

**Sindh Tenancy Act of 1950: Understanding the Socio Economic Conditions of Farmers and Their Role in Legislation**

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**ABSTRACT**

*The topic of research was the Sindh Tenancy act of 1950 and its impact on farmers' social and economical conditions. The investigator has emphasis the hypothetical aspects so as to be used by the researcher for evaluation. Researcher has as well made suitable justifications for by means of those techniques for the achievement of the research. The investigator has adopted the use of positivism research philosophy. The use of the deductive approach was facilitated wherever the facts gathering were compass using a survey questionnaire. The study begins with introduction part that provides a sample of the conditions of the study identifies the study gap and focus the aims and objective of the research. Also, resolves the troubles and states the implication of the research. Second chapter includes the thorough study of the Sindh Tenancy Act 1950 and the earlier text to recognize the gap and help in additional designing the tactic. Methodology includes the responses of the questionnaire, the key facts and the data analysis and its consequences and the study conclude the research results with recommendations and future extent of the research. Chapter number second also delved into foremost the basic tenet of the proposed legislation i.e. Sindh Tenancy Act of 1950 and the predisposition faced by the Farmers in Sindh due to the economic inequality induced on them. Following on preceding mentioned point; it can be further stated that the chapter also served the objective of providing the reasons deemed a prerequisite for amending the said legislation. Regarding the reason provided; the chapter delved into the concept of bonded labor coupled with both the instances that lead to bonded labor as well as the impact it levies on the tenants. Furthermore; based on the reasons provided; the chapter elucidated the amendments made in the sindh tenancy act of 1950 and the benefits it provides to the tenants respectively. Towards the end of the chapter; theoretical framework was provided that were deemed relevant for aiding the literature and by extension the aim of this respective study such as evolutionary theory of land rights as well as theory of indirect mechanism. Both the respective theories provided unique perspectives regarding land use and also provided interpretations that can be construed as recommendations.*

**Keywords:** Sindh Tenancy Act 1950, farmers' socio-economic conditions, land rights, bonded labor, agricultural policy

**INTRODUCTION**

Sindh Tenancy act enforced on 28 April 1950, this document acknowledge the legal distribution of harvest between farmers and landlords, the main aim of this act to imply legal regulations over the relationship of landlords and the tenants. This act was formulated to safeguard the rights of both parties especially the farmers. The act was not fully implemented and landless farmers did not benefit from the

Act. The Sindh Tenancy was not functional (Jamali, 2018). The necessary amendments to the Act were needed to be taken by the concerned authorities to provide relief to the concerns of the peasants.

The Sindh Tenancy Act 1950 is a regulation that was passed for legalizing the relationship between the landlords as well as peasants (Chandio et al., 2018). The aim is to protect the rights of the deprived ones, i.e. the farmers. STA that is, the Sindh Tenancy Act 1950 along with the succeeding amendments, in the year 2009, were implemented for regulating the individual link among landowner as well as hari (farmers), their arrangements for sharecropping along with the establishment of the rights and duties of every party (Jamali, 2018). With this, the secretarial regulations at the district level ordered that what change should be adopted or how the service providers can be a part of this change.

The prevailing tenancy system of sharecropping is deep-rooted historically and continues the deeply rooted poverty, through which, the tenants, as well as farm labors has been suffering because of the unstable sharing of revenues along with the arrangements of cost-sharing, creating a complicated system of dependences. The landlords tend to keep the accounts, and it has been reported that their dealings are hardly transparent. In fact, the landlords even over-value the inputs but tend to under-value productions (Prakash, 2012). This means that they take advantage in terms of gaining more but giving less to the farmers. The contracts are usually oral, which has the least period of contract of just a year. Though, farmers are illiterate which hinders their control of any of the entities (Siegmann, 2012). Thus, farmers tend to fall into burdensome debt by the advances, which they take from their landlords in the form of cash or in any other kind for meeting the costs of farming. Moreover, they also have to run their household expenses, for which, they contact their landlords.

