non agricultural tribe all right related to landed property given to agricultural tribes and non agricultural tribes were fully debarred for it. Dalit were debarred for owning of land property from ancient time because of Varna System they have no right to hold even a small piece of land for their own resident and always depends on the mercy of landlords Zamindar. This provision has forced this community to work as agricultural labour in the fields of Zamindar.¹⁶⁵

The British government enacted The Punjab tenancy Act 1887 on dated 1st November 1887 for the protection tenants and cultivator of land.¹⁶⁶ This Act provided right to occupancy to tenants under section 5 of this Statute. Before this Act situation of cultivators and tenants were depends on the will of landlord, it was a kind of bounded labour which was called Begar and if they denied being a Begar to Zamindar they have to leave the land of Zamindar and face the physical tortuous from the Zamindar¹⁶⁷.

The social situation of Dalits before the enactment of Punjab Alienation of land Act 1900. After the enactment of this Act was same as earlier because Dalits were landless social structure Indian society and this Act was legally prohibited them to hold land property in Punjab. With this we can assume that the social practice now become legal provision. This step which was done by British government for the securing their tax revenue affected the Dalits of Punjab.

they are legally debarred to hold land property in Punjab because there was not a single district of Punjab where any one group of caste which was belongs to schedule caste or schedule tribe mentioned in agricultural tribe. In most of the district of Punjab Jats were listed in agricultural tribe. There were 28 district were listed and in all 28 district Jats included in agricultural tribe. So that this Act legally benefited the Jats in Punjab.¹⁶⁸

¹⁶⁵ Shyamala Bhatia, *Social Change and Politics in Punjab*, New Delhi Enkay Publishers, 1987, pp.

¹⁶⁶ Rajesh Gupta, *Land Laws in Punjab*, New Garg law House, Chandigarh, 2013, pp. 146-205

¹⁶⁷ *Ibid.* 54

¹⁶⁸ *ibid*

The present situation in Punjab is the Jats are social and economically dominant in Punjab because of land. According to 2011 Census the Jats shares population in Punjab is 21 per cent of total population of Punjab and holding agricultural land more than 95 per cent of total landed property of Punjab. The Schedule caste population in Punjab is 31.94 per cent but they have approximately 3.20 per cent land.¹⁶⁹

So that we can assume what the present socio economic situation of Schedule Caste in Punjab, the Jats are socio- economically dominant in Punjab because they have land property 95 per cent and Dalits which share 31.94 per cent population they have only 3.20 per cent land so that average land to 1 per cent Jats have 4.53 per cent and Schedule caste have 0.10 per cent. The Varna system and the enactment of Punjab alienation Act 1900 both are reasons for Dalits have no land holding compare to other communities is that they are being debarred on the basis that one is social and the second is legal. This factor cannot be denied how this Act benefited to Jats and deprived the Scheduled Caste population of Punjab.¹⁷⁰

According to Kenneth W. Jones, “ the Punjab Alienation land Act 1900 was a milestone in the paternal legislation and significant factor in the growing political awareness in Punjab. ¹⁷¹” the main objective of British government was to stop transfer of land property to moneylender from the peasantry class of Punjab so that this Act helped them to stop exploitation of peasantry class from the moneylender which was non cultivator and land will remain or will be belong to the cultivators. This affected the rising power of moneylenders who were mostly educated Hindus. With the help of this act Britisher wanted to stop the transfer or physical control over the land property and it will benefits to cultivator now they can work without any debt pressure because moneylender cannot acquire their land for money borrowed from the moneylender. Another hand this will maintain Britisher income from the taxation which they impose to the cultivator.

¹⁶⁹ Census of Punjab 2011

¹⁷⁰ Kenneth W. Jones, “The Punjab Alienation land bill of 1900”, *The journal of Asian Studies*, Vol.27, No.3, May, 1968, p.649

¹⁷¹ Shadi Lal, *The Punjab Alienation of Land Act 1900*, Lahore Addition Press, 1907, Appendix pp. v-xi, .

So that with this act the British government permanently stopped to buy or sell the land peoples of other Varna, those moneylenders were mostly from Kshatriya or Vaishya Varna so that now they cannot get land form the peasant class. And this Act benefited the cultivators in their socio economic life.

Drawback of Punjab Alienation of Land Act 1900

There is a intentional gap between our Indian society and legal provisions. The proper implementation of a statute is depends on other peoples. As we knew peoples are very claver in modification of legal provisions they find out weak points of statutes' and use them for their socio-economic gains also this was happened with this Act so that British government had not achieved its ¹⁷²objective as its desire the

1. Benami Transactions
2. Include more caste in list of agricultural tribe

The *Benami transaction*¹⁷³ is mostly as earlier and now a big issue related to transfer of ownership of land property or holding a title of ownership of land property. Benami transaction means a person who never belongs from the caste which is included in agricultural tribe using members of agricultural tribe. For buy sell or mortgage of land so that economically well peoples of performs this kind of transaction in the name of member of agricultural tribe. The second reason was with the help of authorities there were some more castes included in agricultural tribe because of that over a time period numbers of caste were increase.¹⁷⁴

¹⁷² Guilhem Cassan, British Law and Caste Identity manipulataion in colonial India: The Punjab Alienation of Land Act , Dec, 2009, p.6.

¹⁷³ Benami Transfer- transfer of land property to name of non existing person.

¹⁷⁴ Shadi Lal, 1907, Punjab alienation of land Act 1900, Lahore, Addition Press, 1907.

The transfer of land property to moneylenders this Act directly prohibited but there were many other objectives of Britisher which were achieved by the British government. One of the indirect objective was achieved by the British government they curb the mounting power of Hindu elites, because these peoples were mostly moneylenders become rich by getting land of peasant class. These peoples were politically conscious organized the masses and agitated the British government.¹⁷⁵

This Act also benefited to rural Muslims, presently, in many places, they were included in the agricultural tribe category. The Muslims have been succeeded from political danger from Hindu elites and rural peasants support of the Act. The British government has policy of divide and rule and always created tension between Hindu and Muslims but this Act supported them a lot in every sphere of life. They realized Muslim peasants Hindu moneylenders were exploited them and tried to acquire their land. The Hindu moneylenders are enemy of Muslim peasants and with this Act the colonial government protected their land from the moneylenders. Politically aware and educated Hindu peoples wanted to abolish this Act and for this they protested against this Act and other side Muslims supported this Act for the implementation of this Act.¹⁷⁶

This Act had broken contact between urban moneylenders and rural peasants because that was the period in which social movements started against the British rule. The educated Hindu supported to rural masses to fight against the British rule, **other hand British government some created perception about the Hindus they are enemy of Muslims so that social impact of this Act, it created tension between them so that now divided in into two category agricultural tribe and non agricultural tribe.**¹⁷⁷

¹⁷⁵ Ibid.

¹⁷⁶ Shamala Bhatia, *Social change and Politics in Punjab*, Enkay Publishers, New Delhi, 1987, pp. 245

¹⁷⁷ Jagtar Singh Rakka, *Muslim Politics in the Punjab*, Deep and Deep Publication: New Delhi, 1985.

