



Land Reform in India: Time to Rethink

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Abstract:

Land is the most important component of the life support system. Land includes benefits to arise out of land and things attached to the earth or permanently fastened to anything attached to the earth. In the wake of economic reforms, land reforms appear to have taken a back seat in India. Sometimes even the philosophy of redistribution of land through land reforms is questioned. For achievement of faster, sustainable and inclusive growth there is need for second generation land reform.

Keywords: *Economic reforms, Land reform, Rethink, Second generation*

1. Introduction

Land is the most important component of the life support system. Land includes benefits to arise out of land, and things attached to the earth or permanently fastened to anything attached to the earth. Land is crucial for all developmental activities, for natural resources, ecosystem services and for agriculture. Growing population, growing needs and demands for economic development, clean water, food and other products from natural resources, as well as degradation of land and negative environmental impacts are posing increasing pressures to the land resources in many countries of the world.

The important objectives of land reform measures in India were: (1) to enhance the productivity of land by improving the economic conditions of farmers and tenants so that they may have the interest to invest in and improve agriculture, (2) to ensure distributive justice and to create an egalitarian society by eliminating all forms of exploitation, (3) to create a system of peasant proprietorship with the motto of land to the tiller and (4) to transfer the incomes of the few to many so that the demand for consumer goods would be created.

Land reform policy has economic, social and political dimensions. The economic dimension of land reforms involved the ownership of land by a small group that did not actually cultivate but exploited the actual tillers who were the tenants and agricultural labourers. On the other hand, because of inadequacy of returns and absence of surplus with the tenants, they could not undertake improvements on land. The landlords having no personal interest in the lands they owned also did not take interest in investing on land improvement. As a result, land productivity went on declining. This was the dynamics of underdeveloped agriculture. As far as the sociological dimension is concerned, traditionally, the upper castes owned land and the lower castes were the tenants/agricultural labourers. Even today we do not find the lower castes owning land in any significant measure and the upper castes working as tenants/agricultural labourers in India. This **social dimension** perpetuated the social inequalities. It is here that the economic inequality created under the economic dimension got reinforced by the social inequality in agrarian relations. Coming to the **political dimension**, it may be noted that, historically, the owners of land have been supporters of the governments in power. This was much more evident during British rule in India. Because of the numerical minority position of the former zamindars

and the later landlords and their economic stranglehold over the tenants, they depended on the government for their protection, (thus promoting their own self-interest). At the same time, the government depended upon them for its own survival so long as tenants, though large in number, did not organise themselves against the exploitative political and social systems. This has been the experience of almost all countries that faced agrarian problems.

2. Background

In Ancient India Rig Veda Samhita shows that among the Indo-Aryans, arable land was held in individual ownership or family ownership. Communal ownership was confined only to grass land. Private ownership of land was a recognised Institution. Land belonged to the person who cleared the jungle and brought the land under cultivation and he could sell, give, bequeath, or otherwise alienate it at his individual discretion. There was a clear distinction between ownership rights and restricted real estate rights. During **the Hindu period** (1200 BC-1200 AD) as well as during the **Muslim period** (1540 AD-1750 AD), the principal unit of land settlement in India was the village. Land was never considered to be the property of the King or the Sultan; it was the property of the village, the entitlement of the King being limited to a share of usufruct for the protection he gave in return. Since land revenue was the main source of state revenue, the village became the agency for collection and unit of revenue assessment.

Land Systems at the Time of British period, there was three types of land revenue systems: 1. **The Zamindars (landlords)** functioned as intermediaries between British colonial government and the farmers (cultivators) and collected fixed land revenue from, and exploited the cultivators, was introduced by Lord Cornwallis in 1793 through permanent settlement that fixed the land rights of Zamindars in perpetuity without any provision for fixed rents or occupancy rights for actual cultivators.., **Ryotwari**, (or peasant proprietorship) was a direct settlement (temporary) of land by the state in favor of the Ryots (tenants/cultivators) recognizing them as owners subject to payment of the land revenue to be revised periodically, it was prevailed in Madras and Bombay province. **and Mahalwari systems** A modified version of Zamindari system, with temporary settlement of land in favor of tenants village by village or Mahal (estate) by Mahal at the revenue to be revised periodically.. These three systems not only established obligations of taxation but more broadly defined the relationships among the layers of land rights and control exercised by (or imposed upon) the state, landowners, landlords, tenants, and labourers.

