

Study of Political Parties' (UCPN-Maoist, CPN-UML and NC):
Policies and Perceptions of their Leaders in Reference to Land Reform in
Nepal

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By

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LETTER OF RECOMMENDATION

We certify that this dissertation entitled **“Study of Political Parties’ (UCPN-Maoist, CPN-UML and NC): Policies and Perceptions of their Leaders in Reference to Land Reform in Nepal”** was prepared by Ram Kumar Ghimire under our guidance. We hereby recommend this dissertation for the final approval by the Research Committee of the Faculty of Humanities and Social Sciences, Tribhuvan University, in fulfillment of the requirements for the Degree of **Doctor of Philosophy in Political Science.**

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Date: Feb.7. 2013

Declaration

I hereby declare that this Ph. D. dissertation entitled **“Study of Political Parties’ (UCPN-Maoist, CPN-UML and NC): Policies and Perceptions of their Leaders’ in Reference to Land Reform in Nepal”** submitted to the Office of Dean, Faculty of Humanities and Social Sciences, Tribhuvan University is an entirely original work presented under the supervision of my supervisor. I have made due acknowledgement to all ideas and information borrowed from different sources in the course of writing this dissertation. The result presented in this dissertation have not been presented or submitted anywhere else for the awarded of any degree or for other reasons. No part of the content of this dissertation has ever been published in any form before. I shall be solely responsible if any evidence is found against my dissertation.

Ram Kumar Ghimire

Date: 7/2/2013

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An Abstract of Dissertation

The land reform history of Nepal had formally started about fifty years ago and some efforts have been made by the government to implement land reform program. Still poor and illiterate land tillers are deprived of tenants' rights. Realizing this fact, researcher began this study to understand the party leaders' experience on land reform issue. So, the study has focused on the exploration of the perception of the party leaders of UCPN-Maiost, CPN-UML and NC and the policies of those parties as well as historical background of land reform in Nepal. For conducting the research, researcher made an intensive literature review from different perspectives before field visit.

Prolonged discourse and intensive interactions based on subjective inquiry in uncovering what research informants felt as 'truth' assured the researcher to claim that the revealed knowledge is trustworthy.

This study is based on qualitative research approach. Researcher adopted interpretive paradigm in order to derive substantive meaning from the uncovered knowledge. So, following the interpretive paradigm, researcher derived meaning with analysis and reflection on the beliefs, value and feelings as well as perceptions expressed by the research participants about land reform.

Researcher has made the study more substantive and authentic by incorporating relevant ideas that he gathered through literature study. Similarly, data were collected through interview, observation and document review in this study. Researcher interpreted the meaning relying on participants' understanding about land reform. He also addressed the ethical consideration to reduce the degree of crisis of representation and legitimacy.

Major findings of the study reveal that time relevant land reform process has not been implemented due to the lack of immediate government commitment. Similarly, powerful people have been holding big plot of land area, so they do not want to fix upper ceiling. Arable land has been left fallow due to the conflict between land owner and tiller. Fallow land leads to the decrease in the productivity of country. All informants have asserted that land reform is essential to increase the productivity and is meaningful for fast growing population. Similarly, all informants support the slogan of "land to the tiller" but they are still confused regarding the implementation. Moreover, there is feudalism in agricultural system and it is a hindrance of equitable and justifiable system. Because of it, scientific agricultural policy has not been implemented and the government has not been able to eradicate rural poverty from country. In this context, land reform is necessary to develop social justice in society. It helps make the state independent and developed, and helps make people happy and achieve self sufficiency. Similarly, land is a gift of nature to all mankind and all creatures. So, the land distribution system needs to follow social justice to increase production and to make the land reform process successful. However, mostly land tillers are deprived of tenants' rights. Therefore,

'land to the tiller' has to be made the policy for land use system. Likewise, land holding has to be based on the work of land and state needs to be sensitive to use natural resources. A powerful land commission is also needed to investigate false holding because such commission could prevent false registration of public and private land. Local land court is essential to give immediate justice to the tenants who do not have capacity of taking justice from the existing court. To implement time relevant land reform program, sincerity of the leaders' of different parties is thought essential.

Abbreviations

AR = Agricultural Reform.

CLARPD = Consortium for Land Research and Policy Dialogue.

CPN = Communist Party of Nepal.

CSRC = Community Self Reliance Centre.

FAO = Food and Agricultural Organization.

ILO = International Labor Organization.

JTA = Junior Technician of Agriculture.

JT = Junior Technician.

LA = Land Administration

LC = Land Ceiling.

LR = Land Reform

LRS = Land Revenue System

MLAR = Market Led Agrarian Reform.

NC = Nepali Congress.

NIDS = Nepal Institute for Development Studies.

SLLR = State Led Land Reform.

UCPN= Unified Communist Party of Nepal.

UML = Unified Marxist Leninist.

UN = United Nations

WB =World Bank.

WC = World Conference

Key Words

Land lords = those who have more land for family subsistence and their land is given to other to till.

Beth Beger = service to the landlords without wage; the system was based on feudal land system.

Majh Kirat = the part of Nepal East to Dudh Koshi river and West to Arun river

Pallo Kirat = the part of Nepal East to Arun river to the border of India.

Mohi = those who till the land of other in rent and they have the certificate of land tilling.

Talshing = those who give farm land to other to till on rent.

Dhanahar = the arable land which is used for paddy production.

Pakho = the arable land with sloppy terrace which cannot used to paddy production because there is no chance of irrigation, so land is used only to produce corn, millet, wa, etc.

Awal = the arable land where production will be high, so the rent of the Awal land is more than the other kind of land.

Doyam = the second type of arable land in division, the rent of this land is fixed less than the Awal land.

Seem = the third type of arable land, so the rent is fixed according to the land type.

Char = the last category of arable land in land division, the rent of this type of land is less than the other three types.

Hale = the land where ox plough is possible.

Kodale = the land where ox plough is not possible and the land has to be dug using hoe.

Ropani = a unit of land measurement (5476sq. feet area of land), especially in valley, hill and mountain area on Nepal.

Mahasamantas = in Lichchhavi era, the king had deputed power to rule over the country to his faithful individuals in the name of Mahasamantas.

Lalmohar = the last seal of the king or the state chief on the bill, then the bill got the status of the act.

Sanad = the order of king to provide power to an individual in a written form.

Istiyar = notice given by the government to the concerned group.

Hukum Pramangi = the oral order of the king which had the status of law.

Kurilo = a kind of vegetable which has high nutritional value.

Malungo = a kind of bamboo which is used to make furniture in different shapes.

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Chapter I

INTRODUCTION

Nepal, relatively, a small country lying on the lap of the Himalaya is renowned for its physical and cultural diversity. Since the beginning of modern Nepal, geo-politics became the most important factor for foreign policy and home policy was basically determined by land holding system. Agriculture plays vital role in its economy as more than two third people directly depend on agriculture. The livelihood of the agrarian people is directly related to the cereal food production and distributional pattern of the agricultural land.

Before the unification of the kingdom of Nepal, it was divided in many tiny kingdoms. Most of the tiny kingdoms were dependent on landed economy. The three kingdoms of Kathmandu valley had trade relation with North and South and some of trade goods were based on agricultural products. To some extent the land holding, land distribution and land administration system of each tiny kingdom was based on agriculture and agriculture products as the land holding was the basis of power.

Nepal is least developed, landlocked, geographically vast divergent and economically vulnerable nation of enormous ecological, cultural and ethnic diversity. (Dahal, 2000, p. 9). After the unification of modern Nepal, it became a small nation state of South Asia having an area of 147181 sq. km and the population is about 26 million. Its per capita income is very low (US

dollar 510 equivalent to Rs. 4080) (CBS, 2001, p. 37). In most of the developing countries, land is the basis of power and prestige.

According to Sadhu and Singh “The desire for more land also stimulated because of its permanent value, indestructibility and immobility. Those qualities have tended to inflate the value of land and the prestige of its possessor. (Singh, 1997, p. p. 31-37).

In agrarian countries, landed property is considered to be the most secure area of investment. Land is the safest form of saving and it safe the future financial crisis. With the population rising fast, the demand for land has risen. The value of land is continuously increasing. Investment in land has therefore, became more prestigious than other movable assets. On one hand, demographic explosion has become high and on the other hand, there is poor employment capacity of state in nonfarm sector, so the demand of land is bound to increase.

The natural resource land is immobile and indestructible, although its fertility may degrade. Land itself is indestructible as far as a particular plot of ground is concerned. It can be flooded, ploughed-up or burned over but the plot as space remains in ownership. However, its fertility as an agricultural resource is destructible. But even its loss of fertility for certain crops does not preclude using land in other ways, such as for grazing, timber, residential plots or commercial use. (Roy, A. Corty and Sullivan, 1971, p.101).

Geometrically increasing population and annually decreasing arable land has lessened land to man ratio. So, land resource should be used in planned way. After the end of World War II, land reform becomes a movement in the world under the championship of the UN. Holding of the arable land by the tiller determines the status of the land reform of the particular country.

In 1966, FAO had organized world conference and it concluded that “land reforms were important measures to achieve equity and economic growth in rural areas.” (UN. FAO, 1966, p. 4). Basically, after World War II, land reform became a movement for economic change in most of the developing countries.

In Nepal, land was the subject to taxes for a long time in history. Land and its ownership have been prestigious symbol of social status and the main sources of economic and political power for many centuries. The government has used land to obtain military, administrative and political objectives, as well as for pleasing relatives and friends. (K.C., 1986, p. 2).

A vital area of Nepalese economy, agriculture shares about 33 percent of the total GDP and majority of the people are directly dependent in agriculture. The livelihood of the Nepalese people is, thus, related to the productivity and distributional pattern of agricultural land. The productivity of agricultural land also, more or less, depends upon the distributional pattern of land. Arable land holding by the labor determines the productivity of land. Land is the basis of agriculture. Arable land size is decreasing due to desertification, grazing, flood, landslides etc. Different kinds of human constructions like housing, industries, roads, airports, schools, hospitals etc. and the modernization process have also annually decreased the arable land area.

Agrarian reform might be a pre-condition for agricultural and economic development of Nepal. To break down feudal land holdings, to redistribute land among the real farmers, and to provide institutional facilities and services, to increase agricultural production and people's income, agricultural reforms could play vital and multiple roles in the national economy. The

economic development of Nepal, with economic well-being of the vast majority of Nepalese farmers, depends on agricultural development.

When any one go through the chronological study of land management system of Nepal, she/ he can see that there are many reforms and reformulation in different times from the Kings, Ranas, His Majesty's Government and the Government of Nepal.

At present, land is used as an important asset of individuals, and when government deems necessary can make any type of change in land holding. According to the act of government, in relation to the land, it can be said that the land ownership is the everlasting, durable, fixed and reliable asset of citizens. A person can pledge the plot of land as personal property. Land ownership certificate is believed as an important criterion for getting citizenship. Distributing the expropriated land, more than ceiling, to landless, (one of the objectives of Nepalese land reform) also proved that land is a reliable asset of citizens. For Nepalese people land has been an indicator of financial status.

The people of Nepal have to be benefited by the land reform policy. Formally, the program, on the title of land reform, was lunched with noble objectives. Those were to increase agricultural production, to improve the condition of the peasantry, and to divert capital and labor from agriculture to non agricultural pursuits in order to accelerate economic development. (KC, 1986, p.1).

In its initial phase, land reform program had envisaged many achievements but in the course of time, it is moving in the crossroads. There were many reasons as: a) There is excess burden of population in land. b) There is traditional outlook regarding agricultural land. c) The arable land man ratio is decreasing. d) The number of landless settlers is growing. e) There is the

trend of minimum labor of land owner. f) There is conflict between land owner and tenants in many areas. g) The active or productive age people from the rural area of the country are fleeing to India, gulf and other nations in search of employment. On one hand, unemployment is being a formidable problem and on the other, ambition of rural people is not achieved by agriculture. So, it is becoming a greater challenge for the development of the country.

At present, politically Nepal is in crossroads and the future track only could be traced by the strong will power of political leaders. To meet the necessity of the 21st century, it is inevitable to execute public welfare program for the greatest happiness of the greatest number of people. In this connection, land reform would be a mean for the prosperity of the larger number of people. Hence, if forthcoming land reform program does not succeed to consider the multiple-political, social and economic linkage of the society and it only considers the distribution aspect, result will not be achieved as it had considered in its initial phase. Therefore, the new land reform program needs to proceed in the right direction regarding the distribution, productivity and administration of land. Considering this situation, the study has tried to look, historically, how the land reform process has advanced in Nepal and it has focused on the policy of UCPN-Maoist, CPN-UML and NC towards land reform and the perception of their leaders.

Statement of Problem

The trends of land holding and land tenure pattern have been changed as the consequence of the demand of time. Inequalities between small holding and large holding have been decreasing since land reform introduced as the means of social justice and economic development. After the end of World War I, Soviet Russia implemented a new dimension to agrarian reform (in 1929), the socialization of agriculture- the collective ownership of land, partly through state farming but mainly through collective farming under state control, as prerequisite for attaining communism. The revolution of Mexico (in South America) compelled the establishment to carry out land reform. After the end of World War II, the UN started to plead about the rights of the third world people. In so many countries of the globe, land reform became a main issue and from the half of 20th century onwards, many countries, containing two fifth of the world's population, have carried out major redistribution of land.

Asian nations Japan, Taiwan and South Korea carried out land reform program after World War II. Massive US aid was used in program implementation and to redistribution the expropriated land to the tenant farmers. The ex-tenants paid for their land and the former landlords were compensated and encouraged to invest in industrial sectors. These reforms laid the foundation for the postwar process of economic and industrial development in these countries, leaving nearly all of Asia far behind, (Prosterman, R. L., 1990, p. 3).

Land reform in South Asian Continent had been started after World War II, and the outcomes of land reform in this continent differs country wise. Even in India, land reform in

Bangal and Kerala state is relatively more successful than Bihar and UP. The case of Sri Lanka is comparatively hopeful than the case of Pakistan, Afghanistan, Bangladesh and Nepal.

In Nepal, land reform had been started after the end of World War II. The political change of 1951 brought the problem of land reforms in surface for discussion. The necessity of social and economic change has perceived reforms in the country. Land reform program had emerged as a most important agenda from when democratic political system started in Nepal. Land reform was the main development agenda of 1950s 1960s sand 1970 as well. In August 1952, a Land Reform Commission was constituted. Birta Abolition Act, 1959 and the Land Act 1964 were promulgated for land reforms. Till now, the land Act of 1964 has been amended 5th times.

In many places, the terrain of Nepal is more difficult to overcome by foot. Most of the Nepalese abide in rural area depending on agricultural products. Without changing rural economy, Nepalese economic development is not possible. In past, so many of conflicts had been raised from the rural area, we can take the case of Maoist movement which had engulfed the rural agricultural area in a short period of time. At present, the issue and propaganda raised by different political parties are about the agrarian problem and it has internal and international importance. Therefore, land reform is necessary not only for production increase with social justice but also for political stability and peace within the country.

The severity of poverty in rural Nepal is very high. To overcome poverty by prosperity and to ensure sustainability of income for rural livelihood, land reform is necessary. Poverty alleviation of the rural areas without land reform is not possible. Livelihood program without

landed rights are unsustainable. While land rights without adequate follow up program for agrarian growth and reform are retrogressive (Mukherjee, 2002, p. 5).

Land reform has been an area of interest for the researcher since when land reform officers and staffs used to visit different areas of countryside. In this context, at that time, in different villages, landlords and peasant were in two sides. Before the advent of the democratic structure in the countries' polity, most of the student organizations of the time, were the sister organizations or the vehicle of band political parties. So, the demand of student organizations was more political than academic. Time and again, they used to raise social and economic issue with political one. The need of scientific land reform frequently became the demand of those student organizations mostly of those which were tilted to left ideology. It also strengthened the question of land reform which must be settled down by program.

In the 21st century political parties have only been the vehicles of politics. Political leaders should give vision to the parties. The perceptions of party leaders and cadres on different agenda could be counted in policy making. This study has described the historical process of land management and administration as it has analyzed the policies of CPN-Maoist, CPN-UML and NC towards land reform and perception of its leaders.

Research Questions

The research is to pursue answers to the following research questions:

1. What is the historical background of land reform in Nepal?
2. What are the policies of CPN-Maoist, CPN-UML and NC towards land reform?
3. What is the perception of the parties' leaders of CPN-Maoist, CPN-UML and NC towards land reform?

Objectives of the Study

The objectives of the study concentrate mainly on the problems which are raised in statement of the problem. Objectives may be the main focal area of research in which the research concentrates. The analysis and interpretation of data has been made to meet the objectives of the study.

The general objective of this study was to trace the historical background of land reform. Similarly, the perceptions of the three larger political party's leaders' of Nepal have to be found out and the study has also intended to be analyzed policies of land reform of the parties. The specific objectives of this study are the following.

1. To explain land reform in historical background.

2. To analyze the policy of three larger political parties of Constituent Assembly (UCPN-Maoist, CPN-UML and Nepali Congress).
3. To analyze the perceptions of the leaders of three larger political parties (UCPN-Maoist, CPN-UML and Nepali Congress) on land reform.

Significance of the Study

Land is the prerequisite and a most important and intangible component of a state. The ownership of land shows the development parameter and the changing pattern of the traditional concept to modern in a country. Reform in the land management and administration is the never ending process. But the reform pattern and practice may differ according to the time and context. So, the importance of land reform will never decrease but the complexities on it will increase in course of time. The political power could control, command and determine the ownership and the distribution of land. But the economic, social, ethnic and psychological pattern cannot totally be controlled by the state or political power. Therefore, the political decisions about land reform need to be fixed considering the distant future of the country. The unanimous decision could be taken after the rigorous and analytical discourse amongst the concerning persons, decision makers and stakeholders.

Land reform policies and perceptions may differ according to time, context and society. Political stability, social attitude, economic progress, international practices, and national policies and perceptions on land reform are interlinked with one another. Land reform may play a major role in socio-political and economic change of a country. It will help to create inclusive

political environment. In Nepal, many efforts have been made by the rulers on the area of land reforms before and after the unification of modern Nepal but the efforts are seen insufficient. Since 1950 onwards, different political systems have been practiced in the country. In the course of time, social and economic patterns have slowly been changed. In comparison with other changes, Nepal has not come out from the traditional distributional pattern of land reform. A study of historical development of land reforms could throw some light on it. In future, appropriate policies have to be formulated and it can be possible when different parties' leaders' perceptions come unanimously. The distribution of power of a state may be heavily influenced by the land holding and distribution pattern within a state. In this regard, a study has also been thought necessary to analyze the policies of three parties and the perception of the same parties' leaders. The implications of the study could be used by the concerning agencies. The study could provide some information to those who want to use it.

Limitations of the Study

In studying any topic, there will be some limitations like financial resources, time, and research limitation like sampling size, selection of field and so on. Agricultural survey has been launched in Nepal since 1990 and is conducted once in every ten years (APROSC, 1995, p.7). During the gap of ten years agricultural survey methodology has undergone changes. In this regard, the comparison of data would not be reliable and valid.

In Nepal, land reforms program was systematically started after 1964. This study has illustrated the background of land reform in Nepal. The study has only covered the three larger

political parties (the United Communist Party of Maoist, Communist Party of Nepal United Marxist Leninist and Nepali Congress) with their policies and perceptions of the parties' leaders. In analyzing data the researcher has ordered the party position as; UCPN-Maoist, CPN-UML and NC. The position of parties in the Constituent Assembly has not been considered in analyzing the data. In the CA, the UCPN- Maoist is in the first position, the Congress is second and UML is third. But in this study, the researcher has ordered the communist party in first and second position and the position of Congress has put in third. It is because the same ideological parties have ordered in first which could help to compare the data.

Organization of the Study

The study is organized into seven chapters. The first chapter deals with introduction to the research. The second chapter is about the literature review and theoretical models. Research methodology followed in research has been mentioned in the third chapter. In chapter four, historical background of land reform in Nepal has been described. Chapter five has analyzed the policies of three larger political parties of Constituent Assembly. Perceptions of the leaders of the three parties' towards land reform have been incorporated in chapter six. Finally, chapter seven has covered the findings, conclusion and recommendations of the study.

Chapter II

LITERATURE REVIEW

Literature review is essential to conduct any research work. A researcher requires being familiar with related literature that helps in conceptualizing the problems, conducting the study and interpreting the findings. In this reference, to review the literature related to the land reform, researcher has gone through the writings of the different writers within and outside of Nepal. All the literature related to the subject areas is viewed and some literatures, which are more related to the study topic, are viewed very keenly. In the area of land reform, the literature has been related in three relations: - Land reform: the meaning and the concept, theories related to land reform and books and writings on land reform.

Land Reform –the Meaning

Land reform is defined by the Encyclopedia Britannica as ‘a specific integrated action program to bring about more effective control and use of land for the direct benefit of the community as a whole’.

In the narrowest and most popular sense, ‘Land reform’ means the redistribution of land. This is the type of reform which raises the deepest political passions. For a predominantly

agrarian society, redistribution of land means distributions of wealth, income, status and political power, in a sort, a revolutionary change in social structure. (FAO and ILO. 1966, p. 4).

The word 'land reform' in English means a reform of tenure institution (with or without accompanying reforms) and 'agrarian reform' means a broad program of change which may or may not affect tenure institution. (UNFAO, 1966, p. 3).

Oxford Dictionary of Geography has defined the term land reform as 'a sweeping change in land tenure, usually involves the breaking-up of large estates, wide spread redistribution of the land into small but may also be land consolidation.' The redistribution of land is a complex and slow business.

The World Land Conference (1966) has defined agrarian reform as 'a hotchpotch of measures designed to eliminate obstacle to economic and political development arising out the defect in the agrarian structure.' The report has listed the objectives of the reform as: increase in the productivity of agriculture as the total output of goods and services in the economy as a whole, equality in the redistribution of that output, greater social equality of human dignity as a greater consequence of greater economic equality; greater personal freedom for larger number of people and greater social solidarity. Thus, land reform and agrarian reform i.e. institutional and broad program of change is necessary. Agrarian reform, a partial process of change agent in society, plays a very important role. To achieve the complete output of agrarian reform, it must be backed up with industrial development with the preventive measures of population explosion. (Lumba and Tomar, 1986, p. 5).

To Prosterman 'Land reform' is the transfer of agricultural land holding to the landless tenants or to those who actually till the soil. This action could be after the unjust and inequitable

power structure in justifiable pattern. But the jobs of program implementation, seriously in policy and implementation, is necessary. (Prosterman, et. al. 1990, p, 4).

Land Reform – the Concept

The concept of land reform is not a new one. Since Biblical times, land had been accumulated by the few at the expense of the many peasants or worker who had worked in field. It created inequality and dissatisfaction among many. Owing to that situation, political and social instability took place between the few and many accordingly. So, there was a provision in the Old Testament, the Book of Leviticus describing the Year of Jubilee that every fifty years, the accumulation of land required to be relinquished and redistributed. (Prosterman, et. al.1990, p. 3).

Similarly, like in the west, the attempt in land reform in oriental countries also had been made since ancient time. The land administration of the time was guided by spiritual thinking. Distribution of land and other inputs were made according to the *Spiritual Writings, Ethics* and *Smrities* (Manusmrity), etc. At that time, it was the duty of king to make an effort to collect land, precious jewelry, etc. Wealth obtained by conquering war had to be properly secured and that had to be increased by mobilizing it in commerce and business. And the increased wealth had to be distributed to the right people by maintaining due process of spiritual law. (Chaturvedi, 2005, p. 124).

In modern time, French revolution of the eighteenth century dismantled the feudal states and distributed the land to the peasants. The Homestead Act had an impact in landed property in the U.S. The masses of farmers gained economic and political power in Europe and North America and the door of development was opened in those countries known as the industrialized democracies. Throughout recent European history, relatively egalitarian agrarian systems have been associated with democracy and development while in egalitarian system with instability and anti-democratic forces.

Since 1900, major redistribution of land started in different countries. Some redistribution was the outcome of the violent upheavals as in Mexico, Russia, China, Bolivia and Cuba. Waves of land redistribution occurred in Eastern Europe both before and after the World War II. The world wide whim of land reform came after World War II. Marx pleaded the complete egalitarianism in land distribution but the capitalist were in favor of resource egalitarianism.

About land tenure, FAO has written 'The Russian revolution in 1917 and a variety of national socialist as well as populist regimes between the first and the second World Wars move from an ideology of agrarian reform in the western world, from a liberal economic process to a state engineered way to redistribute land and achieve equality in rural areas. This, in fact, became the main mechanism whereby an "entrenched" powerful landlord's class was unwilling to support and participate on land tenure reform. Most of the land reform in Latin America, Asia and the Far East were derived from this model. Therefore, at the founding of FAO in 1945, land reform was seen as one of the main tools for achieving rural transformation and agricultural development. It was also considered that the state rather than the market determined redistribution of land.' (UNFAO, 1997, p. 53)

In the third world, known as the developing countries, the issue of land reform is very much important till now. In those countries, the land has continuously been the principle source of livelihood, status, power and prestige. Lack of employment opportunities in rural area pressurizes the urban nodes to welcome the physical labors as the landless person. The landless helps to create insecurity, political instability and it promote revolutionary upheavals in different parts of the globe. To overcome those kinds of problems, land reform is probably the most important, and in some parts, only means of alternating the inequitable power structure to the egalitarian democratic structure. (Prosterman, et. al.1990, p. 4).

From 1960 onwards, FAO of the UN started to assist her member nations in the area of land reform. FAO was the umbrella organization. Its scholars, policy makers, researchers, implementers and supporters regularly started to provide information and policy suggestions for the betterment of land reform. In the initial phase, land reform was an important measure to achieve equality and economic growth in the rural areas.

Conceptually, there are two types of land reform, state led land reform and market led agrarian reform. Except in some countries, the traditional state lead land reform did not show the full effect as was expected in the initial phase.

Deiniger and Binswanger (1970) have pointed out some weakness of state lead land reform as: more coercive, static and centralized, corruption generated tenure insecurity and red tapism, lengthy legal process, political conflicts, lack of supportive mechanism etc. In the case of Nepal, existence of intermediaries and landlordism has less emphasized on mechanism related to agriculture as: horticulture, poultry farming, dairy development, slow progress in rural economy,

growing landlessness etc have been identified as a problem of land reform. (Deiniger and Binswanger, 1970, p.158).

To resolve the problem of traditional land reform, market led agrarian reform (MLAR) has been introduced with some new policies recommendations. It is based on the “willing seller: willing buyer” principle. (Borras jr, 2002, p. p. 33-48).

MLAR gave more importance on market mechanism, though there are some lacunas in this approach. So, some scholars who advocated MLAR for land reform have recommended a holistic approach to address land management and environment related issues. Holistic approach is a mixed approach where reforms are made from the state side and other reforms are left to the market mechanism. The supporters of the holistic approach claim that it might be the best approach regarding land reform.

Theories Related to the Land Reform

There are different theories, some give more importance to state role and some are in favor of the minimum role of the state. One version states that the state could help the individuals because state is the supreme body while the second gives stress on market, only market could decide the interest of the individuals. It is a debatable issue. In this context, two theories have been illustrated below.

Distributive Theory

This theory believes on the distribution of resources without any discrimination in society. No member of society/state should be deprived of the access to resources. Distribution would be on the basis of equality, individual characteristics and market transaction.

Egalitarianism states that everyone is equal to the state and should have the same rights and opportunities. Strict egalitarianism believes on the equal chance to consume same level of goods and services on the basis of being a member of society or state. Every individual could contribute according to ability and outcome should be rewarded equally according to the necessity of an individual. Similarly, resource egalitarianism believes on the equality of resource use and outcomes which are determined by people's efforts. In a rough estimate, it can be said that strict egalitarianism is related to the authoritative socialist theory and resource egalitarianism is related to the capitalist ideology.

Institutional Theory

Institution denotes an organization which is built up by a particular group of people with definite rules to achieve targeted goals on the basis of charitable, religious, educational or social purpose. It will remain for a long period in addressing the need of time. The supporters of the Institutionalisms are positive thinkers and they believe in the system which exists for a long

time. Institutionalists do not believe in abrupt change, so they offend the radical change in institution. Without people's participation as a whole, no change is acceptable in a system. The previous system has to be paid fully when the new system is going to be established and the compensation should be hundred percent. Without compensation, nobody could expropriate of other ownership. Institution is a perpetual body, so they pled that those who own the land must be compensated, even if that land was inherited from their proceeding generation. If the proceeding generation had done some guilt to own the land, the successor generation should not be punished. It is against jurisprudence. To them, confiscation of property of anybody is not legal. So, institutionalists are in favor of landlordism.

Above mentioned theories are associated with land reform program in one way or the other. After World War II, when the slogan of land reform took fast pace in every countries' economy, most of them were associated with distributive theories and most of the social scientists were in favor of land reform. They argued that land reform is a necessary condition for the transformation of political power, social justice and economic status. Politicians will play vital role to take bold decision in any business. All kinds of discrimination based on cast, creed, gender, color, region and religion should be eliminated from any society.

The above mentioned theories are significant in their own rights but the achievements are measured in their implementation. This study has taken references from the perspective of institutional theory. All the citizens of a state are equal before law and there should not be any differences among citizens in democratic societies on matters related to caste, creed, color, region, religion, gender, etc.

Literature on Land Reform

Khusro, (1973) describing of land reforms writes in his book “The Economy of Land Reform and Farm Size in India” that the productivity of land in India is low. Two factors were basically responsible for low productivity, the decay of tenure relations and dwarf nature of farms and the meager use of input-water, fertilizers, insecticides, good seeds, farm inputs, etc. According to him, in 1950s and 60s, land reform became the slogan of India. In that decade, the rules and regulations had to be made in favor of land reform movements. But after that decade, the other reason came in talk. The input intensification school became famous in proceeding decade in the area of land reform. Consequently many arguments were given to improve inputs in agriculture.

In his book, Khusro has discussed about the nature of the problem of land reform, land ceiling. Similarly, he has given attention to the result of the land reform program and policies for the successful land reform. (Khusro, 1973, p. p. 11-239).

United Nations Department of Economic and Social Affairs have published a report about the land reform program of the different countries of the globe, especially after World War II. Different objectives of the land reform of the different countries have been discussed and the impact of land reform is analyzed. According to the report, land reform in Australia, New Zealand and USA were seen successful. In Europe, security of tenure did not remain a problem as it was in the third world countries. Japanese land reform program, thus, has achieved its objectives in comparison with other countries of the South East Asia. Land reform impact was not same among state to state. Land reform in South India was relatively better than in North

India. The case of Bangladesh, Nepal and Pakistan was nearly the same as that of North India. (UNFAO, 1956, p. p. 2-39).

With regard to the characteristics of the land reform of African Continent, there was vast difference from the case of Asia. In Africa, land was basically used by tribes. The land reform program in Africa tried to transfer the tribal used land to individual use. (UNFAO, 1956, p. p. 31-36).

In Middle East, Egyptian land reform program has given importance to cooperative farming and the result of the co-operative farming was not satisfactory. In Middle East, the case of Israel was different and it was not only very much positive but was also reported satisfactory to achieve the targeted goals of land reform. Israeli land reform has a successful history. Increase of agricultural production and bringing new land under cultivation and establishment of co-operative had been the emphasis of Latin American land reform. (UNFAO, 1956, p. p. 36-39).

In relation with land use and land as the business property, Royet.al write in their book “Economics Applications to Agriculture and Agribusiness” that land is immobile and indestructible. Land, as a resource, is unique since immobility gives it location value which may increase or decrease depending upon the nature of development that occurs. Thus, local influences greatly affect the use and value of particular plots of land. To him “land itself is indestructible as far as a particular plot of ground is concerned. It can be flooded, ploughed –up or burned over but the plot as space remains in ownership. However, its fertility as an agricultural resource is destructible. But even its loss of fertility for certain crops does not preclude using land in other ways such as grazing, timber, residential plots or commercial use.” (Roy, Corty and Sullivan, 1971, p.101).

In the opinion of the writers, land resource should be used in planned way. Giving inferences of the United States, the writer wrote “If someone makes the agro business competitive that will be more secure sector” (Roy, Corty and Sullivan, 1971, p.103). The writers have given their importance on land planning but they have not discussed the policy of land reform in detail.

Giving importance on ‘land’ only one basic resource for man’s settlement and food production, Sadhu and Singh have written a book “Fundamentals of Agricultural Economics.” To the writer “land has been the most significant input for men in his production enterprises and it continue to be so, more particularly in the less developed countries of the world.” (Sadhu and Singh, 1997, p. 31).

In the less developed countries, the importance of land has been very high. The size of land holding owned by a family determines its economic and social position in the society. Historically, man’s poverty or affluence had been determined by his control on land. A man could raise his output from land if he raised the control over more land than he did before. More land holding raised man’s everlasting demand for more and more land. Lack of alternative possibilities of employing man’s labor and capital raised the urge of man to possess more and more land. Such situation does exist even now in the poorer countries of the world where farming is the single most area of livelihood of three fourth of the population.

According to the Singh and Sadhu, the desire for more land is due to its immobility, permanent value and indestructibility. These qualities of land inflate its value annually and it gives more prestige to its possessor. Man’s passion for more land is because land is thought to be the safest form of saving and it is a line of insurance in a future financial crisis. Land also

provides space for manmade constructions as buildings, roads, airports, health posts, resorts, schools, industries, bridges and so on. Land is the only reserve source of food, fuel, production, pastoral field, forests, mine etc. For the use of land, policy on it is necessary.

Bal Jit Singh, (1962) a prominent writer, has concluded in his book named “Next Step in Village India: A Study of Land Reforms and Group Dynamics” that the broad features of land reforms are generally known by all, i.e. the abolition of Zamindari, intermediaries, simplification of tenure and conversion of tenancy status into ownership, fixing ceiling on land holding and redistribution of land, limitation on sub division or fragmentation of holding but consolidation of holding. According to him, the underlying principles of land reforms in most countries were same but the pattern of land tenure was different in different states, even in the different states of India. The output of some states of India did not come out as was expected before. The output of Uttar Pradesh was not as hopeful as that of South Indian state Kerala. In his view, many factors were responsible in making land reform successful or unsuccessful. The appropriate policy according to the social situations and the supportive program with better agencies might be minimum conditions for the positive output of land reforms. (Singh, 1962, p. p. 217- 219).