The Act also affected to congress because Hindus of Punjab turned to Indian National Congress for help, but the Lukhnow session of congress which was held under the chaired by R. C. Dutta did not take any decision because of his imperfect and inadequate knowledge regarding the matter.¹⁷⁸

This Act increased the migration tendency. It is because this Act was implemented only in British rule Punjab but not in the princely states means with the enactment of this Act peoples started migration from the other princely state to British Punjab and British Punjab to other princely state.¹⁷⁹ As we are familiar with this Act created or divided population of Punjab into two category agricultural tribe and non agricultural tribe those caste are listed in agricultural tribe and residing other princely state stated migration to British Punjab and caste which are declare by this Act non Agricultural tribe started migration from Punjab to other princely states. The impact of this Act is that the population of agricultural tribe grows faster than non agricultural tribes.¹⁸⁰

Impact of this on Dalits in Punjab

Dalits are denied to hold any kind of land since ancient time. Another side due to the Varna system the social and economical situation was very bad even had no right on ownership of land during Maharaja Ranjit Singh's rule.¹⁸¹ This Act was legally prohibited to Dalits for land holding in Punjab because they have not included in agricultural tribe. They were earlier land less and after the enactment of this Act they have no right to buy or sell land property in Punjab. The Jats and Ahir were part of agricultural tribe and are known as a landlord in Punjab and Haryana, this Act also benefited them.¹⁸²

¹⁷⁸ Shamala Bhatia, *Social change and Politics in Punjab*, Enkay Publishers, New Delhi, 1987, pp. 245

¹⁷⁹ *ibid*

¹⁸⁰ Shamala Bhatia, *Social change and Politics in Punjab*, Enkay Publishers, New Delhi, 1987, pp. 239

¹⁸¹ Ram Ronki, *Social Exclusion and resistance of Deras: Exploring the Castless Sikh Society in Punjab* *Economic and political Weekly*, Vol. 42, No.40, 2007, Pp.4066-4074.

¹⁸² Shadi Lal, *Punjab Alienation of Land Act 1900*, Lahor, Addition press, 1907, appendix pp.vi-xi

The Census of 2011 can be seen which show Jats have approximately 95 per cent land in Punjab. The Dalits are 31.94 per cent population and have only 3.20 per cent land.¹⁸³ As Depankar Gupta quote in his book *Cast in Question: Identity or Hierarchy*. Ahir (Yadavas) are dominant because they have agricultural land property otherwise they could belong to Shudra Varna. In the context of Punjab, land is a symbol of prosperity and status. As Jats having largest land so that they are dominant in Punjab,

In conclusion it can be drawn that there is huge gap between Dalits and Jats in Punjab. The gap has impacted in creating two caste groups i.e., one was agricultural tribe and another was non agricultural tribe. Jats were included as agricultural tribe in every district of the state as a result they have gained in all districts of Punjab, whereas the Schedule Castes were not included in agricultural tribe in any district of Punjab and debarred them to hold land property. This prevailing inequality in policy provisions has impact to Dalits that they are landless and the Jats have mostly having land property in Punjab.

However, the Punjab Alienation of land Act was not directly concern with Dalits. The Britisher had no problem with Dalits but their purpose was to stop transferring of land property to moneylenders. They did not included Dalits in agricultural tribe because of that they have been remained as landless tribes and because of landlessness they worked as agricultural labour. This Act affected to Dalits that forced them to become permanent agricultural labour. Dalits were landless in Punjab before the enactment of Punjab alienation land Act 1900 but the post-enactment of this Act legally prohibited the Dalits to hold title of ownership of land in Punjab.¹⁸⁴

The Dalits of Punjab states are landless agricultural laborer under the landlord has been prevailing for long time in the state. The reason of raising such situation was that the marginal farmer always depends on landlord to take financial support from them by mortgaging of their

¹⁸³ Census of Punjab 2011

¹⁸⁴ Vishav Bharti, *Indebtedness and Suicides: Field Notes on Agricultures of Punjab*, *Economic and Political Weekly*, 2011, vol. 46 no. 14. Pp. 35-40

agricultural land. In the process the farmer borrows money from the *Shahukars*¹⁸⁵ by completing the mortgage deed of agricultural land with the landlord.¹⁸⁶

When the money could not repay back to moneylenders they have to lose land holding that creates problems to the Britishers in revenue collection. However, although the British government has enacted the Punjab Alienation Land act 1900 to stop this kind of mortgage but it was not benefitted to Dali community in Punjab. This act has created the concept of agriculture tribe and non-agricultural tribes in Punjab state. There is also the provision that the sale of agricultural land deed can be executed only within the agricultural tribes.¹⁸⁷

There were many reason to enact this statute and to resolve them they enacted this Act. First they want to ensure their tax from cultivator and on other side there was fear of revolt by the economically well and educated class of Punjab. After enactment of this Act, population of Punjab was divided into two parts so that this division also indirectly benefited them in creating division of castes group in Punjab that has been prevailing in present time.¹⁸⁸

The Jats communities are dominant in Punjab because they are having land holding, as land is consider as an asset, as higher productivity of land means more prosperity and self dependence in terms of economy as well as food grain, and land is also an indicator of social status which results in higher standard of living of Jat community. However, Dalits in Punjab shares a major proportion of population in Punjab but they are land less in state.¹⁸⁹ This Act indirectly was affected to them because they were never part of agriculture tribe in any district of Punjab.

¹⁸⁵ Shamala Bhatia, *Social change and Politics in Punjab*, Enkay Publishers, New Delhi, 1987, pp. 245

¹⁸⁶ *ibid*

¹⁸⁷ *Ibid.*

¹⁸⁸ Punjab Alienation of Land Act 1900

¹⁸⁹ Census of India 2011

CHAPTER 3

DALIT STRUGGLE FOR LAND IN SANGRUR PUNJAB

Punjab is a very important state of India and it has long and glorious past history. Its territory was including present day Pakistan, Haryana, Himachal during the British period. It faced many foreigners attack from the period of the ancient times to the Mughal period, due to this reason Punjab was called as gateway of India. From the ancient times to modern and from 1947 to 1966, there have been many divisions in Punjab. Present day Pakistan was part from western territory of Punjab. Earlier it was a British province which was divided into two part

west Punjab and east Punjab on the basis of religion west Punjab is present Pakistan and east Punjab is part of present India.

State of Punjab suffered another loss of its territory in 1948 to 1956 it was PEPSU (Patiala and East Punjab state unions) State and in 1956 when Himachal Pradesh (that time class C state and now a fully fledged state) was carved out of it. And In November 1, 1966 Haryana was created from the territory of Punjab on the linguistic basis and area of Punjab reduced.

Geographical study of Punjab

It was land of five rivers because of that it was called Punjab. Punjab is situated in the north west of India and spreads between 29-30 N to 32 -32’N latitude and 73-55 East to 76-50 East longitude it covers the distance 335 kilometers between the north to south and 300 kilometers east to west.¹⁹⁰ Punjab shares its boundary with Jammu & Kashmir in north, in the east of Punjab Himachal Pradesh is located, the state of Punjab shares its southern boundary with Haryana and Rajasthan. In the western side of Punjab Pakistan is located.

Punjab is roughly in triangular shape. Geographically it is one of the small states of India. Total geographical area of Punjab is 50,362sq Kilometers. So that it has India’s 1.54 % geographical area of country. As per the census of India 2011, it has 27.7 million populations.¹⁹¹

Presently there are 22 districts in Punjab. It is divided into 5 divisions Patiala, Firozpur, Faridkot, Jalandhar and Ropar for administrative functioning. It has 90 Tehsils in Punjab.

Table No. 3.1

Sr. No.	Name of State after 1972	Created on
1	Faridkot	07.08.1972
2	Mansa	13.04.1992

¹⁹⁰ Jindal Munish, Sadda Punjab, MM Writing Publishing House, Punjab, 2017, p.12

¹⁹¹ Census of India 2011.

3	Fatehgarh Sahib	13.04.1992
4	Sri Mukatsar Sahib (Faridkot)	07.11.1995
5	Moga	24.11.1995
6	Shaheed Bhagat Singh Nagar	07.11.1995
8	Tarn Taran (Amritsar)	14.04.2006
9	Mohali (SAS)	14.04.2006
10	Barnala	2006
11	Pathankot (Gurdaspur)	27.07.2011
12	Fazilka	27.07.2011

Sources <http://www.punjabdata.com/Divisions-of-Punjab.aspx>¹⁹²

Punjab state comprised of 11 districts before the 1972. On dated 7 august 1972 Faridkot was created as separate district. So that the number of district increased 11 to 12 , after that many new district were created by the passage of time above table is mention information in which year what district was created. Presently Punjab comprised 22 districts and Tehsils, 90.