3. Land Reform in India

After Independence, attempts had been made to alter the pattern of distribution of land holdings on the basis of four types of experiments, namely;

1. Land reforms "from above" through legislation on the lines broadly indicated by the Central Government, enacted by the State legislators, and finally implemented by the agencies of the State Government.
2. Land reforms "from above" as in the case of Telengana and the naxalite movement also to some extent in the case of the "Land Grab" movement.
3. Land reforms through legislative enactments "from above" combined with peasant mobilisation "from below" as in the case of controlled land seizure in West Bengal and protection of poor peasants in Kerala.
4. Land reforms "from below" through permission of landlords and peaceful processions by peasants a sin the case of Bhoodan and Gramdan.

The land reform legislation was passed by all the State Governments during the Fifties touching upon these measures;

1. Abolition of intermediaries.
2. Tenancy reforms to regulate fair rent and provide security to tenure, conferring ownership to tenants.

3. Ceilings on holdings and distribution of surplus land among the landlords.
4. Consolidation of holdings and prevention of their further fragmentation and
5. Development of cooperative farming.

The Zamindars acted as the intermediaries. Until Independence, a large part of agricultural land was held by the intermediaries under the zamindari, mahalwari and ryotwari systems. Consequently, the tenants were burdened with high rents, unproductive cultivation and other forms of exploitation. By 1972, laws had been passed in all the States to abolish intermediaries. All of them had two principles in common:

1. Abolition of intermediaries between the state and the cultivator and
2. The payment of compensation to the owners.

The first task placed before the first Indian parliament was to address land policy. Because India has a densely populated agrarian economy, almost all other developmental initiatives also involved land as a central and a complex issue, as it clearly represented social status and not just the means of production. While recognizing the need to bring about land reforms in the country, the Constitution of India provided under Article 39 that:

1. The ownership and control of the material resources of the country should be so distributed as best to serve the common good; and
2. The operation of the economic system should not result in a concentration of wealth or a means to production to the common detriment.

The Constitution of India also made land a state (provincial) subject. So, only state (provincial) legislatures have the power to enact and implement land-reform laws. However, the central government played a significant advisory and financial role in land policy based on its constitutional role in social and economic planning (a role held concurrently with the states). The Government of India established a National Planning Commission immediately after Independence to fulfill this role of social and economic planning. The Planning Commission has prepared a series of Five-Year Plans since 1951.

Land policy in India has undergone broadly four phases since Independence.

1. **The first and longest phase (1950 - 72)** consisted of land reforms that included three major efforts: abolition of the intermediaries, tenancy reform, and the redistribution of land using land ceilings. The abolition of intermediaries was relatively successful, but tenancy reform and land ceilings met with less success.
2. **The second phase (1972 - 85)** shifted attention to bringing uncultivated land under cultivation.
3. **The third phase (1985 - 95)** increased attention towards water and soil conservation through the Watershed Development, Drought-Prone Area Development (DPAP) and Desert-Area Development Programmes (DADP). A central government Waste land Development Agency was established to focus on wasteland and degraded land. Some of the land policy from this phase continued beyond its final year.
4. **The fourth and current phase of policy (1995 onwards)** centres on debates about the necessity to continue with land legislation and efforts to improve land revenue administration and, in particular, clarity in land records. Since Independence the emphasis has been on industrialisation. Agriculture has been treated as a symbol of backwardness. Land policy has been one of the important components incorporated in all the plans. The policy statements are sometimes quite explicit in the plan documents, but are more often implicitly stated. An overview of changes in the land policy as reflected through the various plan documents is given in table 1.