In their book title “A study of Land Reforms in Uttar Pradesh”, Singh and Mishra have concluded that there were so many problems for the unsuccessful history of the land reform of North India. One of the objectives of the land reforms was to improve the agriculture economic institutions as agricultural land ownership and tenancy, land rent and agricultural credit and producer marketing. It includes agricultural technology, the physical problems of land utilization and development, conservation of resources, methods and levels of productivity and the problems of rural institutions, etc. Whenever the existing problems weren't overcome, land reforms were not successful. The assessment of the land reform of Uttar Pradesh has given more

importance on the supportive institutions in real sense with good policy on it. (Singh and Mishra, p. p. 110-111).

United Nations has published a progress report about land reform with the title “UN Progress in Land Reform.” The report says that the term land reforms means the improvement of agricultural land ownership and tenancy, land rents, taxation of agricultural land or income from land, producer marketing, agricultural credit etc. The report had given importance on the institutional supportive program to reap the fruits of land reforms as the preventive measure at least to abbreviate the unrest situation, both for moral and civil reasons and also to consider economic and technical side. (UNFAO, 1954, p. 14).

According to the progress report of UN, the United Nations survey emphasizes that there are some common policy objectives. The most important of those is “family farm ownership”. (UNFAO, 1954, p. 11)

In the context of India, the major objectives of land reforms were maximization of output and productivity; fair and equitable distribution of agricultural income increasing employment opportunities and economic order. The report has mainly discussed on the objectives of land reforms of its initial phase and it would be the reference for Nepalese land reform objectives. The mentioned report could help across the Nepalese land reforms’ initial view, its practice and its achievement. (UNFAO, 1956, p. 14).

Lumba and Tomar argue that in the society, output of goods and services should be distributed proportionately. Greater equality in the distribution of the output, greater personal freedom for larger number of people and greater social security is essential. Thus, land reform and agrarian reform, i.e. institutional and broad program of change in agriculture is necessary.

Agrarian reform is a partial process of general change in the society. Nevertheless, it plays a very important role. For the complete impact, agrarian reform must be backed by industrial development accompanied by the measures to control population explosion. (Lumba and Tomar, 1986, p. 5).

John P. Powel Son gives his arguments in his book “Latin America Today’s Economic and Social Revolution” that land is like air, water, like light, on heat of the sun. It was bestowed upon mankind by whatever superior being is believed in (if any), and it belongs to ever one. According to him, land, the natural gift to mankind, belongs to everyone and no one could be alienated from land or from its product, though there are so many landless and semi-landless in different countries of the globe. It would be unthinkable for any man to shut off the supply of air or water, so that his fellow being could not breathe or drink. So, also man must not be alienated from land or from its products also (Son, 1964, p. p. 33-35). He concluded that there is increasing pressure on land man ratio, the tenancy of land holding, government policies, etc. To overcome the challenges on the land resources, land reform policy and its implementation program should be discussed and formulated properly.

Roy L. Prosterman, Mary N. Temple and Timothy M. Hanstad had edited a book “Agrarian Reform and Grassroots Development: Ten Case Studies”. It was a policy study by the curry foundation. Describing the concept and history of land reforms, writers argue that in the third world, known as the developing countries, the agenda is very much important till now. In the third world, ‘land’ continuously is the principle source of livelihood, security and status. About six families out of ten are still engaged in agriculture. Among the dependents on land, most of them are working in others land. Some are working as tenant farmers and they are paying rent to the landlords in most of the underdeveloped countries of the East and South Asia.

Others work as agricultural laborers on large plantation or medium sized farmers in Latin America or parts of South Africa. Still, others work for wage or a share of crop in the small holding sector, as in Java. According to the writers, there are some families who hold a small piece of land as the land owner but the situation of them is very much deteriorated in economic sector. The poorest of the poor are sometimes referred to as the landless and these are tens of millions and more who are near the landless. Such landlessness is at the root of economy and it is a most serious persisting problem. Yet, the heart of the development process has been neglected or ignored. (Prosterman, et.al.1990, p. p. 3-5).

The writer further argues that landlessness, insecurity of tenancy, lack of investment, etc. are the cases of social and political instability. In the twentieth century, many major revolutionary upheavals broke out in the different parts of the world. Revolution burst in Russia, China, Mexico, Spain, Cuba, Vietnam, Bolivia, Ethiopia and Nicaragua. Tenants and agricultural laborers have easily provided support for ongoing insurgencies. The case of Salvador and Philippines were the representative in this line.

Landlessness is continued and spreading in the area where deforestation and soil erosion are excessive. The trend of landlessness is rising. Land owners have dignity, status and contempt. Land tenure reform is thought a more direct and effective approach. Experience demonstrates that one who owns sufficient land can make long term and short term investment for increasing productivity. Furthermore, sometimes land reform will be the only means to alter the power structure in equitable form. Participatory institutions will also be created through land reform which is necessary in strengthening democracy.

Describing the modern time history, the writer has given importance on South East Asian states. With massive United States aid, the East Asian countries-Japan, Taiwan and South Korea carried out the program. Writer regarded land reform as the transfer of agricultural land holding to landless tenants or laborers who actually till the farm. It helps to alter the power-structure in equitable and justifiable manner. Similarly, it may help to erase the hindrances of democratization process. Political commitment is essential for the success of the program. Political commitment will be there in its initial phase and it will not remain for the whole time of its implementation. He writes, "If development experts and policy makers have not studied the problems and thought through the prospective of solutions in detail beforehand, the opportunity to implement a reform may slip by." According to him, it could be concluded that for the success of land reform program, restless devotion of some people with full of energy and labor and political commitment of the leaders was unavoidable in past and it will be necessary in future also. (Prosterman, et. al. 1990, p. 3).

Radha Sinha has written in his writing "Landlessness: A Growing Problem" that among the myriad problems of poverty, landlessness is the chronic one. In his view, landlessness is one of the very causes of poverty and an immediate remedy of poverty elevation in an agriculture based country, where landlessness resides in severe poverty, is land reform. Illustrating M. J. Esman, he writes that poverty and landlessness may remain in same place and landlessness might be the cause and symptom of chronic poverty, insecurity, indebtedness and powerlessness of the majority of the rural households. In the rural area, most of the poor people are landless or near landless. In his view, ownership of land is not the necessary or sufficient condition to reduce poverty. Earning from non-agricultural sectors as mining, industry, transport, business and professions are often higher than agriculture and that earning will be stable also. In rural area,

money-lending, commerce and in some cases if there is, transport would be better than agriculture. In agriculture, inputs such as water, fertilizers, credit services, marketing etc. are essential. If a farmer is able to give inputs in farms and s/ he/ will not be incentive the ownership of land will not be the remedy of poverty. (Sinha, 1984, p. p. 2-26).

In every society, land will not be the source of power and status. In tribal society, the heads of cattle or number of wives may provide an organization and it can become the source of power.

Only in predominantly agricultural society, land is the ultimate source of power. Basically, the redistribution of land to the tillers can be the means of rural poverty eradication. In this connection, land reform might be the remedy of surplus labor employment that comes to urban nodes from rural place. (Prosterman et. al, 1990, p. p. 2-6).

FAO annual report has accepted that since antiquity, land ownership and the allocation of property rights have been central issues in political, economic and social development. The issue of access to land has re-emerged forcefully in recent years regarding that there are big inequalities in land distribution. Inequality in land distribution is a cause of environmental degradation problems and it has been increasing. Rural poverty is intensified. Women, indigenous and displaced people are deprived day to day by which the possibility of violent conflict is in front. In this regard, agrarian reforms constitute a major change in the ownership structure of agricultural land. (UNFAO. 1997, p. 6).

According to the FAO report, there might be some challenges in implementing land reform program, like political climate, availability of financial resources, new opportunities for nonfarm employment, environment and gender consideration, natural disasters and pandemic,

lack of decentralization and participatory approach, slogan of indigenous right, the lack of proper mechanism for canalizing the issue, environmental degradation, claim of different groups in one area of land as that was under them historically, etc. that should be taken into consideration. (UNFAO, 1969, p, 2).

A prominent Chinese writer Zhu Hejian has written about the use of land. He writes that land is non comprehensible resource. So, the natural difference of it should be considered and it should be used accordingly in implementing land reform. In his view, sustainable land utilization strategy will be a success when relations between different characteristics are considered (Zhu Hezian, 1997, p. 7-11).

World Bank describes that land reform involves the structure of holdings, improved land productivity and provides the distribution of benefits. In practice, land reform was pursued in response to political pressure for socio-economic change arising from factors such as increased population, ideology of egalitarianism, especially in the distribution of land and income. Land reform, by its very context, has interlinked with political, economic and social dimensions which in turn have significant implication for development. It has concluded that the concept land reform is used in different situation differently. In most cases, social equity considerations are the main concerns. If there is exploitive landlords-tenants system, reforms denote the changes in the rights of tenants and redistribution of ownership to the tenants. In past, land reform had given importance to the political factors mainly securing the rights of the tiller. In developing agriculture based countries, control over land was power based, symbol of authority and a source of political power. So, the essence of meaningful land reform was to destroy or limit the power base. But after (1990) the dismantling of authoritative regime of the globe, the notion of land reform was guided by market mechanism. Market mechanism has

become the main agent for implementing land reform. Though, in many countries, land reform has often been a central issue of political debates and these debates orient to the redistribution of power and wealth. World Bank has given importance to rural poverty eradication and employment generation (W.B., 1975, p. 5).

Arguing on the issue of land reform, Stephan Baas and John Rouse say that land reform program is not only economic and political program but it is also sociological. They conclude that there is rampant rural poverty in developing countries; about 80% of the poor live in rural area. Among the poor, 70% are women and 80% of them are living in rural area. To eradicate the rural poverty, sociological strata like caste, creed, cultural differentiation, religion, etc. should be considered. In this connection, land reform would be an important measure but the program of land reform should be implemented cautiously (Stephan Baas and John Rouse, 1979, p.75).

To Herrera Riddle and Toselli, “The type of agrarian reform that considered the redistribution of land is land reform is not the truth.” They argue that only redistribution of land does not improve the deteriorated condition of the poor people. It is essential that new ways should be sought to improve access to productive resource (land, water, etc.) as a corner stone to the development policy. Basically, this endeavor is the journey to the capitalist development model where market decided all things (Herrera et. al., 1995, p.p.33- 35)

Barras is in favor of capitalist approach or market led land reform. To him, “At the time of starting of land reforms, it has been perceived to be too problematic and too costly to implement, and their strategic impact has been questioned. Thus, an alternative market led agrarian reform (MLAR) has been theorized. It based on the “willing seller - willing buyer” principle.” (Barras. 1995, p. 33).

Lal Shree Kumar argued that land reform has link with the interest of society, their culture and way of life. Taking the case of South Asian continent, he writes that in this continent, there is the need to maintain political democracy and accelerate the pace of capitalism, both in agriculture and industry, but it has to serve the cultural, sociological and psychological dimensions. The social hierarchy is a handicap in society. The psychology would be made from a long period of time, if any program, land reforms or others, have to be addressed. In this context, Kumar writes, “Imperialist dominated agriculture cannot be developed and industrial development will remain limited” (Kumar, 1982, p. 26).

Regarding sociological approach, Jaganath Pathy writes that in agrarian reforms sociological knowledge which appears by the analysis of class character of the state, contradictions between the ruling classes and regional variations etc. have to be considered before making land reform policy and implementing it in practice (Pathy, 1992, p. p. 27-28).

In some societies, landed property has an instinctive relation with religion. Those who work on land are not the owners and the owners have no permission of religion to plough in land. It reduces the productivity. The real tiller will not get chance to work in land with full energy. The societies where religion of a large chunk of people is not based on egalitarianism and the social strata exist in such manner the equitable theory of the modern age will not function properly.

Describing the religious aspect of land man relation in India, Debuek Abd Alice Thornier concluded that in India, the high class people have no permission to plough the land according to the religion, so they must depute others as helpers. By this, the cultivator has no chance to go to the field. He is pseudo-cultivator (Thornier, 1999, p. 42).

According to the FAO Bulletin land has many functions. The qualities of land for one action could be used in other than land degradation and it has taken place all through the history. The rate of land degradation may continue unabated or even increase. When the land is used wisely, when all the functions are taken into account and when short-term vested interests of privileged groups are replaced by long-term enlightened interests of all segments of humankind, globally, nationally and locally land degradation can be controlled, redressed or even reversed. Land degradation has been exacerbated where there has been absence of any land use planning. The social conflict related to land will also be relegated by the planning implementations. The essence of the FAO bulletin is that holistic approach in policy formulation is necessary before going in making plan and program about land reform (FAO Bulletin, 1995, p. p. 6 -7).

Sushil Raj Pandey has analyzed the land reform process of Nepal through political view point. In his book “The Political Economy of Nepalese Land Reform: Some Key Concepts,” he analyzed the role of elite group in Nepalese political culture, the Marxist concept of class struggle and concluded less priority is given to agricultural productivity. In his view, the three dimensions of land reform, social, economic and political, are initially tied to one another. The economic aspect primarily touches upon agricultural productivity. Land is regarded as wealth accumulating agent. Its exploration is a subject of political inquiry. Use of landed property in a proper way is the subject of political decision. Distribution of land and its output could be determined by political power as the distribution of land with social justice and equality are its social aspects (Pandey, 1985, p. p.167-171).

K. C. has described the importance of land administration for the success of land reform program. There are so many problems of land administration in Nepal and the problems are not irremediable. Very keen attention should be given in making land policy and the local

people, who work in land, should be helped. Land policy further helps agricultural development in particular and economic development in general. Foreign technical advice and guidance have been achieved to overcome the land administration problems. Land reform is very much multi sided and very much complex, so it always needs very careful and integrated and coordinated approach. On the whole, land administration should be a good computer of land records, a good conductor of land ceiling and rent, a regulator of land taxation, a consolidator of land reform achievements and an indicator to future land development measures (KC, 1972, p. 98). To make land administration time relative and prompt, land policy should be made by giving serious consideration. KC had not rigorously discussed to land policy in his writing.

Zaman, a land reform evaluation adviser, writes about the agrarian structure of Nepal. According to him, in the area of land reform, the first attempt was made in 1959 to break the traditional and feudal tenancy system of the country but significant steps were taken only after introducing the land act 1964. The Act decided the provision of land ceiling, tenancy legislation and political and practical scheme with regard to credit scheme and the good management for land ceiling scheme implementation. Importance has been given in re-acting the saving scheme and reinforcing the land administration as the essence of land reform evaluation. Similarly, importance has also been given to the FAO assistance to land reform administration. Writer has given emphasis on the achieving the aims of the land act 1964 and the objectives set-forth in its preamble, fix more equitable rent in absolute amount, and expedite acquisition and allotment of the remaining land in excess of the ceiling (Zaman, 1973, p. p. 3-74).

A High Level Land Reform Commission was made by UML government under the leadership of a party member. The commission has suggested that the ownership of land should be given to the tiller, cooperative farming system must be promoted, agriculture labor should be

protected by law, irrigation, agricultural roads, technology and tools, fertilizers, etc. should be developed (Badal, 2000, p. 110).

Badri Pokhrel has analyzed the land revenue administration in his book “Land Revenue Administration in Nepal.” For him, traditionalism in world economy is gradually disappearing and industrial sector could provide more tax than non-agro sector. In most of the underdeveloped countries where agriculture is the backbone of the countries income, resource mobilization from agro sector is a positive symptom. In previous time, land tax was a major source of revenue to the government of Nepal but now, it is in the hand of local bodies. To him, “Every aspect either the development activities or administrative flow need for fair planning. Nevertheless, the major objective of the country cannot be achieved without having the planned exercises in every field.” (Pokhrel, 1991, p. 247).

Chalise writes about the increasing number of land plots and holding during inter census time of agriculture. In any districts of Nepal, the number of plots and holding are not decreasing between inter census times. Land fragmentation has increased annually and it creates some kinds of severe problems in agricultural pattern. Farmers who have less land than minimum ceiling do not make their livelihood from agriculture and it also does not increase productivity as it does not compel the farmers to adopt the alternative profession of country. Small farmers do not have the capacity for sufficient inputs on land and the use of modern tools and technique. He further argues that in Nepal, land reform agenda has been taken as a strong political propaganda. It has not achieved the set goals. In this regard, he has proposed to make policies to stop further fragmentation of land plots but there is the need for land consolidation. He urges the need of strong political will in implementing land reform policies and policies have to be more pragmatic and sustainable (Chalise, 1992, p. 3).

In the paper, presented in the seminar on the title of *Future Policy Reform on Land Management*, organized by the ministry of Land Reform, Shrestha has given importance to social equity. In achieving social equality, the present provision of the ceiling on land has to be reduced. Shrestha is against the state led ceiling but he advocates for the state facilitation in the work of ceiling reduction. He has proposed the categories of ceiling according to the land type, population density of arable land, ecological belt, rural and urban area land, administrative viable area and dependable area. In his view, the distribution of land in Nepal is inappropriate and without reducing their pattern, agricultural productivity will not be increased. The disguised unemployment could be reduced by the proper distribution of land and hence could increase marketable surplus; The non-agricultural sector would be effective and the opportunity of employment would be opened. Then, economic development through social justice would be possible. In this context, Shrestha is in favor of distributive theory of land reform (Shrestha, 1992, p. 4).

Thapa and Koirala have stated for the urgency to start some measures for implementation of land reform in integrated and coordinated form. In their view, the only one objective of Nepalese land reforms is to increase employment opportunity by lowering the land ceiling and discouraging the mechanization process on it. Large size farming could be appropriate in attaining cost efficiency and small size farming for production efficiency. They urge to start the utilization of land according to the interior and external qualities of it. They concluded that for the success of land reform program, other supportive agrarian reforms are essential. Those countries which have no capacity to invest adequate amount for agro research need to adapt those technology which are known as best in local use. They have suggested labor intensive method of cropping and beau technologies has to be researched which could produce high value

and low weight goods for remote, hilly regions where transportation facilities are not available. They suggested the need of agricultural extension and agro-industrial development program to reap the fruits of land reforms. (Thapa and Koirala, 2048, p. 19).

Champak Pokhrel concluded that the redistribution of agricultural land is not an attractive option and is likely to distribute mainly the poverty (Pokhrel, 1990, p. 51). He argues that in one side, population is increasing annually but in the other side, the increasing rate of acreage area is insignificant. Land man ratio is decreasing annually, so the expropriation of more land than ceiling is not sufficient to distribute land to the landless and it would automatically decrease the land availability to the poorest. For six members of a family, one hector of land is needed to maintain tolerable living but more land expropriated from landlord would be less than need for the landless family (Pokhrel, 1990, p. 52). So, other alternatives are essential to increase the overall welfare of landless or marginalized people. On the issue of dual ownership, Pokhrel writes “At least from a welfare point of view, dual ownership should be removed once and for all and there should be no provision of tenancy claim, in future.” He has put his view against land fragmentation. Land fragmentation would be discouraging for the good administration of land which is a need for a land reform program. In this context, he writes, “The existing land records are so scattered that the consolidated land ownership information is impossible to trace. Before executing any type of land based reforms, it is necessary to first computerize the land record and find out who owns how much and where.” He has given emphasis on the periodic plan which could solve most of the problems related with land reform and as other economic issues (Pokhrel, 1990, p. 52).

CSRC, LWA and ANGOC argued in their book titled “Land and Land Tenure Security in Nepal (Country Study: Nepal)” that there are some agencies which raised the voice of farmers,

sometimes with organized force and sometimes from individual basis, on different forum. State itself, political parties, civil societies, national land right concern group (NKRCG), reliance centre (CSRC), the media, and people are seen as the key actors who raised the voice of landless or marginalize people regarding land ownership (CSRC, 2009, p. p. 36-47).

CSRC has suggested some conditions for the success of land reforms as: democratic environment, political will of government, organized and informed civil societies, and the international donor agencies help in technical and financial sectors.

In this context, CSRC has concluded that with due care on national policy, it may be possible to achieve more equitable system of land distribution from land reform where all members of society can share the long term benefit. Inclusive policy making and implementation, restructuring of land administration, establishment of high level land authority, educating and organizing landless and poor, budget allocation for the agricultural sector and comprehensive land reform to make land reform a common concern etc. are some strategies which have been recommended by CSRC to achieve the fruit of land reform of the country (CSRC, 2009, p. p. 48-53).

With reference of successful and unsuccessful history of land reform of different countries of the globe, Dipendra Bahadur Kshetry has discussed on land reform and agrarian transformation of Nepal. In his writing, he discussed on the conceptual divergence of land reform as state led agrarian reform (SLAR), and market led agrarian reform (MLAR). He argues that uncultivated land should be forcibly grabbed by government and the land ceiling should be decreased. In this context, he writes, “If the government is pro-poor and feels it is necessary to dispense social justice, its effort at the base level is vital” (Kshetry, 2009, p. 114). According to

him, poverty, illiteracy and social discrimination are the hindrances of the Nepalese socio-economic life. In this regard, land reform could be one of the quickest measures that can handle all the issues simultaneously. But when land reform program comes in isolation or without support program, it has no meaning. So, there is necessity of backstopping services, especially extension services as credit and marketing support from the part of the state. Similarly, state should develop certain norms in the use of land. He says, “Land Reform is an important tool to bring agrarian change. Land is not only an asset; it bears multidimensional characteristics of political, economic and cultural value determining the power relationship between groups and social classes” (Kshetry, 2009, p. 120).

Nara Hari Acharya has compiled a book entitled “Bisheshwor Prasad Koirala: Four Decade of Nepali Congress.” In that book, he has illustrated the address speech of B. P. Koirala of December 11, 1960. In that speech, B. P. had used the phrase “land to the tiller” for the first time. B. P. suggested the landlords and others who were completely dependent on land to search the new way for livelihood. In that gathering, B. P. talked about the abolition of Birta tenure and that was the first and easy step for the development of country. His speech was directed to the land reform program (Acharya, 1997, p. 25).

Kailash Nath Pyakural and Bishnu Raj Upreti argued in their writing that in Nepal, the social and economy based feudalism has remained intact and the marginal people are not empowered till now. Income inequalities have increased and existing rules and regulations are not friendly to the powerless. In this regard, land becomes one of the most important factors to make group powerful or powerless. Inequitable land distribution needs to be seriously corrected and hence, the importance of a scientific land reform could be established (Pyakurel and Upreti, 2009, p. 20).

Nepali, Shrestha, Adhikari and Pyakural write that landless means disposition of land. According to them, land holding and ownership pattern determines the agrarian structure (landless, small land owner, large land owner and landlord). Land is a source of economic and political power. It has several socio-economic implications in the society. Globalization and urbanization have compelled every individual to take part in the market. To tap the opportunities created by the market, land reform may be a better means that can better help the poor people to gain access to land and hence to have access to opportunity created by the market (Nepali et. al. 2001, p. 137).

Jagat Basnet argues that land reform is a complex political issue for Nepal. Highly unequal land ownership accelerates social tension, political unrest and inhibits economic growth. Writer has identified some hindrances of Nepalese land reform program as lack of strong political will of the politicians to formulate and implement effective policies and to reform distribution of inequitable power structures, exclusive legal system, lack of information dissemination, rampant corruption and intricate bureaucracy, rhetorically rich but practically poor performed authorities, etc. Accessing the past policies and practices of land reform, a new democratized, developed approach would raise the opportunity. In his view, a holistic approach can be the best model of land reform to ensure viable and sustainable benefits (Basnet, 2001, p. 158).

Jagan Nath Adhakari has tried to identify the problems and prospects of land reform in Nepal. According to him, some pertinent problems related to land reform are: defining land reform (land reform is mostly equated with “Land capture from the landlords and its distribution to the landless), defining land rights (is land capital or natural gift?), defining farmer debate on the efficiency of small size, fading a modality of land reform (state led versus market based land

reforms), determining land ceiling, determining the viable size of land holding, employment versus access to land; rights of indigenous people, local versus foreign investment on land, etc. He is hopeful about the program of land reform; hence a strong political commitment is required only after identified problems could be resolved. The further program needs to be championed and implemented. The supportive mechanism and resources are also needed for land reform. Similarly, communication network between people's organization is also thought necessary for people's awareness about land reform and its socio-economic and political linkages (Adhikari, 2006, p. p. 25-41).

Wily, Chapagain and Sharma (2008) have written a book entitled "Land Reform in Nepal, where is it coming and where is it going?" They concluded that land reform, on the whole, has failed so far in Nepal. Nepal has performed poorly; the farm based economy has been failed in overall transformation. The institutional basis of feudalism has been weakened but its subjects not yet liberated. Nationalization of collective assets has been questionable output of the reforms. Modernization has, in respects aided polarization. Poorly seen through tenancy reform has backfired. Lack of will to reform is at the roof of failures.

They have seen some positive syndrome for reform in the coming days. If the given condition will be materialized in future, land reform would be possible, though they have doubt on its implementation. In their view, the demand for redistribution has not finished. They urge that reform needs reform. They view the community based land reform as the way forward (Wily, et. al., 2008, p. p. 7-16).

A High Level Land Commission was made by the Government of Nepal in the chairmanship of Ghanendra Basnet (Committee member of CPN- UML). The Commission

submitted its report to the government in 13/7/2011. According to the report, land reform in Nepal is in crossroads and, this situation will prevail until the government is responsible towards the people. The report has given the most priority to scientific land reform as importance has been given on cooperative farming (High Level Land Reform Commission, 2011, p. p. 44-51).

In 2008, the government of Nepal made a High Level Land Commission in the leadership of the Constituent Assembly member Haribol Gajurel and the Commission submitted the report to the government in 13/7/2011. The conclusion of the report is that land reform problem of Nepal is very complex; however the government could canalize the program. There might be the chance for the government to distribute the minimum area of land plot to the people. For this, the ceiling of land should be fixed as much as a family can plough. State should expropriate the religious land (Guthi tenure) because state is thought a secular institution and the land has to be distributed to the tiller tenants. Nobody has right to leave land fallow. Irrigation projects should be promoted. According to the report, in coming days, the land reform has to be made the medium of national industrial renaissance (High Level Land Reform Commission, NG, 2011, p. p. 64-67).

All the above illustrated materials have been reviewed as the reference materials of the study. Many individuals have discussed on the different aspects of the land reform but the policies of the larger political parties and the perception of the party leaders, which make sense in the future policy making and policy implementation, are not analyzed. The study has tried to explore the area that has been left.

CHAPTER III

RESEARCH METHODOLOGY

This chapter outlines the methodology and presents the procedures adopted for the purpose of the study. After reviewing the journals, articles, related literatures on land reforms, more specifically, the study focuses on the exploration of three major parties' (UCPN-Maoist, CPN-UML and NC) land reform policies and the perceptions of their leaders. To understand the complexity of land reform in Nepal, researcher had considered the philosophical discourse.

It deals with the research design. It is a blueprint of a planned action while conducting a research work. This chapter describes the procedure of the selection of the research site and respondents, nature and source of data, data collection procedure, tools, data analysis procedure of the study, quality standards and ethical consideration.

Ontology is concerned with the nature of reality. Richards has discussed two different ontological positions. The first one is realist, he argued that there is an objective reality independent of beliefs and values, that science can exist independently of beliefs and values and concepts we create to understand the world. The second one, relativist, refers to the position which describes that there is any single society which is independent of our ways of understanding. There are various realities created by different individuals and groups at different times in different circumstances (Richards, 2003, p. 34).

The nature of this study attempts to capture data on the perception of respondents through the process of deep attentiveness with importance on the informants' ideas about the topic. The researcher ontological perception is relativist because reality is not fixed and universal, it rather it depends on particular context, time, place and other influencing factors as well. So, researcher hardly believes on the universal and objective type of reality because the reality is context based. Being a researcher, such multiplicity of realities constructed by different individuals and societies in different surroundings has been taken by making in-depth interview with informants and observing their world.

Epistemology is concerned with the nature and scope of human knowledge. Richards illustrates two different epistemological positions, objectivist, which believes that the knowledge is accessible and transmissible and subjectivist, which subscribes knowledge through interaction between the world and individuals (Richard, 2003, p.35).

Here, the epistemological stance of researcher is subjectivist because the knowledge of everyday world inhere in social order and this would itself be socially ordered. Socially constructed realities are different from situation to situation and this world is shaped by multiple realities. Thus, in this study, the meanings have been interpreted on the basis of interactions with the informants.

The methodology gives the direction and framework for developing specific designs and concrete data collection procedures. Guba and Lincoln have described "The purpose of the research determines the methodology and design of the research". ((Richards, 2003, p. 34). The methodology that researcher has followed also depends on the nature of inquiry that s/he undertakes. Natural and humanistic model are two main models of inquiry in the social research

(as cited in Bajracharya, 2009, p.). Each gives fundamentally different inquiry paradigm. Hence, researcher's actions are based on the underlying assumption of research paradigm.

Natural model is based on ideology of positivism which is based on the ontological premise that the world is out there that can be studied, measured and generalized in objective manner and without incorporation of human perception (Parajuli, 2002). On the other hand, humanistic model of social research is based on ontological premise of naturalism or subjectivism. They believe that the social world can be studied from the standpoint of individuals who are part of ongoing investigation (Cohan, Manion and Morrison, 2000, p. 32). This study adopts a qualitative research style. In depth interviews, observations, etc. are its methods. Thus, the use of particular strategy of inquiry will shape the type of questions asked, the format of data collection, the steps of data analysis and the final interpretation.

On the basis of this philosophical standpoint and issue, researcher has intended to explore and had chosen the qualitative and interpretive approach. Flick has expressed that qualitative research is not based on a unified theoretical and methodological concept. Various theoretical approaches and their methods characterize the discussions and the research practice. Subjective view point is a first setting point. A second string of research studies is the making and course of interactions, while a third seeks to reconstruct the structures of the social field and the latest meaning of practices (Flick, 2006, p.16).

Creswell quotes, "Qualitative research is fundamentally interpretive. This means that the research makes an interpretation of data. This includes developing a description of an individual or setting, analyzing data for themes or categories and finally making an interpretation

or drawing conclusions about its meaning personally or theoretically setting the lesson learned” (Creswell, 2003, p.182).

This type of research involves for the exploration and interpretation of the perceptions, practices and opinions of human behaviors of small samples of individuals. It seeks to understand the meaning and significance of human actions from the perspective of their ordinary everyday world (Richards, 2003, p.10). Researchers in qualitative research acknowledge that the analytical process has to involve in interpreting experiences, opinions, behaviors of other people.

Research Design

“Research design is the plan and structure of the study. It is a sort of blueprint of the procedures by which a researcher addresses his/ her research questions and interprets the result” (As cited in Bajracharya, 2009). Research design guided the researcher throughout the process. It also helped the researcher to draw the key finding of the research following appropriate data analysis and discussion on findings. Qualitative research takes places in natural setting, so the researcher should visit the local area of particular community to conduct research (Richards, 2003, p.10). Therefore, the researcher had gone to three major parties’ offices and leaders’ houses to conduct the study and to find out the subjective meaning of experience which were varied in nature. The detailed components of research design are explained below in the subsection.

Selection of Field

Every research begins with the interest of the researcher. Researcher began to think about the research site after selecting the field. Researcher decided upon choosing three major parties' offices because there was high possibility to meet majority of the leaders. As the researcher is from the research site, so it would be easier to conduct the research. Moreover, most of researches have been carried out on development sector of Kathmandu Valley and this kind of research related to land policy of the parties and the perception of their leaders is new area for study.

Sources of Information

Both primary and secondary data have been used in this study. In order to collect primary data, the researcher has personally visited the research site. Secondary data has been taken from the three major parties' office libraries, central library of TU, UNICEF, UNESCO, ILO, UN office records, journals, booklets, newspapers and published and unpublished documents.

Selection of Participants

The research concerns to the three major parties' policies and perceptions of their leaders. So, the researcher visited three major parties' offices in Kathmandu Valley. For this section, the researcher has presented sample population. The people who talked with the

researcher in interview and who allowed to recognize their hidden discrepancies are called informants. In this research, targeted numbers of informants were selected purposively because researcher wanted to picture out the position that is occurring. The researcher has selected informants very carefully for interview. The study population and size was selected on the basis of purposeful sampling method. In purposive sampling one picks up the cases that are considered to be typical for the population. The cases are judged as typical on the basis of the need of the researcher (Thakur, 1997, p.92).

Twenty seven people are part of study population, nine from each party. To begin the research, first of all, the researcher approached the party office secretary and cleared the purpose of the visit to their offices. The researcher then explained the need to talk with their leaders at their convenience. After getting permission from each and every party office secretary, the researcher approached different informants for interview and observation, as the researcher went to parties' offices library for observations and documents review. Similarly, a friendly discussion with whole party's office body was held. Likewise, the researcher also held discussion with parties' related people about the research. They all responded positively and provided their time to give information about the study because the purpose of meeting and interviewing them was clarified.

Data Collection Procedure

This study mainly focused on the exploratory qualitative aspects. Marshall and Rossman have expressed the procedure of collecting qualitative data. According to them three

techniques that are the critical procedure for collecting qualitative data are observation, document review and in-depth interview (as cited in Best and Khan, 2006, p.264). The study is based on the exploration of three major parties' policies and leaders' perception. The study explored the leaders' perceptions and experiences on land reform by interviewing the targeted persons. Researcher stayed all the day round in these sample parties' offices for three months. During this period of six months, researcher collected all the data, facts, events and information and wrote them in note copy. The tools that were used data collection are discussed below.

Interview

As suggested by Cohen et al., interview enables participants, interviewers and interviewees, to discuss and express their own point of view in their live world. Interview can thus be explained as 'two way conversation initiated by interviewer for the specific purpose of obtaining research relevant information and focused by him on content specified by research objectives of systematic description or explanation (Cohen et al 2000, p.). Likewise open ended and unstructured interview indicates that the study is a qualitative research. This study followed open ended semi- structured interview.

Interview schedules were developed with reference to research questions before visiting the field. Three sets of interview schedule were prepared for each group of informants, who were three major parties' leaders. But later, separate sets of interview schedules were changed into questions to maintain the sequence for every informant. The interviews were made according to the interview schedules. The interview was supported by written field notes to record the non verbal communication whenever required, whereas more talking was done with informants. At the end of every interview, informants were asked if they wanted to add anything more.

