

APPENDIX A

SUBURBAN AGRARIAN REFORM LAW

(Approved at the 58th Meeting of Government
Administrative Council, Nov. 10, 1950)

Article 1: On the basis of Article 35 of the Agrarian Reform Law of the People's Republic of China, these Regulations are formulated to cope with the needs of urban reconstruction and the growth of industry and commerce as well as special conditions of agricultural production in suburban areas.

Article 2: The major cities, to carry out agrarian reform in their suburban areas in accordance with these Regulations, as well as the major industrial centres to proceed with reconstruction, shall be decided upon and promulgated by the people's governments (or military and administrative commissions) of the various administrative regions. Those within the jurisdiction of the five provinces of North China shall be decided upon and promulgated by the provincial people's governments.

The extent of suburban areas to carry out agrarian reform in accordance with these Regulations shall be defined by the municipal people's governments according to local conditions, reported to the people's government of the administrative region (military and administrative commission) concerned, and decided upon after approval by the people's government of the administrative region.

Article 3: Land holdings, draft animals, farm implements, and surplus grains possessed by landlords in suburban areas as well as their surplus houses in rural districts, shall be confiscated in accordance with the provisions in Article 2 of the Agrarian Reform Law. Other properties belonging to landlords shall not be confiscated.

Article 4: Farm land and waste land in suburban areas possessed by ancestral halls, monasteries, temples, churches, schools, institutions and public bodies shall be requisitioned in accordance with the provisions in Article 3 of the Agrarian Reform Law.

Article 5: Farm land and waste land possessed by industrial and commercial entrepreneurs in suburban areas as well as their houses originally occupied by peasants shall be requisitioned in accordance with the provisions in Article 4 of the Agrarian Reform Law. But other properties and bona fide enterprises belonging to them in suburban areas, such as private living quarters, factory buildings, and warehouses as well as rural capital investments beneficial to production should be protected against encroachment.

Article 6: Small land holdings in suburban areas rented out by revolutionary soldiers, martyrs' families, workers, government employees, professionals, pedlars and others, who

being engaged in non-agrarian occupations and/or lacking man power, shall be dealt with in accordance with the provisions in Article 5 of the Agrarian Reform Law.

Article 7: Farm land owned by rich peasants in suburban areas shall be dealt with in accordance with the provisions in Article 6 of the Agrarian Reform Law.

Article 8: Land and other properties belonging to middle peasants (including well-to-do middle peasants), poor peasants and hired farm hands in suburban areas shall be protected and not touched.

Article 9: All farm land confiscated and requisitioned in suburban areas shall be nationalized and placed under the management of the municipal people's governments and, together with other distributable farm land in suburban areas belonging to the state, shall be handed to peasants' associations of villages for unified, equitable and rational distribution, in accordance with the principles laid down in Article 11 of the Agrarian Reform Law, to peasants with little or no land for cultivation and utilization.

All production means such as farm implements, draft animals and grains acquired through confiscation shall be taken over by peasant associations of villages for unified, equitable and rational distribution to poor peasants who lack such production means, as their own property, in order to solve the shortage of production funds among peasants. All houses acquired through confiscation, except large buildings and villas in scenic centres which are not fit for peasant quarters and should therefore be retained for public use, shall be distributed to peasants as their property, in order to solve the housing shortage among poor peasants.

To landlords who have little or no income from other sources to maintain their livelihood, a share of land equal to that distributed to peasants together with necessary means of production shall be distributed for cultivation and utilization.

Article 10: In distributing land and other means of production, settlement of certain special questions concerning peasants with little or no land, should be decided according to the principles laid down in Article 13 of the Agrarian Reform Law, the conditions of the land and other means of production confiscated and requisitioned locally.

Article 11: All farm land using machinery for cultivation or having other modern equipment, agricultural experiment grounds, vegetable gardens and orchards in suburban areas, shall continue to be managed and used by the original cultivators, no matter whether they are operated by landlords or by peasants, or whether there has been any change in land ownership.

Article 12: All tillers using the state's land in suburban areas shall pay no land rent besides the agricultural tax to the state according to regulations. But tillers may not lease out, sell or lay waste the state's land. Land must be returned to the state when the original tiller does not need the land.