Table 1. Land policy formulation through planning period

Plan period	Major issue	Policy thrust
First Plan 1951 – 56	Area under cultivation to be increased. Community development (CD) networks to take care of the village commons. Vast uncultivated lands locked under large sizes of holdings.	Land reforms to bring in the fallow under cultivation and increase land use efficiency. Tenant to be given the rights to cultivate land. Abolition of intermediaries.
Second Plan 1956 - 61	Concern about vast rain fed agriculture, low land productivity and thrust on irrigated agriculture	Soil conservation as an important programme .First phase of land reform implementation. Irrigation development for the rain fed areas. Training and extension work for the technology through CD.
Third Plan 1961 – 66	Food security concern dominated. Cultivable waste land to be brought under cultivation. Bringing the lagging regions under mainstream growth	Area development as an approach. Intensive area development programme adopted for selected districts. An integrated land policy approach was inherent. Soil surveys were taken up.
Fourth Plan 1969 - 74	Emphasis on food security continued as minimum dietary requirements to be met. Incentives were created for diversion of land towards food crops and enhancing the capacity of such land. Domination of large holding sizes and low allocation and technical efficiency	Increased emphasis on irrigation and soil conservation in dry land regions and technological change introduced. Higher cropping intensity the main concern. Second phase of land reforms with land ceiling acts and consolidation of holding. Institutional changes brought in.
Fifth Plan 1974 – 79	Problems of degradation land management in irrigated command areas surfaced. Drought prone areas attracted attention	Drought-prone area development. Desert area Development programmes, and soil conservation started and further enhanced. New impetus to dry farming.
Sixth Plan 1980 – 85	Underutilization of land resources. Drought-prone areas continued to attract attention. Attention lagging areas on the background of green revolution required cultivation	Land and water management programme under drought-prone area programme in selected areas.
Seventh Plan 1985 - 90	Soil erosion and land degradation surfaced as major issues. Land going out of cultivation. Deforestation and degradation of forest lands.	Soil and water conservation and averting land degradation. Specific attention to degraded lands. Wastelands Development programmes. Long-term view of land management.
Eighth Plan 1992 - 97	Dry land and rain fed areas requiring attention. Degradation of land in irrigated command areas. Peoples' participation surfaced as major issue in land management at village level	Emphasis on watershed approach. Soil conservation merged with watershed programmes. Agro climatic regional planning approach incorporated.
Ninth Plan 1997 - 2002	Land degradation increased significantly. Integrating Watershed Development Programme across various components. Rethinking on land reforms. Gap between potentials and actual crop yields need to be bridged. Need for a long-term policy document.	Bringing the underutilized land under cultivation. Management of wastelands. Maintenance of village commons. Decentralized land management system. Panchayat Raj institutions to manage the village lands. Rethinking on land legislation
Tenth plan 2002-07	Land Acquisition, Forest Land, Land record, urban land etc	SEZ Act, Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 and Rules, 2007 etc
Eleven plan 2007-12	land records management	merge the two existing Centrally-sponsored schemes of Computerization of Land Records (CLR) and Strengthening of Revenue Administration & Updating of Land Records (SRA&ULR) and to replace them with a modified Centrally-sponsored scheme in the shape of the National Land Records Modernization Programme (NLRMP)
Twelve plan 2012-17	Land Acquisition, Rehabilitation and Resettlement	LARR 2013

Source: from various plan documents. These are not exhaustive statements but only indicative of the thrust. Gaps in the plan periods were annual plans and full plan documents could not be prepared for these gap.