Observation

Observation draws the direct evidence of the eye to eye witness events in first hand. It enables the researcher to capture the situation as it happens rather than at second hand. This allows researcher to see the things that might otherwise get missed and to discover the things that the participants might not express in the interviews (Patton, as cited in Cohen et, al., 2000, p.28). Observation allows gathering data on the physical setting, human setting, interaction setting and program setting (Morrison, as stated in Cohen et, al., 2000, p.52).

In this study, observation was used to capture the human setting, which is the organization of the parties' leaders in the party office. Interaction setting that is the participants as well as interaction of leaders with related stakeholders, and physical setting that is the physical environment of parties' offices were also taken by the observation. The research questions acted as a guide to develop the observation outlines. The party secretary was informed beforehand and permission was taken about the purpose of the observation. The researcher's role was of a non participant observer as researcher had made the notes about whatever he noticed during the observation. It guided the researcher to collect detailed information of the informants/respondents, their activities and capture actual experience of the informants.

Review of Documents

Wolffl (as cited in Flick,2006, p.) states, "Documents are standardized artifacts occurring in forms of notes, case reports, drafts remarks, diaries, statistics, annual reports, manual or expert opinions". It is an approach which researchers use to gain a detailed understanding of the setting analyzing the content of a given document.

Document analysis is an inquiry which reviews yields experts, quotation or entire passage from records memorandum, publication and reports (Best and Kahn, 2006, p. 131). Research manuals, research reports, dissertation, various journal and articles have also been studied in the completion of the study.

Data Analysis Procedure

After collecting the data through above mentioned tools from different respondents and sources, it was processed in different steps. Firstly, the data collected from interview was transcribed in the note book. Further, these coded sentences and paragraphs that expressed the same meaning were segmented into common categories. Finally, after revising those categories, smaller specific theme in line with the research questions were generated.

For analysis, the themes were analyzed for answering the research questions. The sentences under the theme were paraphrased or quoted as stated by individual informants. The important passages and paraphrases with similar meaning were brought together and summarized to support the argument, whereas less relevant passages with same meaning were excluded for the ease of analysis. Then the researcher interpreted and summarized the analyzed texts. Thus, analysis of passages and statement from specific themes were done and the meanings, values, experiences, opinions and behavior of informants were interpreted to answer the research questions.

Quality Standards

In qualitative research, researchers are actively involved and have a role within the research. A qualitative researcher should be present during the changes to record an event after and before change occurs. However, it is needed to demonstrate that the study is credible. Credibility in research is intimately connected to the process of addressing issues which leads to the research efforts, setting standards for producing a convincing report (Rana, 2006, p.). Reliability and validity are two very important aspects in assessing quality/ credibility of qualitative research.

Denzin and Lincoln have raised critical credibility issues- the triple crises of representation, legitimization and praxis. Crisis of representation and legitimization refer to the representation of our respondents and legitimizing our representation claims whereas crises of praxis refer to the applicability of our finding and conclusions (Denzin and Lincoln, 2005, p. p.19-20).

In this study, researcher attempted to address these crises by establishing credibility of the study. The first crisis of representation, viewing writing as a method of inquiry, moves through successive stages of self reflection (On Wuegbuzie and Leech, 2004 as cited in Dangol, 2010 p.78). This study has attempted to address this crisis by establishing credibility of the study mainly through a reflexive process and giving enough space to the informants by making the research a participatory process.

The second crisis of legitimacy, about what makes study valid and reliable is traditional criterion used inadequately (Fritas, 2007 as cited in Dangol, 2010, P.79). Reliability and validity

are essential to make any data gathering procedure effective. Reliability and validity depend on the skills of the researcher to interpret the collected information and his/ her devotion in research work. Reliability will be tested by using different tools and methods. Reliability elucidates dependability and accuracy in the research. The issue of dependability refers to ensuring whether the data collecting instruments measure what they are supposed to measure. So, reliability is checking the dependability of data and procedure. As regards to this issue of reliability in this study researcher had developed interview questionnaires/guidelines relevant to the research questions. Researcher made clear communication with the informants on the questions that were asked and ensured that they understood the questions as he intended. Researcher noted the interview, transcribed it and maintained the facts of the statements by the informants. Researcher also ensured them that he had noted the events and actions accurately as they occurred, while making very alert and vigilant observation. Researcher also ensured that the study reflected transparency so that the readers could see the detailed process of data generation and analysis.

Validity refers to trustworthiness of research findings and close interpretation reflects the reality. In words of Schultz, “Validity is how far the researchers’ constitution are grounded in the constructions of those whom they studied. Thus, the production of data becomes one starting point for judging their validity and the presentation of phenomenon and of the inferences drawn from them becomes another one” (as cited in flick, 2006, p.371). The interpretation of interview as described by informants was noted and transcribed. To avoid imposing the meaning on the statements of informants, researcher carefully listened to the perspective of informants and tried to understand their view point.

The third is the crisis of praxis under consideration through typically material means where” the wisdom of practical decision making comes together with collectively shaped

knowledge about those materials and techniques (Freitas, 2007, as cited in Dangol, 2010, p.78). Researcher addressed the crisis of praxis by sharing and discussion of finding with respondents.

Ethical Consideration

There are certain considerations to be abided by the researcher in the field and during the process of research. Codes of ethics are formulated to regulate the relation of researchers to the people and fields they want to study (Flick, 2006, p. 45). In the principles of the research ethics, researchers are asked not to harm participants in the research by respecting and considering their needs and interests.

One of the criteria of the research ethics is that the research should be based on the consent of the informants on the area of information given by them to the researcher. In this context, researcher informed foremost the office secretary of each party about the purpose of the research and all the respondents of the research. Another criteria of ethical consideration is to avoid harming the participants, including maintaining their privacy and not deceiving them about the aim of the research. In order to maintain these criteria, the researcher has used symbols in place of the original names of the respondents. Researcher promised them that he will not share the information of informants with any other person for any other purpose. Researcher also made them clear about the purpose of the study. Further, researcher noted the interview only with the consent of the informants and also refrained misleading informants. Researcher has made sincere efforts to interpret and report the finding.

Chapter IV

LAND REFORM IN NEPAL: HISTORICAL BACKGROUND

In Nepal, land administration, management and land reform has become the concern of government from ancient time and it is to the present. Since ancient period, agriculture has become the source of livelihood of the dwellers of Nepal as it was only the source of employment opportunity then. Similarly, land tax was the source of revenue of the state. Most of the rulers depended on land revenue to bear the expenditure. Before 1951 A.D., land policy of Nepal was not clearly formulated as the systematic program for economic development and social equity, but it was just the spiritual and distributional practice and the immediate necessity. The land management system of Nepal has been chronologically presented below.

Land Administration and Management before Unification of the Kingdom of Nepal

Before unification, the present Nepal was divided into many kingdoms. In land administration and management, there were similarities among different tiny kingdoms. The historians have divided the pre-Nepalese history in different era history before Kirat era, Kirat era, Licchhavi era and Malla era. Here, the division is not taken into consideration in illustrating land administration and management pattern of history. Before unification, land administration

and management was guided by spiritual thinking and belief. All the things were divided according to the *writings ethics* and *Smrities*. The king was regarded as the guardian of the people and it was believed that he was sent by God to look over his subjects. The king made effort to collect land as wealth in country. The work of protection of the wealth was endowed to king by the *Smrities* and *Purans*. The King had the responsibility to increase the state wealth and the increased wealth would be distributed to the right person in a right way (Chaturvedi, 2005, p. 22).

The process of new kingdom emerging and merging was frequent during that time, though this did not leave major impact in land holding process. The population pressure was not high, so there was no restriction in any kingdom to use virgin land. The kingdom had insisted to the commoners to cultivate the virgin land. During the initial years, revenue of the new cultivated land was not charged. But after some years of cultivation, the state started to collect revenue from the new cultivated land. Land was not the only major source of revenue collection but it was related with the main occupation of people. Employment opportunities were more in agriculture and agriculture related area like animal husbandry. The area of cottage industry was not limited in the boundary of the tiny kingdoms but it was popular up to China and Indian sub continent (Stiller, 1975, p. p. 8-12). In pre unification period, different land tenure systems were in uses which were;

Raikar tenure: The supreme control of land was under the state, though there was tripod ownership. Government would take the tax, the land owner took had taken *Kut* and other part of output was taken by the tenants. The land owner had to pay tax to the government according to the productivity of land. The additional tax had to be paid to the government when there was irrigation facility managed by government.

Birta tenure: At that time, different types of Birta were distributed by the kings. Birta distributed to the Brahmins were not generally confiscated by the state. The term Birta is a corrupt of Sanskrit term '*Virti*', meaning livelihood. Birta land was given by the ruler to the priests, religious teachers, soldiers regarded as a form of private prosperity with a clearly defined right vis-à-vis the state (Regmi, 1977, p. p. 16-17).

Guthi tenure: Land assigned for the use of charitable, religious, or philanthropic institutions come under Guthi tenure. The term Guthi is probably derived from the Sanskrit word "*Gosthi*" or council. The Guthi tenure therefore signifies institutional land held under trust for specific objectives like those mentioned above (Regmi, 1977, p. 26) The Guthi tenure was frequent before unification. The *Raj Guthi*, *Duniya Guthi* and other different types of Guthi existed.

Jagir tenure: The income of Raikar Land was given to the officers of government and the employee was called *Jagir*. This system was familiar during that time and it was a common practice in Nepal till 1951 A.D. It was the way of giving payment to government personnels.

Kipat System: The communal tenure system was in use before unification. Land ownership under the *Kipat* system was limited to certain communities of Mongoloid origin such as *Limbus*, *Rais*, *Danuvars*, *Sunvars* and *Tamangs* in the eastern and western hill areas of Nepal (Regmi, 1990, p. 20).

Rakam system: Unlike *Birta*, *Guthi* and *Jagir*, *Rakam* is not the type of grant to anybody. This is a system where the state started to extract compulsory and unpaid labor from its subject and it had been recognized as a regular and inheritable basis by the inhabitants of a prescribed village or area and it was known as *Rakam*. *Rakam* tenure thus imposed obligations

on the peasants. It was not in common form in all area of the country and it was used just in Kathmandu valley (Regmi, 1990, p. 24). It is also debatable whether *Rakam* system remained after unification of Nepal or was it familiar only before unification.

Attempts on the Land Reform before Unification of the Kingdom of Nepal

Although authentic document and the written history of Kirat are not much found, it can be said that Kirat era was the base to pave the foundation stone of cultivation in Kathmandu valley and its adjunct part. In *Puran*, the Kirat were described as the inhabitants of the northern part of the plain area of Indian plateau. The 'land' was in communal ownership in Kirat era and none of Kirat had right to transfer communal land to non community people.

Land administration and reform practice before Kirat is not abundantly found in Nepalese history. During Kirat era land was in communal use. Nobody could sell or purchase land, it was the public property of all community members. (Thulung, 1985, p. 30).

In Licchavi era, land ownership system was different. Mostly, three types of land ownership system were in use, land owned by king and his family, land owned by spiritual institutions, and land owned by commoners. The output of land was distributed to the government, the land owner and the tenants. This system remained during the time of Licchavi era. To look over the land related issue, specific offices were established.

In Lichchhavi era, Mandev was a famous king of the United Kingdom's of different small kingdoms. The supreme political right was bestowed on the king of Kathmandu. After the

death of Dharmadev, the small states started to declare independence from the united central authority. But Mandev conquered the states and took the authority in his own hand. In that era the tax collection job was given to the Mahasamantas. Different rules were made regarding land and land tax was fixed according to land. The tripod system in land existed at that time (Sharma, 1951, p. p. 78-127).

The Lichchhavi era was very prosperous era in Nepalese history. The economy of Kathmandu valley was more prosperous and it was mainly based on business and art though the ruler had tried to insist agricultural production to minimize the import of food grains from outside. The fertile land of Bagmati basin was famous for agriculture. Many kinds of facilities were given to farmers for improving agriculture in Lichchhavi Kingdom (Sharma, 1951, p.126).

After Lichchhivi dynasty, Malla came in power and started to rule in Nepal. Among many Malla rulers, Jaysthiti Malla became the king of Nepal from 1380 to 94 A.D. He was the pioneer of the Malla Kingdom. He started the measurement task of land deputing the task in a specific caste. Farm land measurement work had been given to *Chhatrakar* and home land measurement was given tot *Takshakar*. He divided land into different categories and a unit of measurement '*Ropani*' was interred in land administration. Since his time, Birta land was opened for selling and mortgage. He made adequate rules for land reform simplifying the land administration than before. Jagat Jyoti Malla had imported corn and pulse from eastern part to farm in valley land but people did not follow his endeavor. Jitamitra Malla made a well management system in using the cannel of water in farming field. Mahendra Malla gave Birta land to the out-comers to settle the dwellers of Kathmandu. Similarly, some other Malla kings maintained the law and order for the development of agriculture, to cultivate the new agricultural field and development of irrigation facilities in Malla Kingdom (Sharma, 1951, p. 127).

Outside the Kathmandu Valley, Ram Shah was the king of Gurkha who governed from 1605 A.D. After the death of Chatra Shah, the elder brother of Ram Shah, Ram Shah ascended the throne of Gurkha. Ram Shah is still famous due to his reforms and new programs. He reformed land administration. He divided land into four categories, *Abbal*, *Doyam*, *Seem* and *Char*. This division is in effect at present too. The division was according to the productivity of land. He also divided land into two main categories *Dhanahar* or *Khet* and *Pakho* land. The *Pakho* was also divided into *Hale* and *Kodale*. He made reform in measurements, too. *Mana*, *Pathi*, *Dhak*, *Taraju* were introduced as the measurement units. He made rule for the interest of mortgage or loan in kind and cash. The interest of cash was less than that of kind. In addition to this, he made proper rules and regulation about pastoral land, forest, social land, use of irrigation canals, new cultivation areas, revenue, etc. The works of Ram Shah, related to agriculture, were directed to increase production and revenue for the government. Regarding landed property, Ram Shah was the greatest reformist before unification of the kingdom of Nepal. He made multi dimensional reform in the area of land and land related issues. He had a strong belief on local bodies and the public welfare. So, he decentralized some power to local bodies to protect the trees in the paths, public or communal land, etc. The fixation of four boundaries of land and the settlement of the dispute on boundaries was under the jurisdiction of local body. The term “*Mohi*” for tenants and “*Talshing*” for landlord was propounded by him. He decided that all state power is posed by the king (Sharma, 1951, p. 211).

Before the time of unification of the modern Nepal, land administration and management system of the different kingdoms were more or less same. The economy of all kingdoms was based on agriculture and that was only in subsistence level. State expenditure was dependent on land tax. Specially, the actions of reform on land were taken to hike the production

and to take more revenue from the land. There was no the driving factor for politics as social justice. Religion was the prime of the political rein and the king was fate maker of the people. So the land administration and management reforms were taken by the king in their whim but not on the basis of the social and politico - economic program of the state.

Land Administration and Management Policy of King Prithivi Narayan Shah

Prithivi Narayan Shah became the king of Gurkha in 1742, and two years later, he began the military campaign for unified Nepal. It took him twenty five years to achieve his first objective that is conquering Kathmandu valley. In the other seven years, he conquered Eastern Nepal to the border of Arun River. He is revered as the founder of the nation. In his lifetime, king Prithivi Narayan Shah gave very much importance to land. It is known by his policy taking in home politics and foreign affairs. In his *Dibya Upadesh*, he has expressed the importance of the country location and shape for its foreign policy. On the basis of his own experiences, he expressed the importance of its location and landscape. During his time, land was life, land was security, and land was wealth and prestige. In Nepal, from time unfold; the farmers existed only as tenants. But they had dream to be the owner of land and it became fulfilled when Prithivi Narayan Shah provided *Jagir* to them who helped in his campaign. The farmers lived as they had always done; sometimes they were burdened for supporting the troops though they were secured in land (Bhandari, 1979, p. p. 216-234).

Similarly, the security of farmers was important for the state. The farmers' security was based on the facts of economic life. The land was wealth, but without farmers, the land was

sterile and meaningless. The state revenue was based on land tax. Farmers had burden of tax on their shoulder and sometime it could be high, upto a point (Stiller, 1976, p. p. 79-85).

Prithivi Narayan had given more importance to the army, the pillar power of the country. Similarly, he had given importance to his villagers, the farmers of Nepal. A prosperous peasantry was, for him, a king's greatest treasure. There was no formal reform made by Prithivi Narayan Shah in land related area. We can only study his land policy from his *Dibyopadesh* – The Divine Teaching. The *Kipat* tenure of land had come under the legality of Prithivi Narayan Shah after the merging of *Kirat* areas – *Majh Kirat* and *Pallo Kirat* into the great Kingdom of Nepal. Similarly the *Rajya* tenure established its legality during his time (Stiller, 1976, p. 96).

Prithivi Narayan Shah had to face two fold problems in land policy. He had to collect the revenue from the land tax to finance the unification campaign and to maintain administration of the conquered territory, and also had to own the faith of people by not imposing heavy tax. To solve this problem, he encouraged the Gorkhali people and other people to cultivate in new barren land which could contribute to the revenue collection (Divine Teachings of Prithivi Narayan Shah, 1997, p. p. 18, 19, 20 and 23). Through his divine teachings, he had expressed some feelings about agriculture and land as:

Earn money by exporting the domestic productions and herbs, and accumulate such amounts; it makes the subjects stronger by which the royal institution would be more powerful. The people are the wealth of the king. Do not give the government function in contract, operate directly by maintaining government account and audit it on annual basis. Pay your attention to make arrangement of house and land for the army men who are necessary for the king. The army men become self confident in both cases being in the palace or outside, so that they could till and

cultivate the land and be able to harvest the agricultural products. When there is house in a plain land, shift the house elsewhere and cultivate the land by making canal for the purpose of yielding paddy (Divine Teachings of Prithvi Narayan Shah, 1997, p. p. 18 -23).

Land administration and management system started by king Prithivi Narayan Shah was, to some extent, a visionary program of the time. Prithivi Narayan Shah had good policy as well as perception about land use and administration and management of the kingdom. At that time, the concept of land reform was not developed as it is in the present, though the policy proposed by him became the guidelines of the modern day reform. So, it can be said that the stone paved by Prithivi Narayan Shah in the area of land reform administration and management was the milestone of the modern reform system.

Land Administration and Management from 1774 to 1846

After the death of Prithivi Narayan Shah, Pratap Singh shah ascended the throne but he died after only one and a half year of rule. In this short period, he did not make any policy on land related issue. After the death of Pratap Singh Shah, his wife Rajendra Laxmi Devi and Bahadur Shah (the youngest son of Prithivi Narayan Shah) came in power. They conquered a major Western territory of Nepal being the regent of the infant king Rana Bahadur Shah. Bahadur Shah had realized the need of time to collect state revenue to maintain the national military troops, so he introduced extremely important revenue system. To govern this system, he had issued some regulations as:

- Land tax was to be collected in installment basis and collection above prescribed rates was prohibited.
- Irrigation facilities at government expense were made to extend the cultivated area.
- Officials were developed to explain the new policy to *Zamindari* and tenants.
- The collection of assesses in revenue was suspended, so that tenants might not face difficulties in cultivating their lands.

After the death of Rajendra Laxmi, Bahadur Shah had come in power. He had done lot for the country. Bahadur Shah was dismissed by Rana Bahadur Shah when he became eighteen years old. This was the time of turmoil in Nepalese history. There occurred many ups and downs in Nepalese landed property. When political unification was continuous, no formed policy had been made for reform landed property. Rulers continuously ran the land administration as before. Although all grants and exemptions that were given by previous ruler were withdrawn by the new rulers, in course of time, it was re sanctioned by the new rulers. New lands were distributed to some Brahmins and Chhatriyas as Birta land.

When king Rana Bahadur Shah took power into his own hands, the treasury was nearly empty. To relinquish the problem, he had only two options. He could increase the rate of taxation or he could repossess land that was previously assigned to private individuals. He chose the latter way by expropriating Birta land.

The land administration was not unified, although the political unification was made. To change the land administration, it was necessary to have adequate records and data regarding the previous administrative system. Severe problem of *Sera*, *Jagir* and other tenure was there. All concentration was given to unification, so there was little room to think about the reform on

land due to the war with British East India Company and conspiracy of royal palace. The attack on Birta had increased on some temples by Rana Bahadur Shah in 1748, known as *Baishaththi Haran*. In this context, in 1749, judicial regulation was declared with some reform measures in the area of land administration (Sharma, 1951, p. 248). New land survey by army was made, new record system was established and new administration for landed property became possible. The regulation of *Beth Beger* and unpaid labor were prohibited. Nobody had chance to escape from tax. Confiscation, except private property for the use of the king, was prohibited. If the state confiscated somebody's land, the owner would be paid the compensation. General Bhimsen Thapa, who had been in central power for a long time, was the champion of making land reform during this time. A new cadastral survey was declared and made in his time (Stiller, 1976, p. p. 79-85).

This was the time of political turmoil in Nepalese history as it became the time of state unification. To launch the war with many states and to bear the expenditure of the war footing, the revenue had to be increased. Bahadur Shah had the zeal for this and he tried to make some efforts. Except his endeavor, none of the new dimensions were taken in that time from the side of state and ruler. General Bhim Sen Thapa's endeavor to land reform was also major task in the area of land administration. Thapa was courageous general of the time and a long time palace politics of that time was guided by his whim, so he had become successful to introduce some new measures in land reform area.

Land Administration and Management of Rana Period

Though the attempts were made in this period, one hundred four years of Rana period was not very much enthusiastic in the area of land reform and land administration,. Before that time, land was administered by the Royal order (*Lalmohar, Sanad, Sabal, Istiyar, Hakum, Pramangi* etc.) and from the customs. Most of the customs were influenced by Ram Shah's and General Bhim Sen Thapa's reforms. The Legal code was an attempt to accumulate the legal arrangement which were in use before. The order of Rana ruler to Nepalese people became the law and the order of power to restrict or amend the legal code. This sort of order was given by Rana ruler from time to time. Ranas had also made the cadastral survey of land. Janga Bahadur the founder of Rana regime had given power to *Chaudharies* to collect the land tax. Similarly, he had confirmed the right of land and tenancy to the peasants (Sharma, 1951, p. 342).

During the time of Rana regime, the Terai Land was not suitable for the settlement to the hill people due to the contagious Malaria fever. Most of the fertile land of Terai, where settlement was possible, was distributed as Birta land. So, at the end of the Rana regime the problem of landlessness was becoming severe. There was the scarcity of good land for farming, land holding inequality had become high and good land was accumulated only a handful personalities. So, peasants were in very much miserable condition. Inequality of holding was high and the life of peasant was becoming miserable.

Reform in Rana Period was only the reform for tax hike. No new reform actions were taken as the modern reform. So, it can be said that it was the time of ritual in the area of land reform.

Legal Reforms in Nepal (1950 to 1964 A. D.)

After the end of World War II, an international whim evolved to liberate the colonized countries from the colony. Democratization became norm in politics, land reform in economy, justice and equity in social sector. The world forum, the UN, was established after the failure of League of Nations to maintain world peace. The UN became the common forum to discuss the problem faced by third world or the developing countries. Both the poles of the international politics were in favor of land reform. In this context, land reform became the main agenda of the 1950s and 1960s. The anti Rana movement took a massive support from people and international sector and increased the will of people for land as there were some militants capturing the land of landlords by the peasants in 1951. After the freedom from Rana Oligarchy, the government did not become stable. In this background, land reform became an agenda of discussion among different governments which were in power after the political change of 1951 A.D. Land reform became the agenda of debate in different social and economic forums also. It pressurized the government and government was compelled to address the agenda by making different commissions or the Acts which are:

a). Deputation of Investigation Commission: After the political freedom from Rana regime, aspiration of the people of Nepal increased. So many agitations had been started by different chunk of people. In this context, peasant movement took the tempo in different parts of the country for the sake of their interest. In many cases, the government had to depute investigation committees and send such investigation commissions to different places of the country like

Butwal, Khajahani, Seoraj and Surkhet. On the basis of the commission reports, mobile court were also set up some districts to look after the case of arbitrary evictions of tenants, extra impositions on tenants etc. The government action became only the patch up work in settling the burning issue related to land but it did not solve the deep rooted problem in agriculture (Badal, 2000, p. 14).

b) Tenancy Rights Security Act, 1951: In January 1951, a draft of “Tenancy Rights Security Act” was published by the government. Before that time, the tenants were not secured by land lords. In the individual whim or the interest of the landlords, tenants were evicted from the field. So, the Act was designed to provide tenancy rights to the peasants of the country. The ‘Birta’ land was not covered by this Act. The main provisions of the Act were i) The tenancy right would be granted to the tenants who were working in field since 1950/51, whether the land had been given to them on the basis of *Bataiya, Hunda, Kutbali* or cash payment, etc., ii) Whenever the tenants fulfill the conditions illustrated in the Act, they would not be evicted by the landlords; iii) Tenants who had tenancy rights were bound from the provision that they could not sell or dispose their tenancy rights (HMG, Nepal, Gazette, No. 22, Part iv, p. p. 25-28).

c) Royal Land Reform Commission: In 1952, a Land Reform Commission was made. The commission had considered the problems related to tenancy rights, land revenue, agricultural credit, co-operative societies, *Beth Begar, Salami* Systems and collection of records. The major recommendations of the commission were following.

i) The owner of land of Raikar land was those in whose name the land was registered, and tenants were those who had cultivated the land of land owners on cash or kind rent. Until the tenants fulfill the terms and conditions, they would not be ejected from the land. But they could be ejected if they did not give proper attention for two years or did not cultivate the land for one

year; ii) The tenants should not be expropriated in the name of various *Rakam* or *Salami* by the landlords; iii) Debt. Determining Committee was made with 6 members; 2 judges, 2 cultivators and 2 well known people of the concerned district. The committee would overlook the problem of debt dealings; iv) *Zamindari* should be abolished and in its place, tax collection and land settlement officer should be appointed under the supervision of district revenue office; v) The commission recommended an imposition of tax on all *Birta* land; vi) A scheme for settlement of landless labor was also recommended (Badal, 2000, p. 15).

d) Royal announcement of 1955: In 1955, comprehensive land reform measures were announced by His Majesty King Mahendra. The following were the main provisions of the royal Announcement: a) Fixation of maximum rent at 50% of the product of Land. b) Fixation of maximum rate of interest 10% in loan whether cash or kind; c) Prohibition of *Salami* and other extra charges on tenants; d) Granting of tenancy right to any tenants who were cultivating land for two years; e) Restriction on land holders to leave their land fallow without justifiable reasons for three years, the fallow land could be given by government to the landless peasants and the tenancy rights would be granted for two years cultivation; f) Prohibition of sub-leasing land to sub tenants without the consent of landlords; g) Nullification of land tax at 10% of the product of land; H) Imposition of tax on incomes from *Birta* land; i) Provision of a “Joint Fund” of tenants and landlords; J) Maintenance of a regular record of tenants and landlords all over the country (K.C. 1978, p.14).

e) The Land Reform Act, 1957: The Act had the following provision; i). Regulation of Rent: maximum 50% of the production of land; ii) Regulation of Rate of Interest: maximum 10% ; iii) Prohibition of extra Imposition: landlords were prohibited to take anything in cash or kind then over the legitimate rent; iv) Announcement of the Act; If tenants were tilling the land they, were

deemed to be protected tenants and if any one cultivates the land for one year, after the commencement of Act, he would also be deemed to be a protected tenant. The tenant could not be ejected in a normal condition if the due rent was paid to the land owners. The tenants would not transfer the tenancy right to other by sailling or grant. The person to whom the rights of tilling the fallow land were transferred would also be deemed to be the protected tenant, provided that such transfer was duly done; v). Compilation of record: According to the Act, *Zimmawalas* and *Mukhiays* in Hills and the *Potwari* in Terai were responsible to compile records of the protected tenants (KC., 1978, p. 15).

f) Birta Abolition Act, 1959: This was the first legislative measure in the land tenure system of the Kingdom of Nepal. The Act was brought to establish the feeling of equity among the people of Nepal and to strengthen the economy in favor of the community at large. The feature of the Act were i) From the date of this act, all rights and authority relating to *Birta* holders were ended; ii) *Birta* land was converted into Raikar land in the ownership of government; iii) All *Ain*, *Sawal*, *Sanad* and other written documents related to the *Birta* land were abrogated; iv) *Birta* land was being divided into A class *Birta* and B class *Birta*; v) Both kinds of *Birta* land had to be registered, B class *Birta* land in the name of former *Birta* holders and A class *Birta* land in the name of former tenants; vi) After the abrogation of *Birta* land tenure, the registered B class *Birta* tenants became protected tenants and could enjoy all the tenants' power; Vii) In the B class *Birta* land, the land tenure was fixed as the rate prevailing on the adjoining *Raikar* land; Viii) A class *Birta* holders had to compensate (KC.1978, p. 15).

g) Land Reorganization Act: In 1962, the government enacted the Land Reorganization Act. The Act had many provision like i) Regulation of Rent, ii) Regulation of Loan, iii) Regulation of Rental Contact, iv) Grant of Tenancy Rights, v) Ceiling on land holding, vi) Distribution of

surplus land. The Agriculture Reorganization Act was immediately introduced on experimental basis in some selected areas of the country. It was the time of political change in the country. Although there were many rules regulations and efforts in connection with land, there remained many agrarian problems unsolved (KC,1978, p. p. 9-16).

Internationally, it was the time of political turmoil. Many third world countries, which were liberated from the internal despotism or external colony after 1950, did not succeed to strengthen the newly achieved democracy. In many third world countries, despotism was becoming successful to grasp the political reign of the country. In the very time, the multi party system was withdrawn and non-party Panchayat political system was initiated. In the rural sector, the new national code of 1963 was proclaimed. On one hand, this action, the upper class elite group had been unhappy with government due to and on the other hand, the shacked political parties and multiparty believers were in favor of militant action against the establishment. In that context, the new political system wanted to take support from both the landlords and the peasants. The new political system became successful to take support from the high and middle income group. The income of these groups depended on landed economy. In one side, the few high class landlords didn't support the militant idea as they did not want to change the middle income group into the landed aristocrats, in the other side the government wanted to bring a land reform program which could make the low income group happy and the political support could be drawn from the grass root level. In this background, the government announced the land reform act in 1964.

h) The land act 1964: The Land Act of 1964 was a milestone in process of the progression of different enacted rules and acted in the field of land reform. There were three major imperatives in the initial phase of Panchayat which were: Panchayat system in political field, land reform in

the economic field and progressively amended legal code (*Muluki Ain*) in the social field. Land reform with an objective of equalizing the economic opportunities to all may play major role in creating a just and democratic society (KC, 1978, p.19).

The overall objectives of the current land reform program can be clearly understood from the very preamble of the Act. It is said that the act was to improve the standard of living of the actual tillers who are dependent on the land for their livelihood. The objectives of the program were to distribute the cultivable land equitably and to provide resources and encouragement for the maximization of agricultural production and thus maintaining the comfort and economic interests of the general public.

The main provisions of the act are as follows: a) Guarantee the tenant's rights; b) Fixing the ceiling on land holding; c) Provision of land rent not more than 50% of the annual crop production; d) Compensation to land owner to abolish *Jamindari* system; e) Provision of compulsory saving, intercept outstanding loans and institutional arrangement for credit operation. Here the main provisions of the Act are analyzed: i) The tenancy of those who have tilled land for two years was secured by law. None of the *Jamindar* could evict the tenants without fulfilling the provision of law, and it has to be decided by court. When the tenant left the land fallow, when the land was destroyed by different kinds of use without farming and when tenants court granted or sold the tenancy to other according to the provision of law, they could evict the tenant from the land; ii) The Land Act has fixed the overall national ceiling at 16.4 hectares of agricultural land. The ceiling has also been fixed differently for different region. In addition to this, a person or family is also entitled to hold a homestead land at a given scale.

These provisions were not applicable in government land. Lands for the purpose of educational institutions, medical institutions, religious organizations, industrial use and cooperative farming are not compelled to follow the provision; iii) The act has made the provision of land rent not more than fifty percent of the crop of annual production; iv) Compensation has been given if someone's land is expropriated. The compensation rate would differ according to the productivity of land. If a sitting tenant is adversely affected by the actuation procedure, s/he will get compensation at the rate of one quarter of it and it will be in cash; v) With commencement of the act, all kinds of Jamindari, except Guthi tenure system were abolished. vii) To release the tenant farmers from the clutches of the local money lender and to fulfill the requirements of credit to the tenants-farmers, Nepal government had taken the provision of compulsory saving. The saving scheme was different for landlords, owner-cultivators and the tenants. More saving had to be deposited by landlords and less from the tenants. The owner-cultivators were in between in saving deposition. The contribution from food crop was payable in kind and from cash crops in cash. The saving was also refundable in cash or otherwise after five years within five percent interest per annum. The peasants were able to take credit for one or more purpose as: seeds, fertilizers, irrigation, purchase or hire of oxen or buffaloes, personal consumption, etc. The interest was ten percent a year.

Land Reform, as a program, was basically introduced world widely after World War II, but the concept of land reform came in existence in Nepal after 1950 when Nepal became liberated from family oligarchy. The democratic government had started to think to uplift the economic and socio political situation of the general people and that was possible until after the reform of the land related program. In this context, the democratic structure with the king in power championed different Acts and Acts for land reform. Many Acts were made and proclaimed

in the area of land reform in first phase after 1951. In 1964, The Land Act had come with the program of reform which could succeed to crumble down the traditional structure of land related economy. So, it was the time of importance in land reform agenda in Nepal.

Land Administration in Nepal (1964 Onwards)

“Land administration broadly implies land alienation and settlement, land transactions and dealing, preservation of rights and interests of the parties concerned, regulating land tax or rent collection reservation of government or public lands, and other land development and consolidating measures” (K.C, 1971, p. 38).