Article 13: In case the state takes back the state's land tilled by peasants for municipal construction and other needs, the state should make proper provisions for the peasants who till the land concerned and should make fair and proper compensation for any production investments (such as sinking wells and planting trees) on the land and other losses. Persons who need the state's land in suburban areas for building houses, factories and other works, should apply to the municipal people's government. Such measures shall be separately provided.

Article 14: In case the state requisitions farm land belonging to landlords involved in mechanical farming for municipal construction and other needs, a proper price should be paid for it or an equivalent share of state's land should be given in exchange. Proper provisions should be made for peasants who till the land in question and fair and proper compensation should also be made for any production investments on the land (such as sinking wells and planting trees) and other losses.

Article 15: On the condition that municipal reconstruction as well as famous relics and sights are not interfered with, all waste land that is cultivable should be distributed in a unified manner to peasants with little or no land for cultivation and use after approval has been given by the municipal people's governments. Reclaimers of waste land shall be exempted from payment of agricultural tax for one to three years.

Article 16: In order to strengthen the people's government leadership in agrarian reform work in suburban areas, municipal suburban area agrarian reform committees shall be, at the time of agrarian reform, set up in accordance with the provisions in Article 28 of the Agrarian Reform Law, and chū (or hamlet) agrarian reform committees may also be set up, using the chū as the unit.

Article 17: The municipal people's government shall issue certificates for the right of using the land to the peasants to whom the state's land has been allocated after agrarian reform to protect the peasants' right to the use of the land. Private owners of farm land shall be issued certificates of land ownership to protect their land ownership. All title deeds issued prior to agrarian reform become null and void without exception.

Article 18: The time to carry out agrarian reform in suburban areas of all cities shall be suggested and submitted by the municipal people's governments to the people's government (or military and administrative commissions) of administrative regions or provincial people's governments

for approval before promulgation.

Article 19: Following promulgation of these Regulations, all municipal people's governments shall formulate regulations for application, in accordance with the Agrarian Reform Law, the principles laid down in these Regulations and local concrete conditions, and submit them to the people's governments (or military and administrative commissions) of administrative regions or provincial people's governments for approval before enforcement.

Article 20: Except those provided for by these Regulations, which shall be treated according to these Regulations, all matters concerning agrarian reform in suburban areas shall be dealt with in accordance with the provisions in the Agrarian Reform Law.

Article 21: These Regulations shall come into force after they are approved or promulgated by the Administrative Council of the Central People's Government.

Source: Translated by the writer from Hsin-hua Yüeh-puo, (New China Monthly) vol. 3, no. 3, 1950 pp. 538-539.

APPENDIX B

REGULATIONS FOR LAND EXPROPRIATION FOR STATE CONSTRUCTION

(Approved at the 192nd Meeting [of Administrative Affairs] of the Administrative Council, the Central People's Government), 5 November, 1953.

Article 1: These Regulations are formulated to meet the need of state construction, and to present carefully and properly the problems of land expropriation for state construction.

Article 2: These Regulations shall be applicable to land expropriation for national defence construction, the building of factories and mines, railways, transportation lines, water conservancy projects, municipal construction and other economic and cultural constructions.

Article 3: The basic principles of land expropriation for state construction are: besides conforming to the actual necessity of state construction to guarantee land required for such purposes, the production and livelihood of peasants whose land has been expropriated should be properly looked after. Whenever possible, waste land, 'empty land', should be fully utilized and rich farmland belonging to the people should not be expropriated, or not in large amounts. Those construction projects which are not absolutely necessary at the present time should not be undertaken. Even important projects should not be constructed until the peasants have been resettled, or alternate locations for the construction assessed.

Article 4: The unit expropriating land should adhere to the principles of using land thriftily. It shall propose its land use plan after obtaining approval for the use of the land from its senior officer; the unit shall report to the appropriate authorities, including the administrative council of the central people's government or the administrative committee of the greater administrative district, or the people's government of the province, city or county for approval, as follows:

1. Use of land for construction of a national nature shall be determined by the planning commission of the central people's government and approved by the administrative council of the central people's government.

2. Use of land for construction of a local nature: when the land area required is over 5,000 mou or resettlement of residents involving over 300 households, approval will be granted by the administrative committee of the greater administrative district; when the land area required is less than 5,000 mou but over 1,000 mou, or resettlement of residents involves less than 300 households but over 50 households, approval will be granted by the people's government of the province or municipality (shih); when the land area expropriated is less than 1,000 mou, or resettlement of residents

involves less than 50 households, approval will be granted by the county people's government.

