

**ORGANISATIONAL AND INSTITUTIONAL FACTOR IN ECONOMIC
DEVELOPMENT**

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After attaining independence in 1947 the government of India started law reforms for the speedy-economic development of the country. Perhaps Bihar was the first state to introduce zamindari abolition bill in Bihar assembly in 1949. The zamindari system was prevailing in this country since 1793 and the government of India abolished it in 1950. Taking the lead the Bihar Govt. enacted a law in 1950 called law reforms act,1950.

The first step in the direction of land reforms was the abolition of intermediaries. The Bihar land reform act which provided for the abolition of intermediaries was enacted in 1950. On account of the act was delayed and the work could be initiated only in the middle of 1952 .vesting of estate and tenures was carried out in stage and completed by January, 1956. The ancillary work included the preparation of the recorded pf rights, determination and collection of rents payable to the government, and determination and payment of compensation to ex-intermediaries. The progress in carrying out these tasks had been slow , the main reason being that the government had in its possession decades old land records that both incomplete and out of date. In the permanently settle areas, there was no agency or system for the maintenance of records showing 'raiyaats' and their holdings. For collecting its dues the state government did not previously need a record was not reliable and up-to-date. However, this did not cause any difficult as somebody or the other did come forth to pay the land revenue.

When, on the abolition of the intermediaries, raiyaats came into direct relationship with the state , it became necessary to prepare up-to-date record showing the name of raiyaats the

nature of their tenure , the plots by them and their rents . for this purpose the old survey records were copied out , including land help as 'bakasht' by the intermediaries. Up-to date possession could be ascertained on the basic of such records as were made over by the ex-intermediaries. These were further corrected through field inspection by the karmachari. The entries made were carefully checked and re-processed. Objection were invited from the interested parties in regard to these entries, and these were heard by higher officials before the record was finalized. This process is known as field 'bujharat' for which detailed and carefully consider instructions were issued by the government from time to time. But the progress in this field during the a even past period had been very slow . even after the lapse of so much time, a great deal of the work of field 'bujharat' still remains to be done . as the implementation committee of the national development council of the planning commission remarks;thus after nearly 12 year since the work of abolition of intermediaries was initiated the field 'buharat' which is at best only a very rough record has still to be verified in nearly 30.00 per cent of the number of villages.”

As the field 'bujharat' gives only rough and ready records, the state government should be aware of the need to follow it up by survey and settlement operational. It is desirable to take steps to complete the work throughout the state as early as possible.

Thus, we see that the absence of reliable and up-to-date land records impeded the implementation for khas mahalas and miscellaneous work .the cared of circle inspectors was new karmachari who maintained land records and collected rents payable to the government were now employees of the government. A considerable higher staff, such as additional sub-divisional officers or additional collectors , had also to be appointed, further, a cared of compensation officers responsible for the determination of compensation for the ex-intermediaries, was created.

No step appears to have been taken by the state government for education the people about the rights conferred upon them by the various land reform measures. On account of

the various activities of the government, such as field 'budharat' people are in many cases aware in a generally way about the reforms that have been undertaken. No systematic attempt, however. Appears to have been made to inform them in detail about the rights conferred upon them and the action they should take to avail themselves of these rights.

Thus, in any case, the progress in the process of acquisition of intermediary interests has been slow. Special efforts are, therefore, necessary for completing the process without further delay. Supervision over the staff needs to be tightened and, wherever necessary, additional staff should be appointed.

Tenancy Reforms;

Share-cropping of 'Bataidari'. Tenancy in Bihar is regulated by the tenancy act of 1885 and the amendments made in the act. There are also some provisions in the calling act of 1961. By the abolition of intermediaries, the tenants have been, by and large, invested with security of tenure and the provision of fair rent has been enforced in their cases. but in the cases of under-Raiatea or share croppers, security of tenure and fixity of rent have not been ensured. This system of 'Bataidari' or share-cropping is widely prevalent in the districts of shares and prune. The various problem of share cropping are discussed in the following paragraphs.

One of the defacts in then agriculter system of the bihar is the prevalent system ao 'bataidari' or crop- sharing. According to the census of 1981 about 25 per cent cultivators were pertinent, part owner- cultivators and another 7.5 per cent were pure tenants. The tenancy provisions are completely ineffective in practice. They under-tenants are frequently changed to prevent them from acquiring right in lands security of tenure. The immediate need for tenancy reforms is to ensure compleet security of tenure and fair pents to the under-raiyats. The law does not permit their eviction on the case of non-payment of rent por improper use of land . this was done to discourage oral leases still continue to be oral, it is feared that the landlord may convert

oral loses into written leases so that there might be no legal difficulty in evicting such under-raiyats, even if they are recorded.

Restoration of the possession after Ejectment. The right to resumption for personal cultivation widens the scope of ejectments. Section 4BE of the Bihar Tenancy Act provides for restoration of the possession to under raiyats who were unlawfully ejected, i.e., those who were ejected or dis-possessed without the decree of a court. The restoration can be made by the Collector on his own or on an application made by the under raiyat. But under the existing socio-economic conditions, the under-raiyats do not have the courage to make application for restoration. If the restored to the possession from where they had been illegally ejected, it is essential that they should be recorded through a record operation.

Regulation of Rent. As regards rents, the law provides that produce rent shall not exceed one-fourth of the produce. In the case of cash rent, it is not to exceed the rent or revenue payable by the landlord by more than 50 per cent where the land is held under a registered deed or agreement, and 25 per cent other cases. As the bulk of the leased area is cultivated on crop-sharing basis, the letter provision is of practical significance. In practice, the customary rents still prevail. In most cases it is about 50 per cent of the gross produce and in some cases even more.

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