Land administration and its jurisdiction were different from country to country. In the context of Nepal, traditional type of administration and the land reform program both are brought under the administration setup. It is often said that a good and stable government is always a pre-condition of economic prosperity, political stability and social justice in a country. Land is thought the fixed asset of people, so land administration can very much affect the public administration in the context of Nepal (KC, 1971, p. 39).

Land reform measures, cooperative movements, abolition of feudal institutions such as *Raja Rajauta* and *Jagir*, implementation of *Muluki Ain* for social reforms, establishment of industrial base, higher involvement of public sector and organization of different cooperative, etc. were carried out by Panchayat regime, the then political system (Sharma, 2011, p. 93).

In this background, before 1964 A.D., the *Mal Addas*, with the help of *Jamindars*, performed land administration and land tax collection functions. In 1964, the Ministry of Land Reforms was setup with three directorates The Directorate of Land Reform The Directorate of Cooperative and iii) the Directorate of Cadastral Survey. In 1965, the Ministry was enlarged to include three more directorates; I) the Directorate of Food the Directorate of Agriculture and the Directorate of Land Administration. In 1970, it was split up into two ministries i) the Ministry of Panchayat and the Ministry of Home and Land Reform. The Directorate of Land Administration was more directly responsible for the implementation of land reform act of 1964.

Within the land reform Directorate there were many sections like planning evaluation, budget and publication, administration and coordination/ inspection. There was the provision of two Directorates. At headquarters level, the Directorates of land reform and land administration were separated. But in the field level, they shared the same staff. In all 75 districts, land reform/land administration office was established. After finishing cadastral survey, land administration office was set up and the district land reform office had to do the function of the registration of the all transactions in land such as transfer, transmission, mortgage, gift and division of ancestral property, etc. Similarly, it had to entertain and settle the complaints relating to cadastral survey, land encroachment and tax envision. The office had to provide ownership certificates and tenancy certificates. The office had to implement the land reform program in those districts where the cadastral survey was over. In 1977, the land administration office was abolished and the functions of that office were distributed to Land Revenue Office under the Ministry of Finance and District Level Land Reform Office under the Ministry of Land Reform.

In 1986, the land revenue office was merged to the Ministry of Land Reforms from Ministry of Finance. In 1990, district level land reform offices were dismissed and its jurisdiction

had given to land revenue office. In 1994, the then government had made a High Level Land Reform Commission under the chairmanship of Keshab Badal and the commission submitted the report in 1995 A.D (2052, B.S.) to the government. The Commission has analyzed the problem of land reform and it recommended some techniques to solve the problems.

In 2001, two Departments; Land Reform Department and Land Revenue Department, were named as the Department of Land Reform and Management which are functioning till now.

All the Departments under the Ministries are performing the administrative functions and day to day managements about land administration. There is no new change vision which has come in practice after the change in different structure of the Ministries and Department. A new plan and program with vision is needed to for achieve the goal of the land reform.

Chapter V

ANALYSIS OF LAND REFORM POLICY DOCUMENTS OF THREE PARTIES (UCPN- MAOIST, CPN- UML AND NC)

Introduction

Every government, political party and many business forms have formulated policies on different issue to perform the actions in a targeted time frame. Policies are the guidelines of any actions to be taken. Policy means a “plan of action, statement of aims and ideals, especially made by a government, political party, business company etc” (Oxford Dictionary, 2007, p. 579).

Since the agenda of land reform became the major concern of the public consumption in the area of political economy of Nepal, different governments have ruled the country, yet the agenda of land reform is unsolved. In the contemporary politics of Nepal, political parties are the basis and the vehicles of democracy, the means of interest articulation, interest aggregation and rule making, also, the policies made by political parties have meaning.

In Nepal, there are different kinds of terrain in land, the ecological zones are different, the altitude is different and there are so many differences in land shape also. To use these differences of land, there is the need of policy. In land reform program, land use policy is a component. So, without the policies of land use, land reform program could not be completed. The term land reform is basically used for the management of arable land and its distribution. In Nepal, the arable land is in different ecological zones and altitudes. To use that land, policy is

needed. Political parties can use the representative power of the citizens to make policies about people concerning issues.

Especially after 1950, the multiparty system had worked about ten years as the vehicle of the politics. At that time, the agenda of land reform was in initial phase. Different acts were made during this time. The bill of Birta Abolition Act was introduced by Nepali Congress government in 1959. But before implementation of the act in 1960, the parliamentary system was suspended and from 1962 onward, for three decades, the non party Panchayat system ruled the country. All political parties were banned. In this banned parties conferences were held underground. However, political parties became successful to make their policies on different issues, though all political parties had tried to make time relevant policies, most of the policies made by different political parties were not carried out due to the lack of conducive environment. Land reform had become a political slogan of the banned political parties. In 1990, the people movement succeeded over the Panchayat system. It provided ground to all political parties to make their policies. In this context, policies about land reform had been made.

Time and again, the people's movements against despotism were fought. The second people's movement created environment to establish Constituent Assembly. Here, the policies of the three major parties of the Constituent Assembly (UCPN-Maoist, CPN-UML and NC) on land reform, in different headings, are analyzed and interpreted.

Land Reform Policy of UCPN-Maoist

Maoist had published a document “Commitment Letter of Nepal Communist Party Maoist for Constituent Assembly Election: New Idea and Leadership for New Nepal.” The document had been published by Central Committee, Central Publication Committee. The publication has been divided into five chapters. The Second Chapter is entitled “The Internal Elements of New Constitution: Independent and People Oriented Federal Democratic Republic.” In that, the land policies of the party are discussed. According to the document, the new transitional economic policy has many characteristics, among them “Land Reform” is one.

About land reform policy, the publication has expressed as:

“All kinds of feudalism have to be ended from economic sectors. Mainly, revolutionary land reform has to be implemented to end feudal land ownership pattern with the theory of ‘land to the tiller” (UCPN Maoist, Central Committee, p. 18).

The statement clears that the party wanted to end all kinds of feudalism with the use of revolutionary land reform in practice. To give full flagged support to it, the party has accepted the concept of “land to the tiller”. Maoist party has an assumption for the establishment of the new prosperous republic Nepal.

In the title of ‘Agriculture and Forest’, it has envisaged:

“First of all, revolutionary land reform has to be implemented in the country. In agriculture sectors, feudal land relation and absent landlordism has to be ended. The

expropriated land without compensation will be distributed to the tenant tillers, liberated Kamayiya, landless peasants and poor peasants without price” (UCPN Maoist, Central Committee, p. 31).

Maoist is in favor of revolutionary land reform. Land should be expropriated without compensation. To end feudal land relation and absent landlordism expropriated land should be distributed to the landless and the poor peasants.

In the context of land ceiling and co-operative farming, Maoist policy is:

“Land ceiling will be decided and implemented differently for Terai, Mountain and Hilly region. Small farmers need to be organized in cooperative farming. Peasants have to be insisted to do modernized farming, alternative farming, and professional farming.” (UCPN Maoist, Central Committee, p. 31).

According to the above quoted statement, the party is in favor of different ceiling for different region. Land should not be given to those who do not work on land. To a family, only the area of land is essential they can plough. The policy emphasized on minimum ceiling which could help to expropriate the land from non working family. The party has given importance to the modern, alternative and professional farming system.

About fallow land, the party policy is:

“Arable fallow land has to be punished with heavy tax. It could help to increase production. All peasants will be insisted to be wholeheartedly involved in agriculture sectors.” (UCPN Maoist, Central Committee, p. 31).

It becomes clear from the above statement that those who leave fallow land have to be punished heavily. Firstly, arable land should be used for production, so all peasants must be insisted to involve in production work.

About land holding the party policy is:

“Land belongs to the state. The holding of land means the holding for work. The state could give the land to the tiller who works on field. But the holding of the tiller is not the ownership of land it is just the right of the work.” (UCPN Maoist, Central Committee, p. 31).

The above statement says that land holding of the non working person is false. When people do not work on field, yet they have ownership of land, it is the false way of holding. The present trend of land ownership or holding is the disguised policy of feudal state to keep land in the hand of feudal. This is anti natural or unjust because land is nature made, so only state could give useable right to individual. The land is not the parental property, it is common to all. Basically, the party does not believe on the disguised type of land reform where landlords or the non working individual could maintain their feudal right on land.

About agro-production and industry the party policy is:

“In certain parts of the country, cereal food will be produced just for individual consumption and in other parts, the more production will be encouraged which gives comparatively higher profit. Unseasonable vegetable and fruits, qualitative honey, birds like Pheasant, Kaleja and Luinche, Chauri milk and cheese of herb eaten Chauri, fish of cold water, rice of cold water, Yarchagumba, Panchaunle, ect. are insisted to export. Agriculture, animal husbandry, fish farming and fruits farming will

be developed in integrated form as an industry. Agriculture industry will be developed as the main development initiative of the country.” (UCPN Maoist, 2006, p. 32).

In the above illustrated statement, the agriculture is linked with economy. The main internal income source of the larger number of people till today is agriculture. Those sort of things have to be produce which have very low weight and could give more profit. So, strong consideration has to be given to the terrain and the climate for farming. The case of Mountainous region, production could be taken as instance

The herb of Mountainous region is very much costly and useful and it could be exported in a huge amount to earn foreign currency.

Further the party policy is:

“Irrigation system will be developed with specific planning round the year in the plain area of Middle Mountain, Inner Terai and Terai region. To produce the skilled man power within the country, universities will be established to teach agriculture and forestry.” (UCPN Maoist, 2006, p. 32).

The above statements clear that the productivity could be raised from the use of irrigation and the use of technical manpower in agriculture. The party has policy that the irrigation projects have to be made after giving due consideration to the probability area from where water will be available round the year. Similarly, to prepare the skilled manpower for modern agriculture, the University of Forestry and Agriculture should be established. The party policy in the following area is:

“Special program to provide minimum price of their agricultural production to the peasants will be implemented. Except the plain area of the mid Mountain and Terai herbal production industries, compatible to the biological differentiation, should be established to earn foreign currency. For this, the land use system of the whole country should be made and implemented. A detailed plan has to be made to control the rivers and to preserve the soil. Special consideration will be given to maintain ecological balance and they will be severely punished who violate the rule of ecological balance.” (UCPN Maoist, 2006, p. 32).

In analyzing the above statement it is found that so many things come under the land reform program. For instance, use of biological differentiation, preservation of the soil, control of the flood, etc. also come under land reform. The rivers have created the alluvial landscape on their banks which helps to increase the agricultural production. The conclusion of the statement is that a national level policy has to be made and implemented to achieve the fruits of above mentioned works.

About agricultural loan, fertilizer and agricultural tools, the party policy is:

“To provide agricultural loan with wide coverage, domestic development bank and land development bank will be established. Loan given by government to landless and small peasants will be exempted. Fertilizer industries and agricultural tools industries will be established in different parts of the country. Use of compost manure will be promoted against the use of chemical fertilizer, and insecticides, pesticides, etc.” (UCPN Maoist, 2006, p. 32).

The above statement clears that the soft loan has to be given to the peasant to raise the agricultural production. Similarly, the compost manure in the substitute of chemical fertilizer and poison has to be used with the technical help to the peasants. The productivity will then be raised.

Land, a natural resource, belongs to the state and nobody has right to hold land as an individual ownership. Only state could give land to the individual ownership according to the theory of necessity. When individuals need land for farm, settlement and other purposes, the state can provide land to them. State is free to make policies for giving land for an individual use. State takes revenue from an individual as a tax of using land. But when state wants to use land for the state led action, it can take any piece of land, giving without giving compensation to the holder. Nobody has the right not to leave the land to the state because it is not the property of an individual. Land can properly be used after revolutionary and scientific land reform. The clear scientific land policy is essential to use the different kinds of land as rocky, sloppy, river bank, etc. For the appropriate use of cultivated land, UCPN-Maoist has made the revolutionary land reform policy.

The Policy of UCPN-Maoist on Revolutionary Land Reform

The theoretical ideology of the Maoist party believes that without revolutionary land reform, the exploited farmers will not be liberated. In this connection, Maoist has the conviction that without changing the conditions of farmers, the present condition of the country will not be changed and developed. To establish real peace and good governance, the present condition of the poor class has to be changed. For this, according to the party policy, revolutionary land reform is essential. The total land of the state needs to be declared under the government control and the arable land has to be given to the tiller. Land use policy has to be made by the people's government. According to the synthesized thought of the Maoist, the character of Nepalese society is semi feudal and semi colonized. When the government will be head by anti-feudalist, anti-colonialist and progressive patriots who believe in left ideology, only then the slogan 'land to the tiller' will become implementing in practice. The party policy is that the poor class has to be supported with the help of production cooperative to increase the production, so cooperative farming is necessary. State has to give all kinds of help to the peasants whether it is in cash or kind. "Land to the tiller" is the motto of Maoist. Production increase is the objective and the social justice is the aim of scientific or revolutionary land reform policy.

Land Reform Policy of CPN-UML

The successful people movement for the restoration of democracy opened the space for all political parties to go with people with their manifesto. In this context, in 1991, CPN-UML, for the first time, with its commitment and manifesto went to the people for vote. In that document, the party has committed to land reform in Nepal. In the title 'On agriculture,' the party had policy as:

“Agriculture is the backbone of the country’s economy. But it is plagued by the feudalistic exploitation and the distortions originating there form. Therefore, our main slogan on agriculture is ‘End feudal land ownership.’ For this, restructure of agrarian economy in a new democratic and planned way is essential. In this context program will be implemented by giving new land to the tillers.” (CPN-UML, Election Manifesto, 1991, p. 11).

In the opinion of CPN-UML, agriculture is the prime area of national economy. But the feudalistic exploitation was the hindrance for agriculture development. Without ending feudalistic land ownership structure, agrarian economy is impossible. The future of agricultural development will be successful with new democratic structure in planned way, so the policy commitment is that new land has to be given to the tiller. To achieve the agriculture development objective, the party has given priority as:

“Landlessness is a burning problem of the country. By collecting the data of unauthorized land of landlords and the land unsuitable for forests, barren and fallow land will be suitably distributed in a planned way to the bonafied landless people.

The problem of landlessness will be solved by developing housing arrangement and alternative employment system.” (CPN-UML, Election Manifesto, 1991, p. 11).

CPN – UML has given serious concern to the problem of landlessness. But there is not actual data of the unauthorized land used by landlords as land which is unsuitable for forests, fallow and barren land. So, data has to be taken to distribute expropriate land to the landless. Similarly, housing arrangement is the natural right of an individual and the alternative employment for landless is thought essential by the party. Serious concern has been kept by the party about the problem of *Kamaiya* as:

“The Kamaiya (tenancy) system prevailing in the western Nepal is a kind of slavery. On the basis of the unity of the peasants and tenants, that ugly tradition of feudalistic exploitation will be abolished. Arrangements will be made to emancipate the tenants from the landlords providing the facilities of housing and employment.” (Election Manifesto, 1991, p. 11).

From the above statement, it can be said that a kind of barbaric exploitation of the *Kamaiyas* by the landlords was a serious problem for agriculture development in the western part of Nepal. CPN-UML has given serious concern to emancipate them by providing housing and employment opportunities. Similarly, the party has given importance on land reform as:

“Tenancy rights will be ensured for genuine tiller and dual land ownership system will be terminated. Absentee landlord system will be ended, ceiling for land holding will be lowered and judicious distribution of land will be carried out. ‘One man one occupation’ will be encouraged. Birta and Guthi land will be registered to religious institutions and the misutilization of the public properties will be strictly checked.

Priority for the rights of the poor and small farmers will be given. Progressive land reform program will be formulated and implemented.” (CPN-UML, Party Document, p. 12).

The above statement expresses that UML has given serious concern on genuine tillers' tenancy rights. One of the prime objectives of the land reform is the security of tenants, (who work on field) who are the key persons for production. Without securing their rights of the tenants, dual ownership system could not be terminated. Absentee landlordism is also a major problem in agriculture sector which has to be ended to make the owner of the land. Only the farmer could give keen interest to production increase. Land ceiling should be lowered to extract land for distribution to the landless. 'One man one occupation' could increase the competency and work ethic. *Birta* system has been abolished by law, though in practice, there might such land in use. UML wants to give that land to the tiller as the *Guthi* land also has to be given to the tiller to raise production. Progressive land reform program, according to the demand of the society and context, has to be formulated to implement in practice to achieve the fruits of the agricultural sector.

CPN-UML has published a program in 1993 (CPN-UML, Central Office, Madan Nagar, Balkhu) entitled of "Program of Nepalese Revolution: People's Multiparty Democracy" (*Nepali Krantiko Karyakarm: Janatako Bahudaliya Janabad*). According to the program, UML has accepted the multiparty democracy as the governance system of the country in political sector and mixed economy in economic sector. Tenured election, respect to the universal human right, freedom of press, etc. were accepted as political rule. Mixed economy with the cooperative, relation between the private and public sector have also been accepted by the party.

Agriculture has the vital role in the economic sector of the country, so the party has given importance on agriculture. In this context, the party has discussed the agriculture sector as:

“The semi feudal exploitation will be completely ended with the eradication of the feudal exploitation on land. Implementing the revolutionary land reform program, land will be distributed to the actual tiller and landless peasants. New land ceiling for the ownership of land will be implemented. Land above ceiling will be expropriated without compensation to distribute the landless tillers or the poor peasants. But for those who will stand at the side of revolution even if they have more land than ceiling, they will be compensated irrespective of their economic condition. To end the dual ownership on land the small land owners will be promoted, however, there is the trends of dual ownership in practice.” (CPN- UML, 1993, p. 10)

To mitigate the existing land related problems of Nepal the party has made policies. In this context, the policy of CPN-UML is to end the semi feudal land ownership from the country. According to the party policy, to end the feudal land relation, the land of the feudal has to be given to the actual tiller who works on field. This action could uplift the real situation of the poor peasants. It could raise the productivity of the field. In this reference, CPN-UML includes some policy points as:

“Agricultural production will be increase by promoting scientific and advanced farming system which could uplift the life of farmers. Necessary reforms should be made for the peasant’s benefit. Soft loan at cheap interest rate, development of system for organized market to achieve appropriate price of agricultural production, ensuring the availability of developed seeds and fertilizer in concession rate and

providing irrigation and technical education for peasants at their easy access are essential condition for land reform, which will be provided.” (CPN-UML, p. 11).

The party has clear policy about land reform. According to the party document, for raising agriculture production, scientific farming system is necessary. Similarly, other necessary provisions for production hike have to be followed.

According to the party policy, the whole land area of the state remains under the control of government. The arable land above ceiling should be expropriated by the state giving reasonable compensation to the land owner and the expropriated land should be distributed to the tiller. Land distribution and use according to the need of the state policy is land reform. Limited numbers of people have the control on land and a huge mass which work on the field have to starve from hunger and without even have little piece of land for shelter. This sort of trend creates inequalities in the state. It is expected that scientific land reform policy can end this situation. Fertile land must be used to increase production for this use and holding of land according to the work on it is necessary and it could raise production. Scientific land reform denotes the proper policy of land use system. In party's election manifesto, in peasant's organization document and in party policy document, scientific land reform is illustrated, though it is not defined after the rigorous discussion within party line.

CPN-UML had made a high level 'Land Reform Commission' under the chairmanship of its party member Keshab Badal. The commission had submitted a report to the government. The report has given priority in the following areas of land reform:

“(a)The ownership of the land should be given to the tiller. (b) Co operative farming system must be promoted (c) Agricultural labors have to be protected (d) For good

production irrigation, agricultural roads, technology, fertilizer etc. should be developed (e) Agricultural research should be carried out.” (HMG, High Level Land Reform Commission, Badal, Report, 2000, p. 110.)

The above lines clear that land reform is the agenda of all the concerning parties and stakeholder and only related to one party, but is mainly concerning to the government. So, a high level commission has submitted the report to the government by fixing some areas of land reform policy. Political consensus of concerning parties, especially the larger ones', is needed for the legitimacy of the commission recommendations and for program implementation. UML has owned the points given by commission report as its policy documents.

It is expected that land reform can increase production. For the success of land reform the distribution system has to be justifiable. UML policy is 'land to the tiller'. The party's policies on the following issues are:

“Access to irrigation, roads and advanced technology and fertilizer are the basic requirements of scientific land reform policy. These requirements must be easily available to the peasants. Progressive land tax has to be fixed and implemented according to the shape and terrain of land.” (Adhikari, 1997, p. 111).

According to the above statement, it becomes clear that irrigation with advanced technology and fertilizer are the essential condition for scientific land reform. It also becomes clear that for the poor productive land revenue has to fix less and the land which gives more production more revenue has to be fixed. The party policy is that revenue needs to be fixed on the basis of income from land. The party has made the further policies on land reform as:

“On the basis of the nature of soil and climate, farming system (cereal crops, cash crops, animal husbandry and the development of fruits farming, etc.) should be promoted and modernized. Agriculture system should be designed to promote cottage industry, and to establish of modern industries. In order to check the destructions of natural resources, programs are essential to develop and conserve the forest area.”
(CPN-UML, 1997, p. 110).

Party has given importance on that kind of farming which is compatible to soil and climate types. Program for cottage industries and integrated rural development program have to be implemented. To check the destructions of natural resources and to enhance forest area conservation, new program has to be developed. In the context of land reform, the party policy is:

“Minimum wages will be fixed on the basis of law to those who work as agricultural laborer in agriculture sectors. Land ceiling will be decided to distribute the expropriated land to the landless for farmland and to the homeless for shelter. Dual ownership has to be ended. Serious attention has to be given for the development of the productive force (landless, marginalized, small and medium class peasants and agricultural labor) on agricultural production system.” (Adhikari, 1998, p. 11).

The above line clears that the CPN-UML party land policy does not contradict with the existing law of the country. Party wants to decide the agricultural wages for agricultural labors on the basis of the existing rules and regulations. This action could attract the labor force in agricultural occupation which could help to increase the productivity. Further, the party policy is described as:

“Fragmentation of arable land has to be ended and cluster and cooperative farming need to be started. To control the ongoing fragmentation of land, minimum ceiling for fragmentation has to be decided. The scientific agricultural system has to be developed for land consolidation and cluster area farming. National irrigation system has to be constructed to irrigate the total arable land of the country. By the means of cooperative farming, collective farming for supply of agricultural materials and system for agricultural loan will be established. Agricultural market will be established and developed.” (Adhikari, 1998, p. 11).

The above statement clearly says that the present trends of land fragmentation should be ended and cluster farming should be started. Irrigation system should be developed and when loan is essential to the peasants’ cooperative corporation could help them. To sell the agricultural production of the peasants, agricultural market has to be established.

Land holding is a kind of control on land. The holding of land as the owner, the holding of other’s land as the tenants and the holding by the means of false way are the patterns of holding. CPN-UML policy is against the false way of land holding. To make land holding scientific, the policy of land ceiling and the policy of land administration has to be scientific. Basically, land administration is the law implementing body of government agencies, so the party policy is to make land administration more active.

Party’s policies on land ceiling determine the upper limit and lower limit of land holding. The lower limit of land ceiling is the land owned by tenants in rent for tilling. For the success of land reform program, scientific land ceiling should be decided by law. The ceiling could be different for Terai, Inner Terai, Hill, Mountain, and Valley. The ceiling could be

different for fertile land and non fertile land. From the very beginning of the parties' establishment, the party has made its policy as 'land to the tiller.' According to the party policy, those who do not work on land don't have rights to it. So, the party pleads that the ceiling on land should be progressive. A family can hold as much land as they can use for cultivation with their own labor. The commission has proposed the land ceiling according to the land availability and productivity. The party policy on other issues is:

“For the success of land reform agricultural research and technology, availability of seeds and fertilizers, system for easy availability of agricultural loan, minimum price for agricultural production, food grains reserve and security system will be effectively managed. Priority has to be given to agricultural road under the scheme of rural infrastructure development. Similarly, priority has to be given to small scale irrigation project, food grain industry, dairy production, fruits juice production, herbal industry etc.” (Adhikari 1997, p. 17).

The above statement gives importance to the issue of agricultural development. For instance, research study is essential on agriculture and technology to use in agricultural practice. New knowledge comes from the research and it could raise the productivity. Similarly, the food grains storage system has to be established with developing seeds, fertilizer, and the soft loan system to help the farmers.

With the objective of rural area development, the party has given importance on agricultural roads. The other priority area is the establishment of agro based industries, dairy production, fruit juice production, herbal industries etc. The party policy about agricultural development is:

“For the sustainable development of agriculture, priority has to be given to environment protection, a forestation, jungle garden, cooperative forest development, land protection and construction of retention wall for flood control. Importance has to be given to the alternative energy system like animal dung gas plant. To provide the skill of modern technology to the peasants, technical centers have to be developed in rural area. Literary development program for women will be run to give them technical training for increasing their participation in agriculture. It could enhance the capacity of women in agricultural sector.” (HMG, High Level Land Reform Comission, Badal, Report, 2000, p. 39).

In analyzing the above statement it can be said that in the name of agriculture development, the jungle of the country is being destroyed annually. It is forgotten that the land has to be protected by making the terraces for cultivation; corrective measures have to be adopted. Similarly, it is essential to give modern skills to the manpower who involve in agriculture. In this context, special focus has to be given to the women because their role is more important in agricultural sector. Skill development program for women should be made compulsory to raise the production of agriculture. Regarding the agricultural labor, the party policy is:

“The policy has been made to increase the employment in agriculture, to create the opportunity of alternative employment and to fix the minimum wages to the labor. There is discrimination between the male and female labor in agriculture, so it must be ended. The wage rate should be equal for equal work. Rule for the prohibition of child labor should be effectively implemented.” (CPN-UML Action Plan of People’s Multi Party Democracy, 1997, p. 16)

It is said in above statement that many employment opportunities could be created in the area of agricultural. But these days, the situation is very much hazy. There is no legal provision for the fixation of wages to the agricultural labor. So, most of the people do not want to adopt agriculture as occupation. There is difference of wage for women and men on the same job, the women laborer are paid lower wages than male laborer. From the above statement, conclusion can be drawn that to develop the agriculture sector and to end the discrimination of wages which is prevailing in society rules and regulations have to be implemented in practice.

Bharat Mohan Adhikari, the standing committee member of the CPN-UML, has written a booklet entitled “Basic Thoughts of Contemporary Economic Program of People’s Multiparty Democracy” (*Janatako Bahudaliya Janabadko Samakalin Arthik Karyakramko Adharbhut Bicharharu*). According to the booklet:

“CPN-UML wants to increase the productivity of the agricultural sector. The high rate of growth in agriculture could increase employment opportunity. Rapid growth in agriculture develop the states’ capability of distributing resource to uplift the miserable condition of poor, helpless, weak, oppressed, exploited and neglected people. Government could introduce different kinds of program for poverty eradication. In this regard, to achieve the expected objectives of agricultural sector, per capita income of individual should be doubled in coming ten years.” (Adhikari, 1997, p. 16).

It is clear from the above statement that for the rural employment opportunity, agricultural development program is essential. To eradicate the different hindrances of agricultural sector and to raise the per capita income, rapid growth in agriculture is essential.

In this connection, CPN-UML has proposed 15 points policy about land reform in draft entitled “Policy to be adopted as the immediate economic program.” The following policies have been illustrated:

“To establish prosperous economy through the equitable, justifiable and welfare economic system, the feudal land holding system and production relation should be broken. To raise the production and to establish equitable distribution system, long term policies for agricultural sector have to be adapted. Agricultural policy could eradicate poverty and could promote the rural economy. For this, the government should invest huge investment in the initial years of the program.” (Adhikari, 1997, p.16).

In Nepal, there is feudalism in agriculture. Without eradicating the feudal structure and feudal uses of the society, it is difficult to establish the equitable and justifiable system with social justice in distribution of the production. Feudalism is main hindrance in this area. So, agricultural policy should be adapted to raise production and to establish equitable distribution. For this, government has to be ready to invest a huge amount of budget in the agricultural sector in the initial years of land reform policy implementation.

First of all, for the development of the country proper policy of land reform has to be made. When someone wants to use land for tourism development, infrastructure for tourism is needed. Land for the use of herb production research should be done with soil test. Similarly, to

use the land for pasture and conservation, a sound policy is needed. Hilly land could be used to produce fruits, dairy farm, and other food grain. Inner Terai and Terai land should be used to produce cereal food and Valley land for settlement and food grain. Non agricultural land could be used for settlement, industries and forest wherever it is possible.

Agricultural Development Policy of CPN-UML

In Nepalese economy, agriculture has played major role. High percentages of the people who are below poverty line are living in rural area with agriculture as the occupation and the pressure of unemployment and semi unemployment is rampant there. The vast inequality of income and wealth is also severe in that area. To overcome those problems, poverty alleviation program with employment opportunities should be generated there. The following are the party policies of CPN-UML.

“For agricultural development of Nepal, it is necessary to execute the integrated policy of land use on the basis of the recommendation of high level commission for land reform, made by UML government, and the recommendations of the agricultural prospective plan. Land ceiling has to be decided and the excess land has to be confiscated. Compensation has to be given according to the provision of contemporary municipal law. Expropriated land should be distributed to landless and the people who do not have shelter and food for living.” (Adhikari 1997, p. 29).

On the basis of the above content, it is clear that to develop the agricultural sector of the country, an integrated policy is needed. To achieve the fruits of land reform, effective policy implementation is the demand of the time. To make the provision of land ceiling effective, the land above ceiling should be expropriated giving compensation to the landlords according to the law and that land has to be given to the landless and the poor who want to do labor on the field. This action raises the productivity of land. In this context, the party policy is:

“Dual ownership of land has to be ended. The policy of the optimal use of land has to be formulated and executed. Heavy tax has to be charged to those who leave arable land fallow. Minimum area of land plot has to be declared by law to check the present trends of land fragmentation. The program of land pulling system has to be implemented. To promote the interested peasants in cooperative farming, policy of cooperation has to be adopted. Cooperative family would be the movement for rural area.” (Adhikari, 1997, p. 29).

The issue of dual ownership, fallow land, land fragmentation and the cooperative farming are discussed in above illustrated content. By analyzing the context, it is seen that UML wants to end the dual ownership practice on land. Heavy tax has to be charged to them who leave land fallow. The increasing trend of land fragmentation has to be checked by practice. Importance has to be given to cooperative farming system which could help raise the productivity of land, so objective of land reform could be achieved. Party policy about cooperative farming is:

“UML has the policy of cooperation in establishing optional cooperative farm of peasants. Animal husbandry should be an industrial business. The government aid to

chemical fertilizer has to be given to help small peasants and the aid which is given to the land lords has to be stopped. The government aid which is given to the peasants should be concentrated into the interest of loan and irrigation.” (Adhikari, 1997, p.17).

In the above statement, it has been illustrated that CPN-UML has given importance on cooperative farming which will be optional among peasants and government agencies. Where the use of modern technology is less, animal husbandry to the agricultural development would be more helpful for agriculture development. When the peasants do not find the necessary fertilizer in the right time and right quantity, cow dung will be the best fertilizer for them. The policy of UML is to give aid on that chemical fertilizer which is used by small peasants and the aid given by government to the landlords has to be ended. The government has to manage the soft loan to the peasants in need and the irrigation project has to be built for that farming which is done in every seasons. About irrigation, UML policy is:

“Irrigation is vital to increase agricultural production. Huge, middle and the small scale irrigation programs are required to irrigate the arable land. Small scale irrigation for local area irrigation project has to be constructed and conducted with the massive involvement of people. Terai is the treasury of food grain. To integrate the irrigation system of Terai, the nationwide canal from East to West has to be constructed in the lap of Chure hill joining the big river system of Nepal. It can provide irrigation facility for 365 days in a year on Terai. UML give priority to the irrigation of Terai.” (CPN-UML, 2000, p. 53).

The land irrigation system of Nepal has to be made suitable according to the time and context so the party policy has given importance on irrigation. The larger irrigation projects can make sense in national level food production. The area where the larger irrigation projects are not possible, the small type of irrigation projects should be made by activating the people of local area. The party's further policy on the following area is:

“Hydro electricity project will be constructed. Agricultural stock market and rural market places will be developed for selling and purchasing the agricultural product. Importance has to be given to the development of agricultural business, agricultural food grain industry, dairy business, fruits refinery industry, herbal industry, industry of woolen goods etc. Agriculture would be the attractive profession of people and the main area of employment.” (CPN-UML, 2000, p.p. 54-55).

The above statement expresses that the hydro electricity projects should be made to develop agricultural sector. It will be very much useful for peasants to sell their agricultural products in the hydro power production area at the phase of its construction. Importance has to be given on the juice, wool and the local goods manufacturing industries to make agriculture an attractive production. On the following issues the UML policies are:

“A proper policy is needed for the plant of animal dung. To help peasant family on agriculture, government should make the door provide to door service programs with the manpower of junior technicians and junior technician of agriculture. Technical man power for agriculture sector should be developed in local basis and employed in local area. While developing such technical man power for agriculture, importance has to be given to the local women.” (CPN-UML, 2000, p. 54).

It is clearly seen in the above statement that the technical man power is needed for modern agriculture system because there is low production ratio in the traditional farming. So, the women should be made familiar with modern technology by training them on the basis of the local agricultural agent to raise the production of field. In the issue of food grain imports and use, the party policy is:

“Import of the vegetable goods and other goods has to be ended because it can be produced within the country. To reduce the food scarcity in rural area, irrigation, modern technology, easy loan and the aid to seeds development are necessary. Similarly, program for the changing of food habit also needed. By this action many districts may be independent in food grain production within ten years.” (CPN-UML2000, p. 54).

From the above statement it becomes clear that the people of the poor country do not search the possible field for development. They only import daily consuming vegetable from outside though it is possible to produce inside the country. To reduce the present trends of import, food habit should be changed. By this action, local production can be consumed in local area by which district will be independent in production.

CPN-UML has made the code of rule 2000 with different departments. Among them the Department of Agriculture and Land Reform is one. The total eight task have been assigned to the department. Among the eight one is related to land reform.

The parties had perceived that there were many problems in the area of scientific land reform, land use system, land holding system and the policy about the rights of tenants on land.

The department had to conduct seminar and discussion on the issue of land reform as it had to make a report. Both the work had performed by the department.