3. Construction of a national defence nature shall be individually determined according to the size and scale of the project by the people's revolutionary military committee, greater military district or provincial military district, and shall be submitted to the administrative council or the local people's government for approval.

Land expropriation plans submitted for approval shall explain in detail the location (to be accompanied with maps), and the amount of land required, the number of households affected, the types of agricultural crops growing on the land, and the plan for resettlement and compensation for the peasants whose land has been expropriated. The land expropriation plan shall be accompanied by the views of the local government. The approving authorities shall carefully inspect the submitted plan in accordance with the principle of thrifty use of land.

Article 5: After the land expropriation plan has been approved according to the procedures in Article 4, the unit together with the local people's government and local party committee of the CCP (some small units under the leadership of the local administration) shall explain it to the local residents and announce the various methods of compensating and resettling the peasants whose land will be expropriated. Time for consideration should be given to the people to enable them to realize for themselves that the land is being expropriated for the benefit of the state and the long term benefit of the people and that their own well-being has been appropriately looked after. Thereafter, land expropriation shall be finalized and actual construction work started. If large areas of land have to be expropriated, or large numbers of residents or even the entire village need to be resettled, preparatory work shall be done first. This would involve the convening of meetings of people's representatives to solve any problems encountered.

Article 6: Before land expropriation is finalized surveying and drilling work have to be carried out to determine the suitability of the land for certain constructional use. The construction unit shall survey the area of the land, and obtain approval from the people's government of the province, municipality and county. Thereafter, the unit, together with the people's government of the locality as the local party committee of the CCP, shall explain (the purpose of the survey work). The work may be started only after obtaining approval from the people. If damage to people's property occurs during the survey work, appropriate compensation should be given.

Article 7: In the event of rescue work or an emergency situation when there is insufficient time (for the department or unit) to acquire land through the (normal) procedure of land expropriation, work may be started. While work is in progress (the unit) shall submit a report to the local people's government and promptly apply for land expropriation.

Article 8: The compensation fund for land expropriation in villages shall be negotiated among representatives appointed by the local people's government, the unit using the land, the Peasant Alliance Association, and the original land owner or original land user. For general types of land (the amount of compensation fund) shall be set by the average value of production within the last 3 to 5 years. Special land shall be treated accordingly. If public (state owned) land is available to exchange for the land to be expropriated, subsidies shall also be provided for the transfer of peasants affected. With regard to houses, wells, trees and agricultural crops on expropriated land, the local people's government, the unit using the land, the Peasant's Alliance Association and the original owner of the land, or its original user (or the representatives appointed by the original owner or the original user) shall survey the current conditions (of the properties on the expropriated land) and make fair and rational compensation.

Article 9: With regard to expropriation of public land and state owned land in suburban areas, the peasants cultivating those lands shall be appropriately assisted in accordance with their current living conditions. All the agricultural crops on the land shall be treated in accordance with Item 2 of Article 8.

With regard to persons who operate enterprises on public land for public benefit, for their livelihood, and need to continue operations after the land has been expropriated but have no access to operating funds, the local people's government shall disburse funds according to the nature of the operating budget of the senior department of the enterprise. If disbursement is not possible, it should be reported promptly to the people's government of higher order.

Article 10: When graves need to be removed due to land expropriation, the owner of the graves should be notified beforehand. An appropriate unit for removal and reburial shall be provided and proper arrangement for reburial shall be made according to local custom. Graves without an owner shall be relocated by the unit using the land. (The unit) shall be responsible for finding land for reburial if no (proper) site is available. Graves of martyrs shall be properly relocated and a report submitted to the local county or municipal people's government. The greatest effort shall be taken to protect historic sites on expropriated land with the stipulation that their presence shall not hinder development.

Article 11: For construction projects which require land beyond the area expropriated for storing construction materials or temporary transportation purposes, (the unit) shall negotiate with the original land owner (or original land user) for temporary use of the land, or rent it on a temporary basis.

For losses incurred by construction lying on (unexpropriated) land adjacent to construction sites, the original land owner or original user shall be appropriately compensated.