There are 168 towns have statutory town (towns where population is more than 5000 and residents of town engage in non agricultural activities) and remaining 69 are census towns (where population is more than 5000 and 75% inhabitants engage in non agricultural work).¹⁹³ There are 12581 villages in Punjab out of it 413 are inhabited with zero populations.¹⁹⁴

As we know presently there are 22 district in Punjab and out of seven district have not jurisdictional or territorial change during decade those are Bathinda, Faridkot, Ferozpur, Kapurthala, Ludhiana, Mansa and Shaheed Bhagat Singh Nagar, And the remaining 13 district

¹⁹² <http://www.punjabdata.com/Divisions-of-Punjab.aspx>

¹⁹³ <http://punjab.gov.in/know-punjab>

¹⁹⁴ Census of India 2011, Punjab, pp.10-11

had undergone jurisdictional changes at inter/intra at district level and district Sangrur is one of them. The district Sangrur is one of the four districts in Patiala division.¹⁹⁵

Brief Description of Sangrur District

The present Sangrur district was formed in 1948, before this it was part of erstwhile states of Nabha, Patiala and Jind which was collectively known Phulkian and Malerkotla State. Before 1948 it was part of Patiala and East Punjab state union. The present name of Sangrur district have been driven from the name of person Sanghu a jat person about 400 years ago. The ruling families of the Philkian states descended from phul.

The archeological department had carried out many excavations in Punjab at various places in Malerkotla tehsil of Sangrur district that provided evidences that the Sangrur district has a rich ancient history. Bhasaur, Bhahwa, Bhudan, Dhingri, Jandali, Mahorana, Mohammadpur, Rohira, are some important sights in Malerkotla tehsil of Sangrur district at these places excavations done by the archeological department of Punjab. During the period of middle history Raja Jaipal ruled over Punjab who had also included present Sangrur in his capital at Bathinda. Sunam was an important province at that time.

During the time period of Mohammad-Bin Tughlaq a rebellion took placed in Sunam and its adjoining areas peasants had refused to pay land taxes. That time Sunam had highly strategic position. Sunam and Sirhand were important provinces during the Mughal rule and

¹⁹⁵ Census of India 2011, Punjab, pp. 7-8,11

most of the area of present Sangrur district fell under them. Akbar, Jahangir, Shahjahan and Aurangzeb were important and influential rulers of Mughal dynasty but Mughal much weaker after the death of Aurangzeb.¹⁹⁶ And during the time of Mughal rule Sikhs had become militant power in Punjab.

Under the leadership of Banda Bahadur Sikhs from Doaba and Majha united in large numbers to take revenge from Wazir Khan who was fauzdar of Sirhand responsible for endless suffering to Guru Gobind Singh and his sons. The Phulkaria Sikhs become successful later in establishment their political power in Punjab had not given much support to Banda Bahadur although they supported him financial assistance for fighting against the Mughal rule.

Banda Bahadur ruled over the some areas of the Punjab for short period of time. He introduced abolition of Zamindari system and recognized land property right to the tillers of land. Sangrur which includes areas of erstwhile Phulkian states of Patiala, Nabha, Jind and Mohammedan state of Malerkotla was once the headquarter of this Phulkian state of Jind.

Sangrur is one of the southern districts of the Punjab. The geographical area of Sangrur is 3685 square kilometers and area wise it is second largest district of Punjab. It shares its boundaries with district Ludhiana in the North, district Patiala and Fatehgarh Sahib is located in Eastern part of Sangrur, district Mansa in is located in south west part of it, and district Jind (Haryana) is located south of it.¹⁹⁷ Barnala is in west head quarter of district Sangrur.

According to census of India 2011 the population of district Sangrur can be divided into two parts urban and the rural. So that its rural population is 11, 39,204 and the urban population is 5, 15,965.¹⁹⁸ The total population of Sangrur is 16, 55,169 and the population density of Sangrur is 449 per kilometers squares. Sex ratio of Sangrur is 885 per 1000 and literacy rate of Sangrur is 67.99%. So that we can assume the sex ratio of district Sangrur and the literacy rate of

¹⁹⁶ <http://sangrur.gov.in/html/history.html> (Received access on 4 May 2018)

¹⁹⁷ Jindal Manish, Sada Punjab, MM Writings publishing house, Chandigarh, 2017, p. 133

¹⁹⁸ <https://villageinfo.in/punjab/sangrur.html>, accessed on april 2018

Sangrur both are less with sex ratio of Punjab and literacy rate of Punjab because sex ratio of Punjab is 895 per 1000 and the literacy rate of Punjab is 75.84 percent.

The district is the basic unit of administration and the Deputy Commissioner Sangrur is head of the district administration. He has wide administrative powers and manifold responsibilities. In Many ways he is chief custodian of law and authority. The main function of the Deputy Commissioner may broadly categorize as co –ordination of development and public welfare activities as Deputy Commissioner and revenue officer as district collector, for law and order functions as District Magistrate. So that he acts as Deputy Commissioner, District Collector and District Magistrate on different occasions. Under the Deputy Commissioner there is complete hierarchy of district officials as Additional Deputy Commissioner, (ADC), Sub Divisional Magistrate (SDM), Tahsildar (Executive Magistrate), Naib Tahsildar, Kanoongos, Patwari.¹⁹⁹

The whole district has been divided into Tehsils for the purposes of effective administrative functioning of the district so that the district Sangrur is also divided into six Tehsils

1 Sunam,

2 Moonak

3 Lehra,

4 Dhuri

5 Malerkotla

¹⁹⁹ Sucha Singh Gill, Inderjit Singh, District Human Development report Sangrur, Patiala, Punjabi University, .2010. pp4-5.

6 Sangrur

As per 2011 census Sangrur district comprises 571 villages for the general and revenue purposes. The district of Sangrur has nine blocks namely Andana, Bhawanigarh, Sangrur, Sunam, Lehra Gaga, Malerkotla 1, Malerkotla 2, Dhuri And Sherpur. It has 13 towns Ahmadgarh, Amargarh, Bhawanigarh, Cheema, Dhuri, Dirba, Khanauri Malerkotla, Moonak, Lahra Gaga, Longowal, Sangrur and Sunam.

Economy of Sangrur District

The Punjab state is an agrarian state and role of green revolution cannot be ignored because it played very important role in the agriculture sector of Punjab. Mainly food grain production. During 2015-16 Punjab produced wheat 36.8 percent of central pool and rice 27.3 percent of central pool.²⁰⁰ So that we can assume Punjab is an important food crop producer in India. And it was possible because of its land fertility and availability of water resources and the impact of green revolution cannot be ignored which helped in to increase of agricultural production.

There were five states were selected for agricultural reforms and the Punjab was one of them. With the use of HYV seeds agricultural produce was increased. Green revolution was successful in Punjab because of fertile land of Punjab and HYV seeds. Presently the economy of Punjab is mainly depends the agricultural produces.