Back in the year 2012, it was projected that 7.74 million individuals were working in the rural areas, the mainstream population of them were the powerless and landless sharecroppers (Jamali, 2018). It means they were the wage workers, peasants as well as tenants who are known as “haris” in agriculture terminology (Lanjwani and Gaho, 2012). Most of the haris were lacking in terms of having strong and lawfully enforceable tenancy over their owned land on which, their livelihoods are dependent. This tends to leave them in a further vulnerable condition, increasing level of poverty as well as exploitation.

The hope is based on having a settled account till the time of harvesting comes, however in actuality, the debt accrues from one year to the following. The highest ratio has been witnessed at the time of the failure of the crop that was in 2010, 2011, 2012, 2013, 2014, and 2015 (Hasnain and Marri, 2015). It is reported that in 2013, there was drought condition whereas, in 2015, the flood has damaged all the crops (Hasnain and Marri, 2015). Verily, with such loss, the portion of the production became marginalized which was not adequate for survival. Thus, the farmers could not pay off their loans with the amount they received. Haris is not permitted from leaving their landlord except they get clearance in terms of their accrued debt, and thus, turned out to be “stuck” labour (Kreutzmann and Schütte, 2011).

The relationship between the landlord as well as the farmers is not only based on the economic arrangement, It is a complicated system, that tends to have pros and cons on both sides, however, from a modern viewpoint, it is a greatly unfair relationship between patron and client of servitude. With regards to the study conducted by Naqvi (2011), the possession of the main resources that are land and water, results in the exploitation of farmers. The landlords take the decision of growing the crops and even decide the distribution and use of them. The landlord considers farmers or their family members as beggars, as they have to take financial help from landlords in case of need. Whereas, on the other hand, the relationship of the farmers-landlord is even one of the respects, as per which, the landlord tends to appreciate the knowledge as well as skills of the agriculture along with the level of commitment which the hari possess.

For the farmers, the landlord tends to provide the continuousness and steadiness in the arrangement of labor and monetary help in need. The level of trust, as well as confidence, has thus, even been the main component of the relationship. Though, the system even gives various opportunities for exploitation, in terms of cultural, radical, religious as well as gender aspects which, for increasing the livelihood.

Furthermore, according to the study conducted by Choudhury and Sindhi (2017), the debt bondage among hari and landlord is an administratively sensitive topic. Landlords of Sindh Province, government legislatures as well as other influential people tend to deny the reality of burdened labour, while using different tactics. Most of them argue to the fact that the concept is ethnically deep-rooted and the outsiders cannot understand it, considering it as an interpretation of an intimidating power structure.

### **Problem Statement and Rationale**

The problems highlighted are substantive and comprehensive for the sustainable economic and social development of farmers. The farmers give fifty-percent of their income to their landlords. Disputes over fragmented holdings are another major issue. The superiority and misuse of land ownership is the bottleneck to the development in the economic and social condition of the lower class. To address the widespread problems in the country and study the social and economic condition of the farmers and individuals involved in land reforms, a survey is being conducted over the land reforms and tenancy issues as it is much needed in the rural communities. The study is being carried out in the scholar's home town, an agricultural district of Sindh, District Shaheed Benazirabad which will help in providing easy access for the research.

### **Research Significance**

Azam and Shafiq (2017) stated that Sindh's most significant sector is agriculture and its growth contributes to the development in the economic condition of Sindh since the emergence of the country. Due to social, political, and economic factors, the share of agriculture sector in the gross domestic product of Sindh has decreased. This study focuses on the social and economic impact of the Sindh tenancy act on the farmers. The study is narrowed to the rural areas of Sindh and the problem highlighted in this research is of quite important for the social and economic development of farmers in Sindh. The land has always been a center of interest for all societies and classes, amendments in the laws related to land impacts the farmers by reducing poverty and empowering them. The study incorporates a vast range of problems to be addressed by the Sindh Tenancy Act and provides significant recommendations for the policymakers based on the key responses from the participants of the survey. The study helps in designing a clear vision over land being an economic, social and physical asset for the country and that an effective policy is important to address the critical importance of land to the income of rural populations.