Article 12: With regard to expropriated land where surveying or construction work has started, if the land is no longer being used due to some change of circumstances, or proves to be unsuitable (for a particular purpose), as indicated by the result of the survey, it shall be returned to the original land owner (or original land user). If losses have been inflicted by the survey or construction work upon the original land owner (or original land user), appropriate compensation should also be provided.

For expropriated land where construction work will not be commenced for more than one crop season, for the sake of benefitting production, and with the stipulation that development will not be hampered, the peasants shall be allowed to continue cultivation on a temporary basis.

Article 13: After the land cultivated by peasants has been expropriated, the local people's government shall be responsible for providing land to assist peasants to continue production, or assist (the peasants) to change their occupation. They must not be made homeless. Also, under permissible conditions, the units using land shall, in conjunction with the government's labour department and the trade union, absorb the peasants to participate in the work (of the units) whenever possible.

Article 14: For houses on expropriated land the original owner or his legal agent shall on producing his property deeds or certificates issued by the people's government above the hsiang level, collect compensation from the unit using the land ((the funds) may be distributed by the local people's government). During the period when the unit using the land is distributing compensation funds, if (the property owner) is not able to collect the funds because he has lost his deeds and the local people's government is not able to vouch for him, the unit using the land shall submit the funds to the local people's government for safekeeping for a period of one year. The funds may be redistributed to the original (land) owner or his legal agent within one year, or to those who produce deeds acceptable to the land office or to (those whose ownership of land) has been certified by the hsiang people's government. The local people's government shall return to the State Treasury compensation funds in its safekeeping, which have not been collected within one year.

Article 15: If all the houses (on the land expropriated) stated in the title deed are expropriated, the title deed shall be surrendered to the local people's government for cancellation when the compensation funds are collected. If only some of the houses are expropriated, the local people's government shall state in the deed the portion expropriated and return them to the (land) owner, or issue a new deed. If the remaining portion of land is small in size and the original owner does not want to use it, the land shall also be expropriated after approval has been granted by the local people's government. For land expropriation which has been approved by the people's government, in accordance with these Regulations, all fees for the transfer of title shall be exempted.

Article 16: Upon the completion of distribution of compensation, the unit using the land shall prepare two copies each of the plans of the land expropriated and submit them to the local county (municipal) people's government, to be placed on record. One of these copies shall then be retained by the unit using the land and the other retained by the county (municipal) people's government for inspection.

Article 17: When urban land is expropriated for state construction, all the houses and other (properties) pertaining to the expropriated land shall be compensated for at a fair and reasonable price according to conditions determined by the local people's government, the unit using the land and the original (land) owner and the original (land) user (or representative appointed by the original owner and user). If property ownership of the house and its foundation is held by the same person, no compensation shall be paid for the foundation; if they belong to two different persons, the owner of the foundation shall be compensated according to his living condition.

No compensation shall be paid for the expropriation of empty land within urban areas. No compensation shall be paid for the expropriation of farmland within urban areas rented out by landlords, but for peasants who rent this type of land, compensation shall be paid for the agricultural crops and other personal properties pertaining to the land in accordance with Item 2 of Article 8.

Expropriation of urban farmland cultivated by peasants shall be compensated according to regulations laid down in Article 8. After expropriation of urban farmland, the livelihood and production of peasants who had been cultivating this land or had rented this land shall be properly looked after in accordance with Article 13.

Article 18: The property ownership of all expropriated land is held by the state. Any (expropriated) land which is no longer used is not transferable, and shall be returned to the State.

Article 19: Private economic enterprises and private cultural and educational enterprises using land shall submit their application to the people's government above the provincial (municipal) level. Upon approval the land required shall be expropriated according to these Regulations by the local people's government.

Article 20: All Regulations concerning land expropriation that are (now) in effect shall be abolished after the promulgation of these (new) Regulations. All provincial (municipal) people's governments shall draw up rules for local application in accordance with these Regulations and submit them to the administrative committee of the greater administrative districts, and report them to the administrative council of the central people's government, to be placed on record.

Article 21: Within the minority autonomous regions, the state's regulations for land expropriation shall be formulated by the government of the autonomous regions, and submitted by them to the people's government above the provincial level for approval before enforcement, and reported by them to the central people's government, to be placed on record. Before the promulgation of the autonomous regions' own regulations, (land expropriation) shall be carried out in modified form, with reference to these Regulations in accordance with the ethnic customs of the locality.