Topography of Sangrur

²⁰⁰ Jindal Munish, Sarda Punjab, MM Writing Publishing House Punjab, 2017, p.166

Topography is study of physical feature of a particular area and it plays very important role in human activities. Sangrur district mostly have level surface. The occurrence of sand dune features in some part of the landscape. But in general the Sangrur district forms the plain Punjab. And this plain surface for this district has been formed by depositional work of the major streams which flows through the region at very largely. Sangrur is topographically has alluvial plain and its soil is rich and consists nutrients which are suitable for crops, its soil is good for crops like potato, Paddy, wheat and vegetables.²⁰¹

Availability of Minerals

Bedded Kankar

According to a report prepared by the Ministry of Micro, Small and Medium Enterprises (MSME), Ludhiana A reserve of about 4.4 million tons has been estimated around Nadampur, Matran, Nandgharh, and Balad Khurd (all in tehsil Sangrur). The average grade of deposit is 45 percent acid insoluble, 21.1 percent calcium oxide (CaO) and 5.7 percent magnesium oxide (MgO). In Sunam Tehsil there has been estimated about 42.5 million tons of Kankar, out of which nearly 15.4 million tones is bedded variety and the rest belongs to nodular and concretionary variety the average grade of kankar is 48.8 percent insoluble, 21.5 percent Cao and 3.9 percent MgO.²⁰²

²⁰¹ Brief Industrial Profile of Sangrur District, MSME Development institute Ludhiana, pp.2-3

Nodular Kankar

Nodular Kankar practically occurs throughout the area the area at an average depth of 1-2 meters below the surface, near about 16.8 million tons of kankar has been estimated around the villages Sulhar which is located in tehsil Sunam, it has been estimated in Nadampur and Nandgarh intehsil Sangrur etc with an average grade of of 40.5 percent acid insoluble, calcium oxide (CaO) 27.7 percent. And the availability of Magnesium Oxide (MgO) is 2.8 percent.

Salt peter (Potassium Nitrate)

Potassium Nitrate (Salt peter) is an important mineral and in Sangrur district is rich in deposits of salt peter and it comes 2nd after the Firozpur Presence of Salt peter is also occurred in various villages in the block Cheema, Sunam, and Barnala.

Kallar

There was about 70,310 hectares of Kallar affected land during the year 1973-74. Extraction of sodium salts from Kallar from this district alone likely to give substantial revenue return and in addition it mare claim the land without initial expenditure in effective chemical treatment. As a result 6687 hectare of land has been reclaimed by 1982-83.²⁰³

Forest Cover

The minimum forest cover required 33% of total land surface and present forest cover of India is near about 22 which is less than required minimum forest cover, and the forest cover area in Punjab is very less as compare to national average. Punjab has almost covers 6% total forest land

²⁰³ Brief Industrial Profile of Sangrur District, MSME Development institute Ludhiana

area. The Sangrur district has an area of 700 hectares land is covered under protected forest. Which is 0.14% of the total forest cover of Punjab; it shows that this district has lack of forest cover.

Climate

As we knew Punjab is geographically located in east north part of India and present Punjab is mainly plain land which is very good for food grain produces and for the any kind of agricultural produce fertility of land and weather are very important. so that climate of this district Sangrur is the year would be divided into four seasons whole dry and characterized by a short monsoon, hot summer and bracing cold winter.

Health Services in Sangrur

According report World health Organization India has not good health services, and situation of Punjab is Health services have major concern in region ,state or a country, and government of India Launched National Rural Health Mission in April,2005 to provide better health services to rural peoples. But the present available data shows that public health expenditure is very less as compare to total expenditure of government of Punjab. Physical infrastructure of the hospitals PHC in Sangrur is very poor.

Education

Roll of education is very important in the social economical and of nation or a state, because education gave new ideas and thought process which helps in the development that may be social or economical. According to 2011 census report of Punjab the literacy rate of Punjab is 75.84 percent and the literacy rate of Sangrur is 67.99 percent which less than literacy rate of Punjab.

Table 3.2 Literacy Rate Punjab and Sangrur

	Male	Female	Numbers	Percentage
Punjab			18,707,137	75.84
	10436056			80.44
		8271081		70.73
Sangrur			1002077	67.99
	570413			73.18
		431664		63.17

Literacy rate Punjab and Sangrur (census 2011)

Table 3.3 Literacy rate Schedule Caste, Punjab and Sangrur

Schedule Caste	Male	Female	Numbers	Percentage
Punjab Literacy Rate			8860179	31.94
	4639875			31.69
		4220304		32.21
Sangrur			461609	27.89
	244231			27.82
		217378		27.97

The Table 3.2 and 3.3 provide information regarding the literacy rate of the Schedule Castes in Punjab and Sangrur district. It shows total number of literates and their percent in Punjab and Sangrur district.²⁰⁴

Religious Population

Majority of Population of Sangrur district follows Sikhism because in November 1, 1966 when Haryana was created on the basis of language, its two Hindi Speaking Tehsils Jind and Narwana were merged with Haryana so that Sangrur Was merged with Sikh Majority District.

Table 3.4 Religion based population of Sangrur, Punjab

Religion	Urban	Rural	Total	Percentage
Sikh	161721	1082415	1244136	72.75
Hindu	187974	152454	340428	19.91
Muslims	65978	56267	712245	7.15
Christians	384	361	745	0.04
Other Religion	1937	629	2566	0.15

Sources: -Statistical Abstract of Punjab 2010²⁰⁵

The above given data shows that Sangrur is a Sikh dominated district. They are sharing 72.75 percent of total population which is highest than the other religions. After them Hindu peoples are second highest majority community in this district. Muslims are at third and at fourth are the Christians.

²⁰⁴ Census of India 2011

²⁰⁵ Statistical Abstract of Punjab 2010

Schedules Caste list (Punjab)

As we know which we had discussed the Punjab have highest ratio of Dalits Population in India which is 31.94 percent. There only schedule castes in Punjab and the schedule Tribe population is not in Punjab. There is not a caste listed in schedule tribes which means there are no schedule tribes in Punjab. In Punjab political reservation is different like the other state during Beant Singh government they categories Schedule Caste population

Ravidasia Sikh, Ramdasia (Chamar)

Balmiki Sikh (Majhabi Sikhs)

So that Beant Singh government categorized Affirmative Action Policy (Reservation) It divided into two part fifty percent for Ravidasia Sikh and fifty percent is reserved Balmiki (Mazhabi Sikh). So that requirement can be filled according to said ratio. For example if there is total hundred vacancies for a job in Punjab. out of that 22 post are reserved for Schedule caste and schedule tribe, there is no schedule tribe in Punjab. so that 22 post will be divided into two parts, 11 post will reserved for Ravidasia and Ramdasia Sikh, and rest 11 will be reserved for Majhabi Sikh. Otherwise both castes are notified schedule caste in Punjab.

There is total 39 caste included in in Punjab as Schedule caste.

1. Ad dharmi, 2. Balmiki, Chura Bhan, 3. Bangali, 4. BararBera, Burar, 5. Batwal, Barwala, 6. Bauria, Bawari, 7. Bazigar, 8. Banzara, 9. Chamar, Jatia Chamar, Rehgar, Raigar, Ramdasi, Ravidasi, RamDasia Sikh, Ravidasia Sikh, 10. Chanal, 11. Dagi, 12. Darain, 13. Deha, Dhaya, Dhea, 14. Dhanak, 15. Dhogri, Dhangri, Siggi, 16. Dumma, Mahasa, Doom, 17. Gagra, 18. Gandhila, Gandil, Gondola, 19. Kabirpanthi, Julaha, 20. Khatik, 21. kori, koli, 22. Marija, Marecha, 23. Mazhabi, Mazhhabi Sikh, 24. Megh, 25. Nat, 26. OD, 27. Pasi, 28. Perna, 29.