Following the recommendation of Kumarappa Committee; the Indian National Congress appointed the Agrarian Reforms Committee under the Chairmanship of J.C. Kumarappa, for making an in-depth study of the agrarian relations prevailing in the country, all the states in India enacted legislation for the abolition of intermediary tenures in the 1950s, although the nature and effects of such legislation varied from state to state. The Bhoodan movement was launched in 1951, Vinoba Bhave hoped to eliminate private ownership of land through Bhoodan and Gramdan and maintained that the movement would go a long way to ensure the just redistribution of land, the consolidation of holding and their joint cultivation. In May 1955, The Planning Commission set up a panel on land reforms under the chairmanship of Gulzarilal Nanda for reviewing the progress of land reforms in the country. The committee made the following recommendations related to absolute limit to the quantum of agricultural land (ceiling), Induct capital investment of land, Encourage personal cultivation, End uncertainty in land sector; and Provide work and security to the landless (Planning Commission, 1959).

This chronological analysis of the all five-year Plans makes it clear that since the inception of planning in India, The approach to rural development and land reforms will focus on the areas like Consolidation of holdings, Redistribution of ceiling surplus lands and wastelands, Tenancy reforms, making legal provision for giving private land on lease for cultivation and agri business; computerisation, Updation and improvement of land records, Recognition of women's rights in land. Under the policy the rural poor will be increasingly involved in the implementation of land reforms with the help of Panchayati Raj institutions, voluntary groups, social activists and community leaders.

4. Post Liberalisation

In the wake of economic reforms, land reforms appear to have taken a back seat in India. Sometimes even the philosophy of redistribution of land through land reforms is questioned. In fact, the argument that land reform stands in the way of market-led growth appears to be misplaced. The experience of countries like Japan and Korea shows that land reforms can help in the faster and more sustainable development of capitalistic agriculture, without creating much pain for the rural population. But market-led economic reforms, not accompanied by land reforms, could be painful for the rural poor and may not be sustainable in the long run. India's land policy interventions during the last five decades can be assessed based on their impact on various parameters, including alleviation of poverty, conflict management and equity, sustainable economic development, environmental impact, and production efficiency. The land policy interventions have had varying impacts across the states, depending in large part on the agrarian situation and the extent to which a given policy was implemented.

Department of Land Resources under the Ministry of Rural Development is the nodal agency for matters related to land reforms including ,computerisation of land records and updating of land records. **The main objectives of the Computerization of Land Records (CLR) scheme were to:** (1) computerize ownership and plot-wise details for issue of timely and accurate copy of the Records of Rights to the landowners; (2) achieve low-cost, easily reproducible storage media for reliable and long-term preservation of land records; (3) provide fast and efficient retrieval of textual and graphical information; (4) create a Land Information System (LIS) and database for the agricultural census.

The system of land records management varies from state to state, often even within a state, depending upon their historical evolution and local traditions. In 2008 it was decided to merge the two existing Centrally-sponsored schemes of Computerization of Land Records (CLR) and Strengthening of Revenue Administration & Updating of Land Records (SRA&ULR) and to replace them with a modified Centrally-sponsored scheme in the shape of the National Land

Records Modernization Programme (NLRMP) with the ultimate goal of ushering in the system of conclusive titles with title guarantee in the country.

6. The National Land Reforms Policy 2013 focuses on those aspects of land reforms which if implemented in true letter and spirit will have the potential to tilt the balance in favour of the landless and poor. These are the mechanisms of preparing a land use plan for every village getting aggregated at higher levels which will guide the best utilization of each and every parcel of land, putting in place policies and systems for ensuring effective distribution of land to landless poor, protecting them from losing their lands, restoration of alienated lands, effective safeguards for lands of the Scheduled Castes and Scheduled Tribes, ensuring homestead rights, tenancy rights, land rights for the women and effective usage of common property resources.