Article 22: These Regulations shall be reported to the chairman of the central people's government for approval before promulgation after they have been passed at the administrative meeting. These Regulations shall take effect from the date of promulgation.

Source: Translated by the writer from Chung-hua jin-min kung-ho-kuo t'ü-ti-fa tsan-kao tzu-liao hui-pien (Compendium of Reference Materials on Land Regulations of the People's Republic of China), 1954-56 (Peking: Fa-lü chü-pan-she, (1956), pp. 335-440.

APPENDIX CREGULATIONS FOR LAND EXPROPRIATION
FOR STATE CONSTRUCTION

(Passed at the 192nd Meeting of Administrative Affairs of the Administrative Council on 5 November 1953)

(Approved by the Chairman of the Central People's Government and promulgated by the Administrative Council on 5 December 1953)

(Rectified at the 58th Meeting of the General Meeting of the State Council on 18 October 1957. Approved at the 90th Meeting of the Standing Committee of the People's Congress on 6 January 1958. Promulgated by the State Council on 6 January 1958)

Article 1: These Regulations are formulated to meet the needs of state construction, and to treat carefully and properly the problems of land expropriation for state construction.

Article 2: When the state builds factories and mines, railways, transportation lines, water conservation, and national defence projects or proceeds with construction of cultural, educational, health and municipal facilities, and others, it is necessary to expropriate land. Land expropriation shall be carried out in accordance with these Regulations.

Article 3: The regulations for land expropriation for state construction should not only conform to the actual needs of state construction to guarantee land required for such purposes, but should also properly look after the production and livelihood of peasants whose land has been expropriated. If for the time being those whose land has been expropriated cannot be resettled, land should not be expropriated until such problems are solved, or alternate sites should be expropriated.

Land expropriation for state construction should conform to the principles of using land thriftily. All projects which are not necessary at the present time should not be undertaken. When expropriating land for projects that are to be constructed (the construction unit should calculate meticulously (the amount of land required), strictly limit the planned amount (of land), control the density of buildings, prevent excessive or premature expropriation (of land), and eliminate waste of land. Waste land, poor land and empty land should be as fully utilized as possible. Wherever possible, cultivated land and rich farmland should not be expropriated, or not in large amounts; houses should not be demolished, or not in large numbers.

Article 4: In land expropriation, the amount of land needed (for a certain project) shall be approved by the department authorized to approve the preliminary plan of the project, then the unit using land shall apply for the land in one allotment or in several allotments from the local people's committee at the provincial level; for construction projects using less than 300 mou of land and involving resettlement of less than 30 households (the unit) shall apply for land allotment from the local people's committee at the county level.

When the unit using land applies for a land allotment (it) should submit the application forms for land expropriation ((items include) an explanation in detail of the territory, location and the approved amount, and attach (to it) plans for compensating and resettling the persons whose land has been expropriated, documents on the approved preliminary plan of the construction project (to be accompanied with plans)) documentation as to the duration of construction and the written opinion of the people's committee at the levels of county or town of the locality where the land is located. But for applications for land to be used for railway, highway and national defence projects, if there is real difficulty in submitting the above-mentioned documents (the need for) their submission may be exempted or postponed, upon the approval of the department which approved the amount of land (expropriated).

Article 5: After allotment of the land, the unit using land, together with the local people's committee, shall explain it to the people, and announce the various methods of compensating and resettling those whose land has been expropriated, and give them the necessary time to make preparations. This will enable them to realize for themselves that the land is being expropriated for the benefit of the state and the long term benefit of the people. Thereafter land expropriation shall be finalized and actual construction work started. If large areas of land have to be expropriated, large numbers of residents or even an entire village resettled, preparatory work among the local people shall be done first, and then the problems involved in land expropriation submitted to the local people's congress for solution.

Article 6: In the event of salvage work or an emergency situation, when there is insufficient time (for the unit) to apply Article 4 and Article 5 of these Regulations in expropriating the required land, work may be started. At the same time an application for land expropriation should be submitted as soon as possible and explanations given to the people (for the land expropriated).