Pherera, 30. Sanhai, 31. Sanhal, 32. Sansi, Bhedkut, Manesh, 33. Sansoi, 34.Sapela, 35. Sarera, 36. Sikligar, 37. Sirkiband, 38. Mochi, 39. Mahatam, Rai Sikh.²⁰⁶

Overview of District Sangrur

There are total 22 districts in Punjab and district Sangrur is one of them. It is ranked 2nd according to area and 7th in population. Tehsil Lehra has least population and Malerkotla is most populous Tehsil. The average population size of Punjab is 1425 and Sangrur is 2020 which is greater than state average population size. There are total village in Sangrur is 585 in six Tehsils.²⁰⁷ Chhajli is 13170 so that it largest village in Sangrur followed by Sheron which is 10143. There 26 village are in large sized with the population of 5000 or more, and 12 town have statutory status out of 13 in Sangrur. The decadal population growth in district is 12.3 percent which is lower than Punjab (13.9 percent) this district is less urbanized than the state. Sex ratio in Punjab is 895 and in Sangrur it is 885 which less than state sex ratio. The child sex ratio is 840 and 846 is state child sex ratio.²⁰⁸

Dhuri-98, Lehra – 40, Malerkotla -186, Moonak- 48, Sangrur -128, Sunam -85

Implementation of the Punjab village common land Act, 1961 and Regulations 1972 (A Case Study of District Sangrur in Malwa Sub-region of Punjab)

Scheduled caste have no agricultural land from ancient period because of Varna system and during British period they had been prohibited to buy, sell or hold title of agricultural land in Punjab and the reason was Punjab Alienation of Land Act 1900 which divided society into two categories

²⁰⁶ Constitution (Schedule Caste) order, 1950 (Part III.- Rules and Order under the Constitution) Part XIV, Punjab.

²⁰⁷ <http://vlist.in/district/053.html>, (Received access on 18 April 2018)

²⁰⁸

Agricultural Tribe, Non Agricultural Tribe

In present time Jats have more than 95 percent of land in this the role of Punjab Alienation of land Act 1900 cannot be ignored because Jats were included in every district of Punjab in Agricultural Tribe. The Schedule Caste or Schedule Tribe was not included in any district of Punjab in Agricultural tribe. So that earlier they were socially prohibited to hold land and this Act legally prohibited them to hold agricultural land. After 1947 or in the post colonial period some special legal provision were enacted provide land to Dalits and landless person but the objectives of those statutes not achieved.

So that in Punjab state government enacted Punjab Village Common (Regulation) Act 1961.this Act specifically deals with Panchayati land which may called common land, or Shamlat Deh. In this Act under section 6 (section 5 and 15(2)(F) of The 1/3 part of total village common land is reserved for the members of schedule caste for the purpose of cultivation which shall be given to them through open auction.²⁰⁹ So that according to this provision the 1/3 part of village Shamlat Land should be given to member of schedule caste who is inhabitant of village should be given by the way of open auction on annual basis.

The objective of the Punjab government, This Act may play an important role in the socio economic upliftment of Dalits in Punjab there is provision in this Act under section 7 “ where in a village the shamlat land is 200 acres and more such a land may be not auctioned and lease out to perform collective farming to cooperative society”.²¹⁰ Regarding this when I was in field visit I met with Advocate Rajiv Lahatbhatti. Who said that “I raised question to Deputy Commissioner of Sangrur in Balad Kala village regarding section 7 of this Act, his reply was that I have no information regarding this provision so” it shows the attitude of administrative officers which didn’t in favor of schedule caste peoples.

As it was not properly implemented on ground level, so the situation of dalits never changed. But in present time and in previous few year when Schedule caste peoples got awareness about this provision related to land right and they have raised their voice for the

²⁰⁹ Punjab Village Common Land Act 1961, Singla Law Agency, Chandigarh, 2016, p.15

²¹⁰ Punjab Village Common Land Act 1961, Singla Law Agency, Chandigarh, 2016, p.22

Panchayati agricultural land, due to which they had faced a lot of difficulties there in some villages, atrocious attitude of upper caste peoples, government officers and in some villages even they faced social boycott. They had to struggle a lot and still struggling lot to get their legal right.

There are 22 districts in Punjab; district Sangrur is one of them which in lies Malwa region of Punjab. For present study this District has been selected because in this district a lot of agricultural land comes under common or community land, and there are some incidents caste based oppression, violence against the peoples of scheduled caste by dominant Jats, even there are some incidents when peoples of scheduled caste faced the castiest remarks, and announcements of social boycott from religious places in this district.

For administrative purpose this District has been divided into six tehsil. For present study I have collected information through field visit and through interaction during personal meetings with local peoples and association which have been working for implementation of this Act. Specific case study of village Benra which is located in Dhuri Tehsil, Village Jhaloor Which is Located in Lehragaga, Harigarh in Sunam Tehsil, Balad Kala Which is locate in Sangrur Tehsil Bopur Which is in Moonak, Bhatia Khurd In Malerkotla, have been done to analyze the scenario of peoples struggle to get their legal rights.

In Other aspect have discussed in this chapter is that the main provisions of Punjab Village Common Land Act 1961, why this Act has been not implemented in earlier and what are the reasons recently it had been implemented in few village of Punjab? What is proxy cultivation? How the dalits started struggle for implementation of this Act, and which kinds of problems they faced in their struggle? In the present chapter I had tried to answer the entire questions in a systematic way. It had been found that in study and information collected in field visits the overall implementation of this Act is not satisfactory and in most of the village not been introduced. This chapter is mainly divided in two parts

The Villages in which Act has been implemented peacefully

The village where peoples struggled for common land

There are six Tehsils in district Sangrur, Lehra Sunam, Sangrur, Malerkotla, Moonak and Dhuri. Six villages were selected for present study.

Benra

This village is located in Dhuri Tehsil. According to the census 2011 data there are 909 families residing in this village. And the population of this village is 4707 (male 2511 and female 2193) the average sex ratio of this village is 873 which is lower than the Punjab sex ratio 895. Literacy rate in Benra is 66.90 percent and literacy rate of Punjab is 75.84 percent so the literacy in this village is also less than the state literacy rate, and the literacy rate of male is 71.30 percent, female literacy rate is 62.01 percent.²¹¹ In this village total shamlat land is 20 acres and dalits are cultivating their share of 7 acres Panchayati land. This is the first village where dalits are performing common agriculture and taking benefit from it from 2008 to present.

In this village few literate peoples formed an association named *Pendu* Krantikari Mazdoor Union. They collectively opposed the proxy auction in 2008 and the auction for this re managed after that they are cultivating this land and performing common agriculture. This is the only association which have leadership is in the hands of Dalits. The *Pendu* Krantikari Mazdoor Union which working from 2008 but their movement was limited to their own village. They were not got success to spread their movement in other villages of Sangrur.

Bopur

²¹¹ <http://www.census2011.co.in/data/village/39624-benra-punjab.html>

This village is located in Moonak Tehsil in District Sangrur. There are 286 houses in this village, and the population of this village is 1710 (Male 895, Female 815), and the schedule Caste population in this village is 487 (male 279, female 208), The schedule caste population is 487 (male 279, female 208) the literacy rate in this village is 55.07 percent, the male literacy rate is 66.10 percent and female literacy rate is 46.33 percent.²¹²

In this village Panchayati land is 81 acres and 27 is reserved for member of schedule caste. In the month may date 21, 2014 the conflict was start between the Dalit and Jats Sikhs for the auction price of Shamlat land of the village. The Dalits of this village wants to got this land on nominal price and the upper caste (Jats) peoples of the village oppose that. So that we can assume they were not intended to auction this land to Dalits. Influential landlords of the village threatened the Dalits.

They stopped the water supply of Dalits and announced on loudspeaker “if anybody will continue any kind of relation with the Dalits of Bopur village the Jats community will impose fine of Rs. 21,000. The Dalits of this village presently they are cultivating the land. In this village people of scheduled castes faced many problems by the upper caste.

The upper caste peoples of this village got Panchayati with the help of member of schedule caste they cultivate that land. The village not oppose because in the rural area main sources of income is agricultural labour. Dalits are landless and mostly depend for their income sources to them so that internally they fear if they oppose they will lose their income sources. So the conflict of this village can be seen as Dalit versus Jat (Upper Caste) of present village Bopur.