Land Reform Policy of Nepali Congress

Nepali Congress is an oldest party of Nepal. Two major people's movement for democracy has been fought in the leadership of this party. After the successful democratic movement of 1950, the party came in power with elected majority government in 1960. In the leadership of this party, *Birta* Abolition Act was declared. The party claims that it initiated the issue of land reform as a program in Nepal. Here in below, the party's land reform policy land use policy, land ceiling policy, land holding policy etc., has been discussed. In the party manifesto of 1959's parliament election, Congress had discussed about land village and peasant as:

“Congress has strong belief that without land reform, Nepal would not be developed in its economic sector. The party has divided the land reform in two parts to end the feudal exploitation on land and to use new technological devices and new technique in farming to raise the productivity of land. To achieve the above objectives, Nepali Congress had proposed the following tasks to be done immediately protection of Jungle, nationalization of larger Birta land, abolition of Raja Rajauta, abolition of landlordism, fixation of upper ceiling of land, redistribution of land above ceiling, promotion of the cooperative farming system, establishment of agricultural bank with the cooperation of government assistance and establishment of the system for seeds

and fertilizer distribution to the farmers from the side of government.” (Nepali Congress, Election manifesto 1959, p. 15-16).

The above statement expresses that one of the older party, Nepali Congress initiated land reform as a program with its commitment in the first general election for parliament. Congress was dead against of the feudal exploitation of the peasants, as the party perceived the need for technological development to increase production. The new type of farming system, irrigation, linking roads to the market and the abolition of *Raja Rajauta* were also the most important action for land reform of that time. Congress, a liberal party with its strong belief in democracy was in favor of decentralization in every field of the agriculture sectors. Again Congress believes:

“Congress had strong belief that the country can be developed when village develop. In this context, Party had fixed the slogan “Go to village, look to village”. Congress had strong belief on decentralization also. For congress, the local unit of governance is village. Party has given priority to irrigation system and it planned to prepare land solders by the unemployed people of the different villages. Solders had to make the irrigation system, agriculture roads etc.” (NC, Election Manifesto, 1958, p. 6).

Congress believes that village is the backbone of the country as the party believes on decentralization. So, the party has the slogan to look after the village. Irrigation is the priority of the party. Similarly, the party proposed the plan to prepare the agriculture solders. They can make irrigation system for increasing the productivity of land.

Land Using Policy of Nepali Congress

Nepali congress has given importance to the policy of land use. The terrain of Nepal in every ecological zone is different. The terrain of upper and middle part of the country is not easy to access by foot so there are many problems in land related issue. To overcome the hindrances of land using system, the party wants to change the traditional agriculture system into modern one. To provide the access for landless on land and to reduce the emerging trends of fragmentation of land, the arable land of the country has to be used for modern farming for industrialization, settlement, forest land, land for tourism etc. Nepali congress wants to implement scientific land reform policy to protect tenant's rights, to increase the production of land, to define the land ownership status of each and every family, to introduce the modern land related information system and to make modern land administration system,

The party claims that the living standard of many Nepalese, who are engaged in agriculture, can be changed if agriculture is professionalized and diversified. The country can raise the export capacity from agriculture. To achieve the above illustrated objectives, problems faced by farmers should be managed or solved. Facilities have to be given to the farmers in the area of fertilizers and irrigation. Especially congress gives importance on agriculture which help to reduce import and increase export of agricultural production. Farmers have to be subsidized in the above illustrated areas (Nepali Congress, 2010, p. 55).

Land Holding Policy of Nepali Congress

Land is a natural gift. The use or the holding of land pattern depends on the system of its use. Those who have energy or the fruits of endeavor should hold the land. Land holding is the right of an individual. State has to protect of holding because of land is the property of individual. Government is the guardian of people, so people must be protected by the government. Government needs to protect the people's right of property, liberty and equality. Congress wants to end the dual ownership of land. (Nepal Peasant Association, 2006, p. 9). Theoretically dual ownership had been ended by the fifth amendment of the 1964 Land Act, though is in practice till now. So, Congress wants to end this by practice also.

Land Ceiling Policy of Nepali Congress

Nepali congress claims that it is a democratic party of the country. Congress wants to resolve the land related problems by making land reform policy. Land ceiling has been a debatable issue of the time and context. According to the party, the existing problems will repeat in future if ceiling on land has been fixed by law. So, the issue of land ownership and ceiling needs to be left to market which will be the permanent solution on land ceiling issue. Election manifesto of Nepali Congress party for the general election of parliament 1994 had given a clear statement about the different issues of land reform. According to the manifesto of the party:

“After making necessary law for the checking of land fragmentation, a conducive environment has to be created for cluster farming and to control fallow land. In different villages of the country, there are so many places where the land owned by the landlords has been left fallow. That sort of land has to be given to the farmers to use for agriculture purpose. In this connection, the government has to make clear policy and law on fallow land owner. By which fallow land owner could be punished.” (Nepali Congress, 1994, p. 20).

It becomes clear from the above illustrated statement that the increasing trend of land fragmentation is a burning problem regarding land reform. It is said that the production can be raised from small farming but only the cluster farming will be the effective measure to produce crops in huge amount. Similarly, the party policy is indeed, against of fallow land, so party wants to make strong policy on different issue of land reform to increase the production.

Election Manifesto of Nepali Congress for general election, 1999, has given priority to the modernization of agriculture. Similarly, in the election manifesto of Constituent Assembly Election 2007, which has published by Central Publication Committee, B. P. Memorial house, Kathmandu-Nepal, has mentioned land related issue in the title of ‘Agriculture and Peasants’ which says:

“National consensus will be made on the issue of scientific reform and land use system to develop the productivity of land. Based on the demand of market specific area of agricultural production, land policies will be developed giving emphasis on professionalism in agriculture, bio diversity, soil type, environment and the compatibility with climate. It is accepted that the use and protection of land, water,

forest, herbs and biodiversity are the natural right of the peasants.” (Nepali Congress, 2007, p. 16).

In the above statement, it is clearly stated that Nepali Congress itself does not want to make the policy of land reform without creating consensus among the parties. Congress is in favor of the market based theory of agriculture. Congress states that those who want to work in the field should get to work on that field with endeavor. But only the market or the interest of an individual must determine the issue. According to the NC’s policy, the peasants whose livelihood is running on the basis of land, water, forest, etc. can use the resource by their endeavor.

Nepali Congress held a conference in August 2010 at Kathmandu and it was the 12th Conference of the party. In that conference, the party has discussed about the land, agriculture, peasants and food security as:

“In coming days land will be used in modern way. For this, land policy is needed. To increase the access of landless to land, to minimize the problems from land fragmentation and to insist the cluster farming on land, to protect the right of tenants, to increase productivity, to define the exact area of land holding by every family, to establish the modern land information system, to implement the land use policy and to modernize land administration, congress will implement the scientific land reform policy in the country.” (N.C. 20-10, p. 550).

It has been stated above that Nepali Congress wants to formulate the modern land reform policy. It means that farming industries and the tourism industries will be established to modernize the agricultural sectors. The landless will get the share of land if land reform policy is

made practicable. Land fragmentation will be controlled and the rights of the peasants will certainly be established. As a result the production can rise. Nepali Congress will implement the land reform policy that can modernize the agricultural as occupation.

The Nepal Peasant Association held its third Conference in 2006 at Rajbiraj, Saptari, Nepal. In that conference, a policy and program of the Nepal Peasant Association was presented. According to that, the view of the association is:

“Congress believe that land, air, water and soil are not individual properties of any feudal lords. Whether everything has been written or not, everyone needs land and that has to be on the possession of tiller. Everyone should not forget the statement of B. P. Koirala that natural resource does not belong to any individuals but it belongs to the whole society and it belongs to those who worship it by their sweat. It is the justifiable explanation.” (Nepal Peasant Association, 2006, p. 9).

Giving challenge to the dark side of socialism and capitalism, democratic socialism adopts mixed economy trying to coordinate the rich with poor of the society. One of the objectives of this ideology is to create free and equitable society which is known as the BP ism in Nepalese context. To some extent, this ism expects the intervention of state upon resources. In coming days, it is the need of the time to continue the land reform as a program initiated by B.P. Koirala in 1959. There is the need of fixing the ceiling in land holding. The progressive tax system is needed for capital earning. It is because there is needed to protect backward class of the society and the rich class has to be made responsible to the society. So, in future, land management of the country will be carried out considering the following points.

“According to the need of time, land reform policy has to be formulated to make the tiller and peasant laborers the owner of land. Dual ownership on land will be ended by the effective execution of law in practice. Scientific and practicable land ceiling will be introduced. To keep the actual data of land holding of every individual, data must be centrally computerized after taking the new cadastral survey of land.” (Nepal Peasant Association, 2006, p. 9).

The above statement clears that the ownership of land has to be given to the tiller and the small peasants. This action can end the dual ownership in practice and the effectiveness of the existing law would be materialized. Conclusion can be drawn that dual ownership on land is due to the lack of practicable and the scientific land ceiling system. Centrally computerize system is the best way of keeping record of the actual land holding data. About land fragmentation and peasant’s court the party policy is:

“The decreasing trends of huge production because of the fragmentation of land will be minimized after beginning the movement of cluster farming. All types of land such as Birta, Guthi etc. should be converted to Raikar land. Policy has to be made to change the sandrives bank land (made by flood, land- slide and river) into arable land. Peasant court has to be made in local area to settle down the dispute of land field.” (Nepal Peasant Association, 2006, p. 9).

Now a day, the production of Nepal is decreasing instead of increasing. This is the painful message for the agro based country. So many causes are responsible behind decreasing the production, the fragmentation of the arable land is also a cause. To raise the productivity of land the *Birta* and *Guthi* tenure of land has to be changed into *Raikar* tenure. Similarly, the

arable land destroyed by the flood and the land slide should be revamped to its former condition. There are some arable lands which are left fallows due to the personal conflict. So, to end those shorts of conflict of local level, peasant court should be established which can timely resolve the conflict. The party policy about false holding and land protection is as:

“False holding of land has to be searched and that land should be provided to the landless poor peasants and liberated Kamayiya. But the data of the landless peasants has to be made impartially and scientifically. Public land as pasture field, quay from where water is drawn, graveyard, temple and the places of archeology, have to be protected and promoted.” (Nepal Peasant Association, 2006, p. 9).

The content which is presented above is about the search of illegally hidden land. Such lands have to be given to the landless, the poor peasants and the liberated *Kamayiya* to increase the productivity of land. The different types of use of public land have to be protected and conserved. This action helps the future generation also. About tenants rights, agriculture loan, land tax and cooperative agriculture the party policy is:

“There is some land in the country which is not registered till today but that land has to be registered in the name of those peasants who have tilled that for many years. If landless peasants want to purchase a piece of land, easy loan has to be provided to them for fifteen years mortgaging the same land in two percent interest rate. Effective and progressive tax system has to be implemented on land. Community and cooperative farming has to be promoted. Land of twenty two districts of Terai, land of trans Himalayan region of Jumla district and the block village of Sindhupalchok

district have to be registered to those peasants' name who are using that land for a long time.” (Nepal Peasant Association, 2006, p. 9).

The above content clears that there are some land areas which are not registered in the name of peasants and must to be registered. Soft loan has to be given to those tenants who do not have any piece of land to plough or settlement and they want to purchase the land of telling. This action can raise the productivity because they could plough the farm with their labor. The collective farming, which can pay more tax to the state, has to be promoted. Terai is the food treasury of the country which can supply enough food grains to the people of Nepal when it is used properly. The rice, *Marsee*, which is produced in Jumla District, is the organic paddy of the high altitude of the world. Its publicity/ promotion advertisement is needed to get the high value from that product because the taste of that rice is quite different and better than that of others. So, the process of earning income generation with production raising and land reform are the two sides of the same coin.

In nut shell, the present land reform was initiated by the first elected Nepali Congress government. To protect the rights of tenants, to increase agricultural productivity and to improve the condition of the poor with social justice congress has introduced the policy of land reform. Congress believes on liberal economy. Land is the property of an individual so government needs to protect the property of people. Congress policy is in against of expropriating the landlords land without compensation. Compensation is must while expropriating land of landlords. According to the Congress party documents, confiscating one's property and distributing to others is not land reform. It is the responsibility of government to protect the right of people of the state. Those who do not want to work on field they should get compensation before distributing their land to those who are eager in farming. It can create wealth and

industrialization proceeds in full swing. According to the Congress, the existing land law of the country is relatively sufficient and to some extent, it is scientific also but it should be implemented in practice.

Chapter VI

PERCEPTION OF UCPN-MAOIST, CPN-UML AND NC LEADERS' TOWARDS LAND REFORM

Introduction

Nepal is an agro based country about two third of the population are based on agriculture and many industries are also based on agriculture. Without agriculture development, the development of country is not possible. The countries' development takes its pace only after the agricultural problems are addressed. In one side, so many people are working round a day in field, though they do not succeed to satisfy their hunger and in the other side, a small group of men who never work in farm are spending luxurious lives from the income of the farm. The exploitation by the means of land still exists. The farming system of Nepal is traditional. In comparison to population growth, the production of agriculture could not been increased.

To solve the problem between the landlords and the tenants and to secure the rights of the workers on field, land reform program was introduced in Nepal about five decades ago, guided as the government program. Very beautiful objectives had of it when it was initiated, however the expected result is not achieved.

According to the FAO conference, land reform was a kind of remedy of the world economy of one phase as it was thought important for Nepal also. Till now the importance is not over. At present, there is a demand of the large chunk of people to make the land reform agenda a major concern of the decision making structure and decision maker (Kantipur Daily, April 21,

2012). The broader concept of land reform can cover the area such as: land holding, land use system, land ceiling, land ownership and tenancy rights, land productivity, land revenue, scientific land revenue and ratio, land administration, cadastral survey, land transfer, division of land type etc. In the modern world, liberal politics has the role model of the civilized and developed states. The political parties are the actor institutions. People put their active voice to government via parties, except the time of turmoil; the parties are the agencies to deliver the voice of people to the decision makers or the government. So, the three major parties leaders' perceptions are taken to analyze the different agendas of land reform of Nepal.

Since 1959, from when Nepali Congress government was in political power of the country, land reform agendas took the valid recognition from the people's representative body. CPN-UML raised the agenda of land reform from the very beginning of party reorganization in the background of different communist party. UCPN-Maoist, the larger party of the Constituent Assembly, had started the arm revolution against the establishment. Since the party was reorganized as a revolutionary party it raised effective slogan of the revolutionary land reform. Here, in this study, the three parties' leaders' perceptions on different agendas related to land reform have been analyzed.

Perception on Land Reform

Land reform, the burning agenda, had World widely emerged as a slogan and it was implemented in different countries as an economic program. In Nepal, land reform issue came as a program after 1960. At present, the importance of land reform has increased though the

distribution of arable land is not justifiable. It is said that the larger part of the arable land of Nepal is holding by few landlords. The large numbers of farmers who are from the lower middle class or lower class are landless, and even if someone has a land piece it was very small in size. The absent land owners, who do not work on field, are also called farmers. In this context, need is that the rights of the real workers of the field have to be protected by the constitutional provision and the ownership of land has to transferred (Nagarik Daily, April 26, 2012, p. 5). There is also the need that land should belong to those who do labor on field with hardship of life. From the initial phase of land reform program, the distribution of land to the tiller was one of the major agenda. Here the perceptions of major three parties' leaders', of Constituent Assembly are presented and analyzed. In this regard, Maoist, I stated:

“UCPN-Maoist has clear concept on land reform. All farmers of Nepal from every stratum must have ownership of land or the ownership of land has to be provided. Some of the non-arable land can be changed into arable through different ways. The arable land which could not give production in expected volume, a serious concentration is needed. Manure and other different kinds of techniques and technologies can be used there. This action could make the agriculture based country really wealthy. Food grains for the country dwellers won't be sufficient if Nepalese do not use the land potential productivity in a proper way. This type of land management is called land reform.”

The above statement illustrates that Maoist has very clear concept on land reform. Arable land has to be given to the real farmers. The much cereals food grains need to be produced how much is necessary to the Nepalese people. And it is possible with the use of different kinds of technology and tools in farming. More than this, a huge amount of cash crop

has to be produced for internal consumption and export to earn foreign currency. Until and unless Nepalese people do not become self dependent in cereal food grain and different kinds of cash crop, it proves that there is no plan of arable land use in a proper way. Here Maoist, IV says:

“For Nepal the package for land reform is essential to end the feudal land holding system. Land consolidation, co-operative agriculture, development of agricultural model and agricultural industrialization etc. are the necessary condition for land reform. Modern technological devices for farming also come under the package. But in substance, there should be one concept that is “land to the tiller” and this action can raise the productivity of land.”

According to the above perception, feudal landlordism which is prevailing in Nepal should be abolished for the success of land reform because it reduces the productivity of land. Integrated land policy has to be adopted and farming should be oriented to the modern agricultural system to increase the productivity of land. Land consolidation with cooperative farming is one of the remedy for low productivity. ‘Land to the tiller’ is the necessary concept for Maoist to increase productivity. In this context, CPN-UML I said:

“Land is a natural resource and it should be used and protected properly. Arable land and land for forest should be differentiated. Arable land should be used properly to become independent in food grains and also for export. Agriculture based industries have to be established and run. Land use pattern should be consolidated in block for farming to produce healthy and abundant output. Fragmentation of land

should be stopped. Land erosion should be checked and controlled because it has to be kept in mind that land is the basis for mankind in earth.”

From the above illustration, it is clear that land is major natural resource. Preserving it and using it in a right way is the duty of human beings. Human beings got food grains from land and it would be self sufficient in food production by agriculture. So many industries of the country are based on agriculture. Regarding the development of these industries, land should be consolidated because of which the productivity could increase in huge amount. Land erosion caused by human activities, need to be minimized and if possible, it is essential to endeavor to control land erosion made by nature and landslide to protect arable land. Land is the common place where mankind and all creatures of the earth are living. Conclusion can be drawn from the above saying that land is the natural resource or the gift of the nature to all creatures where all fulfill their all kinds of needs. Similarly, another CPN-UML, IV says:

“Ending feudal land ownership by giving land to the landless, poor, farmers, untouchable, herdsman, daily paying labors and the people who work in land for protecting tenants’ right is the first duty of agriculture based state. The reorganization of agricultural economy is land reform to increase the production and productivity. Providing protection to the farmers especially small scale is land reform.”

On the basis of the above saying, it can be analyzed that the concept of land reform is to distribute land to those poor peasants, agricultural labors, and liberated *Kamaiyas* who are only dependent on land. Ending of feudalistic landlordism is land reform. Similarly, to increase the

real productivity of agricultural production and to improve the agricultural economy, priority has to be given to land reform. In this context, CPN-UML, V has said:

“For ending the feudal land ownership pattern, ownership of actual tiller on land should be established. Arable land and non arable land has to be differentiated. The use of arable land for non arable work as residential complex, industries, road, etc. should be stopped. Settlement should be transferred to the non arable land area.”

The above statement clears that feudalism has to be ended in agricultural system and arable land should be given to the tiller. With separating arable land from non arable, settlement should be shifted to the non arable land area. The arable land can be saved and productivity would be increased. Again the leader says:

“For agricultural differentiation soil has to be tasted. For this purpose management of modern agricultural equipments, better seeds and manure have to be prepared. So it can increase the productivity. To professionalize the agricultural sector, employment opportunity in agriculture should be created which could link it with industry.”

Without agricultural development land reform is incomplete. To increase the agricultural development, agricultural differentiation according to soil is compulsory. The preparation of manure, developed seeds and management of agriculture equipment also is compulsory for more production. Bringing professional agricultural production in industrial sector for business and trade is also land reform. Here, CPN-UML, VIII shares considerably as:

“CPN-UML has clear perception about land reform. Land reform is for the total economic development program and it must be the program for social justice. First of all, land reform has to give priority to the laborers who use their labor in land. Their

rights should be guaranteed by law. Agriculture is the back bone of the economy and it should be the base for agro based industrial development. The dual ownership has been ended.”

It is clear from the above lines that land reform is for economic development which establishes social justice and helps to make democratic structure powerful. To perform these works, legal provision has to be made and land has to be given to those who do labor on field. Tenants have to be protected by law. The economy of Nepal is based on agriculture production. It is the basis of industries. A raw material for industries goes from agricultural production. So it should be protected and promoted. Dual ownership has been ended by law, though it is still in practice. In coming days, dual ownership will not remain in landed property. In this context, NC, I. puts the argument on land reform saying that:

“Land reform is the issue which has been raised by Nepali congress from its initial time. It is based on the theory that tenants’ rights have to be established on land. A modern agriculture system is the important condition for land reform to raise productivity. The program of land reform of the present day is not modernized.”

On the basis of the above argument, it can be analyzed that, first of all, the issue of land reform has been raised by NC. It has strong belief on the right of tiller on land and that has to be protected. Till now, the agenda of land reform of the country is based on traditional concept. No attempt has been put forward about the new concept of land reform which could help to increase the productivity. Modern concept, compatible to the demand of time, has to come in land reform. In this agenda, the perception of the NC, II is:

“Land reform is not only the distribution of land. Land itself is not arable. Individual endeavor make it arable. So, it is the private property of an individual and it cannot be distributed to anybody after confiscating from others. When it is distributed, there is no guarantee with state that the distributed land could give more production and the tiller has energy for that.”

It is clear from above statement that land reform is not only the distribution of land. Land itself is not arable but it becomes arable with the hardship of human labor. So, it belongs to the individual ownership. Forcefully, to give one's land to another is not justifiable. When the expropriated land has been arbitrarily distributed, there is no any guarantee that the distributed land could give more production than before. There is no any data or record keeping system to measure the productivity of that land which is distributed to the tiller. Till now, the state has not developed any mechanism to measure the productivity of land.

In a nut shell, interpreting the perception of the different leaders of UCPN-Maoist, CPN-UML and NC, it is found that in some case they have different perception about the use of land. But in major cases there are some similarities or common perception about land reform. All of the leaders perceive that land reform is necessary to increase the productivity of land and it is inevitable to the agriculture based country like Nepal. Many industries of the country are based on agriculture until and unless, the due importance to agriculture is not given, the economy will not broom It is the common perception of all parties' informants that the actual farmers, who work on farm, can use their full endeavor and labor. They could produce more in the condition that if they do not give their production to others. In this context, conclusion can be drawn that all parties are ready to give land to the tiller by making law. It raises the productivity of land and makes the country's economy strong and helps to achieve the objective of land reform.

Perception on Land Holding

Land is nature gifted resource. Every person who is born in earth has the right on nature as others had and have. In the 20th century, the issue has been raised that all the dwellers of the earth have right on forest, water, land and fresh air. In this modern age, the right over land is based on traditional familial ownership. Land, which is in the ownership of family, has to be divided on the basis of the parental property rights of the family members. In this context, reformists plead that a new system has to be developed by which the ownership of land should be given to those who work on field. The government has to formulate law for giving land to those who could produce much. At present, the slogan 'land to the tiller' should be targeted towards those who hold no land but they are working on land as farm laborers. Here the major three parties' leaders' perceptions on land holding are analyzed and interpreted. In this agenda, the perception of Maoist, I, is:

“In real sense, (not in so called) the owner of land is the farm tiller. Land ownership or holding is the controlling of land. A token land tax has to pay to the government and the rights on land has to be given to the worker and it is land holding.”

By analyzing the above response, it becomes clear that the actual meaning of land holding is to hold land by the tiller. A nominal tax has to be fixed to the tillers for holding of land which creates confidence to the farming labors about their rights over the land. In this context, Maoist, IV said:

“Traditionally, the concept is very much deep rooted in Nepal as other feudal countries that land belong to an individual. To keep land into the hand of the feudal,

the system had been made under the feudalized system. This concept is against the theory of natural justice because land is nature made. It is not the element which an individual could make. So, land should be under the control of the state. Only for the productive use the state can provide the piece of land to an individual. In this background, only when necessary, land could be given to the individual holding for use.”

From the above response, it becomes clear that the prevailing trend of land holding in Nepal is traditional. Private holding of land is used as the right of an individual, so the large area of the total land is under the feudal holding. This practice is against the theory of natural justice. The whole of land area of the country's boundary has to be kept under the possession of the state. Only the state can distribute required area of land to an individual holding. Conclusion could be drawn from the above statement that the basis of land holding is under the theory of need and utility. The CPN-UML, I, viewed:

“Land is under the control of government, it will and it will be remaining forever. Every citizen who dwells in a state has the right of land to use under the rules and regulations of the state. Land holding is that right of citizens who use land according to the provision.”

In the above statement, it is clear that land is a natural resource, so the possessiveness of land should be on state. Every individual get birth on land within the boundary of a state and nobody can seize the right of individual on land. All of them need due obligation to the municipal law. From the above perception, it can be said that under the provision of law every individuals has right of land holding. In this context, the perception of CPN-UML, III is.

“First of all, arable land should be given to the productive class. Slowly, individual landed property has to be changed into communities’ property or corporatism. Land holding is the right over land. To whom does the land belong? And what sort of rights does an individual have over land? And what sort of rights does the state have? etc. is related with land holding.”

From the above response, it becomes clear that arable land has to be provided to the tiller or to those farmers who could produce. This sort of holding could increase the productivity of land. But, here, it is emphasized that the due consideration has to be given to the community’s property or corporation. In this regard, CPN-UML, IV expressed:

“Land should be distributed to the workers who labor on field for justified land holding. The holding of work over land is land holding. In Nepalese context, till now, feudal and landlords have the holding on land. Such situation should be ended. And the holding of land should be transferred to those who work on the land field to raise productivity.”

In the above statement, it is found that arable land has to be distributed to those who work on land field which is the real holding of land. In context of Nepal, land is held on the basis of feudal concept and it is not positive syndrome for the benefit of people and the country. So, the trends of present land holding have to be ended and the right of land has to be given to the land tiller. It is land reform in actual sense which raises the productivity. This action could precede the pace of development. CPN-UML, V presented his views as:

“Land can be used for abide holding by different institutions, industries, companies, forest, agriculture etc. belong to the state. Land holding is the holding of all kinds of

land. The better use of different kind of land for agriculture is land reform. Land can be used for different purposes.”

From the above response, it becomes clear that the perception of the informant is not similar to the others perception on the issue of land holding. In the opinion of respondent land holding of all kinds of land urged to bring under land holding held by different institutions, industries, companies, and forests etc. belong to the state. Here the other respondent NC, I said:

“The system has resolved the question of the control (holding) of land. But the question of the ownership of land depends on its use. In practice, there might be more than one ownership pattern of land. Land holding means the distribution of rights among the owner and partners who are in its role.”

It is clear from the above statement that in practice there may be than one owner of land. So, land holding is the distribution of rights among the owners as landlords and tenants. In this agenda, the perception of the NC, II is:

“The standing green leaf tree in the jungle would not be the property until it is used as the pillar, rafter, window or the door. The holding of land and other things is the fruit of the endeavor of an individual. Nepali Congress wants to give opportunity to the farmer who really wants to do work but only a few showed their enthusiasm. Those who are not energetic they do not work.”

The response can be analyzed that land holding should be based on the use of land. There is no meaning of land holding in the absence of land use pattern. Holding depends on the energetic power of the workers.

As a whole, the three parties' responses are not unanimous on the issue of land holding. Most of them have given importance to raise production the productivity of land. In their opinion, the importance of land could decrease if it is held by non working members. However, the large area of arable land of Nepal is under the holding of feudal but many tillers are landless. So, the productivity of land has not been found to have increased. What so ever has been said above has clarified that land holding is the right by birth of every individual.

Perception on Land Use System

In Nepal, the land terrain is divided into three ecological zones and different regions. The different ecological zones and regions could be used for different purposes and different kinds of farming system. The farming system and the productivity also differ in different ecological zones and regions. Land reform is not only the distribution of land more than ceiling to the tiller but the proper use of land also comes under it. The land is used for different objectives such as agriculture, forest, industries, roads, buildings, hospitals, etc. Similarly, the arable land could be used for many purposes. The proper use of the land of the different ecological zones is essential. Present land use system is long time ago established system. There are so many problems on land use as:

- There is the lack of holistic approach to land use.
- Towns and industries are being established in arable land area.
- There is no data available for what sorts of crops are suitable in what soil.
- It is not completely estimated that how much arable land is left fallow and why.

Here, the perception of respondents is analyzed and interpreted on the agenda of the land use system of the different ecological regions. In this regard, the response of Maoist, I is:

“Unnecessarily, Mountainous land should not be left useless. Land should be used according to the suggestion and recommendation of the agriculture, soil and planning specialist. The land of hilly area where the irrigation facility is not available should be used for forest, cash crop and seasonal fruits. The land of Inner Terai is fertile. It should be used as much as possible for food grains. Terai is called treasury of food hence, agriculture based industries should be established there. Valley Land of Valley is fertile but it is squeezing. Many houses and other constructions are running and the population is increasing day to day. So, a visionary planning is necessary.”

It is clear from the above statement that an appropriate planning and management system has to be made for the use of the land of the Mountainous region. It is problematic and difficult region for plan, though feeling of contempt should not be with the planner and dwellers. This region has to be used according to the recommendation of the experts of the respective areas. Similarly, non arable land of the hill region could be used for forestation and arable land for seasonal fruit farming and cash crop farming. The land of Inner Terai and Terai could be used to produce cereal food grains and run agro based industries. It can prove that those reasons are the treasurer of the food grain of Nepal. When we talk about the land of valley, especially of Kathmandu valley, concrete jungle is increasing annually without holistic planning. Similarly, the density of the population of valley is increasing unexpectedly day by day. Therefore, visionary planning is necessary which could make the Kathmandu valley a very beautiful city in future. The response of Maoist, II varies on the very agenda:

“Mountainous land has to be used for the reserve area of water. The arable land of the Hill region has to be divided according to its productivity. Market management is essential for infrastructure development. The mechanism based on cooperative or community has to be prepared and the land has to be distributed to the tiller according to the policy of land use system. For Inner Terai, the melting pot of the Churiya and Hill region, land use policy has to be formulated without destroying the ecological balance of the region. Terai region is the main base of Nepalese agricultural production. It has to be used for main crops. For this, the hand of private sector and government has to be joined. Cooperative farming is needed. Kathmandu, Dang and Surkhet are the major valley of Nepal. So systematic urban planning has to be implemented there. There is no any alternative except planned development.”

The perception of the informants is quite different to others. According to him/her the Himali region could be developed as the reserve area for water. Nepal has larger mountain hydro capacity in the world. Water needs to be conserved and use for the development of the country. Water resource would be the blessing for Nepal if it is used successfully in optimum way.

In hilly region, there are so many places where hydropower stations can be constructed. When Nepal succeeds to use the region as the base of hydropower generation, this region will be golden egg laying hen for Nepal. Land of Inner Terai and Terai could be used to produce cereal food grain and for the raw material production for industries. The mechanism based on cooperative and community has to be implemented for agricultural development. Terai land is also suitable for industrial development and market place. In this reference, Maoist, III responded:

“The cereals crop production in Mountain is region seems impossible. The land has to be protected for pasture of Himalayan sheep, snow leopard, yak and valuable herbs. About one third area of the hilly land is rocky and rest of two third areas contains forest, arable land and settlement. The sloppy and traces part of hilly land is used to produce maize, millet, buck wheat etc. The area of Inner Terai and Terai region has to be used considering the climate change.”

It becomes clear from the above response that the Hilly and area of the country is the largest area of land. The land of mountain area is smaller in contrast to reason is larger than Mountainous area smaller than Hill region. Large area of Hilly land is rocky and there are many gorges made by rivers. In some areas, there are some river basins and those areas are used to produce cereal food. The Terai region, has to be used considering the climate change of the recent years. The response of Maoist, IV is:

“In Inner Terai there are three types of places from East to West. (I) Valley (small and big), (II) the cleft or glen of the warm plate and (III) Churiya range. Mainly, the region can be used for the production of cereals food and the river bank can be used for fish farming and for cultivating Simal, Sal and Bamboo.

Valley land: Only the land use of Kathmandu valley is discussed here. Land of Kathmandu Valley is used for the settlement. So, the land surrounded to valley should be possessed by government for conservation of Valley. After allt, more production will be possible. Similarly, it can present a model for future generation about Kathmandu Valley to give knowledge about the fertility of the land. In this area, there is also the possibility of macro level tourism development. Therefore, the policy

regarding it has to be made accordingly. All arable land of the Valley needs to be used without destroying the productive capacity.”

On the basis of the response it can be said that different regions have different kinds of characteristics. The regions are divided on the basis of climate and altitude. Here, the conclusion can be drawn that regional divisions have to be considered before farming. Mainly, the informant gave importance to the use of Katmandu valley. More than half area of Kathmandu valley's arable land is used for settlement and the rest of the land could also be used for the same purpose. In this regard, to protect the arable land of the valley, government must formulate appropriate policy by which settlement and agriculture could be promoted. In the view of CPN-UML, II:

“Mountainous land can be used for pasture and herbs/ production. Hilly land can be used for pasture land and fruit farming for internal use and exports. Some area can be used for juice industries, seasonal and non-seasonal vegetable, tea, coffee and herbal plant farming and urban settlement etc. Inner land of Terai can be used exclusively for cereal crops like maize, rice, and beans productions. Similarly, Terai land can be used for large agro farming for food grains like rice, maize and wheat production. Heavy industrial zone and urban settlement are in Terai. Land of Valley can be used mainly for suitable vegetables production and urban settlement.”

According to the response, land using system can be categorized into different types. Mountainous region can be used for pastoral field and forest. Hilly land can be used for settlement and suitable farming. Similarly, the land of Terai and Valley can be used to produce paddy, maize, millet, wheat, barley and other cereal. In essence, it can be said that the use of land

would be appropriate if it is used considering the context and condition. Similarly, the perception of the other CPN-UML, III is:

“Mountainous land could be used for different purpose such as above height of 5000 meter in the snowy area skating, mountaineering etc. is possible. 4000-5000 meter is suitable for Pasture and herb farming. 3000-4000 meter should be used for potato, barley, buck-wheat and other fruits farming. As Hilly land can be use for citrus fruits and cash crops like coffee, tea, and food grains. Similarly, Inner Terai land is suitable for industrial raw materials and cash crop farming including food grains. The Terai land can be used for different kinds of farming on the basis of soil type, climate and land structure, etc.”