Article 7: In case of land expropriation, arrangements should be made to use state-owned, public-owned land. If no such arrangements can be made or the production and livelihood of those whose land has been expropriated are affected after such arrangements are made, compensation or subsidies should be paid (to them).

The (amount of) compensation for land expropriation shall be jointly determined by the local people's government, the unit using the land and the person whose land has been expropriated. With regard to general types of land (the amount of compensation) shall be set by the fixed value of production of the last 2 to 4 years; with regard to tea-growing hills, tung tree-growing hills, fish ponds, lilly-root ponds, mulberry gardens, bamboo groves, orchards, reed ponds, or other types of special land, compensation shall be made in a modified form in accordance with the actual conditions.

If houses on expropriated land must be demolished, under the principle of guaranteed housing for the original households, an equivalent type of accommodation shall be provided to the original house owners, or compensation provided in accordance with the principle of fairness and rationality. (Owners of) wells, trees and agricultural crops on expropriated land shall be provided with compensation in accordance with the principle of fairness and rationality.

Article 8: Compensation of subsidy for expropriated land and compensation for houses, wells, trees and agricultural crops on expropriated land shall be paid by the unit using the land.

When land is expropriated from agricultural producer's co-operatives, compensation or subsidy shall be paid to the co-operatives; when expropriating privately-owned land, comparative fund or subsidy shall be paid to the (land) owner. (To compensate for) properties and agricultural crops on the land, which belong to the agricultural producer's co-operatives, compensation shall be paid to the co-operatives; for those that belong to the individual, to their owners.

Article 9: When land is expropriated from agricultural producer's co-operatives, if the member's general meeting or the member's congress considers that (the expropriation) does not affect the livelihood of the members, no compensation shall be necessary, and upon the approval of the local people's committee at the hsien (county) level, no compensation shall be paid.

When expropriating land that is used by the agricultural producer's co-operatives and not belonging to the members, if the land owner is not engaged in agricultural production, and does not depend on income from the land for his living, no compensation shall be paid, but approval (for expropriating the land) must be given by the individual.

Article 10: In the expropriation of houses and their foundations within urban areas, if the house and the foundation belong to the same person, no separate compensation shall be made for the foundation; if they belong to two different persons, the owner of the foundation shall be compensated according to his living conditions.

No compensation shall be paid for the expropriation of non-productive empty land within urban areas.

Article 11: Before the unit using land proceeds with surveying and investigating the land for which it is applying for expropriation, approval must first be obtained from the local people's committee and its owner. If losses to the owner were incurred by the surveys and the investigations, appropriate compensation shall be paid.

Article 12: When a construction project is in progress, the unit using the land or the construction unit needing to use or expropriate land beyond the territory already expropriated, for storage yards, construction materials and transportation lines, after obtaining approval from the local people's committee and the land owner, may rent or borrow (the land). When losses are incurred by construction work in progress on unexpropriated land, the unit using the land or the construction unit shall compensate the land owner.

Article 13: With regard to peasants who need to be looked after as a result of land expropriation, the local people's committee at the village, town and county level shall be responsible for placing them in agriculture whenever possible; if this is not possible, the labour department, the department of civil administration and others of the local people's committee at the county level, together with the unit using land shall devise means to place the peasants in other sectors in the same locality; if it is impossible to place them in agriculture or other sectors in the same locality, emigration (of the peasants) shall be organized. Organization of emigration shall be the responsibility of the people's committees at the county level in both the emigrating district and the immigrating district. The unit using land shall be responsible for paying the expenses for emigration.

Article 14: All ownership of expropriated land is held by the state. The unit using land shall prepare two copies each of the plans of the land expropriated and submit them to the local county or the municipal people's committee to be placed on record. One of these copies shall then be retained by the county or the municipal people's government for inspection, and the other retained by the unit using land.

Article 15: With regard to expropriated land, if the land or part of the land is not used by the unit using the land due to a change of plan or other reasons, the land or the unused portion shall be returned to the local people's committee at the county level which shall allot (it) to other units using land or to the peasants for cultivation.

For expropriated land which is not used temporarily for one cropping season, the condition that the use of the land for construction is not hampered, (the land) shall be given to the peasants to continue cultivation. With regard to land on which agricultural crops are growing, whenever possible (it) shall not be used until after the harvest.