Bhatia Khurd

This village is located in Tehsil Malerkotla in district Sangrur. There 222 families residing in this village and the population of this village are 1223. The male population of this village is 616 and the female population of this village is 609. The schedule caste population is 647 (male 328, female 319) this village has more average sex ratio than Punjab. Bhatia Khurd

²¹² <http://www.census2011.co.in/data/village/39953-baupur-punjab.html>,

sex ratio is 985 and Punjab sex ratio is 895. This village literacy rate is 70.99 percent which is less to literacy rate of Punjab. The male literacy rate in the village is 77.13 percent and female literacy rate is 64.74. percent²¹³

In this village 2 acres out of total 6 acres Panchayati land is reserved for member of schedule castes. In this village the situation is different from the other village. The upper caste peoples also support the dalits in performing agriculture. It shows that implementation of any legal or welfare provision depends on will of other peoples.

The land proportion is very less in this village may be because of this region Dalits of this village easily had gotten shamlat land, but outcome of villagers got land without any kind of agitation and other peoples of this village also supported them. So that I think implementation is more concern with will of others that be a authority to whom you're claiming for that or may be other peoples of society.

Balad Kala

This village is located in tehsil Sangrur in district Sangrur. There are 641 families residing in this village and the population of this village is 3339 out of which 1777 are male and female population is 1562. The schedule caste population is 910 (male 487, female 423) the average sex ratio in this village is 879 that is lower to the state sex ratio. The literacy rate of this village is 66.62 percent which is less to the state literacy rate. The male literacy rate in the village is 72.84 percent and female literacy rate is 59.65 percent.²¹⁴

²¹³ <http://www.census2011.co.in/data/village/39525-bhatian-khurd-punjab.html>

²¹⁴ <http://www.census2011.co.in/data/village/39708-balad-kalan-punjab.html>

In this village total Panchayati land is 325 acres and reserved Panchayati land is 117 acres. In this village problem was with the administration, not with other caste peoples of the villager. The Zameen Prapti Sangharsh Committee which is working form 2013 in Punjab, its office bears and members played very important role for the implementation of Punjab Village Common Land Act 1961. The people on this village are using Panchayati land and presently they are performing collective farming on this land from earlier three years.

With the help of ZPSC the schedule caste peoples of this villager formed Baba Ravidas and Jeewan Singh Committee. There are 11 members in this committee. They performed collective farming on 415 Bigha (117 acre) land. They return cost amount share which was paid by the family, and five quintals wheat, one trolly dry feed for catles to each family.

The example of this village can be seen as positive outcome of agriculture, because it is a perception in society, that agriculture is a non profitable work and due to losses farmers are committing suicide in these days, and mostly farmers performing agriculture on their own field and in present day village peoples paying annual rent for land, mostly landlords have their own tube wells and government of Punjab provide them free electricity for tube wells and these peoples arrange irrigations sources in paid basis. So the peoples of this village arrange all requirements on paid basis. And after that make out profit from it this can be seen example in agriculture sector.

Harigarh

The present village is located in Sunam tehsil in district Sangrur. The numbers of household in this village is 382 and population of this village is 1936 out of that male population is 1019 and females are 917. The schedule caste population is 703 (male 378, female 325) the average sex ratio of this village is 900 which is higher that state sex ratio.

The literacy rate of this village is 53.92 percent which is less from the state literacy rate, and the male literacy rate is 61.20 percent and the female literacy is 45.71 percent.²¹⁵ The total Panchayati land in this village is 6 acres and reserved Panchayati land is 2 acres. And the peoples are utilizing the reserved land. The proportion of land is very less so that in also in this village peoples this village easily got land.

Jhaloor

This village is located in Lehra Tehsil in district Sangrur. The total numbers of household in this village is 567. The population of this village is 3099 out of that male population is 1670 and female population is 1429. The schedule caste population is 925 (male 498, female 427) the average sex ratio of this village is 856 which is less to the state sex ratio. The literacy ratio of this village is 53.24 percent that is less to the state literacy rate. The male literacy rate of this village is 57.51 percent and female literacy is 48.38 percent.²¹⁶

This village have total Panchayati land is 90 acres out of 50 acres is available for auction and the reserved 16.5 acres. The conflict started for getting Panchayati land in the Month of May 2016. The Auction was done for this land in the name of Jugraj Singh Son of Babu Singh Belongs to Majhabi Sikh resident of this village. The other members of schedule caste opposed this because he got this land at higher cost with financial Support of upper Caste peoples of the village.

In this village in October 2016, violence attack between schedule caste and Jats Sikhs of village takes place in which a old lady named Gurdev Kaur 62 aged was died. Upper caste peoples attacked on Dalits in their house because fear the male persons had gone away from their houses, only females were in the house so that Jats attacked females. Below given image is

²¹⁶ <http://www.census2011.co.in/data/village/39913-jhaloor-punjab.html>

Gurdev Kaur she was at home they so that they attached on her and she was died in PGI Chandigarh because of over bleeding after few days.²¹⁷

Image 3.1

²¹⁷ F I R Lodge in Lehra police station, October 2016



Gurdev Kaur

After that five FIR were registered in the concern police station one was by the Dalits against the eight persons (Jats Sikh) who attacked on her, and four FIR were presently registered against Dalits of this village.

Table 3.5

Sr. No.	First Information Report No. P.S. Lehra, Sangrur, Punjab	Dated	Under Sections of IPC
	076	03.06.2016	447,511,120B,
	138	01.10.2016	379,427,506
	142	06.10.2016	307,323,506,341,148,149
	007	12.01.2017	283,353,186

Above table is information regarding the four FIR which were lodged against the Dalits who were struggling for implementation of Punjab Village common land Act 1961. The FIR no 142 which a lodged on dated 06.10.2016, the upper caste peoples used a Dalit person Name Jugraj Singh against other 69 persons of the village and other, out of that 68 persons were identified and 1 unknown. In present case 40 peoples of arrested by the police. Those peoples spend one month in police custody,²¹⁸ after that District court Sangrur released them on bail order, presently said case is pending before the Sangrur court. And the no charge sheet has been submitted by the police June 2018. So that the police indirectly also helped the upper caste peoples. I think these legal cases were comes as reaction of upper caste peoples against their struggle for justifiable and legal rights, the upper caste lodged these cases against the dalit peoples, to pressurize them to stop their struggle to achieve their legal rights.²¹⁹

In the village of Jhaloor total shamlat land is 90 acres in documents but available for auctioning is 50 acres out of after the struggle of two years, in the month of May 2018 the villagers got Shamlat land 16 acres. The bid amount was 22000 per acres. So that Dalits of this village collectively shared the bid amount and for that each household contributed Rs. 5000.

²¹⁸ FIR lodged in Lahra P.S. No. 142, dated 06 october 2016.

²¹⁹ ibid

Their future plan is to perform Sanjhi Kheti (Collective farming) and each household will share labour and expenses. So that outcome of this village or impact of collective farming can be seen in upcoming year because they got land and presently started collective farming on land.

During the field work on the basis of which information, I have collected from above mentioned villages. I also meet with victims of the incidents and some other peoples working under association or unions. The Punjab have exceptional ratio of Dalits population in India which is 31.94 percent but they are marginalized in Punjab.

The main source of income in villages is agriculture labour and Dalits are landless so that they are depended upon landlords for their livelihood, earlier they have not information regarding their share in Panchayati Land (Shamlat deh) but they got awareness about this provision, they had fear from landlords that they may lost their income sources because mostly it was cultivated by the upper caste peoples and they employ them as agriculture labour in their fields.

Role of association like Zameen Prapti Sangharsh committee, Pendu Krantikari Mazdoor Union, Khet Mazdoor Union Punjab and some other associations which are formed by the villagers of Sangrur and its surrounding district they motivated them so that in many villages of Sangrur this Act is implemented and still they are struggling for its proper implementation in Sangrur and other district of Punjab.