The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Bill 2013 (LARR 2013 or Bill) repealing the previous Land Acquisition Act of 1894, main provisions are as follows:

- **Compensation:** Given the inaccurate nature of circle rates, the Bill proposes the payment of compensations that are up to four times the market value in rural areas and twice the market value in urban areas.
- **R&R:** This is the very first law that links land acquisition and the accompanying obligations for resettlement and rehabilitation. Over five chapters and two entire Schedules have been dedicated to outlining elaborate processes (and entitlements) for resettlement and rehabilitation. The Second Schedule in particular outlines the benefits (such as land for land, housing, employment and annuities) that shall accrue in addition to the one-time cash payments.
- **Retrospective operation:** To address historical injustice the Bill applies retrospectively to cases where no land acquisition award has been made. Also in cases where the land was acquired five years ago but no compensation has been paid or no possession has taken place then the land acquisition process will be started afresh in accordance with the provisions of this act.
- **Multiple checks and balances:** A 'comprehensive, participative and meaningful' process (involving the participation of local Panchayati Raj institutions) has been put in place prior to the start of any acquisition proceeding. Monitoring committees at the national and state levels to ensure that R&R obligations are met have also been established.
- **Special safeguards for tribal communities and other disadvantaged groups:** No law can be acquired in scheduled areas without the consent of the Gram Sabhas. The law also ensures that all rights guaranteed under such legislation as the Panchayat (Extension to Scheduled Areas) Act 1996 and the Forest Rights Act 2006 are taken care of. It has special enhanced benefits (outlined in a dedicated chapter) for those belonging to Scheduled Castes and Scheduled Tribes.
- **Safeguards against displacement:** The law provides that no one shall be dispossessed until and unless all payments are made and alternative sites for the resettlement and rehabilitation have been prepared. The Third Schedule even lists the infrastructural amenities that have to be provided to those that have been displaced.
- **Compensation for livelihood losers:** In addition to those losing land, the Bill provides compensation to those who are dependent on the land being acquired for their livelihood.
- **Consent:** In cases where PPP projects are involved or acquisition is taking place for private companies, the Bill requires the consent of no less than 70% and 80% respectively (in both cases) of those whose land is sought to be acquired. This ensures that no forcible acquisition can take place.
- **Caps on acquisition of multi-crop and agricultural land:** To safeguard food security and to prevent arbitrary acquisition, the Bill directs states to impose limits on the area under agricultural cultivation that can be acquired.
- **Return of unutilized land:** In case land remains unutilized after acquisition, the new Bill empowers states to return the land either to the owner or to the State Land Bank.

- **Exemption from income tax and stamp duty:** No income tax shall be levied and no stamp duty shall be charged on any amount that accrues to an individual as a result of the provisions of the new law.
- **Share in appreciated land value:** Where the acquired land is sold to a third party for a higher price, 40% of the appreciated land value (or profit) will be shared with the original owners.

Table 2. Focus of Land Reform Monitoring in India

Essential Indicators	<ul style="list-style-type: none"> • Access to land; • Access to homestead; • Sharecropping; • Updating and computerization of land records and maps; • Land disputes; • Land reforms legislations and policies; • Land reforms budget; • Reordering of governance and administrative structure
Additional Indicators	<ul style="list-style-type: none"> • Food security; • Women's rights; • Protection against alienation of land belonging to STs, SCs, etc.; • Decline in agricultural land

8. Issues and Challenges

Today India is facing a critical situation in relation to land use planning. Even though the food grain production recorded almost a fourfold increase in the post-independence decades, shortage of rice, pulses and oilseeds is growing. Shortages of pasturelands, firewood and fast depletion of the forest wealth are assuming serious proportions. As a consequence of various development endeavours ecological imbalances e.g. soil erosion, rapid siltation of dams, shortage of ground water, land and water pollution, water logging etc. are growing adversely affecting the agricultural productivity. Unless special efforts are made towards preservation of the land, water and vegetative resources of the country and its long term sustainable use is planned, the food grains and other basic needs of the country's population cannot be met, food security and self-reliance cannot be assured and enhanced livelihood security to the oiling millions in India cannot be ensured. A majority of the agricultural labourers continued to be confronted with socio-economic difficulties and could not benefit from the land reforms measures. The progress of consolidation of land holdings is not satisfactory only 1/4 of the land has been consolidated and this has been completed only in Punjab, Haryana and Western U.P. The distribution of surplus land is also not satisfactory