The respondent has agreed with the classification of land in four types according to ecological zones. According to her/ him the North part of the Mountain region is suitable for adventurous tourism like job as skating and mountaineering. In the lower part of this region, barley, wheat, potato, fruits etc. can be produced. Especially, the mid part of Hilly region of Nepal is useful for fruits farming to produce juice and juice powder. The land of the Inner Terai is suitable for agro based industrial raw materials. Similarly, land of Terai is useful to produce different types of food grains in different seasons. Terai is an appropriate region for industries also. CPN-UML, IV gives the view on the same agenda as:

“The mountain region also can be divided into upper, mid and lower part. In upper part there is snow covered area, the mid part can be covered by snow in winter season and the lower part is covered by bushes. The region is suitable for tourism and production valuable herbs. Hilly land can be used for electricity generation and

forestation. Similarly the same region is suitable for fruits, food grains and cash crop farming for internal use and foreign currency earning. Inner Terai land can be used for forestation, especially the valuable forest as it can be used for herbs and wood. Valley land can be used for vegetables production and urban settlement.”

According to the respondent, the arable land of different regions should be used by giving special consideration on ecology. The land of Mountain region could be used for tourism and valuable herbs, hydro power generation and forestation. In the same way the land of Hilly region can be used for electricity generation, forestation, fruits farming and other cash crop farming. Inner Terai land can be used for forestation with valuable wood and herb. In this regard, the CPN-UML, V said:

“All ecological regions can be used according to the possibility of those regions .Land of Valley could not be used for food production due to the growing settlement of the area. So, the land area of Kathmandu valley has to be developed with beautiful planning for city development because it is too difficult to transfer the valley settlement anywhere.”

The perception of the above respondent is slightly different from others. While analyzing the very response of the respondent, it is found that the valley land has to be used for residential purposes and it is the present trend of the country. The increasing urbanization patterns compelling to use the valley land for residential purpose only. The fertile land of Kathmandu valley and Dang valley are mainly used for residential purpose in spite of agricultural production. It is obvious that the settlement patterns of the valleys are increasing annually. Hence, the planning for land use is essential. In this reference, NC, II said:

“Mountainous land can be used for Kurilo, herbal Medicine, a special kind of Malungo, Mustard, Barley, Wa, Buckwheat, seed production and expert of Potato farming. Hilly land can be used for fruits, pastor and vegetable. Inner Terai Land can be used for fruits, food and pasture for milk and meat and industrialization. Land of Terai can be used for food grain, pasture, fruits, fish, and vegetable farming etc. by planting. Tree on surface and other production under the surface of land is suitable for the cultivation of vegetable to protect seed especially under surface. Farming of maize millet and soybean in terraced land is possible. So many valuable things can be produced in Mountonous area. The hilly land can be used to produce different kinds of organic fruits and citrus fruits.”

In analyzing the above response, it can be said that Mountainous land should not be misused by different means but it should be preserved as the back bone of climate conservation and source of watershed. The Hill region of the country has to be used for fruits production. The cereal crops of this region are the base for the livelihood of a large number of people. Inner Terai is the place where the terrain is different than that of Terai, some part of Inner Terai is very much fertile made by alluvial soil. The status of environment of the Terai depends on Inner Terai region because it is the starting point of Terai. So, it should be preserved. Terai region of Nepal is not very big area. About 17% of the total national land is occupied by Terai. It is called the treasury for the cereal crop production however the using of Terai land seems very much unscientific. At present there is no enough plot of land of the landlords as they were before. The land fragmentation accelerated after the amendment of the Land act. Now land consolidation for similar farming has been essential to produce huge amount of production.

The subsistence level of production may be high in small plots. High level of production would not be profitable and sustainable without cluster farming. Agricultural product based industries should be established in the region. To get the energy and labor for Terai is easy area. Similarly, Kathmandu, Surkhet and Dang are the most important valleys of Nepal but all of them are becoming very congested and unmanageable. The valleys are destroying by roads and the vehicles that run there. Similarly, the settlement area of the valley is mostly on fertile land the fertile. Day by day the land is converted into concrete jungle. It is because of the lack of visionary plan for settlement and urbanization and agriculture. At present there is not sufficient much arable land left in Kathmandu. Though there are some areas of arable land in valley. So how much land is essential to maintain the beauty and history of this valley that much should be left without construction for the future generation to give the knowledge of history of the capital city and the valley of Kathmandu because carries the long historical heritage of Nepal.

Dang valley is situated in Inner Terai and it is the largest valley of Nepal. By proper planning, the valley could be used for agricultural production, residential purpose and other necessary purposes. Similarly, a proper plan has to be made to use the land of beautiful Surkhet Valley.

Perception on Land Ceiling

There are different opinions regarding the ownership of land. Land, the nature's gift, has been belonging to the individual from the beginning of feudal era and it is continuing. When feudalism got its apex, the land only belonged to the hands of few and the many have very small

piece of land or they became landless. The concept of land reform came after limitation on land ownership. Therefore, thought and the concept of land ceiling came in debate. The capitalist argues that land is the safest property and one can hold in land how much s/he need. Yet capitalist also accepts the needs of land ceiling in the context of land reform. Land redistribution was a major objective of land reform program. Land reforms program tried to reduce inequalities of society by distributing equally the land area, transferring ownership rights to the tenants and putting an end to all sorts of exploitation in the agriculture sectors.

In Nepal migration from Hill and Mountain to the Terai increased after eradication of malaria in Terai. So, population growth rate in Terai is very high. After the proclamation of Land Act 1964, most of the landlords transferred ownership of the land of their family members and believers. In the course of time, the family members of different families separated, the land becomes fragmented into different pieces. After 1964, the Zamindari system of Terai almost collapsed. By this landlordism in Terai became so weak. So in these days, there are very few families who have more area land than ceiling. Here, the perception of the UCPN-Maoist, CPN-UM L and NC towards land ceiling is analyzed. Here the expression of Maoist, II is:

“Land ceiling has to be decided with due consideration of land type, land productivity, irrigation facilities, market management, size of family member and geographical region etc. Among them the occupation of family members, skills, employment and the profession has to be considered in fixing ceiling.”

From the above expression, it can be interpreted that there must be some standards for land ceiling fixation. These are land type, productivity, irrigation facilities, market value, family size and the physical aspects of the land. The respondent said that this standard should not be

ignored in fixing ceiling on land. Government could easily fix land ceiling when these bases are seriously considered. In this context, the other respondent (Maoist, III) expressed his/her view as:

“After the comprehensive peace accord our party came in peace process. Before when Maoist came to talk with the then government representative after cease fire, the agenda for the fixation of land ceiling came from the side of government. In that talk the proposed land ceiling in Terai was 10 biggha and about 100 ropani in hill and mountains. Unfortunately, the talk became failed and it gave the chance to the landlords. Many landlords fragmented their land into 4 to 5 biggha in Terai with the help of existing law of the country. In the view of Maoist, the big ceiling is not practical for coming days also. All people and parties are in favor of small ceiling except some Madeshbadi and Congress men. I don't have knowledge whether the peace talk conversation is documented or not.”

When Maoist party sat in table talk with government regarding peace process for the second time, ceiling on land had been proposed by the government. The ceiling for Mountainous, Hilly region and Terai region was different according to the differences of productive quality of land. But the government did not get success to make act to introduce the proposed agenda in practice. Then after, some landlords of Terai fragmented their land in small pieces to escape from the provision of proposed land ceiling. In this background, the existing rules and regulations are not seen sufficient to check such kinds of bad trends which give road to escape from the back door. In this context the CPN-UML, I said:

“The ceiling for Mountainous land should be fifty ropani for every family of four to five members. Twenty five ropani for Hill, five biggha for Inner Terai and Terai and

ten ropani for valley land is appropriate. Land for home stay can be managed according to the need of the region.”

According to the above given statements, there are different basis of land ceiling for different ecological region. There won't be the same measuring rod of land ceiling for different ecological region. The more ceiling has to be decided for Mountainous region because there is cold climate and it takes long time to harvest the farming. The land ceiling for Hilly region should be less than that of Mountain. The same ceiling should be decided for the Inner Terai and Terai land. The land ceiling for valley should be less than the above all. Similarly, another respondent's (CPN-UML, III) words are:

“Land ceiling for Inner Terai and Terai should be minimum not more than 1 hector. In other word that should be maximum of 3 biggha. For Hilyl region, it should be 20 ropani to maximum 40 ropani for Mountainous region, it should be 50 ropani to maximum 90 ropani and for Valley it should be 2 ropani to maximum 10 ropani. Productivity of land should the primary basis for land ceiling fixation.”

According to the above response, land ceiling system has to be fixed by dividing the land in four regions. For Mountainous region, the ceiling has to be more than the ceiling for Valley. Similarly, the land ceiling for Hilly region should be more than that of Terai and less than that of Mountain region. The proposed ceiling for Inner Terai and Terai is the same. The productivity of land can be considered for ceiling fixation. In the same way, the other respondent (CPN-UML, IV) has expressed his/her view as:

“Land ceiling system should be decided considering land productivity and irrigation facility. If production is high the ceiling should be low and vice versa. Also the price

of land and infrastructure building should be considered as the basis of ceiling fixation. If the price of land is high the ceiling must be low and if price is low than the ceiling must be high.”

According to the expressed ideas land ceiling has to be decided on the basis of the productivity of land. Irrigation facility is an important element while deciding the ceiling of land. The value of land as the selling price must be the basis of ceiling fixation. So, selling price of land has to be considered in fixing ceiling. In this regard, the CPN-UML, V'S version is:

“Different kinds of land ceiling are necessary for Mountainous, Hilly, Terai and Valley land. The land of residential purpose and the capacity of productivity should be considered for ceiling fixation. Land ceiling for metropolitan and town should be similar as valley. Four Bigha for Inner Terai and Terai fifty five ropani for mid Hilly region and seventy ropani for Mountainous region would be the appropriate ceiling on land. Land ceiling for Kathmandu valley should be ten ropani. Fragmentation of land has to be controlled by fixing (not less than three anna) three anna for residential purpose.”

The above illustrated statement says that land ceiling has to be decided giving consideration to the different ecological region and different types of land. If it is not followed it will not be relevant in present context. Basically, land ceiling is necessary for arable land.

If the large part of fertile land excess than ceiling held by landlords, the productivity could decrease and it will be the main cause of famine. The above statement is very much considerable. There are different kinds of arable land in the different part of the country. In this

context, the ceiling can be fixed according to the productivity and the types of land. In this agenda, the other respondent's (CPN-UML, VIII) opinion is:

“In Nepal, there is little family who has more land than ceiling. In present day, ten bigha would be appropriate for the upper ceiling of Terai land. All people need cold and warm weather. The minimum ceiling of the Terai land should not be less than ten Dhur. There are many landless people in Nepal so people are proceeding in these categories. Similarly, there are many people who owns very small plot of land or they are almost landless. So, the government has to manage a small plot of land to them for home. In this context, government should purchase the land from landlords who want to sale. But forcefully imposed system is not suitable for the democratic structure. No one can forcefully capture others' land which given it is not justifiable. The appropriate compensation should be provided to the land holders.”

The above response is found different from others. The respondent has raised the voice of lower ceiling given the range of upper and lower ceiling. Many people of Nepal are landless but it is not seriously considered. So, the fixation of lower ceiling is essential. But the meaning of lower ceiling fixation is not to distribute the landlords' land to the landless without compensation. This is not the democratic norm and value to expropriate other's land without legal provision and divide to the landless. The government has to formulate the justifiable law for compensation. The provision of law, it is needed for distributing land to the landless and poor peasant tiller and for the success of land reform program. Here the NC, I, has given her / his view on the agenda as:

“The tenure of Birta, different kind of Jamindari was developed to get escape from the traditional taxation system of the state. There was a class in society which was not real tiller, though it got the facility of the land tiller. To erase such class should be ended. The lower ceiling two Kattha and the upper ceiling ten to twelve Bigha would be appropriate in the arable land of Terai region.”

From the above response, it becomes clear that Birta and Jamindari system were related with the taxation system of the country. In past, Birta and Jamindari tenure hindered to bring the land ceiling system in practice, so the large part of arable land of the country was in the hold of those who did not till the field. To some extent, this trend still exists in some parts of the country. It has a negative impact on productivity. By analyzing the response of the respondent conclusion can be drawn that if we do not make land reform program successful the probability of the decreasing dependency on food grain will be very low. To settle down the existing problem of food grain shortage within country and to minimize the import of food grains, land ceiling is a pre condition. Land ceiling can check and balance the fragmentation of land. It would be justifiable action to establish social justice and equity. Moreover, it is the necessary condition for the success of land reform.

Perception on Fallow Land

In agro based economy, proper use of arable land is necessary. Basically, Nepal is a mountainous country having limited arable land. Most of the land terrain is sloppy and difficult. The useable arable land area is very limited. The task of the acceding of the arable land is near to

be impossible. Most of the forest area of Terai has been vanished. There is a little area in Hill which can be changed into arable. The proper use of remaining arable land is compulsory although, much part is left barren due to different causes. In this context, about fallow and barren land the (Maoist, II) says:

“Landlords have a fear of tenancy to give their land to till that is why they leave their land fallow. The opportunity to choose the occupation and the professional guarantee has to be provided by the state to the land owner. After that the land of their holding should be distributed to the tenants in the condition that they cannot sell the land.”

From the above statement it becomes clear that landlords have left their land fallow because of the fear of tenancy rights. If the situation prevails in many parts of the country, the state has to give the options to the landlords either to choose agriculture as occupation or to adopt other occupation for their livelihood. If the landlord doesn't choose the agriculture as occupation land possessed by them should be given to the tiller tenants to raise the productivity of the land. The state has to solve the existing problems between the landlords and the tenants. Likewise, another respondent's (Maoist, III) saying was:

“In different districts of Terai fallow land has been found. Many causes are to left land fallow. In our party's opinion, such sort of fallow land, whether left by landlords or others must come under the ownership of the state. State deserves right to distribute that land to the field worker. Land has fertility power, so it should be used mostly for production.”

In the opinion of Maoist party member, the whole Terai region is not used for systematic farming because there is no appropriate distribution of land among the farmers. It is

clear from the above response that in different districts of Terai, in many places, land is left fallow. The fallow land has to be distributed to the peasants to raise the productivity. The possession of such land has to be owned by the state. In this context, CPN-UML, I say:

“Nobody has the right to leave the arable land fallow. If someone leaves the land fallow the state has to set provision to distribute the land to the tiller who works on field. Fallow land is a main cause to reduce the productivity. To raise production from land, fallow land should be distributed to those landless families who are able to work on field.”

The above illustrated lines rise about the issue. As a hilly nation, Nepal does not have abundant arable land area. The arable land available to the Nepalese farmers that is not appropriately utilized and some part of it is left fallow. Actually nobody has the right to leave land fallow. If someone leaves the land fallow, the state has to expropriate it with making law. It should be distributed to the landless peasants. The conclusion of the respondent is fallow land is the main cause of productivity reduction in the country. The next respondent (CPN-UML, V) says:

“While implementing the land reform program, so many things have to be considered. If the arable land is left fallow due to the absence of landlords the owner should be punished in first year with some fine. And if it continues in the next year, the tax rate should be increased by double and more. If again it continues in the coming year the fallow land should be seized by the state without any compensation.”

The respondents saying clears that the main objective of land reform is to raise the productivity of the land, however there is fallow land decreasing the production of the country. If

some landlords left their land fallow they have to be fined for the first year. But if they left land fallow in coming year, the tax rate for such land should be raised. The productivity decrease due to the fallow land, and the person who left the land fallow should be fined as equal to the production possibility of land. And if the land is left fallow for a long time, it should be confiscated by the government and distribute to those who really work on the field. Here researcher wants to share relevant experience. During the time of data collection researcher was going to the Maoist party office from the party office of the CPN-UML, researcher caught in a bus and sat on it at the corner of the second row. Only seven or eight people were on the seat. Researcher looked around the bus and thought why the seats are empty. Suddenly researcher saw two lines written on the wall. "Finishing the fuel by driving empty bus is not only the loss of the driver, but is the loss of the country as well." From the line researcher became compelled to think about the topic of the study. The opinions of the respondents about the fallow land were similar to the lines written on the bus wall. Then researcher reached to the conclusion that leaving the land fallow and driving an empty bus is similar. Both the situation causes loss not only to the owner but also to the whole nation. Therefore, situation is like the two sides of the same coin. Similarly, CPN-UML, VIII respond:

"In a village there live only the very small and elder families members are with women. They do not plough their land, although it is small in area. And they do not provide land to others who to till. They are feared of land's possession would also transferred the tenant's right. Similarly, some area land is left fallow in the name of businesses firm or any other pretention. In the above cases or others too, the party is not in favor of fallow land in any pretention. The productivity of land comes with the laborers sweat which they pour on land. So, these trends should be stopped anyway."

The response given above is like a case. There was a small family of single old aged couple without kids. They had about three *ropani* arable lands but they were unable till the land due to their age factor. Similarly, they could not provide that piece of land to other people to plough because of a fear of tenancy right. This sorts of cases need to be addressed by land reform. Then only the productivity can be raised. It is a representative case of the society but there are so many cases in the country. So, it is the responsibility of the state to generate solution of such case considering the existing problem of the society.

Perception on Land Ownership and Tenancy Rights

There is no unanimous idea about the ownership and the tenancy rights in the country. Some people think that land is a natural gift to all mankind and the fixed asset of the owner but few of them use it. But land is different from other natural gifts such as air, water and the heat of sun. The ownership rights and the tenancy rights were the debatable issues when land reform was introduced. At that time land reform program was not purely planned and regulated. But it was a major campaign as the program for safeguarding tenancy rights. Tenancy certificates have been distributed, cadastral survey is carried out, some records are updated and identification of tillers and their protection measure are adopted with identifying the rights of the land owners and tenants. Land is only one source of income and livelihood to many medium class people and tenants. Tenant's security and good relationship with the landlords after the proclamation of land reform program might be a greater achievement in the area. Here the three parties leader's perception on the concerning issue is analyzed. The respondent Maoist, III says:

“The proper solution of the class conflict will be achieved after completing the people’s revolution. The tenants will be owner of the working field. At present, tenant’s rights of the tiller are not secured. The problem is very much complicated in the state. In 1989/90, the number of the tenants was around five lakh. After one year, dual ownership ended by law with the provision that fifty of the land has to be given to the tiller but only three lakh tenants became successful to get tenants’ right on land. But other two lakh people deprived from the legal paper without any compensation. Some tenants of Kathmandu valley and the distant districts got tenants’ right. About one and a half lakh of applications of the tenants are pending till now. More than twenty lakh tenants within the whole nation are deprived. In party notice, the crux of the tenant’s dispute is legal insecurity.”

In the above mentioned statement it is found that Maoists gave priority to the class struggle in the time of insurgency. At that time the peasants’ right was comparatively secured. Maoists think that tenancy can be secured if people’s revolution became successful. According to them the provisions of the present municipal law are not sufficient to secure the rights of the tenants. In their view, a large number of tenants had land tenancy rights certificate in the year of 1989/90. But it has been reduced by 20 million after the conspiracy of the concerning agencies. The respondent claims that a large number (about 20 million) of registered tenants have been evacuated from the legal rights without giving any share to them. Till the day, many applications for the tenants’ right are pending in the concerning government offices. All those are the representative example of the cases and there will be many more others cases in the area of tenancy right. In this issue, a respondent (CPN-UML, I) says:

“To end the dual ownership of land in practice compensation should be given to the landowner. The land should be provided to the tiller. Dual ownership is the cause of the conflict between land owner and tenants. To end dual ownership, tenants’ right should be protected by law.”

From the above words, it becomes clear that at any cost dual ownership on land should be ended. It might be the cause of conflict between landlords and the tenants. To solve this problem, compensation has to be given to the land owner and distributed the land to the tiller. By this action, dual ownership will be ended and the right of tenants will be protected and guaranteed by law. In this matter, the other respondents (CPN-UML, III) response is:

“Our party has clear concept land belongs to the owner but if it is given to others to till then tenants also have right on that land. Due to this dual ownership is started. It creates conflict between land owner and tenants. So, dual ownership should be ended. This sort of conflict can be easily solved by deciding ceiling on land, giving ownership to the producer and providing the rights of land ownership to women and landless tenants who do not have ownership rights of land. This action can raise the production.”

In this issue, the concept of the party is clear that dual ownership should be ended. Land ceiling might be the means to resolve the problem of dual ownership. If state effectively implements the provision of land ceiling, the problem will be easily solved. These actions provide the right of the tenants who plough it. And it also raises the productivity of the land and it will indeed be real and actual land reform. Similarly, the next respondent (CPN-UML, V) has given response as:

“The farmers are tilling field but they are not registered in government record. Therefore, they will not achieve the right of law. To protect the rights of worker they must have been registered. The dual ownership of land can be ended when all tenants get registered.”

It is found that the above mentioned sentences are in favor of the peasants. The right to land should be granted to the tiller. In the country, in so many cases, the tenancy right of the actual land tillers is not provided to them. Such cases have to be solved and it could be solved by registered the tenants in the government record and fifty percent tilling land has to be given to the tiller. Then only the dual ownership on land can be ended. In this agenda, the next respondent (CPN-UML, VI) response is:

“The tenants, who have been continuously ploughing the land of landlords since the past generations, should have got the rights on that land. The rights of the land owner and tenants have to be guaranteed by implementing the modern land reform. Tenancy rights should be given to the tenants in practice.”

In Nepal, there are some tenant families who are continuously ploughing the land of the landlords for generations to generations. Grandfather, father and son, all the three generations are tilling the same land though they don't have the tenancy right. They even don't have the knowledge about the tenancy rights. Now and in the future the tenancy right of such weak tenants should be guaranteed by the provision of law and it must be practiced. Scientific land reform is thought essential to provide the tenancy rights to such weak peasants and tiller. In this regard, other respondent CPN-UML, VIII says:

“The government has to be managed the provision of the livelihood of the poor and landless tenants who are continuously plough the land seized by Maoist or any other groups. In another side, the land owners who want to work in their own should be given. The land owner who wants to sell their land must get the actual price of their land. All tenants should be registered in government record to enable them to achieve their rights.”

Most of villages’ were affected during the time of Maoist insurgency. The arbitrarily captured land by the Maoist was distributed to the poor and landless. Till now, some captured land has not been returned to the owner. In this situation government has to support the poor and landless for their livelihood. If the owners or landlords want to work in their own land the rights of farming has to be given to them. And if the landowners want to sell the land the total price has to be given to owner. Similarly, if there are some non-registered tenants who are actually ploughing others’ land, they have to be registered in government records. Government should give the compensation to the landlords to protect the rights of new recorded tenants. In the view of the respondent, the non compensative expropriation of land is unjust and it is violation of law. In this regard, response of NC, I is:

“The conflicts between the landlords and the tenants have to be solved according to the provision of law. Conflicts may not be of the same nature, so without making law, only on the basis of political slogan, problems cannot be solved. But preserving the rights of the tiller at the center, the problems should be addressed.”

Considering the above statement, it can be said that conflict between the tenants and landlords is found everywhere in the country. Such condition should be settled down on the basis

of the prevailing law of the country. There are different problems which are not of the same nature. All these problems cannot be resolved from the political slogan or by giving political color to them. None of the problems are in such complicated state which can not be solved. All problems can be solved with due endeavor of the concerning agencies. In this theme, another respondent (NC, II) views:

“The perception of mine and of the party is not needed here. The issue has to be settled by judicial system. Congress party has the firm idea on the tenants’ rights in prime priority; “Land to the tiller” is the slogan of B.P. Koirala.”

According to the statement given above, the issue is more legal than political. The slogan of Congress is “land to the tiller” propounded by B. P. Koirala. This slogan is continuing till the day. Congress claims that they are in favors of tenants’ right and it helps to uplift the situation of the poor.

Perception on False Land Holding

Land holding determines the power and position of an individual in the society in agriculture based nation. The individuals who hold the large area of land can get the power and position in the society and state in contrast to the landless or with them who have a very small area of land. The land holding pattern of different countries’ scenario is distinct. In Nepal, there is the ceiling in farm land holding in the case of the United States a farmer can hold a large area of farm land (UN FAO, 1999, p. 13).

In most of the least developed countries where majority of the people are dependent in agriculture and where industrialization is in initial phase land holding gives prestige and power to an individual. Land holding patterns of the third world countries also differ from state to state; the land holding pattern is uneven. The scenario of the South Asian countries is slightly different than others. For instance in India there is big landlordism but in Nepal there is land ceiling in ownership and holding. The land holding pattern of Nepal, the scenario is different in different times. Before the proclamation of Land Act an individual could hold and own a big plot of land as landlord but at present, it is limited by law. About five decades ago, the prestige, power and position of an individual and family was determined by land holding. But at present, the situation is slightly changed though most of the people want to hold more valuable land as the fixed asset. There are two types of land holding system prevailing in Nepal; the holding of owner and the holding of tenants. Land holding means to control land by an individual for farming and other purpose. Most of the holders want to hold the land as possessing holder. In Nepal, the public land is used as road, jungle and, land of religious institution, etc. being held by some people in wrong way. It means the holding is not in due legal process. The holder have held or wants to hold the land by undue means using the political power, the use of money, muscle or individual relation with government officer or political leaders. Here the three party's leaders' perception on land holding is taken into consideration. In the agenda, Maoist, I, says:

“At present if we speak the truth, some of the holdings of land is forceful or unjust. The history of land holding in Nepal is that the feudal kings and

emperors forcefully confiscated the land of others and it had given to their men or sycophants. These types of activities had created inequalities in society. To end those inequalities of society the perceptions of the people of different chunk have to be changed.”

Truth is always bitter to speak, though it speaks itself. It is clear from the above statement that land holding in a wrong way is a coercive and unjust work. The history of Nepal can be taken as an illustration on the above statement. There are some instances where the feudal king had taken the land of commoners by the coercive means and distributed to their relatives and sycophants as gift. In any cost, these shorts of historical inequalities should be eradicated. In this regard, Maoist, III perceives the agenda as:

“This question is time relative. The problem is so much complicated in the entire district of the state. With the help of the current administration, the land smugglers or the so called high personalities have registered the public land in their own name. They have registered the forest land also. The sycophants of the corrupted powers and the Guthiyar, in the religious coverage, are using the money owned by Guthi land selling. By making strong law for the protection of public land, Illegal land holding and registration should be dismissed and the land ownership has to be taken by government.”

At the time of interview, the interviewee was happy listening the question and s/he gave comment the question is very much relevant in the present context. According to the respondent, there are some big houses and land smuggler who are eager to hold the public land by making good relation with the corrupted bureaucracy. Big political personalities also try to hold the

forest land in a illegal way. There are some cases where the Guthi land has been falsely transferred to the holding of an individual interpreting the existing law. The money earned by selling land is being used by them. This sort of holding should be dismissed by the state.

Similarly, the perception of Maoist, IV is:

“It is often heard that there are so many cases in the issue of false land holding. By misusing of state power and in corrupted way some land has gone to the hand of some individual. The land commissions strong power is needed to investigate such cases. This commission can protect the public and private land from illegal registration.”

In the opinion of the respondent, some plots of valuable land of the different parts of the country is being held by some individual wrong way violating the rule of the existing law. Some big personalities are also be involved in such issue using their power in wrong way. To end this short of condition, a powerful impartial and independent land commission is needed to investigate the cases and find out the truth. On the basis of the findings of the investigation, falsely registered land has to be possessed by government. CPN-UML, I, says as;

“False land holding is worthless. The idea of keeping everything under holding or ownership is wrong. The law which provides chance to hold land in a false way should be discarded. The wrong ownership should revoked and just system need to be established. It is the responsibility of a state. State is the real owner of land hence public land is belongs to the state.”

It is clearly illustrated above that land holding in a wrong way is to orient to the worthless job. Illegal holding of land has to be revoked. It has to be returned to those agencies or

individuals to whom it originally belonged to. If nobody comes to claim the possession of that land, it should be possessed by the state. The state has to make systematic provision to correct illegal activities by which nobody can hold the land in a wrong way. In this regard, the response of NC, I is:

“There are different types of land holding. Some holdings are in due process and some are not. The fraud people of the society are misusing forest land, fallow land, public land and Guthi land with or without the permission of government office. In this connection, those fraud people must be punished by law.”

The above statement says that land can be held differently. Some people follow legal provision and some do not. In many places of the country, forest land fallow land, public land and Guthi land is being held by some cunning of the society without completing the necessary provision of law. So, legal action has to be taken against those fraudulent. By the false land holding comes under the control of the law and due system can be established.

Perception on Land Productivity

For the sustainable development of a country, it needs capacity to feed its dwellers. Productivity of land is related with conditions like climate, soil, irrigation, seeds, manure, agricultural technology, farming system etc. All agriculture based countries try to raise productivity by using different means. It is discussed above that productivity of land can be raised through determining the status of land ownership and land holding. Agricultural loan and

other facilities also have impact on productivity. Here the three parties' leaders' perception on productivity is analyzed. The response of (Maoist, II) opined:

“First of all research and study is necessary for the better use of land and to know the type of land, the quality and quantity of production, soil types, irrigation management system, the types of tools used for farming, the method of using of manure, the market management system and agricultural loan, etc. Similarly, research is necessary for the proper use of land. The productivity can be increased only after the completion of research about the above mentioned area.”

First of all research and study is needed to raise the productivity of land. It has to be done to know the types of land, productive capacity of the land, irrigation management system, use of method and tools for farming, etc. If agricultural loan is necessary to the peasants, should be given them to increase the production. In this context, next respondent Maoist, III says as:

“In Nepal, neither production increasing work is possible nor is the so called green revolution. The development of scientific socialism is not possible in the future because the capitalist system is not suitable for the country. In the leadership of UCPN-Maoist, the productivity of land can be increased via production corporative. Party can establish and maintain a strong and capable nationalist people's democracy. Similarly, it can prepare the prerequisites for industrialization activating the scientific socialism oriented characteristics of mixed economy.”

The above given response clears that only the leadership of Maoist party can raised the productivity of land by means of co- operative farming system. The respondent claims that a

strong nationalist democracy can established the party with the prerequisites of industrialization.

In the same agenda, Maoist, IV says;

“Fertile arable land, distribution of land in justified way, movement for land consolidation for cooperative farming, scientific farming system, massive development of irrigation, price fixation and market facility, policy of one local institution one multiple cold storage, and the system for ‘Rahat’ by state are the minimum necessary conditions to increase the productivity of land.”

It is clear from the above statement that the justifiable distribution of land, productivity of soil, integrated agriculture system, irrigation facility and market management are the prerequisites to increase the productivity of land. Similarly, cold storage is also needed to store the off season food and vegetable production. Certainly, the productivity of land can be raised if the state and the concerning agencies become successful to provide the necessary facilities to the peasants. In this context, CPN-UML, V’s opinion towards the agenda is;

“The collective and corporative farming should be promoted by the state to increase production. Special consideration has to be given to use the modern technology in agriculture. Road and irrigation facility should be managed to increase production. Special priority has to be given to the vocational farming to tie up industry with agriculture. After completion the above mentioned process the productivity of farm can be raised.”

The production from land can be raised adapting different techniques in farming system. Use of modern technology, road and irrigation facility is the basis of raising production. Till the day, the farming system is not basically oriented to vocational system, vocationalism

could raise the production. The tie up between agriculture with industry could also raise the productivity. The farmer would gain more profit when the agriculture is connected with industry than the subsistence level agriculture. Similarly, another respondent (CPN-UML, VIII) expresses his/her own view as:

“Irrigation, fertilizer, modern seeds, modern agricultural tools and technology should be used in farming. For scientific agricultural system, the above illustrated requirements are needed and scientific land reform is needed to increase the productivity of land. Farmer’s residence can also impact on production. The farm adjunct to the settlement of farmer helps to raise the productivity of land.”

It becomes clear from the above statement that there are many techniques to raise production. Among them, irrigation is one of the primary requirements. Developed seeds, fertilizers, scientific equipment and technique, etc. are also needed to raise the productivity of land. Land reform program will be succeed if only productivity of land increases in contrast to past. The above statement gives focus to the farmer’s settlement. Farmers’ settlement near to farm plot helps to raise the production.

In Nepal there is the provision of land ceiling. It is not possible for an individual to possess a large farm area. In this case, co-operative farming would be the alternative for a large scale production. Irrigation facilities, new technology, tools, developed seeds and compost fertilizer, etc. should be managed to produce more from farming. Cereal food farming compatible to the climate and weather, cash crops farming and the farming to substitute the import are the need of the country. For agro based industries, facilities like roads- means of

transportation, and energy, etc. should be managed by the government sector. In this agenda, a respondent (NC, I) expressed the view as:

“The productivity of land depends on many things. Irrigation, modern manure, developed seeds, etc. It decides the productivity of land. Until and unless there is no change in farming system in agricultural no plan would be effective. Land should not be fragmented. Farming has to be done in consolidated plots. There is need of specialization in farming.”

The above statement shows that there are many things affecting to raise productivity of land. So, it can be said that managing these necessary things to increasing productivity. Irrigation and modern developed seeds and fertilizer are primary things. The trends of land fragmentation are exceeding limits in present days. It has negative impact on productivity in a large scale. In this context, increasing of production is necessary for the success of land reform because one of the prime objectives of land reform is to increase productivity. In the same agenda, the other respondent (NC, II) says;

“To increase the productivity of land, one can use tractor in large size of holding for ploughing. One can use power tiller of duty free with government support, subsidy and so many other means could be followed, it be carried by single person. It can be used in holly land also.”

From the above statement it becomes clear that use of modern equipment is necessary to increase the productivity. Government has to provide subsidy for power tiller and necessary things to promote the profession of agriculture.

Perception on Land Revenue System

In agro based economy, land tax is the major source of revenue collection. Land tax was the major source of state income since the time of unification to Rana period. Except land tax agricultural raw materials can be used in agro based industries which can raise the volume of revenue. Without developing the agriculture sector, the traditional land taxation system will not end from the country. Here, the three party's leaders' perception on land taxation is analyzed and interpreted. In this context, the Maoist, I view is:

“Scientific land taxation system is that which is paid by the farmers to the government according to the classification and production of land. The farmers also need to realize that the government has protected, promoted and provided the necessary equipments to them. Land taxation is natural but it should be scientific and justifiable.”