Role of Zameen Prapti Sangharsh Committee in dalit struggle for implementation land reforms

If we talk about the struggle have been done by dalit people to achieve their rights related to land reforms, then we cannot ignore the role Zameen Prapti Sangharsh committee (ZPSC) to aware, unite, and to lead and guide them to achieve their goals. Some socially aware people from neighbor areas of Sangrur organize themselves in a group to make secure assess of dalit community to common land; they named this group as Zameen Prapti Sangharsh Committee in 2013. It has been working in approximately 100 villages Punjab.

Their main tools to fight for their rights were agitation, conventions, seminars, protest demonstration. They also try to connect with the peoples, aware them regarding their rights. Since then it try do their best to achieve their rights. They chant slogans like, mishalana baal ke chalna jad tak raat baki hai (continue your march with burning flames, till the end of the dark times). Buddha, bacha jhok diyange, Zameen te kabza thok diyange (we will involves every member of the society from old person to youngster in our struggle, and will succeed to occupy the land) etc during struggle to inspire them to attain their goals.

Members of Zameen Prapti Sangharsh Committee have faced strict actions from the law and authorities, as well as physical attack by upper caste peoples during their struggle. Struggle of Zameen Prapti Sangharsh Committee results in great opposition, and caste oriented attitude of upper caste peoples, as well as strict legal and oppressive attitude of castiest administration, which tried to do anything to stop them, and to maintain their caste pride, and their hegemony in the society. In spite of all the Zameen Prapti Sangharsh Committee continue its struggle, which presents some positive outcomes.

Farmers hold rally at Jhaloor village

TRIBUNE NEWS SERVICE

SANGRUR, DECEMBER 15

The Zameen Prapati Sangharsh Committee (ZPSC) along with other farmer organisations today organised a rally at Jhaloor village to observe the death anniversary of Dalit Gurdev Kaur.

The ZPSC has announced to organise a state-level Dalit convention at Jhaloor in the first week of March next year for their long-pending demands.

"We will organise a state-level Dalit convention in the first week of March to announce our future course of action for our long-pending demands," said Mukesh Malaudh, district president of the ZPSC.

Under the banner of the

Observe death anniversary of Dalit Gurdev Kaur, who died in caste clash

Jhaloor Zabar Virodhi Action Committee, members of six organisations — ZPSC, BKU (Ugraha), BKU (Krantikari), Punjab Khet Mazdoor Union, Krantikari Pendu Mazdoor Union and Kirti Kisan Union — participated in the rally.

Committee members have been demanding that the reserved village land should only be given to those Dalits who would themselves cultivate crops over it and not to those who bid for land during auction at the instance of upper caste men from the village.



Farmers at a rally in Jhaloor village on Friday. TRIBUNE PHOTO

Dalit maha-sammelan to be held in Sangrur by ZPSC

SANGRUR: Observing first death anniversary of Mata Gurdev Kaur (72) at Jhaloor village, near Lehragaga, Zamin Prapati Sanghrash Committee (ZPSC) on Friday announced holding of a Dalit Maha-Samellan in first week of March in Sangrur to intensify its struggle, relating to government agriculture lands, reserved for Dalits in villages. Besides ZPSC, Jhaloor Jabar Virodh Action Committee and

some other organisations also participated in the death anniversary function.

Gurdev Kaur had died after sustaining injuries as some upper caste persons allegedly attacked Dalits in October, 2016, in Jhaloor village on the issue of six acres Panchayat land, reserved for Scheduled Castes (SCs). The protesting Dalits were then claiming the said land was being cultivated by a landlord on

behalf of a dummy Dalit farmer. The ZPSC has been agitating for the past four years, seeking allotment of reserved Panchayat agriculture lands in villages to genuine Dalit farmers, in place of dummy Dalit farmers.

District president of ZPSC Mukesh Malaud said even after passage of more than one year all accused, named in the murder case of Mata Gurdev Kaur, had not been arrested by the police so far. He said besides, the reserved land (about 17 acres) in Jhaloor village had not been given so far to the Dalits for farming by the government this year.

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Conclusion

Land is a very Impotent Natural Resource which helped the dominant upper caste. The Dalits are landless; largely there are societal claims that Dalits are Hindus, but at the same time the Dalits are marginalized in the Indian society because of the Varna System. Population of Dalits in Punjab according to 2011 census is 88.60 lakhs. Which is 31.94 percent of total population of punjab²²⁰

The population of Dalits is more than any other caste found in Punjab. Punjab has an exceptional Schedule Caste population percentage which is not found in any other state in India The Situation of the Dalits in Punjab regarding the land ownership perspective is almost same. Mostly Dalits are landless. Numbers Dalits population is more than the other caste who migrated from their native place. The Punjab has a exceptional Schedule Caste Population ration which not available in any other state of India.

The Schedule Castes is 31.94% of total population, but they are mostly landless. They have only 3.20% of land and other side Jats are 21% in population, but they have more than 95% land. In the present scenario agriculture is not the main economic source of income, but a very important additional source of income and natural resources. In the context of Punjab the assertion of Dalits can be divided into three stages:

1. Before British period
2. During British Period
3. After British Period

Above mentioned are three stages which are the reasons in landlessness of Dalits in the context of Punjab. These periods can be seen as stages of socio-economic development of upper caste in Punjab and these are also the reasons or causes for Dalit assertion in Punjab.

²²⁰ Census Of India 2011,

During the first period the Varna system was clear that money and land cannot be given to untouchables or the outcastes. Rather it was given to the upper castes as they have the right to utilize the land. The lower castes can work on land, but not take ownership of that land.

The British rule introduced the Punjab Alienation of Land Act 1900, which had the main objective of stopping the growing powers of moneylenders in villages and secure their land revenue tax. So with the enactment of Punjab Alienation of Land Act, they wanted to primarily secure their land revenue tax. The British government under Section 4 defined agricultural tribe, with some particular caste groups listed as agricultural tribes.²²¹

The Jats were added in every district of Punjab as agricultural tribes and Dalits were not included even in a single district Punjab. So, this statute directly affected Dalits in Punjab and benefited the Jat Sikhs in gaining land holding in Punjab. Presently Jats are dominant in Punjab just because they are landlords in Punjab and the Dalits are landless due to the Act.

The third phase is Dalit landlessness after 1947 and the land reforms in India can be divided in to two parts. Because during this period a social movement for redistribution of land was initiated by the Vinoba Bhave. And some law were regulated for land reform.

- 1) Land reforms during 1955-56
- 2) Land reforms during 1972- 75

As we know during the post colonial period the Government of India decided that for the socio economic development land reforms should be carried out. However objectives of the land reforms were not achieved.

The provisions of the Land Ceiling Act were enacted by many state governments, the surplus land should be given to the landless or tiller of land. This objective of the government was not achieved, because the landlords did not support and reforms and the land remained in the hands of landlord. The Government of Punjab

²²¹ PALA. 1900, Section 4.

enacted two main legal provisions for the implementation of land reforms in the state; the Punjab Village Common Land Act 1961 and Punjab Land Ceiling Act 1972²²²

Provisions in Both the Statutes

We have discussed the social and legal reasons for the landlessness of Dalits in Punjab. Despite many legal provisions were enacted for the benefits of Schedule Castes, according to Punjab Village Common Land Act 1961 it recovered 1/3 of the shamlat land for members of the schedule caste. There is provision in the Punjab Land Ceiling Act 1972, that there is limitation to hold land as an individual and beyond the land ceiling limit the surplus land should be given to the landless and the preference should be given to members of the schedule caste²²³. But practically both the Acts did not benefit the Dalits in Punjab because the landlords used the loopholes in the Act.