### **LITERATURE REVIEW**

The literature review chapter will provide a brief summary of past studies and publications relating to the subject matter. The discussion will facilitate in reviewing the available theoretical information regarding the selected subject. The chapter will discuss how Sindh tenancy Act 1950 affects social and economic conditions of farmers in Sindh. Based on the arguments of Ali et al (2019) it has been observed that the Pakistan is an agricultural country that has an ability to generate higher revenue with the help of better operations and performance of the farmers. It can bring more opportunities for the country for dealing with the economic growth based on the assessment of Chandio et al (2018) and Chandio et al (2020). Similarly, it is one of the foremost aspects of the country's government in regards with the solution of the problems faced by the farmers in regards with the province of Sindh (Tunio, Jatoi and Mengal, 2017). The government is required to assess and evaluate the current faced issues among the farmers that can be essential for the country for bringing the better value and increased performance of the agricultural sector in the country based on the arguments provided by Joyo, Jariko and Channa (2020) and Chandio and Jiang (2018). Mirjat, Soomro and Mangi (2019) has highlighted that the country lacks in resources that has created the limitations for performance and making arrangements for the better system and opportunities the revenue generation and increasing trade in the country.

Based on the currently faced issues in the country with respect to the performance and apodictic of farmers, it has been observed that the province is facing the issues of speedy land degradation and declining resource of water that has badly affected the performance of agricultural sector in the country as argued in the study of Muhammad, Hassan and Mehmood (2020). All of these aspects and issues are provided in the following literature that has created the opportunities for better performance of the Sindhi farmers in this regard. Ali et al (2019) has highlighted that the system can be improved with the help of research and development programs in the country for the betterment of agricultural system that can be used for having the better performance and increased profitability in the country (Chandio et al., 2018). There are several researches carried out on this topic that has also highlighted the issues and problems faced by the farmers in the country such as Yamano, Sato and Arif (2020) and Muhammad, Hassan and Mehmood (2020). However, no proper consideration has been developed in regards with the solution of these problems that has created a major research gap. The following study is also aimed to fill this gap that can also outline the solution of the problems related to the agricultural sector in the country Pakistan.

### **Sindh Tenancy ACT OF 1950 Affecting Social Economic Conditions of Formers in Sindh**

The impact of the Sindh tenancy ACT OF 1950 can be viewed in terms of the tenants' impact. The tenants were already facing the risks of property repossession when the tenant restrictions and the new laws affecting the possession of rented accommodation came into effect (Druzca & Peveri, 2018). The tenants faced many problems, and many of them were associated with the tenants of the slums. There was a high rise in the rent price, as the landlords did not allow the tenants to rent out their properties for periods beyond the usual three months. This meant that the landlords had to charge higher rents (Peerzado et al., 2019).

Bardhan, P. (ed.) (1989), in *“The Economic Theory of Agrarian Institutions”*. Suggest that the Key factors are the history of the land ownership, including the post collectivization ownership status, the ethnicity of pre-collectivization owners, and the equality of pre-collectivization asset distribution. These factors affect the distributional implications of the land reform, the (potential) conflict between efficiency, equity historical justice, and thus the political economy equilibrium. The last sections discuss two important issues in the CEEC land reforms: compensation of those who do not benefit from the reforms and the impact on effective property rights.

Despite of the fact that the Sindh Tenancy act was designed for safeguarding the rights and of the common farmers, it has been observed that the farmers have been facing several kinds of issues due to the presence of this act according to the arguments of Geiser (2017). The study of Peerzado, Magsi and Sheikh (2019) has highlighted that the farmers are facing this issue of improper distribution of land and area that has created the negative impact on the people and has badly affected their freedom and their families. The government has also affected them that has restricted them to take the decisions themselves based on the arguments of Khan (2018 and Yazdani and Ali (2017). Nearly 75% of the people living in the rural areas are poor and are not leading their lives according to their will, but the implementation of these regulations have also created the restrictions for getting loss of their livestock and damages due to improper support and no resources for agriculture (Peerzado, Magsi and Sheikh, 2019).