The above statement expresses that peasants have to pay land tax to the government and it is a natural phenomenon. But the serious question is how much a peasant has to pay as land tax. The above statement has given answer to the question saying that an individual has to pay that much of land tax which is determined in a scientific way on the basis of the productive capacity of the land. The state must provide security, necessary equipments and encouragement to the farmers for the substitute of the tax collected. In this context, other respondent (Maoist, II) expresses;

“Land taxation system of the country is too much unscientific. Land tax should not be decided without considering productivity, market management, types of production

and the use of productive things. For instance, those who want to produce the main crops should not be given the tax exemption but have to be given special facilities and concession can be given to them. Similarly, tax to cash crop products has to be decided on the basis kinds of the crop farming and the soil type. But none of the modern scientific procedures have been followed by the tax deciding agencies of the government.”

From the above statement it can be analyzed that government has to collect land tax on the basis of the productive capacity of farm land. If government not succeeds to do is the weakness of it. Similarly, government has to perform the duty of market management for agricultural production. The peasants who want to produce the regular main crop need inspiration and the government has to give some facilities to them and it can charge more tax to them who produce cash crop. This is the right way to collect tax from agricultural. Similarly, other respondent (Maoist, IV) says;

“The present land taxation system of the country is not scientific because it is based on the very old land division system. The time when land was divided in different categories there were not developed cities, industries and other social and economic linkages like in the present time. Only land was the source of tax collection and the ruler could fix land tax on the basis of hunch or self interest. So, the scientific land taxation system is the need of the time.”

The above statement expresses that in present time a drastic change has to come in many areas also in land taxation system. Nepalese land revenue system is traditional. There is no any difference in taxation system for cheap and expensive land. Basically, both are same. So,

scientific land taxation system has to be fixed considering the use and categories of the land. In this regard, the next respondent (NC, I) says:

“Except the selling and buying tax for valuable land of the town, no any special agricultural tax has been fixed by land taxation office. Vocationalization of the officers could not contribute to the revenue system of the government. It is essential to take decision about the proper planning of land use system how the land can be used in what purpose. Similarly, tax should be decided according to the productivity and use of land. This might be the best way for land taxation system.”

Now a day, the Nepalese government has fixed the different taxation system for selling and buying of land of the town area. But there is no significant tax difference on the other agricultural land whether that land gives high production or low. So the tax of land is not scientific. The land owners who produce more from land also pay almost the same amount of tax as the peasants pay. So, the state has to decide land tax on the basis of the productivity of land and it will be the scientific way for land tax system.

We can conclude that Nepalese land taxation system is not justifiable and appropriate. Present land revenue system is not completely changed from the time of Rana period. However, there have been some little changes. Even after the Rana period the state has been so aware about land reform of the arable land but land taxation has not been made relevance. Land tax must be declared after the planning of land use. Land taxation system of Mountain, Hill, Terai and Valley should be different. To make land tax scientific in future the categories of land should also be revised and a long term planning for land use is also necessary. The tax has to be decided

according to the location and use of land. The urban area land tax would be high than the rural land.

Perception on Scientific Land Revenue and Revenue Ratio

In agriculture based country, land revenue is the main source of the state treasury. In feudal society, the ratio of land revenue would be higher than the capitalist one. When feudalism proceeded to capitalism, the debate of scientific land revenue took space in different strata of state life. There is not the popular meaning or the definition of scientific land revenue system, though the revenue system on the basis of the income of land is thought as scientific one. Here the three party's leaders' perception on scientific land revenue and its ratio is analyzed. In this context, a respondent (CPN-UML, I) opines;

“Land tax should be fixed according to the quality and the quantity of production from land. Tax system should not be fixed after measuring the depth of the field or the climate of the hill. ‘Yarchagumba’ of Dolpa, ‘Chiraito’ of Rasuwa, ‘Paddy’ of Chitawan and Sugarcane of Parsa are the specific production of the places. If there are other better crops than the above mentioned they should be kept in notice before deciding the revenue of land.”

By analyzing the above statement it comes in view that Nepal is very rich country on ecological diversities. The farming system of this country is different. If land tax is fixed according to the productive capacity of the land it can be called scientific land tax system. The

state can collect heavy tax from the medicinal herbs like *Chiraito*, *Yarsagumba* and others species which are produced in Mountain region. Because of the traders of herbal products earn enough money. In Chitwan, paddy farming is better whereas the sugarcane farming is better in Parsa district. The farmers of those districts earn more from their products and the state can collect more revenue from the farmers and traders. Progressive taxes have to be paid by peasants in comparison of income to make land reform successful. In this context, the other respondent (CPN-UML, II) views;

“Now days the term scientific land reform is very much used but it is not defined properly. Scientific land reform, scientific land tax and revenue ratio are the outcome of raising consciousness of people about land use. Land reform is defined in the light of productivity of land and people want to achieve it. To some extent, land reform expects the involvement of state in making people affluent and happy as it makes state independent and self sufficient. Land revenue should be according to its productivity and the ratio also should be according to land income. Nothing more and no science is involved into it. If any science is ever involved that is with yielding and it is enhancing land labors proportion hence productivity.”

The above statement says that the consciousness level of the citizen about land use is scientific land reform. The government must determine fully land reform which is the basic need of people. State lead land reform helps to make the nation developed, to make the people affluent and happy and to make the state independent, integrated and self sufficient. There are no more things for scientific land reform. And scientific land revenue is that which has been taken by government agencies according to the productivity of land. The ratio of land revenue should be according to the income of land. In this context, the other respondent (CPN-UML, III) words as:

“I am in favor of revolutionary land reform. But when strategically scientific land reform is possible the party is ready to go for its immediate implementation. For this, the party and peasant federation have taken much more initiation in scientific land reform and scientific land revenue and ratio than the others.”

The above respondent is seen in favor of revolutionary land reform. In his/her perception, their party is ready to implement scientific land reform, scientific land revenue and ratio however the respondent is not confirm whether scientific land reform is possible or not. The respondent has not properly defined the term scientific land reform, land revenue and ratio. Only he/ she say that party is working in this area with framing peasant association. The other respondent (NC, II) views the agenda as:

“When one talks about scientific land reform and production, both of them are same. These days there are about twenty six million people in Nepal and among them six million are in abroad; in gulf and in other neighboring countries for employment opportunities. In this situation, how the productivity is increased without mechanization of agriculture. Land tax should be according to the productivity and income from land. The ratio should be according to the use of land whether that land is used for livelihood or for money earning.”

In the above statement it is found that land reform means to improve the productivity of land and scientific land reform is the increasing of productivity. A large part of the country economy is dependent on agriculture. But many youths of the country are in abroad, in gulf countries and in India for searching different kinds of work for employment. From this instance, it is clear that the income of farming is not sufficient but only for subsistence. Only after the

professionalization of farming, production can be increased. So, the land reform is for productivity increase and the tax and tax ratio should be according to the income of the land. The respondent is aware about the income for livelihood or wealth increase. NC, III says as:

“The investment (for the total production) has to be separated from land production then remain production has to be evaluated. The five percent of the value should be charged as the land tax in mountainous region. Simultaneously, seven percent for the hill region, ten percent for Inner Terai, twelve percent for Terai region, fifteen percent for town tilted area and seventeen percent for valley land, will be justifiable for land taxes. In substance, land tax has to be fixed on the basis of land production and its income. The implementation of above illustrated land tax is the scientific land tax and it should be implemented.”

The above mentioned statement expresses that a farmer gives input of seeds, manure, pesticide, labor etc. in farming for production. So, all the input has to be valued and should be separated from the production. And from the remaining part of the production, the land tax has to be decided with respect to the percentage proposed by the respondent.

To sum up, scientific land taxation system is necessary to establish social justice. The land taxation system of the country should be made systematic and transparent. There is a serious dissatisfaction among the landlords regarding the issue of land taxation system of the day. According to them, the government has fixed the land tax without consulting the land owners. The government does not charge the progressive tax to the industries and other property as in land and real state. Scientific tax system is such system in which tax is paid according to the income proportion those who earn more income from the land. They should pay the tax in the

proportion to income. The unequal behavior from the side of state is seen somewhere which is not just. So, the implementation of scientific land tax is needed.

Scientific land tax is the component of scientific land reform. The term scientific land reform has written in the Interim Constitution of Nepal, 2006 (Baudhik Darpan, 2067, p. 10) This type of land reform issue has been put in constitution with the consensus of all the parties though there is difference among parties policy and leaders' perception. Parties' ideological perception for future plan is different to each other. It is found above that most of the leaders from different parties are seen positive towards scientific land reform and scientific land taxation ratio.

Perception on Land Administration

The administration plays vital role in land reform. Inefficient and corrupted administration is always a problem. It is difficult to find a simple definition of good land administration. Training program for all level personnel who work in the field is regarded necessary for good land administration. Land administration broadly implies land alienation, land transactions and dealings. Similarly, it is concerned with regulating land tax or rent collection and protection of governments or public lands. Land administration, in Nepalese context, is needed for land tax collection and to maintain up-to-date land records for land holdings and use. Land administration can provide a way for future land policy. A good and stable government is always a pre-condition of land administration (K. C., 1982, p. 14). If we look the successful history of land reform program of different countries land reform officers and

staffs were given short period orientation training in a way to make them fully acquainted with the different legal provisions, implementation procedures and various implications of the program. The three major parties' leaders' perceptions are analyzed below on the agenda of land administration. In this context, (Maoist, III) says:

“Land administration is the job of keeping updated land records on the basis of land map. Similarly, it provides the information of systematic record of land. It can give decision on the conflict between landlords and tenants. It gives recommendation letters to the tenants about tenant’s right. To prepare the records of land holding and ownership land administration is needed.”

In analyzing the above statement it can be said that the job of land administration is to keep the record map of land with its. If there is dispute between the landlords and the tenants the land administration offices can give verdict on the issue and it can assure the right of the tenants. Similarly, land administration is needed to keep the record of land holding and ownership. In this issue CPN-UML, I, says:

“Land administration is required for the optimal use of landed property. Land administration regulates land distribution, land management and land holding. Land administration is necessary to make land using system dispute in proper way and to increase the production and distribute it with justifiable way. Land administration has to be updated time and again. But the land administration of the country is not updated but remaining traditional because there is no scientific land policy to implement. Nobody has given attention to change the existing land administration pattern and uses.”

From the above statement it becomes clear that there is traditional land administration system in Nepal and it has to be changed. There are so many defects of the traditional land administration system. It does not function properly. A scientific and modern land administration and record system is the need of the time. In these days the commoners say that there is traditional and corrupted land administration system but nobody has given interest to change it. This painful situation is the legacy of feudalism. In this context, a respondent (CPN-UML, IV) expresses her/ his idea as:

“Land administration is necessary to dig out and understand how much land of the state is registered to whom. It is necessary to know which land of what place is suitable for what purpose. Similarly, land administration is required to take maximum productivity from land.”

The above statement expresses that land administration is a vehicle to drive landed property where land is perceived as the most permanent asset of an individual. Updated land administration could help to implement land reform. Similarly, indirectly it helps to increase productivity moreover a good land administration can provide the records of the land as an authentic record. The next CPN-UML, V views:

“Land administration is management of the total land and related record system. It is needed for up to date record keeping, ownership deciding, cadastral survey map management and land transformation etc. Land administration can be helpful to determine the land use system.”

The statement says that a good land administration is very much necessary. There are so many task of land administration such as keeping appropriate record in a good way, deciding

the ownership of land, keeping the actual record of land map after cadastral survey and determining land use system etc. So, in the context of Nepal, there is need of reform in land administration. In this agenda, the other respondent (CPN-UML, VIII) has given the perception as:

“Good land administration is a mechanism to conduct the land use system differently. All types of tenure and recorded system of land can be canalized and managed by this system. Land administration is necessary to keep all types of record in proper way and it can facilitate the people in the area of land transformation and tenancy rights. The record keeping system of land administration in Nepal is not scientific and up to date. It is due to the lack of the work plan of the concerning office. So, the present land administration is weak though it should be progressive”

The above statement expresses that a good land administration is that mechanism which is established to conduct existing land tenure system in a different way. Land transfer and the tenant's right records keeping etc. comes under the responsibility of land administration but there is the lack of proper working system of the concerning office.

From the above different responses it can be analyzed that the record keeping system of land administration of Nepal is not scientific and updated. There might be two causes regarding this; the intention of the office staffs who want to retain the prevailing system because of the non scientific record system of the land would be the means of earning to them and the lack of plan and program of department of government. Scientific plan documentation is essential for this action. It is often said that in the land administration system of Nepal, there is the lack of intention, so the bureaucrats do not want to make reforms on it.

Perception on Land Ownership Transfer System

Nepalese perception on landed property is guided by the traditional value to till now. They think that land is the safest property in comparison with other any asset of individuals does not want to transfer landed property to others ownership. Only in compulsion, someone transferring land ownership others. Land transforming is the transfer of ownership or holding. The land ownership transfer process was very easy in past. Only the decision made in home was sufficient for this. But at present some complicated procedures have to be followed, so it complex. At present, the administration office which performs the task of transfer plays vital role. The perception on land transfer of three parties' leaders' is analyzed below. In this agenda, a respondent Maoist, I, says:

“Land transformation means to transfer the ownership of land from one’s name to another’s name. This is an easy task can be easily done. But it has been made slightly complicated since the development of modern bureaucracy. There are two reasons behind it the officer and office staffs of the concerning office are not ready to serve the people but they want to fulfill their self interest by engaging themselves in corruption.”

It becomes clear from the above statement that land transfer system means the process of changing of ownership. Though it is not difficult process, all common people face problem due to the behaviors of staffs of the concerning offices. This situation has prevailed nationwide. The interest of taking bribe from the commoners by making the working procedure complex is

the major problem created from the administrative office. This means the administration procedure or recording system has been made complicated. In this context, Maoist, IV says:

“Before, the home made deal was sufficient for land selling and land use for mortgage. It was recognized by the court. But at present, the selling and buying process can be done after the completion of necessary procedure or the rules. At present, land can be transferred through two processes; by registration and by gifting. Most of the relatives and the trustworthy people transfer their land by a deed of gift but other seller and buyer use Raikar registration process for land transfer.”

The above statement says that till four decade ago the process of land transfer was very easy. The home made deal between the two parties had the meaning to transfer the land from one individual to another. But now day, it is not accepted by law. At present there are certain procedure which must be followed being present in land tax office or it can be done out of office if office deputed person signs on the land transfer paper. The respondent is aware about the land transfer procedure. According to him, land can be transfer by Raikar registration process and by a deed of gift. The former is commonly used between relatives and the believers. IN this context (CPN-UML, VI) says:

“In Nepal, land transfer (buying and selling) system is very easy. One can sell or buy the land in the mutual understanding. Land is a fixed asset. Most of the people want to hold more land. Land purchasing is a prestigious job but selling is contemptuous one. Only in urgent necessity one compelled to sell it. Most of the Nepalese do not want to share about land selling to other due to the fear of prestige. There are some legal provisions which are to be followed to transfer.”

In Nepal, the task of land selling and purchasing was not complex. In the mutual understanding of seller and buyer land ownership could be transferred. Both the buyer and seller used to deal about the land transfer in home as home deed. The *Jimmawal* could transfer the land or his *Jimbawali* jurisdiction. But at present, there are some legal provisions to be followed for the land transfer. Traditional concept on the landed property does not permit any one to sell land in normal way; therefore everyone wants to keep it secret.

In the same way Nepal, people want to purchase land which is the pride of purchaser. Certificate of citizenship and the bar of age 16 to 75 years etc. are minimum conditions for land ownership. The land transfer office (land tax office) is regarded as an unfair and corrupted. So the government has to review on it.

Perception on the Division of Land Type

The arable land of the country in different ecological zone is divided into four kinds. The production pattern and the volume of production are different in different ecological zone. However, the arable land of the country, irrespective of all ecological zones, is divided according to the productive capacity of land. Land division was considered obligatory in past. The land was only the source of tax for government. But the division is continuing till now. The respondent, (Maoist, I) expresses his/her perception as:

“Division should be scientific and practicable and it must be based on field reality.

Though is not done accordingly. Concerning responsible agencies need to monitor

the field. In past the land was divided in hotch-potch basis. The productivity does not tally with ground reality as land division. First of all, the total data of the arable land should be taken after completing the new cadastral survey. Only then, the data of irrigated land, flat land and sloppy land, valley land and the land of high mountainous region etc. should be taken. Then it will be easy to divide arable land. Land division is necessary for land ceiling, land revenue and land administration. It should be scientific.”

The above statement gives emphasis on scientific and practical land division. But the informant does not explain the process about scientific and practical division. On his/her view the previous land division on the basis of productivity was not reliable. So many anomalies have been found on land division. Government data of productivity is not matched with ground reality. Data for arable land, irrigation status, terrain and type of surface of land etc. should be taken before land division. Land division is essential in different areas of land reform. It helps to fix land ceiling, to collect land revenue and it helps to land administration also. In conclusion, it can be said that the previous land division was unscientific. Hence, the scientific division of land is the demand of time. In this context, the next respondent (Maoist, III) says:

“In our country the land is divided into four types; Awal, Doyam, Seem, Char. On the basis of this division, land tax is being fixed and collected. More tax for ‘Awal’ land and less for ‘Char’ land are fixed. But the land division seems is not scientific. In many cases, the production of Awal land is less than that of Char. Therefore, the new division of land type is necessary and it should be based on ground reality.”

The above statement expresses that the current land division is not appropriate because it was not divided on the basis of ground reality. It was said that the division was on the basis of productivity but the written document about production was different then the ground reality. The type of land was classified by the surveyors who were employed to conduct the land map survey on field. The surveyors had the knowledge of cadastral survey but not of soil type. By the secret consultation with surveyors, the fraud land owner requested the surveyor to write the different type of land to escape from the land tax. Those who did not have the knowledge of soil classified land in different category which is unscientific. Before the land tax was fixed according to the type of land division. And that was not scientific in respondent's understanding. The other respondent CPN-UML, I, presents his/her perception as:

“The feudal state system has divided land in four types; Awal, Doyam, Sim and Char, on the basis of the production. At that time, the farming system was based on traditional. The development of science and technology helps the low productive land to use as a good returnable land. It is not only for propaganda but it is possible in practice. So, the policy of land use should be scientific and also the tax of land should be fixed accordingly. Giving continuity to the traditional unscientific land division is incorrect.”

The above statement itself describes that the arable land of the country was divided into four types traditionally but it is not sufficient in these days. It is the age of science and technology but we are depending on traditional land division. Therefore scientific and timely relevance division is needed. Talking about the very agenda, the other respondent of CPN-UML, III says:

“The land division of the then time was right for that period but now a new kind of scientific division is essential. Soil types, types of land terrain, facility of irrigation etc. should be considered for the scientific division of land.”

The above mentioned statement expresses that land division is necessary for the agriculture based country like Nepal. The former division of land is out dated. The arable land should be divided according to the time and context by which the productivity of land could be increased. The availability of irrigation facilities, soil type etc. are the basis for arable land division in future. In this regard, other respondent (CPN-UML, VIII) says:

“At the time when land was divided was right for that time. It is said that it was done according to the productivity of land which was not scientific. Many landlords had requested to the officials to write only one type to the other to get escape from the land tax. At the time of land division, there was not developed technology for soil test. The former division is not relevant for the modern time.”

The above responses expressed that our present land division is very much unscientific. The previous land classification was based only on the productivity of but the reported productivity was differing from ground reality. Many landlords did not give the right information of land productivity and they bribed the officials to declare their land of other type. It was done to escape from land tax.

The land division is not suitable for present context because it was classified unscientifically. At that period, there were not scientific tools to measure land. It is said that the arable land was divided on the basis of productivity. But if the measurement of land is not accurate, the real productivity can not be measured. The land surveyor had some knowledge of

land size but they all did not have any skill about to test the soil quality and the productive capacity of soil. Surveyors were trapped and manipulated by cunning land owners. They told lie about land productivity to escape from land tax. Considering all above illustrated situation, conclusion can be drawn that the past land division is out dated. The other division is needed.

Commonalities and Differences of Party Leaders' Perception towards Land Reform

In Nepal, land reform has been started as a program after the implementation of the Land Act of 1964. The program was introduced in three phases. In the first phase it was introduced in sixteen districts in 1964. In second phase, twenty five districts were incorporated in 1965 and in third phase, the program was introduced in remaining thirty four districts in 1966. Till now the land act has been amended for five times. The first two amendments continued with some administrative provisions and no change on the main provision of the act. The third amendment came in force in 1981 and this amendment had added a provision of a committee. If the real tenants were deprived from the tenancy rights, the committee had power about the tenancy issue. The compulsory saving scheme was suspended by that amendment. The fourth amendment had come in force in 1986 it had slightly changed the land administration mechanism office structure. A High Level Land Reform Commission was made by the UML government in 1995 and according to the recommendation of the Commission the Land Act was amended in 2001. This amendment reduced the ceiling but no land was acquired.

According to the Fifth Amendment, the dual ownership on land has been ended by law though there is dual ownership in practice. In this context, the researcher has done the study to dig out the perceptions of major three parties leaders' towards land reform. On the basis of the respondents perceptions, the commonalities and differences are presented.

Commonalities

On the issue of land holding, many respondents are agreed that land holding is the right of citizens and land should be distributed to the farmers. The common perception towards land use is that land should be used considering its ecological variances. Hilly land can be used for pasture, fruits farming and cereal farming. Inner Terai land can be used mostly for cereal crops and forestation. Terai land can be used for large agro farming and valley land for vegetables production and urban settlement. Most of the respondents are in favor of land ceiling. According to them, land ceiling fixation can be helpful to settle down the existing problem of food grain import and storage. Land ceiling can check and balance the fragmentation of land.

There is the unanimity in perceptions about fallow land that nobody has right to leave the arable land fallow and government should own the possession of fallow land and it has to be given to the tiller. Heavy tax should be imposed on fallow land as fine. About the issue of dual ownership on land, all the respondents have the common perception that dual ownership has been ended by law though in practice there is dual ownership on land. To end the dual ownership in practice, real cultivators' (tenants) rights should be protected by law.

All respondents are in against illegal land holding. Unanimously, all agree that illegally holed land should be revoke and the holder has to be heavily punished. The perception of all respondents is same that collective and cooperative farming should be promoted to raise production. Roads, seeds, modern agriculture tools and techniques, irrigation, fertilizer, market management etc. should be managed for production rising. Land should not be fragmented to raise the productivity of land.

All the respondents agree that the land taxation system of the country should be scientific and tax on land should be decided according to the productivity of land. There is traditional type of land administration system existing in Nepal so it must be substituted by the scientific land administration system. The record keeping system of land is not scientific and time relative. The government has to develop well plan and program for record keeping system.

About land transfer issue, the common perceptions of respondents is that before some time the process was very easy but now day it has been complicated. The land transfer office is regarded as an unfair and corrupted. These trends should be ended in practice. The arable land of Nepal is classified into four types and it was divided on the basis of productivity and on the beliefs of tenants whether that land was fertile or not. So, the new classification of land is necessary.

Differences

On the issue of land holding, some respondents' responses was that land should be under the control of state and only state can provide land to individuals for use. Holding depends on the energetic power of the workers. Similarly, some respondents say that the Mountain region land has to be used for the preservation of water. The high altitude of Nepal is the reserve bank of water, so it must be protected. Some other respondents vision was that Mountainous land can be used for pasture of Himali sheep, snow leopard, yak etc.

On the issue of land ceiling, some respondents have given different perceptions Maoist respondents are in favor of minimum ceiling or like no ceiling. An individual should own land how much s/he can plough. In their perception, ceiling has to be decided with due consideration of land type, productivity, irrigation facilities, market management, size of family members,

geographical regions etc. Similarly, the perception of a CPN-UML leader is that land ceiling can be decided considering the productivity of land, price of land and infrastructure building. About the issue of fallow land, an UML leader argues that arable land is left fallow by the fear of tenancy rights.

On the issue of dual ownership of land, a respondent from Maoist party says that in practice dual ownership has not been ended and it has inflicted the conflict in society. Many tenants' rights have been evicted by the landlords with the undue help of bureaucrats. So to solve the conflict on the issue of land ownership it should be given to the women. But a respondent from NC differs in the above statements that in the name of tenants rights the natural and legal right on the land of owner is abdicated and it is an unjust work.

About the false land holding, a Maoist respondent argues that false land holding is continuing with the misusing of state power and corrupted means. Some individuals have registered land in false way. About land productivity, an UML respondent says that farmers' residence can also help to raise the productivity of land. In the same agenda, Maoist respondent vision is that research and study work is necessary to know the type of soil and land. Only Maoist leadership can raise the productivity of land because it has long term vision for production increment. On land taxation system, the respondent of the Maoist party says that land should be decided according to the income of landed property.

About land administration, an UML respondent is of view that land administration is the record keeping system of land related issue. It has to keep the updated records about how much land of a state is registered to whom. Land administration can lessen the land related conflict if it is maintained in a proper way. But the land administration of Nepal is weak and

poor. The other respondent also is not so much positive about the countries' land administration.

On land transfer system, an UML respondent has different vision that the land transfer was easy in past. The home made deed had also the importance but at present it is the means of income.

The Maoist respondent is also agrees with the later statement.

Chapter VII

FINDINGS, CONCLUSION AND IMPLICATIONS

In this chapter researcher has presented the major findings of the study based on the research objectives and they have been summarized as follows. Conclusions and implications are made on the basis of the findings.

Major Findings

In this study, all parties have accepted that land reform of Nepal has not succeeded to keep pace with time. In this context, there is limited arable land in Nepal because most of the land terrain is sloppy and difficult. Increasing the production and productivity of land and providing protection to the farmers, especially the small scale farmer is land reform. Distributing land to the poor peasants, agricultural labors and liberated Kamayiya to end feudalistic landlordism is real land reform. Apart from that, almost all the parties' respondents have articulated the notion of scientific land reform but the parties have not yet defined the term properly. In this reference, CPN-UML and Maoist view that land is not the parental property of any one it is common to all. Both of the party policy wants to end all kinds of feudalism with implementation of revolutionary land reform in practice. The Congress party policy views that land holding is the right of an individual. Congress is in favor of market based policy in

agricultural sector, only market system with the interest of an individual can determine the development and deterioration of agriculture. Similarly, it is found that Nepali Congress believes in the notion that air, water and soil are not individual properties of any feudal. In addition, Nepali congress' policy of democratic socialism tries to create equitable democratic society which is known as B.P. ism in Nepalese society. B.P. - ism expects the intervention of state upon resources.

The process of holding of work over land is land holding. Importance has to be given to increase the productivity by land holding and it is the distribution of rights among the owners as landlords and tenants. In this context, there are many people who have very small plots of land or they are almost landless, though they are the real workers of the field. To control the excessive land holding, all parties want to fix the upper and lower limit of land ceiling. There is lack of data according to soil quality and crops also there are lacking data of fallow land. In some cases, it is found that arable land has been left fallow due to personal conflict. Dual ownership creates conflict between land owner and tenants. Till now, feudal land ownership pattern is prevailing in the country. Arable land is using for non arable purpose such as settlement, roads, industries, ect. For example we can analysis the case of Kathmandu Valley. In Nepal, there is deep rooted concept that land belongs to an individual. So, the tenure of Birta and Jamindari developed due to traditional taxation system of the state. There are some anomalies in land tenure that some tenants have been working in field for three generation but they do not get the tenancy right. It is found that "Land to the tiller" is the slogan of B. P. Koirala but it is not practiced in real ground. The rights of laborers who work on field is not completely guaranteed by law but there is a difference in practice and principle. All parties' respondents are ready to provide land to the tiller by making law. All leaders agreed that land reform is necessary to increase the productivity as

they also agree that land fragmentation is increasing in present days. Clustered farming is not followed. Land erosion is accelerating. None of the provisions have been found to check it. Similarly, there is no proper use of fertile arable land and justified distribution of the land. There is no consolidation of farming system and cooperative farming. CPN-UMLs' and NC's land policy is closer to the existing rules and regulations of the country. In practice, there is discrimination in wages between the male and female laborers of agricultural sector. There is poverty in rural sectors of Nepal. Till now scientific agricultural policy has not been implemented to eradicate rural poverty of the country. There is feudalism in agriculture and it is the obstacle of equitable and justifiable system. In Nepal, land is held on the basis of feudal concept as parental property which is not the real land holding and there is traditional land record system in the country. However, CPN-UML has made policy about the importance of cooperative farming.

Conclusion

It is a well known fact that all mankind are the dweller of the land. It is necessary to look after and preserve the dwelling place 'land' in proper way. But no one thinks about why, how and for what reason land reform is necessary. If land reform is really implemented, the productivity would be raised and there will not be the problem to feed the rapidly growing population of the country. So, productivity and land reform are the two sides of the same coin. So that, all of the respondents of the three parties perceive that land reform is necessary to increase the productivity of land. The necessary conditions for land reform are land consolidation, cooperative agriculture, development of agricultural model, agricultural industrialization etc. Land is that natural resource from where mankind fulfills all kinds of necessities. So, it is the responsibility of mankind to conserve it then only one can give it to future generation. Land reform is necessary to develop social justice in society. It helps to make state independent, make people happy and to achieve self sufficiency.

It is the common perception of all parties' respondents that the actual farmer who work on farm using their full endeavor, can produce more if they do not give their production to others as share. Anyway, every citizen has the right to use the land under the rules and regulations of the state. But here the rules and regulations are badly manipulated; they cannot save the rights of the peasants' and workers. The provision of law is equal for all in the area of land holding. According to the very law of the country every individual has the right of land holding but in practice it is found different. Land holding by workers raises the productivity of land. Keeping land under the control of individuals who do not work on field is unjust because land is the gift

of nature to mankind and all creatures. In Nepal, feudal concept of land holding is harmful for both to the individuals and the state. This type of holding cannot protect the right of tenants, as a result the productivity cannot be raised but it may decrease. The standing green leaf tree in the jungle would not be the property until it is used as the pillar, rafter, window or the door. So the holding of land is the fruit of the endeavor of an individual. Inner Terai and Terai land is suitable for cereal food production and agro based industries. Similarly, Valley land must be used for vegetable production, beautiful town settlement, heritage protection etc. But because of the lack of effective policies to address the growing urbanization trends the arable land is being used in non agricultural work such as settlement, roads and industries. This trend does not help to raise the productivity of land but it affects national development process. Valley land cannot be used for food production due to the lack of proper land policy and growing settlement in the area. Food grain for country dwellers would not be sufficient if we do not use the land potential in proper way. Without the painstaking endeavors of human labors on land it won't be arable. The larger part of the Mountain land is left useless due to the lack of proper planning. Mountain region can be used for water reservation and it would be the blessing for Nepalese if they succeed to use it properly.

Mango fruit juice industries and sugar industries would be successful industries in Inner Terai and Terai region because the raw materials for the industries are available there.

Traditional farming cannot yield much production due to the absence of the modern agricultural system and skilled man power. Farmers do not have sufficient agricultural knowledge of how the production of low weight and seasonal products can give more profit to the country. Terai land is not being used for systematic farming because there is not the appropriate distribution of land among the farmers. The large amount of production of land is not possible if land fragmentation

is increasing. Land expropriation without compensation is unjust and the violation of law. It can create instability in society and conducive environment cannot be made for land reform.

There are different types of arable land found in Nepal. The ceiling can be fixed according to the productivity and the selling price of land. Certainly, nobody has the right to leave the arable land fallow because it reduces the production of the country and it is not only loss to the owner but also to the whole country and people. Therefore, the distribution of fallow land to the landless peasants can only raise the productivity of the country. In this reference, leaving the land fallow and driving an empty bus are the same. Now day, some landlords and some landowners have left their land fallow because of the fear of tenancy rights. The provision of law has been ended dual ownership on land but in practice it is existing till today. There is the lack of practicable land ceiling system. To end the dual ownership of land compensation is the debatable issue. In Nepal, feudal land ownership is still in practice because there is the lack of practical execution of the rules and regulations related to land. There are no coercive agencies for implementing the law to end the dual ownership of land in practice. So, the dual ownership has not been managed and ended from the society. In this regard, land to the tiller is the 'motto' of the Maoists saying. Production rising is the objective and social justice is the aim of revolutionary/scientific land reform policy. Obviously, productivity can be raised by the irrigation and technical manpower in agriculture. The present land taxation system is based on old and unscientific land division system, so the land taxation revenue system for different ecological regions is not scientific.

Land administration is the process of keeping updated records on the basis of land map. It gives the knowledge of systematic record system of the land. Bbut the land record keeping system is disputed and is not well managed. As a result, the record keeping system is not

scientific and time relevant. The process of land transformation is not so easy to all common people due to the behaviors of administrative officials who deliberately make the official procedures complex. The state has classified land into four types. The productivity basis of land division is not corresponded according to ground reality. Nowadays, the term scientific land reform is very much popular however it is not defined properly because no any scientific way has been involved in land reform. For scientific land reform, it is necessary to establish social justice and to increase production. Nepalese society is bounded by the feudalism regarding the concept of the landed property. So, there is social injustice in land distribution pattern. Giving some one's land to another forcefully is not justifiable work because there is no guarantee that the distributed land would give more production than before. So far the state has not developed the effective mechanism to measure the productivity of land. The legal provision gives the permission to fragment the land into small piece. Division of land property between the landlords, tenants and among the brothers also accelerates the fragmentation. All the informants are ready to provide land to the tiller by making law which is a positive aspect. It can raise the productivity of land making the national economy stronger and helps in achieving the objectives of land reform.

Implication

Among the frequently discussed agendas of Nepal, land reform is important one. All parties have advocated about land reform from street or from any other forum which is the need of the time because the increasing population has to be fed. Nepal's economy is agro based but annually it is importing cereal food grains due to the unsuccessful land reform program. This is very much shameful to the country dwellers and in this connection land reform is the remedy. On the basis of the study findings and conclusion some important implications are made.