Firstly, I want to discuss about the Punjab Land Ceiling Act 1972, which made provisions for land ceiling. A family means husband, wife and three minor children, they cannot hold land beyond the land ceiling and the surplus land should be distributed to the landless and preference should be given to members of the schedule caste. The landlords used tactics like, they showed fake divorce to retain the land and also showed minor as adults. This resulted in schedule castes remaining landless. In the villages the schedule castes work as agricultural labourers in the fields of landlord, because of which they have no land and they are socially and economically marginalized.

Punjab is an agrarian state and the total geographical area of Punjab is 5.036 million hectares and cultivable land is 4.20 million hectares. Hence, land is a very important economic resource in Punjab. The Punjab Village Common Land Act, which ensures 1/3 of village shamlat land to the members of schedule caste, mostly this land was taken by the upper caste

²²² Ibid

²²³ Sucha Singh Gill, Land Reforms

people in the name of the schedule caste and they employed them on that land as agricultural labour.

Both the legal provisions still exist but not benefitting Dalits in Punjab. Sangrur is a district in Punjab, where in some villages schedule caste is using this land. These provisions are not benefitting Dalits in Punjab and there are many reasons for that.²²⁴

The first reason is that they are economically dependent on the upper caste people who are landlords and schedule caste depends on them for their livelihood. The second reason is education of Dalits who are mostly uneducated and in most parts of Punjab they are not aware of the legal provisions and the administrative support is also towards the landlords. In few villages of Sangrur district when Dalits got awareness they struggled for their legal right, for that in some places they faced many kinds of problem from the landlords.

Third and most important reason which is applicable to all social protection policies and legal statutes is the intention of society. The objective of land reforms or the provisions of Punjab Village Common Land Act 1961 were not implemented, because any right which may be constitutional right (fundamental right) or legal right only accessible when you claim for that. Otherwise those are not relevant. For example, right to education for children age group of six to 14 under Article 21-A compulsory education. Under the directive principles of state policy. It the duty of parents to send them to school to get education, but if a person does not send his child to school or the child is not interested to go school for getting education what is the relevancy of Article 21?²²⁵

This is the main problem with the implementation of social protection policies. At the early times Dalits were not aware of their share in Village Panchayat land and they never claimed for that. The upper caste were aware of this provision so they utilized it in the name of the Schedule Caste members of the village. But when some Dalits got awareness and wanted to claim their legal right the upper caste in some places socially boycotted them, warned them that they will

²²⁴

²²⁵Article 21-of constitution of India.

not employ them in their field for *Siri*²²⁶labour and some places they were beaten by the upper caste.

Importance of Land for Dalits in Punjab

The land is a very important resource. First importance is people produce crop from the land which is a direct benefit, but there are some other benefits which are indirect benefits to tiller of land. In the village the peoples have mostly domestic cattles like cow and buffalo, they get milk from them that is their additional source of income and for fulfillment of their smaller need they sell them and earn. Now we can assume the importance of domestic castles in their life. The tiller got *green feeds* for cattle's, so that when they work on the field of landlord, they are dependent on the mercy of the landlord for Hara chara (green feed for their cattles) and Turi, but after getting their share of Panchayati land they got feed for their cattles from their land.

Common Agricultural of Common Land

The members of the schedule caste associated and formed their own village level committee to perform Sanjhi Kheti (Collective Farming) on their share in the Shamlat land so that it benefits to all dalits of the village. In the District Sangrur a Zathebandi (Association of Persons) Zameen Prapti Sangharsh Committee which is an association of Dalits and Non Dalits presently actively working in this district. They formed village level committee in four village of Sangrur Balad Kala, Gharacho, Bhatiwal, and Tolewal; in these villages they performed collective farming on the Shamlat land from three years. They returned he auction amount which they paid for getting land and got feeds for their cattle and a share of grains. At present time when agriculture is questioned as non profitable work, they have shown it can be profitable work and they did that on the land which they got on annual rent basis.²²⁷They have not got any machinery so they hired

²²⁶ Siri- Labour who work for Upper Caste Landlords

²²⁷ Seminar by ZPSC in Sangrur dated 07.01.2018

those on rent. But they have the fear that every year, they will not get land the next year, and if government gave them land on lease basis then they may feel secure and perform more better. There is provision in the Act that if a village members form a registered association then they can claim for their share of shamlat land for five years. This committee is very effectively working in district Sangrur.

Gharacho

This village is located in Sangrur Tehsil. Dalits of this village formed three groups for the purpose of collective farming on 25 acres land. There 68 houses of Dalits in this village. They collected Rs.10500 from each family for auction price, and return them Rs. 10000, and 9.5 quintals wheat.²²⁸

Bhatiwal Kala

This village is also located in Sangrur Tehsil. In this village Dalits formed Manpreet Group and performed collative farming on 68 Bigha land. They collected Rs. 2000 per family, and returned Rs 1700and Rs. 400 to the each family. They gave 2 quintals wheat to each family.

²²⁸ Ibid 94

Tolewal

This village located in Malerkotla Tehsil in Sangrur District. The Dalits of this village have formed Jaggi group. This group performed collective farming on 15 Bigha. This village have very less proportion of land but they are collectively farming on that land.²²⁹

Balad Kala

Balad Kala is located in Sangrur Tehsils. In this village total Panchayati land more than 300 acre, so that Dalits of this village is performing collective farming on 415 Bigha Land, for this they formed Baba Ravidas and Jeewan Singh Committee. They return cost and 5 quintals wheat to each family. This village have total 325 acres shamlat land. The local administration never supporting to them otherwise in the village land can be aquire for five year because it fulfils condition defined under section 7 of Punjab village common land Act. The are some images which was taken in a seminar organized by the ZPSC on dated 07.01.2018 in Sangrur.²³⁰

²²⁹ Ibid 94

²³⁰ Ibid

Image 4.1



Seminar for Appreciation for Collective Farming in Sangrur

Image 4.2

Seminar for Appreciation for Collective Farming in Sangrur

Image 4.3



Image 4.4



Image 4.5



Image 4.6

The above mention information is example of agricultural is profitable work. The peoples of above said village performed agriculture and generated revenue out of it by the way of collective farming. These peoples have not their own land they performed it on land which they hired on land rent basis and paid a some amount to utilize it. They have not their own machinery like Tractor; tube well, for all these they hired them on rent basis. After all they make some amount of profits. So that I think planed agriculture work can be a profitable for revenue generation.

The main problem is to these peoples, they got land on auction at annual basis so that they have fear of every year may be they will not got land in next year so if government gave them land on lease basis then may they feel secured and perform more better. There is provision in the Act if village member forms registered association they claim for their share of shamlat land for five years. This committee is very effectively working in district Sangrur.

In the village Jhaloor total shamlat land is 90 acres in documents, but available for auctioning is only 50 acres that too after the struggle of two years This year in month of May 2018 the villagers got additional Shamlat land of 16.5 acres. The bid amount was 22000 per acres. Dalits of this village collectively shared the bid amount and for that each household contributed Rs. 5000. Their future plan is to perform Sanjhi Kheti (Common Agriculture) and each household will share labour and expenses.²³¹

As we earlier discussed land is not only a resources but also it provide dignity also earlier they were depend towards the landlords for green feed, but now they will self produce it for their cantles. They will produce wheat and rice for self purposes.

²³¹ Information from Balvir Singh Jhaloor Sangrur, dated june 2018

ZPSC (Zameen Prapti Sangharsh Committee which a association of peoples with the help of some other Mazdoor Unions, Kisan Union actively working in this district from 2013. Its contribution in the implementation of this Act cannot be ignored. They organized seminars and convention for the awareness of Dalits regarding their land right in Panchayati land. There are some images which I collected from there seminars. The social and economical situation of small land owners is also not good. These peoples cultivate their land himself. These peoples also supported ZPSC in their movement.

The land cannot be seen as an natural and economical resource only perhaps it is more matter of social dignity and proud in Punjab.