9. Changes in Land-Use

Apart from the diversion of lands from cultivation to industry, housing, tourism and other non-agricultural uses and the extensive damage to cultivation due to industrial waste, pollution, water extraction by the industries, townships etc., there is a diversion of lands to chemical intensive cultivation due to the growth of agro-processing companies and export oriented cultivation by rich land owners. Flouting government regulations, monopoly is being established on groundwater and surface water resources by these developers. In roads are being made even in the tribal areas of Pune, Thane and Nasik districts by agro-processing companies. Consequently, the tribals are being deprived of their means of livelihood and the land under cereals and pulses is declining, threatening food security.

Actually, Land reforms have remained unfinished, because its legislations and policies and their implementation greatly differed across the states. Since 1991, as the neoliberal development paradigm was put in place formally, **land reform issues** have become compounded by several realities, as discussed below.

1. Enhanced demand of agricultural land for non-agricultural purposes, such as infrastructure development, industrialization, and urbanization, as well as tribal lands in hills and forests for mining, mega projects, and industries.

2. Displacement of people in the hills and forests caused by development projects: The Scheduled Tribes (STs) and other traditional forest dwellers have customary usufructuary land rights. But because technically and legally, they do not own such land, it is acquired by the government without consulting, compensating and rehabilitating them. As a result, 60 million people have been displaced following development projects over the last six decades, and only a third of them are estimated to have been resettled. About 40% of these displaced people are STs and 20% Dalits (SCs). Little wonder that a large part of the tribal and forest areas is affected by Maoist/ Naxal violence.

3. Decline of about 2 million ha in the net area sown over the past decade Such decline is likely to increase in the coming years, jeopardizing lives, livelihood, and food security of the rural poor and rural people, notwithstanding the assertion in the Approach to the Twelfth Plan that it can be overcome by increasing agricultural productivity and avoiding acquisition of multi-crop irrigated land. Actually, there has already been an unprecedented agricultural slowdown during the post-liberalization era, primarily due to highly reduced public investments and utter neglect. Measures to reverse it have been initiated only in the Eleventh Plan (2007-2012) to ensure food security (NFSA 2013).

4. Highly uneven land distribution as reflected in Agricultural Census (2005-2006) data and other sources underlines the need to optimize the redistribution of land to the landless tillers. Marginal and small holdings, though far larger in number, have far smaller area of land; whereas the opposite is true in case of medium and large holdings. Marginal landholdings (64.77% of total) and small landholdings (18.53% of total) constitute the majority, but together, they only cover 41.52% of the total area of landholdings. In practice, the neoliberal growth model excludes more than it includes since it is socially unjust, economically inefficient, politically unstable, and environmentally unsustainable.

5. Forest lands: As of 30 September 2011, a total 1,219,922 titles for 1,601,524 ha of forest land have been distributed under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 and Rules, 2007 in India as a whole. The process continues and the titles for considerable additional forest land would be distributed in due time, notwithstanding insurmountable hurdles in it. These are but a few examples of how the access of the rural poor to land can be enhanced considerably, if land reforms are systematically monitored, advocated, pushed, and facilitated. It is, however, pertinent to underline that the recent legislations and bills (i.e., Forest Rights, Rural Employment Guarantee, Land Acquisition, Rehabilitation And Resettlement, Food Security), though vital and helpful, do not constitute a part of the original land reforms package

6. Wasteland 63.85 million ha (land with or without scrub, water logged, marshy, affected by salinity/alkalinity, coastal/inland, shifting cultivation area, degraded pastures/grazing land, degraded land under plantation crops, sandy, mining/industrial lands). is 63.85 million ha .

10. Others

- Food security
- Computerization of land records
- Tenurial security
- Access to Land
- Ceiling surplus
- A large number of “fake” Bhoodans (gifted) of uncultivable lands.