There was a significant shortage of agricultural workers in the early 1950s. The recruitment process was very rigid, and the government machinery was unable to streamline the procedure (Peerzado et al., 2019). Farmers found it very difficult to get work. As there was a significant lack of agricultural workers, the farmers' wages were meager, and they had no choice but to sell their produce to the retail traders at a profit. The farmers did not have any way to make their products available to the common public. The Sindh law was passed to protect the rights of the tenant. The landlords did not want to follow the rules and regulations because they would be liable for fines and charges if they did not adhere. The laws were meant to protect the tenant from exploitation by the landlords. The tenants had the right to reside and lease their property (Peerzado et al., 2019).

After looking at the above-mentioned issues in the tenancy act, it has been observed that the government is needed to look over these issues and shall make considerable actions for improving the current land and irrigation issues related to the implementation of needs and demands of the system and making efforts for assessing the biological diversity of the system for better implementation of policies and practices in this regard based on the assessment of Ullah et al (2020) and Chandio et al (2018). This can also create better actions for dealing with the national security and enhancing the commitment for sustainable development goals in the country as referred to the study of Memon et al (2019).

The problem was the landlord's inability to provide suitable houses to the tenants. The tenants had to live in areas where the soil and the air had chemical contaminants. There were many lung diseases and skin problems caused by exposure to these hazardous elements in the air and soil (Memon et al., 2019). These laws are in place to ensure that the conditions do not worsen, and the landlords fulfill their responsibility to the public by maintaining a high-quality environment and providing healthy housing facilities to their tenants. The problem faced by the tenant is not just limited to his health but also his economic life. He has to pay rent to the landlord and get an insurance cover from him. In the event of fire or flood, the tenant may not be able to return. The farmers had lost their lands, and the landlords had to save on the cost incurred by building a new house for the tenant (Peerzado et al., 2019).

Urooj Zia, (2009 March 15) in "*Celebration of Oppressed*": analysts that Agriculture is the most important sector of Pakistan's economy. Agricultural growth has been the key element associated with economic development of Pakistan, despite the fact that the share of agriculture in GDP has fallen from 53% in 1947 to 21% in 2006–07. The share of Sindh province in Pakistan's agriculture value added accounts roughly for 25 percent. It drastically declined to about 20% during the last five years due to a variety of physical, sociological and institutional framework factors. One of the main institutional constraints in Sindh is the highly skewed land ownership pattern and defunct tenancy system. In Sindh, more than one third of the land is tenanted and about two-thirds of land is under sharecropping, a form of farming where output is shared between the landowner and tenant. Sharecropping is the predominant form of tenancy in Sindh where the land ownership distribution is particularly skewed. After independence in 1947, there have been four formal institutional reforms in land ownership and tenancy system prevailing in Sindh. Sindh Tenancy Act (STA) 1950, Land Reforms 1959; Land Reforms 1972 and Agrarian Reforms 1977. Peasant rights in the context of landlord and peasant relationship had been protected through formulation of the Sindh Tenancy Act in 1950 after the rigorous struggle of the peasants of Sindh. The Sindh tenancy act of 1950 was the result of a massive movement launched at that time by Haider Bux Jatoti and his Sindh Harri (peasants) Committee. The latter also served as a model and an inspiration for other movements of landless peasants in the country.

The way the Sindh Tenancy Act of 1950 affects the farmer's economic condition has paramount importance. As already discussed, this was one of the first attempts of the Sindh government to help its farmers (Memon et al., 2019). There was a section of the rural population in Sindh's rural areas that had risen against the landed gentry's landlords, and the Government launched a campaign to help these farmers by amending the land laws. One of the main changes under the Sindh Tertiary Act was for the tenants of rural lands to get their lands and other agricultural produce. These grants helped the farmers to improve their standard of living (Solomon, 2019).