Article 16: When graves on expropriated land need to be removed, the local people's committee shall notify the owner of the grave to remove it. Appropriate amounts of funds (for removal and reburial) shall be paid by the unit using the land; proper arrangements (for the burial) shall also be made in accordance with local custom. Graves without an owner shall be relocated by the unit using the land. The local people's committee shall assist in finding land for reburial if no (suitable) site is available. The local people's committee at the county level shall be notified concerning the removal of the graves of martyrs.

If there are any archaeological remains, famous places of scenic value and historical relics that are worthy of preservation within the area expropriated, the unit using the land and the construction unit, together with the cultural department of the people's committee at the county level shall be responsible for making proper arrangement for their preservation.

Article 17: With regard to water sources, aquaducts, transportation and other (similar facilities) which have a close relationship to production and the livelihood of the people, the unit using the land or the construction unit together with the local people's committee, shall make proper arrangement (for their protection) while the construction project is in progress. (These facilities) should not be recklessly interrupted or damaged.

Article 18: With regard to state owned and public lands that are required for state construction, (the authorities or unit concerned) shall apply for their allocation in accordance with Items 4 and 5 of these Regulations, and shall provide appropriate explanations to the people.

When allotting state owned and public land cultivated by the peasants, appropriate subsidy shall be provided by the unit using the land according to their living conditions. With regard to compensation for the properties and the agricultural crops on the land, and resettlement of the peasants who originally cultivated the land, (the unit using the land) shall separately make arrangements in accordance with Items 7 and 13 of these Regulations.

Where there are allocations of state owned, public land being used by government offices, military units, enterprises, schools, people's organizations and other units, with regard to the problems of the removal and rebuilding of houses and foundations on the land originally used by the above units, arrangements shall be negotiated among the local people's committee at the county level, the unit applying for use of the land and the unit originally using the land, with strict adherence to the principles of restricting use of land or houses and of curtailing expenditure of state revenue. Whenever possible, the unit originally using the land shall solve the problem by itself. If this cannot be done, the unit originally using the land shall make arrangements, or exchange houses (with other units); if this cannot be done, appropriate compensation shall be paid by the unit applying for use of the land.

Article 19: With regard to persons who rely on income from operating enterprises on public land for public benefit, if after this category of land is expropriated and (the operators) need to continue operation but have no access to operating funds, the local people's committee shall disburse funds, according to the nature of the enterprise, from the operating budget of the senior department of the enterprise; if disbursement is not possible, a report shall be promptly submitted to the people's committee at the senior level for solution.

Article 20: Joint state and private enterprises, co-operative trusts, supply and marketing co-operatives, handicraft producer's co-operatives and people privately operating enterprises for public benefit who require land may apply to the local people's committee at the county level. After approval arrangements shall be made in accordance with these Regulations.

Article 21: People's committees above the county level and the senior department of the unit using land shall constantly supervise and inspect the conditions of use of the expropriated land. If there are infringements of these Regulations by the unit using the land and the construction unit, including waste of land or damage to the interest of the people, these situations should be promptly corrected and responsibility for serious cases should be investigated, and treated firmly. All unused and unnecessarily expropriated land shall be promptly retrieved.

At a fixed time the people's committee above the county level shall submit reports on the conditions and problems of land expropriation.

Article 22: In accordance with these Regulations and the concrete conditions of the locality, the people's committee at the provincial level shall formulate regulations for application and report to the State Council, to be placed on record.

In accordance with the concrete conditions of the locality and with reference to the basic principles of these Regulations, the self-governing departments of all ethnic autonomous areas shall formulate regulations for land expropriation of their local districts; also a modified form of these Regulations may be applied to land expropriation (in ethnic autonomous areas).

Source: Jen-min jih-pao (People's Daily), 7 January 1958. Also appeared in Hsin-hua pan-yüeh-kan (New China Semi-monthly) no. 3, 1958, pp. 68-70. (Author's translation).

APPENDIX D

An Excerpt from the Text of "On the Ten Great Relationships".

"During the past two months the Politburo has individually heard and accepted the work reports of thirty-four economic and financial departments of the Centre. It has exchanged views with these departments on a number of issues, and after further discussions has made a synthesis containing ten problems, ten contradictions.

Raising these problems has but one aim: to mobilize all positive elements and all available forces in order to build socialism more faster, better and more economically.