11. Challenges

Most studies indicate that inequalities have increased, rather than decreased. The number of landless labourers has risen, while the wealthiest 10 percent of the population monopolizes more land now than in 1951. Moreover, the discussion of land reforms since World War II and up through the most recent decade either faded from the public mind or was deliberately glossed over by both the national government of India and a majority of international development agencies. Vested interests of the landed elite and their powerful connection with the political-bureaucratic system have blocked meaningful land reforms and/or their earnest implementation. The oppressed have either been co-opted with some benefits, or further subjugated as the new focus on liberalization, privatization, and globalization (LPG) has altered government land mostly for the urban, educated elite, who are also the powerful decision makers has become more a matter of housing, investment, and infrastructure building; land as a basis of livelihood for subsistence, survival, social justice, and human dignity has largely been lost.

Challenge 1: Shifting Economic Imperatives

National economic development should ideally bring about an enhancement in the quality of life for all citizens within a given nation. But the question remains, are these parameters met by the present model of development? It seems, instead, that “development has become a big business, preoccupied more with its own growth and imperatives than with the people it was originally created to serve”.

Challenge 2: Maintaining Ecological Balance

Forests. The case has been made above for an ecological balance between the proportion of land designated for forestry, agriculture, and non agricultural purposes. There is a need to explore the linkages among rural poverty, landlessness, and skewed land tenure systems with particular attention to the problems of deforestation. The reduction of forests inevitably disturbs the ecological balance. Cyclical patterns of droughts followed by floods have been clearly linked to this.

Land Degradation. Patterns of land use also have an impact on soil erosion and land degradation. Given the fragile nature of the ecosystem and land quality that has resulted from such a dependency on chemical inputs, over exploitation of groundwater care must be exercised in determining land-use patterns in the future.

Challenge 3: Preserving Human Diversity

The concept of land as commodity societies, such as those of many tribal peoples throughout India, who generally do not have a documented system of land rights. The issue of land use arises in this context because many tribal groups, 7 percent of the total Indian population, live in resource-rich regions. Consequently, both the government and the private sector have a keen interest in gaining access and control over the land or its mineral wealth. In the process, depriving tribal groups of land has become the norm, as they are routinely displaced, and, in most cases, not even able to claim compensation since they have no legal proof of ownership. It is estimated that over 20 million people have been displaced by large projects (e.g., dams, railroads) since independence, and a majority of these people have been tribal groups.

Challenge 4: Complexities of Common Property Regimes

Resources, both natural and manmade, controlled and managed as common property present another challenge in the context of land-related issues. Besides private property or property owned and controlled by the state, common property such as forests, grazing lands, water, and fisheries can also be held and managed through a community resource management system.

12. Suggestion

Land reform is crucial tools for national food security, economic, ecological, and social perspectives .It plays role in “ladders out of poverty” and a foundation for sustained and inclusive economic growth; grassroots empowerment(through collective farming) and movement towards more democratic societies; reduced social unrest and instability; reduced urban

migration; better environmental stewardship; and creation of wealth, reduced political instability by eliminating basic grievances arising from the relationship between tenants or agricultural labourers and erstwhile landowners, reducing pressures that lead to premature and excessive urbanization. The measures dealing with the quality of land have a partial to significant impact on environmental parameters. In addition to these, other land-policy instruments were used for the purpose of transforming development policy effectively.. The key areas for future land policy action include legalizing the tenancy market, contract farming, and watershed and wasteland development to assume greater significance.