Braverman, A. and Csaki, C. (1991), in '*Agriculture and the Transition to the Market*': remarks Privatization and land reform also change the distribution of income, wealth and political influence. Many analyses of other land reforms (e.g. *Sindh tenancy act of 1950, de Janvry, 1981; Allen, 1982; Hayami, 1991*) or of institutional change in general (Bardhan, 1989) emphasize the prime importance of the distributional implications. In the case of CEEC land reforms, the distributional effects include two separate issues: the social ("equity") considerations of the reforms and the legal ("historical justice") demands of pre-collectivization land owners whose land was confiscated by the Communist regime or who were forced to participate in the collectivization.

Despite all these changes, the farmers of Sindh still face many problems. The most important one is that many farmers do not have access to the latest technology and equipment needed to harvest their produce. They are thus dependent on the old equipment and machinery that are quite old and outdated (Rana, 2019). This poses a massive threat to Sindh's farming economy. If the farmers were no longer able to produce the same amount of produce, they would have to be compensated or no farming economy. The Sindh Agricultural Enterprise Registration Scheme is the only legal scheme that has permitted Sindh's farmers to farm and manage their lands without having to pay for the lease each year. This scheme was implemented in 1984 and the first year onwards, and many regulations were put in place. The first is that the farmers had to have an agricultural produce processing unit on their land (Rajpar et al., 2019).

### **Conditions of Farmers Before and After Sindh Tenancy Act of 1950**

Before the Sindh tenancy act of 1950, the farmers were vulnerable due to the less availability of agricultural production. They had a lack of resources and the landlords used to exploit them while providing marginalized returns (Peerzado, Magsi and Sheikh, 2019). With the implementation of the act, the land management recording system got modernized that helped in ensuring transparent property rights, The Government of Sindh started digitilising the prevailing land titles (Shabbir and Yaqoob, 2019). The informal tenancy agreement interventions, projected through the project will not be related to the formal titles in a direct manner, but, it will use digitised cadastral database (Shabbir and Yaqoob, 2019). Through this, it was expected that the proposed project will help in contributing to the body of information with respect to the status of acquiescence to STA, along with its unintentional effect on the food security, nourishment, and living of the haris (Khan et al., 2014). A haris committee was established to resolve their issues. Overall, the plan was helpful to address the farmer's issues.

### **Farming Industry and its Development in Sindh**

According to the study of Malkani (2017), Sindh is a province which is located in the Southeast part of Pakistan. Although Sindh was famous in various things as Sindh was an agricultural province but due to its farming, it was known all over the world. In the study of Abubakar (2011), it was evident that Sindh was the second largest province of Pakistan which contributed more to the GDP of Pakistan, exports, and employment. Similarly, as per the study of Pakistan (2012), it was found that the total area which was covered by the Sindh was 18 percent land of Pakistan. Whereas 16 percent of the crop area of Pakistan came under the boundary of Sindh. In regard to that situation, the contribution of Sindh in the agriculture value addition of Pakistan was 23 percent.

### **CONCLUSION**

Through analyzing the data gathered from different primary and secondary sources it has been concluding that the act of Sindh tenancy 1950 effectively presents in terms of tenant impact of farmer's social and economic conditions. From the objective of the advantage of a farmer after Sindh tenancy act 1950 it was analyzed that before this act farmers were facing adverse property risk which was making them restricted to implement changes in the farming industry to improve the economic and social condition. Farmers did not get any advantage from the Sindh Tenant Act 1950 as the majority of the farmers faced several problems and numerous of them were connected with the slums tenant. The rent price was also high due to which landlords did not permit to rent out their properties for more than 3 months. It was also very difficult for the farmers to find work as agricultural work was declined very rapidly after the 1950 act and the wages of the farmer were also minimum according to their effort and there was no suitable choice for selling their produced agricultural products to the different traders of the retail industry to gain profit.

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