It has always been our policy to mobilize all positive elements and all available forces. In the past we followed this policy in order to win victory in the People's Democratic Revolution, and to put an end to the rule of feudalism and bureaucratic capitalism. Now we follow it in a new revolution, the Socialist Revolution, and in the building of the socialist state. No matter whether it is for revolution or construction, this policy should always be followed. Everybody is clear about this. But there are some problems which are still worth discussion, among them some points which are new. Our work still has its defects and shortcomings. If we discuss these problems and consider them and handle these contradictions correctly, then we can avoid some detours.

(2) The relationship between coastal industry and industry in the interior

It is correct to develop industry in the interior. This is of primary importance. But it is necessary to look after the coastal regions.

On this question we have not made big or fundamental mistakes, yet we have a few weaknesses. In the past few years we have not laid enough stress on industry in the coastal regions. I think we should make some changes.

How much of the industry, heavy and light, which we had at the outset, was in the coastal regions, these being taken to include Liaoning, Hopei, Peking, Eastern Honan, Shantung, Anhwei, Kiangsu, Shanghai, Chekiang, Fukien, Kwangtung, Kwangsi? Seventy per cent of all our industry is in these coastal regions, and seventy per cent of our heavy industry. Only thirty per cent is in the interior. It would be quite wrong not to take account of this fact, not to give proper weight to coastal industry, and not to utilize its productive power to the full.

We must do our utmost and use all our available time to enable the industry of the coastal regions to develop. I am not saying that all our new factories should be built in the coastal regions. More than ninety per cent of them should be built in the interior. But some can be built in the coastal regions. For example, the Anshan steel mills

and the Fushun coal mines are in the coastal regions; Dairen has its shipbuilding, T'angshan has its iron and steel and building-material industries, T'angku has its chemical industry, Tientsin its iron and steel and machine industries. Shanghai has its machine and shipbuilding industries, Nanking has its chemical industry, and there is industry in many other places. Now we are planning to produce synthetic petroleum at Maoming in Kwangtung Province, where there is oil-shale. This is also heavy industry.

In future the greater part of heavy industry--ninety per cent or perhaps still more--should be set up in the interior so that industry may become evenly distributed and rationally sited over the whole country. There is no doubt at all about that. But a proportion of heavy industry must still be constructed or expanded in the coastal regions.

Our old industrial base is mainly in the coastal regions. If we do not pay attention to industry in the coastal regions this will be to our detriment. On the other hand, if we make full use of the capacity both in plant and technology of coastal industry and develop it properly, then we shall have all the more strength to develop and maintain industry in the interior. It is wrong to adopt a negative attitude towards coastal industry. This will not only hinder the full utilization of coastal industry, it will also hinder the rapid development of industry in the interior.

We all desire to develop industry in the interior. The question is only whether your desire is genuine or not. If your desire is genuine and you are not just pretending, then you must make more use of the industry of the coastal regions, and build more industry in the coastal regions, especially light industry.

In the light of available information, industrial plant can be constructed very quickly in some light industries. After going into production and developing their productive capacity they can recoup their capital outlay within one year. Hence within five years they can build three or four new factories in addition to the original one. In some cases they will be able to build two or three new factories, in other cases one new factory. This provides further demonstration of the importance of utilizing coastal industry.

In our long-term plans we have a shortage of 400,000 technical cadres. These can be provided by training workers and technicians from the coastal industries. Technical cadres do not need to come from literary families. Gorki only had two years of elementary schooling. Lu Hsun was not a university graduate. In the old society he could only be a lecturer, not a professor. Comrade Hsiao Ch'u-nü never went to school at all. You must realize that skilled workers have learned through practical experience and can make very good technical cadres.

The technical level of coastal industry is high, the quality of its products good, its costs low, and it produces many new products. Its development has a stimulating effect on the technical level and quality of national industry as a whole. We must be fully aware of the importance of this question.

In short if we do not develop light industry we cannot develop heavy industry. If we do not utilize the industry of the coastal regions we cannot establish industry in the interior . We must not simply maintain coastal industry. We must also develop it where appropriate."

Source: Schram, S.,(ed.), Mao Tse-tung Unrehearsed --Talks and Letters: 1956-1971, (Harmondsworth: Penguin Books, 1974), p.61 and pp.65-67.