Land reform needs to be made the program which can support the total economic development and it also should be the program for social justice and political equality based on democratic structure. The provision of law for land holding is needed to be implemented in practice. In this process market management for infrastructure development, mechanism based on cooperative and land to the tiller need to be the policy of land using system. Similarly, land holding has to be based on the use of land. The state needs to be sensitive to use the natural resources of the Inner Terai region. Likewise, Mountain land using is better for mountaineering, tourism, and pasture and herb production. Similarly, Hilly land can be used for citrus fruits farming, juice industries, tea, coffee, seasonal and non seasonal vegetable farming and for hydro electricity production.

Obviously, land is a natural resource though it is not unlimited therefore everyone should protect and use it properly. Land using pattern should be consolidated in block for easy farming and more healthy production and abundant output. To professionalize the agricultural sector, employment opportunities in this sector need to be created. Development of modern skills

of manpower involved in agriculture raises the productivity of land. Specially, skill development program for women need to be made compulsory to increase the production of agriculture. To prepare the skilled manpower for modern agriculture, the University of Forestry and Agriculture need to be established indeed. The different types of paddy produced in Jumla district are the organic paddy of the high altitude of the world so the publicity advertisement is necessary for its high value. The expropriated land which is essential to the tenants can be given to them with the condition that the land should not be sold or left fallow. Fallow land should be expropriated and distributed to the landless peasants to raise the productivity. Somewhere, there is conflict between the land owner and tenants which is needed to be solved by fixing ceiling on land by giving ownership to the producers. For the protection of public land, false land holding and registration must be dismissed and the land ownership has to be possessed by government. Similarly, the land commission with strong power is needed to investigate illegal land holding. Such commission can only protect the public and private land from false registration. Scientific land reform with scientific taxation system is not found in practice. Time relevant and scientific reform system is essential to increase productivity by investing in-put on land. It can raise tax from land so it could be scientific. Similarly, in land administration system record keeping ownership deciding, cadastral survey map management, land transfer etc. need to be updated. In this process, land administration is needed to give verdict on the conflict between landlords and tenants. The job of the land administration is to help people, prepare the records of land holding and ownership. So it must be well managed and modernized. Another important factor is to end the discrimination in wage between male and female to develop agricultural sector. Moreover, new and modern land division is needed because the present land division is unscientific. Soil types, types of land terrain, irrigation facility, modern equipment use etc. are the basis of present

land division but in former most of those were not taken into consideration. In urban area, land fragmentation is increasing alarmingly, so fragmentation of land need to be stopped. Soil erosion should be controlled to raise the production and to maintain the ecological balance for mankind. The modern scientific land reform system is essential. All parties are in favor of high level commission for the policy recommendation of land reform. At the present day, judicial process is expensive and out of access for common farmers so to get quick decision a peasant court has to be made to settle down the dispute on land. If loan is needed to the tiller to purchase the landlords land it should be easily provided to them. The right to put the same land as mortgage should be given to the tiller. This helps to make the tiller the land owner. All programs can give result if those requirements are implemented.

References

- Acharya, N. H. (1997). *Bisheshwor Prasad Koirala: four decade of Nepali Congress*, Sambatshar Publication, Maharajagunj: Kathmandu.
- Adhakari, J. N. (2006). *Land Reform in Nepal: Problems and Prospects*, Nepali Institute of Development Studies (NIDS), Kathmandu.
- ANPF (Dateless). *Program of Nepalese agricultural Revolution*, ANPF, Madan Nagar Balkhu.
- Badal, K. (2000). *Report of High Level Land Reform Commission* (Uchchastaria Bhumishudhar (Badal) Ayog 2051 Ko Pratibedan), Prakashan, Kathmandu.
- Bajracharya, S. (2009). *Discrimination against Girls in School and at Home: Their Perception and Responses*. Unpublished M. Phil Dissertation, School of Education, Kathmandu University, Kathmandu.
- Barras Jr. S.M., (1995). *Towards a better understanding of the market lead agrarian reform in theory and practice focusing on the Brazilian Case*, FAO Buletin No 4.
- Basnet, J. (2001). *Land agriculture and agrarian transformation, land rights movement and agrarian change*, Consortium for land research and Policy Dialogue (CLARP).
- Bass, S. and Rouse, J., (1979). *Poverty alleviation: the role of rural institutions and participation* FAO, UN, Rome.
- Best, j. W. and Khan, J.V. (2006). *Research in education*. (7th.ed.). New Delhi: Prentice Hall of India Pvt. Ltd.

Borras Jr, S.M., (2002). *Towards a better understanding of the market lead agrarian reform on the Brazilian Case*, Land Reform, Land Settlement and Cooperative, FAO.

CBS, NPC, HMG, (1962). *National sample census of agriculture division*, Central Bureau of Statistics, Kathmandu.

CBS, NPC, HMG, (1988). *National sample census of agriculture 1971/72, Nepal ecological belt (Mountain, Hill and Tarai)*, The Agricultural Division, Central Bureau of Statistics, Kathmandu.

Caplan, L. (2007). *Land and social change in East Nepal: A study of Hindu Tribal Relations*, Himal books, Patan Dhoka, Lalitpur.

Casley, D. J. and Lury, D. A, (1986). *Data collection in developing countries*, Oxford University Press, Wakton Street.

CBS, NPS, HMG (1993). *National sample census of agriculture 1991/92 Nepal*, Central Bureau of Statistics, Kathmandu.

C.B.S (2001). *National sample census of agriculture*, central Bureau of Statistics, Kathmandu.

Chalise, N. R. (1970). *Land tenure and tenancy in Nepal*, Report of the National Land Reform Seminar, Kathmandu.

Chalise, N. R. (1970). *Land fragmentation, minimum size of holding and consolidation (in Nepali)*. Paper Presented in the seminar Future Policy Reform on Land Management, organized by the Ministry of Land Reforms, Paush 10-11, 2048 B.S. (unpublished).

- Chapagain, D. P. (1983). *Agricultural productivity pattern in Nepal and Its regional variations*, HMG-US AIS-A/D/C Project, Strengthening Institutional Capacity in the Food and Agricultural Sector in Nepal.
- Chaturvedi, Pandit J. Pd. (Translator in Hindi), (2005). (5th. Ed.). *Manusmriti*, Randhir Prakasan Haridwar, India, Chapter 7, Stanza 100-102.
- Clair, O. S. (1957). *A key to Ricardo*. Routledge & Kegan Paul Ltd. London U. K.
- Cohen, L. Manion, L. and Morrison, K. (2000). *Research methods in education* (5th. Ed.). London: Routledge.
- Cole, R. L. (1980). *Introduction to political inquiry*, Macmillan Publishing Co. Inc, New York.
- Creswell, J.W. (2003). *Research design qualitative, quantitative and mixed methods approaches*. SAGE Publications, India Pvt. Ltd. New Delhi.
- CPN-UML (1992). *Program of Nepali revolution: peoples multi party democracy*, Madan Nagar Balkhu, Kathmandu.
- CPNUML (1997). *Work plan of peoples multiparty democracy*, Party Central office, Madan Nagar Kathmandu.
- CPN Maoist (2007). *Commitment letter of party for Constituent Assembly election*, Party Central Publication Committee, Kathmandu.
- CSRC, (2009). *Land and land tenure security in Nepal: country study*, Nepal Community Self Reliance Centre (CSRC) Kathmandu.

- Dahal, M. K. (2000). *Different Facts of Nepalese Economy in Development Challenges for Nepal*, Future of Nepalese economy (Ed), NEFAS, Kathmandu.
- Dangal, M. R. (2010). *Foreign aid effectiveness in basic and primary education*. An unpublished dissertation of Ph. D, School of Education, Kathmandu University.
- Denzin, N. K. and Lincoln, Y. S. (Eds). *Handbook of qualitative research*, Thousand Oaks: Sage.
- Denzin, N. K. and Lincoln, Y. S. (2005). *Introduction: The discipline and practice of qualitative research*. In *Handbook of Qualitative Research*. Thousand Oaks: Sage.
- Divine Teachings of Prithvinarayan Shah (Divya Upadesh), (1997). Gorkha Society Service Center Kathmandu. The Explore Group of Nepal.
- Devkota, G. B. (1956). *Nepalko rajnitik darpan, volum I*, Dhruva Bahadur Devkota, Kathmandu.
- Devkota, G. B. (1976). *Nepalko rajnitik darpan, volum II*, Arjun Bahadur Devkota, Ratna Pustak Bhandar, Kathmandu.
- FAO, (1979). *Annual report*, Rome, Italy.
- FAO, (1995). *Planning for Sustainable Use of Land Resources towards a New Approach: FAO Land and Water Bulletin No2*, Rome, Italy.
- FAO, (2003) *World agriculture: towards 2015-2030*, Eastern publication Limited London.
- Flick, U. (2006). *An introduction to qualitative research*, New Delhi: SAGE Publication.
- Goode, W. J. and Hatt, P. K. (1991). *Methods in social research*, McGRAW-hill Book Company, New Delhi.

- Gox, M., Murno-Faure, P., Mathieu, P., Herrera, A, Palmer, D and Groppo, P.(1997). *FAO in agrarian reform*, FAO Rural Development Division, Rome.
- Guba, E. G, and Lincoln, Y. S. (2005). *Paradigmatic controversies, contradictions, and emerging confusions*, MacMilan, India.
- Gupta, S. P. (1990). *An easy approach to statistics*, S. Chand and Company Ltd., Ram Nagar, New Delhi.
- Hamstad, (1990) (Ed). *Agrarian reform and grassroots development: ten case studies*, A policy Study by the Curry Foundation, Lynne Rienner Publishers Inc. Colorado and London.
- Herrera, A., Riddle, J. and Toselli, P. (1995). *Recent FAO experience in land reform in theory and practice: focusing on the Brazilian case*, FAO, Rome.
- Herrera, A., Riddell, J. and Toselli, P. (1997). *Recent FAO experience in land reform and land tenure*, Land Reform, FAO,UN, Rome.
- Hejian, Z, (1997). *Sustainable development and land utilization*, China Hong Kong Yearbook Press, Lockhart Road Wanchai, Hong kong.
- H. M. G. (1991). *Constitution of the kingdom of Nepal 1990*, Law Book Management Committee, Kathmandu.
- H. M. G. (2006), *Interim constitution of Nepal, 2010*. Baudhik Darpan Prakashan, Kathmandu.
- H. M. G. (1996). *Bhumi sambhandi ain (Teshro Samsodhan) 2021*, *Nepal rajpatra*, 2038,4,25. Shree Panchko Sharkar Shuchana Bhibhag, Kathmandu.
- H. M. G. (1995). *Agriculture perspective plan*, National Planning Commission Secretariat (NPCS), Kathmandu.

- JMA/ APROSC. (1997). *Nepal Iterim agriculture prospective plan*, John Mellor Associates and Agricultural Project Service Centre, Kathmandu, Nepal.
- Karlinger, F. N. (2002). *Foundation of behavioral research*, Surjeet Publications, Delhi.
- K.C., R. B. (1971). *Land reform and land administration with problems and remedies*, H.M.G. Press, Kathmandu.
- KC, R. B. (1986). *Land reform progress and prospects in Nepal, (Research report series)* HMG, UNESCO, GTZ and WINROCK project, Strengthening Institutional Capacity in the Food and Agricultural Sector in Nepal.
- Khanal, D.R. (1996). *Land reform and governance in Nepal*, POLSAN and SARHUG (Paper Presented at a one-day national seminar).
- Khusro, A. M. (1973). *The economics of land reform and farm size in India*, MacMilan, India.
- Koirala, B. P. (1996). *Nepali congress ka char dasak*, Sambatsar Prakasan, Kathmandu.
- Kothari, C. R. (1987). *Research methodology methods and techniques*, Wiley Eastern Limited New Delhi, India.
- Kshetry, D. B. (1987). *Land reform and agrarianTransformation*
- Kumar, L. S. (1982). *Sociological prospective of land reforms*, Agricole Publishing Academy, New Delhi.
- Lumba, S.K. and Tomar, J. S. (1986). *Impact of land reforms on rural development*, Agriculture Publishing Academy, Delhi, Chapter I, Agrarian Reform.

Mainali, M. and Gauinle, S. (2001). *Land Reform a Unbelievable Dare*, Himal Khabar Patrika, Forth nightly 1-16l Bhadra 2o58 B.S. Himal Media Pvt. Ltd., Lalitpur.

Marx, K. (1987). *The capital: a critique of political economy Vol. III*, edited by F. Engels, Foreign Language, Pragati Prakasan Masko.

Marsh. D. and Stoker, G. (1995). *Theory and methods in political science*, Macmillan, Press Ltd, Houndmills, Basingstoke, Hampshire and London.

Meier, J. M. (1991). *Leading issues in economic development*, 3rd edition Oxford University Press, London.

MOA. (2002). *Statistical information on Nepalese agriculture*, Ministry of Agriculture, HMGN, Kathmandu.

Mukherjee, K. K. and Rakash, M. (200). *Efforts at land reforms in south asia: strategic for action*, South-South Solidarity, New Delhi.

Myrdal, G. (1992). *Asian drama an inquiry into the poverty of nations*, Mrs.Usha Raja Kumar, Kalyani Publishers, New Delhi, in cooperation with Twentieth Century Fund Inc.

Nepal, J. (2005) *Nature and pattern of agriculture dversification in Nepal*, Central Dept. of Eco. (M.A. Thesis, unpublished).

Nepali, C. R. (1978). *General Bhim Sen Thapa ra tatkalin Nepal (General Bhimsen Thapa and contemporary Nepal)*, Ratna Pustak Bhandar, Kathmandu.

- Nepali, P., Shingh, S., Adhakari, S. & Pyakurel, K. N. (2011). *Land agriculture and agrarian transformation, landless and agrarian change*, Consortium for Local Research and Policy Dialogue (COLARPD).
- N.G. (2012), *High level land reform commission*, NID'S and COLORAP Hidle Press Pvt. Ltd., Kathamndu.
- NC (2007). *Contituent assembly election manifesto of NC*, NC Central Publication Committee, B.P. Memorial House, Kathmandu.
- NC.(1958). *Nepali congress- election manifesto*, Kathmandu, Pasupati Press.
- NC. (1999). *Election manifesto of NC*, NC Central Office, Shivapuri Pvt. Ltd, Kathmandu.
- NC. (1994). *Election manifesto of NC*, Central Election Circulation Committee, New Baneshwor, Kathmandu.
- NC (2010). *Policy and program of NC (Accepted by 12th conference)*, NC Central WorkingCommittee, B.P. Memorial, Building, Kathamndu
- NPC (1996). *Agricultural statistics in Nepal, revised crop area Series*, National Planning Commission, Kathmandu.
- Pageni, B. (2005). *Dr K .I. Singh ra Nepali rajniti B.S.2007-2017*, (Dr. K. I. Singh and Nepali Politics 1950-60), Adroit Publishers, Delhi.
- Pandey, S. R. (1985). *The political economy of Nepalese land reforms: some aspects*, Himalayan Pioneers for Public Service and Research, Katmandu.

Pant, D. R. (1986). *Gorkhako itihās dosro bhag (History of Gorkha 2nd Part)*, Shreejana Printers, Katmandu.

Parajuli, M. N. (2002). *The state, the school and the society: dilemmas and crises in education in Nepal*. Unpublished doctoral dissertation, the Danish University of Education, Copenhagen

Powel Son, J.P. (1964). *Latin America today's economic and social revolution*, McGraw Hill Book Company New York, Toronto, London.

Pithy, Jagannath.(1992). *Sociological approach to land use system*. UNFAO, Rome.

Pokhrel, B. (1991). *Land revenue administration in Nepal*, Common Wealth Publishers Delhi, India.

Pokhrel, B. (1991). *Land revenue administration in Nepal*, Common Wealth Publishers, New Delhi.

Pokhrel R. K. (2007). *A Journey of he communists of Nepal (Twenty three years history of the CPNUML)*, Massline Publication Pvt. Ltd. Damak, Jhapa.

Pokhrel, C. P. (1998). *Nepalese agriculture: performance and future direction*, Future of Nepalese Economy, (Ed), NEFAS, Kathmandu.

Prosterman, R. L., Temple, M. N. & Hanstad, T.M. (1990). (edited), *Agrarian Reforms and Grassroots Development: Ten Case Studies*, A Policy Study by the Carry Foundation, Lynne Rienner Publishers Inc Colorado and London,

- Pyakural, K. N. and Upreti, B. R. (2011). *Land agriculture and agrarian transformation*, Consortium for land Research and Policy Dialogue (COLARP).
- Rana, N. (2006). *The experience of being victims of school building: a phenomenological study*. Unpublished doctoral dissertation, Kathmandu, University Kathmandu
- Ratgaiya, D. B. (2009). *Socio-economic condition of ex –Kamaiyas (A case study of ex Kamaiyas of Bagnaha V.D.C Bardiya district, Nepal, (M.A. Thesis, Eco. Un Published)*
- Regmi, M. C. (1977). *Land ownership in Nepal*, Adroit Publication, Delhi.
- Regmi, M.C. (1978). *Land Tenure and Taxation in Nepal*, Ratna Pustak Bhandar, Kathmandu, Nepal.
- Regmi, M. C. (1999). *A study in Nepali economic history, 1768-1846*, Adroit Publishers, Yamuna Vihar, Delhi, India.
- Regmi, M.C. (1988). *An economic history of Nepal 1846-1903*, Kamal Nath Maurya, Nath Publishing House, Vanaras, India.
- Richards, K. (2003). *Qualitative inquiry in TESOL*. Hampshire: Palgrave.
- Rose, L. E. (1971). *Nepal strategy for survival*, University of California Press, Berkley, Los Angeles, London.
- Roy, A. Corty and Sullivan, (1971). *Economics: application to agriculture and agro business*, the Interstate Printers and Publishers, Inc. Danville, Illinois.
- Sadhu M. and Singh,G. (1997). *Fundamental of agricultural economy*, Asia publishing House, Bombay, Calcutta, New Delhi, Madras, New York, London.

- Sharma, B. C. (1951). *Nepalko aitihasik ruprekha, (Historical glimpse of Nepal)*, Krishna Kumari Devi, Banaras, India.
- Sharma, N. K. (2011). *Development of social democratic economic Thought in Nepal*, Dissertation for the Degree of PhD in Economics, Kathmandu, (unpublished).
- Shashri, H. R. A., (2000). *Aajako Nepal (Prajatantrik andolanko anwesanatmak ra anusandhanatmak itihās)*, Narayani Printing and Traders Shahakari Sanstha Limited, Kathmandu.
- Shrestha, B. P. (1991). *Current Land Distribution Pattern and Scientific Reforms Needed for Land Ceiling Management (in Nepali)* Paper Presented in the Seminar Future Policy Reform on Land Management, Ministry of Land Rforms, Paush 10-11, 2048
B.S.(unpublished)
- Shrestha, G. B., (1995). *Ain shangraha ak tippani*, Pairabi Prakasan, Katmandu.
- Shrestha, N. R. (2001). *Political economy of land*, Nirala series Calcutta offset, New Delhi.
- Shrestha, P. L. (1995). *Selected works part-1*, Madan- Ashrit Academy, United Graphic Printers, Kathmandu.
- Shrestha, P. L. (1997). *Selected works*, Pushpalal Memorial Academy, Kathmandu.
- Sigdel, B. (2006). *Policy and program of Nepal peasant's association*, Kathmandu, Nepal.
- Singh, S. (1992). *Research methods in social sciences*, Himalaya Publishing House Bombay, Delhi, Nagpur, India.
- Singh, G. C (1952). *Recent trends in agrarian reforms*, Atma Ram and Sons, Delhi, India.

- Sinha, R, (1984). *Landlessness a growing problem*, FAO, UN, Rome
- Singh, B. J. (1961). *Next step in village India: a study of land reform and group dynamics*, Asia publishing House, Bombay, Calcutta, New Delhi, Madras, New York, London.
- Singh, B. S. and Mishra, S. (1962). *A study of land reforms in Uttar Pradesh*, East- West Centre Press, Honolulu.
- Stephan Baas and John Rouse, (1979). *Poverty alleviation: the role of rural institutions and participation*, UNFAO, Rome.
- Stiller, S. J. L. F. (1975). *The rise of house of Gurkha*, the Patna Jesuit Society, Ranchi, India.
- Stiller, SJ L. F, (1976). *The silent cry*, Shahayogi Prakashan, Kathmandu.
- Thakur, D. (1997). *Research methodology in social sciences*. Deep and Deep Publication New Delhi.
- Thapa, Dr. G.B. and Koirala, Dr. G.P. (1991). *Measures for implementation of land reform in integrated and coordinated form*, (in Nepal, 2048 B.S. Poush 10-12) Paper Presented in the Seminar Future Policy for Land Reform in Land Management, Organized by the Ministry of Land Reform (unpublished).
- Thapa, S., (2000). *Present insurgence in Nepal 1951-1960*, .Nirmal K.C., Bhaktapur.
- Thulung , N. M, (1985), *Kiratko nalibeli*, Banarasi, Prakash Printing Press.
- UNEP and FAO, (1997). *Negotiating a sustainable future for land, structural and institutional guidelines for land resources management in the 21st centaury*, FAO, Rome.

UN (1996). *Progress in land reform forth report*, FAO & ILO, Dept of Economic & Social Affairs, New York.

UN Dept. E. and S. Affairs, (1956). *New York* (Paper jointly prepared by the secretariats of the United Nations, the Food and Agricultural Organization and the ILO.

United Nations (1954). *Progress in land reforms*, New York.

UN FAO, ILO, (1966). *Progress in and reform forth report*, New York.

Upreti, B.R., Sharma, S.R. and Basnet, J. (2008). *Land politics and conflict in Nepal: relatives and potentials for agrarian transformation*, CSRC and UNRSC, Kathmandu University.

Wily, L. A., Chapagain, D. and Sharma, S, (2009). *Land reform in Nepal: where is it coming and where is it going*, The Findings of a Scoping Study on Land Reform for DFID, Nepal.

World Bank (1975). *Land reform, sector policy paper*, World Bank, Washington D.C. USA.

Wolff, H. K. and Pant, P. R. (2005). *Social science research and thesis writing*, Buddha Academic Publishers & Distributors Pvt. Ltd. Kathmandu, Nepal.

Zaman, M. A. (1973). *Evaluation of land reform in Nepal*, Ministry of Land Reforms, HMG, Kathmandu, Nepal

Zhuhejian, (1997). *Sustainable development and land utilization*, China Hong Kong, Yearbook Press.

Appendixes: Appendix 1. A

Interview Guidelines/ Questionnaire for Central Level Leaders

Name (Optional):

Address:

Specialization area:

Related Party:

I am Ram Kumar Ghimire, Ph.D. level student of Tribhuvan University. I am going to carry out a research study on the topic “Study of Political Parties’ (UCPN-Maoist, CPN-UML and NC): Policy and Perception of their Leaders’ in Reference to Land Reform in Nepal” for the partial fulfillment of the requirement for Doctor of Philosophy in Political Science. I heartily request you to help me by providing your valuable time with response and perception. I would be highly indebted. I assure that your response will be used only for the research purpose.

Main research questions/questionnaires:

- (1) What is the background of land reform in Nepal?
- (2) How do the leaders of UCPN-Maoist, CPN-UML and NC perceive the land reform?
- (3) What are the policies of UCPN-Maoist, CPN-UML and NC in land reform?

Research Sub questions:

- How many times has the current government tried to implement land reform process? Please state on the basis of your experience as a central leader of your party.
- As a central level leader how do you perceive land reform process?
- In your opinion, who does land belong to and what is land holding?
- Would you give your/ party's perception about land use system?

Mountainous land

Hilly land

Inner Terai land

Terai land

Valley land

- In your opinion, is land ceiling essential? If yes, how big and small is a ceiling suitable in Nepalese context?
- We hear many times that fallow land is left by some land owners. Please give your/party's perception about it.
- Debate often arises between land owners and tenants about tenancy rights. What is your / party's opinion regarding this issue?
- In your view, how can tenants' rights are ensured?
- It is said that some people are holding land in a false way. Please mention your / party's opinion about it.

- How can the productivity of land be increased? Please give your opinion.
- In your perception, how is the present land revenue system?
- Have you given the need of scientific land revenue system a thought? If yes why?
- What kind of land revenue ratio would you prefer? Please mention your view according to the region.

In the mountainous region

In hilly region

In Terai region

In Urban area

In rural area

- What is land administration and why is it necessary? Please give your view.
- How is our land record keeping system?
- In your view, how are land records and land field matched?
- In your view, is our land field record updated by the concerning office? If not, what would be the reason?
- Please express the cadastral survey system of Nepal.
- How is the land transfer system of Nepal? Please give your observation.
- In our country the arable land is divided into four types (*Awal, Doyam, Sim* and *Char*).
- Do you think this system is appropriate? If not, why?

Often we hear about scientific land reform from media. Do you /Does your party consider it important? If yes, how do you/does your party proposes this to be possible?

Land Reform Policy

- Has your party prepared land reform policy? If yes, how do you perceive it as a central level leader? Please mention.
- How is your party's plan about future land reform policy? Please mention.
- Would you like to express additional view as a central level leader? Please mention.

Appendix 1.B

Interview Guidelines/ Questionnaire for Local Level Leaders

Name (Optional):

Address:

Specialization area:

Related Party:

I am Ram Kumar Ghimire, PhD level student of Tribhuvan University. I am going to conduct a research study on a topic “Study of Political Parties’ (UCPN-Maoist, CPN-UML and NC): Policy and Perception of their Leaders’ in Reference to Land Reform in Nepal” for the partial fulfillment of the requirement for Doctor of Philosophy in Political Science. I heartily request you to help me by providing your valuable time with response and perception. I would be highly indebted. I assure that your response will be used only for the research purpose.

Main research questions/questionnaires:

- (1) What is the background of land reform in Nepal?
- (2) How do the leaders of UCPN-Maoist, CPN-UML and NC perceive the land reform?
- (3) What are the policies of UCPN-Maoist, CPN-UML and NC in land reform?

Research sub questions:

- How many times has the immediate government tried to implement land reform process? Please state on the basis of your experience as a local leader of your party.
- As a local level leader how do you perceive land reform process?
- In your opinion, who does land belong to and what is land holding?
- Would you give your/ party's perception about land use system?

Mountainous land

Hilly land

Inner Terai land

Terai land

Valley land

- In your opinion, is land ceiling essential? If yes, how big and small is a ceiling suitable in the context of Nepal?
- We hear that many times fallow land is left by some land owners. Please give your/party's perception about it.
- Debate often arises between land owners and tenants about tenancy rights. What is your / party's opinion regarding this issue?
- In your view, how can tenants' rights are ensured?

It is said that some people are holding land in a false way. Please mention your / party's opinion about it.

- How can the productivity of land be increased? Please give your opinion.
- In your perception, how is the present land revenue system?
- Have you given the need of scientific land revenue system a thought? If yes why?
- What kind of land revenue ratio would you prefer? Please mention your view according to the region.

In the mountainous region

In hilly region

In Terai region

In Urban area

In rural area

- What is land administration and why is it necessary? Please give your view.
- How is our land record keeping system?
- In your view, how are land records and land field matched?
- In your view, is our land field record updated by the concerning office? If not, what would be the reason?
- Please express the cadastral survey system of Nepal.
- How is our land transfer system? Please give your observation.
- In Nepal the arable land is divided into four types (*Awal, Doyam, Sim* and *Char*). Do you think this system is appropriate? If not, why?

- Often we hear about scientific land reform from media. Do you / Does your party consider it important? If yes, how do you/ does your party proposes this to be possible?

Land Reform Policy:

- Has your party prepared land reform policy? If yes, how do you perceive it as a local level leader? Please mention.
- How is your party's plan about future land reform policy? Please mention.
- Would you like to express additional view as a local level leader? Please mention.

Appendix 2

Observation form of library facilities on land reform materials (policy mandates)

Name of party:

Date of observation:

Statements:

1) Library facilities

a) Managed b) Semi managed c) Not managed

2) Materials (books, articles and journals) of land reform.

a) Available b) Some available c) Not available

3) Available materials' relativity with land reform

(a) Enough (b) Somehow available (c) Not enough

4) Available materials' language

a) English b) Nepali c) Both language

5) Available materials' quality

a) Advanced research based

b) General research based

c) Simple article based

d) All three kinds

6) The number of available books

a) Enough number

b) Somehow enough

c) Less number

(7) Librarian nature.

(a) Friendly

(b) Less friendly

(c) Not friendly

Observation Form for Physical Structure of Library.

Statement:

1) Structure of library rooms

a) Suitable for library.

b) Just managed for library

c) Not suitable for library

2) Quantity of library rooms' furniture

a) More than enough

b) Enough

c) Not enough

3) Quality of furniture

a) Higher

b) Medium

c) Low

4) Distance of furniture (chairs and tables)

a) Appropriate

b) Inappropriate

5) Light facilities in library

a) More than enough b) Enough c) Not enough

6) Ventilation in library

a) Appropriate b) Inappropriate

7) Environment of library Good Medium Bad Worse

a) Cleanliness)

b) Noise

c) Air and temperature

8) Party policy documents in land reforms

a) CPN-MAOIST = More than enough enough not enough

b) CPN-UML= More than enough enough not enough

c) NC= More than enough enough not enough

Appendix 3

UCPN –Maoist Policy Related Document

The main theme

The country is rich in water, land and ecological diversity. People are dependent on agriculture and the comparative profit will be achieved from agriculture based industry. So, to change the subsistence level agricultural economy into vocational one area our party has clear policy.

First of all, party policy is to implement the revolutionary land reform. Land will be distributed to the landless, poor, and liberated Kamaiya without any discrimination. Land ceiling for Mountain, Hill and Terai will be different. Heavy tax will be decided to the land owner who left their land fallow. Irrigation system for Terai and Inner Terai and the flat land of internal hill, area will be constructed for around of year. Cold storage has to be made for achieving the value of agricultural product. Priority for the herb production in Terai and Mid Mountain has been given. To the ecological balance special consideration has to be given. In the place of chemical fertilizers and poisonous manure, organic manure should be used.

Source: Commitment Letter of UCPN –Maoist for Constituent Assembly Election.

NC Related Document

Main Theme

National consensus will be made to increase land productivity and to use it in a proper way. Scientific land reform and land using policy should be adopted.

Source: Constituent Assembly Election, Election Manifesto (2007) of Nepali Congress.

Land will be used in modern way by categorizing it for industries, settlement, forest, tourism etc. To enhance the approach of landless to land, to enhance cluster farming, to protect the right of the tenants, to increase productivity, to determine the actual land ownership of every family, to implement the policy of land use and to make modern land administration system, scientific land reform policy will be implemented by Nepali Congress.

Source: Twelve National Conference of Nepali Congress Policy and Program of the Party.

Nepali Congress has adopted democratic socialism minimizing the weakness of capitalism and communism. Congress policy is to make the tiller as the owner of land by making time relative land reform program. Dual ownership will be ended by implementing the dual ownership ending law in practice. Practical and scientific land ceiling will be implemented. Actual data bank of individual land ownership will centrally be computerized. Cluster farming will be conducted to compensate the decreased land production by land fragmentation. Peasant

court will be established to settle down the conflict. Effective progressive tax will be implemented to land. Comparative agricultural system has to be developed. Soft loan will be provided to the landless farmers mortgaging the same land of their telling to buy the land of land lords.

Source: Policy and Program of Nepal Peasant's Association.

CPN-UML Related Document

Main Theme

Land can be optimally used if the rights of the tiller can be established on it. The rapid development in agriculture hikes the demand of the high value agricultural product. By promotion of the small scale farming system, many families will be involved in agriculture. It helps to create the employment opportunity in different sectors and integrated development will be achieved. The past fault to prioritize the area of development should be corrected. Giving importance on regional balance and women's participation in agriculture, participation of people has to be intensified.

Source: A High Level Land Reform (Badal) Commission, Report.

Agriculture plays the major role in Nepalese economy. Ninety five percent of the people of Nepal below poverty line abide in rural area and the pressure of unemployment and semi-unemployment also is there. So, to uplift the situation of rural area CPN-UML has given priority on the following area on agriculture. To implement the recommendation of high level land reform (Badal) Commission, UML has given the priority on it. CPN-UML policy is to distribute the land above ceiling to the land less with very simple conditions. The land owner will achieve the compensation of the appropriate land above ceiling. UML wants to end the practice of dual ownership on land. Policy has to be made for the optimal use of land and heavy tax will be charged to the land owner who leaves their land fallow. Land fragmentation will be

checked by declaring the minimum ceiling on land. Priority should be given to the cluster farming. In rural sector, cooperative farming has to make as movement and facilities have to be given to those farmers who want to go on comparative farming. CPN-UML policy is to give institutional loan to the farmers through rural development bank for production raise. Similarly, priority has to be given to the small farmers for the fertilizer loan. UML policy is to give priority on research, training and woman's involvement in farming. It can raise the productivity of land.

Source: The Basic Concept of People's Multiparty Democracy about the then Economic Program.

Only the ending of feudal ownership on land, all the semi feudal activities will be ended. Land will be provided to the actual tiller implementing the revolutionary land reform program. The excessive feudal land than ceiling would be expropriated without compensation but the small farmers will be compensated to end the dual ownership. Easy loan, minimum price of agricultural production, market management, seeds and manure in subsidiary price and facility for irrigation work etc. will be provided to the farmers. Considering the shape of land, productivity of soil and terrain of land, progressive land taxation system will be implemented. Integrated rural development program will be implemented to develop modern agricultural and cottage industries.

Source: Program of Multiparty Democracy for Nepalese Revolution.

Agriculture is the backbone of the country's economy. But it is plagued by the feudalistic exploitation therefore; the destruction originates from there. So, our main slogan on agriculture is "End feudal land ownership, restructure agrarian economy in a new democratic and planned way." It will be implemented by giving a new land to the tillers.

Landlessness is a burning problem. So, land will be distributed to the bonafied landless people. Minimum subsistence wages and working hours will be fixed for agricultural laborers. Tenancy rights will be ensured for genuine tillers. Absentee landlord system will be ended and land holding ceiling will be reduced. One man one occupation will be encouraged. Progressive land reform programs will be implemented to enhance agricultural technology, irrigation system and crop diversification. Considering the nature and scope of land, farmers will be encouraged to take up the farming of cash crops with high yielding and low investment.

Source: Election Manifesto of CPN-UML for General Election 1991.