13. Need for “Second Generation” Land Reforms

The comprehensive 20th Century land reforms that were carried out without collectivization played a major role in fostering development and stability. Land reforms that led to collectivization proved almost universally to be failures. Many countries that previously conducted collectivized land reforms are now undertaking “second generation” reforms aimed at reorganizing state and collective farms into family-size units and introducing market-oriented land systems. “Second generation” land reforms emphasis on:

1. Aim for universal or near-universal coverage of the potential beneficiaries. Universality can be achieved in two ways. **First**, all members of the state farm or collective farm, including pensioners, should be given a right to receive land individually. Some Eastern European countries have complicated this step by giving preference to pre collectivization land owners and their heirs. The **second factor** to consider in achieving universality is to include all or nearly all state farm and collective farm land in the redistribution. A few countries, such as Russia, have exempted large portions of this land from the redistribution program and thus limited the program scope.

2. Land market development issues are more important in “second generation” reforms. In particular, it is important to build the necessary legal and policy framework and institutional mechanisms to enable farmers to transfer land rights by lease, sale, inheritance, and mortgage (while including, where needed, safeguards to prevent improvident transfers). The creation of such frameworks and institutions can be difficult in settings where land markets have not existed for decades.

3. Allow state or collective farm members to exercise various options on a continuing basis, including options to farm collectively, to withdraw their land as part of a small group, or to withdraw their land to create a family farm. This is particularly important in settings where the state farms or collective farms have not broken up quickly or decisively. At a minimum, state or collective farm members (or heirs of former small owners under a restitution program) should not have to make an irrevocable decision at the beginning of the land reform process regarding how he or she will exercise the new land rights.

4. Permit and foster efforts by state or collective farm members to conclude interim arrangements. These transitional arrangements could include short-term leasing to the state or collective farm (or its corporate successor) while the member decides what to do with the land in the longer term. State or collective farm members must be adequately informed of their alternatives and not forced by the farm management into a particular choice.

5. Permit collective farm members to withdraw a fair share of the collective farm’s animals, machines, and other non-land assets together with the member’s share of the land. Collective farm members are unlikely to be able to pursue other options without such non-land assets. Moreover, the concept of collective ownership should provide the basis for their right to claim a share of these collectively owned assets.

6. Important principles of gender equality, participatory administration, program monitoring, and sensitive treatment of customary law also apply to “second generation” reforms. Women should receive at least equal rights to distributed land, programs should be administered by local, beneficiary-dominated committees, program progress and impacts should

be carefully and regularly monitored, and customary law regimes should be treated sensitively and not summarily replaced.

7. Factors that played important roles in overcoming political obstacles are Grassroots support, Political will, adequate compensation, Public education and information. Availability of technical assistance (crucial to the development of training, monitoring, dispute-resolution, and other measures that help facilitate effective implementation of land reform programs), Support from international donors. (a part of market reforms receiving support from the IMF and World Bank) , Avoid excessive restrictions on land sale and lease markets ,organizing their farms, Collect, monitor and analyze data during all phases of the program.

13. Conclusion

For achievement of faster, sustainable and inclusive growth there is need for second generation land reform. In recent years, the government's land policy interventions have focused on the correction and computerization of land records, improving the land survey process, and improving land quality through the reclamation of degraded wasteland and forests. Land reform implementation is almost thinning out as a priority. In fact, the important policy discussions now centre on whether certain land-reform interventions should be reversed; particularly whether the land ceilings should be increased and whether tenancy restrictions should be liberalized. Marginalization of land holdings and land administration are also of major concern. It is difficult empirically to segregate the influence of the changes in land policy on poverty, environmental management, sustainability and production, but available studies indicate that land-reform measures have had a significant impact on equity and poverty. The measures dealing with the quality of land have a partial to significant impact on environmental parameters. In addition to these, other land-policy instruments were used for the purpose of transforming development policy effectively. The key areas for future land policy action include legalizing the tenancy market, contract farming, and watershed and wasteland development, breaking up the landlord-tenant nexus, effective implementation of ceiling legislation and distribution of surplus land and simplifying legal procedures and administrative machinery and lastly the potential beneficiaries should be made aware of the programmes. It is time we thought seriously of land reforms when especially a "humble farmer" is on top. If in the new century we still talk of reforms without effective implementation we will surely miss the bus.

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