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## **Analyzing Land management system in India and scope for new land reforms**

Kumar Ajith K.

Research Scholar, Srinivas University, Mangaluru, Karnataka, India

### **Abstract**

This research article gives brief scenario of pre-independent land tenure system and post-independent land reforms by government. Several movement and types of land reform movement in early period after independence. The short comings of Indian land reform acts like Tenancy act, Land ceiling act, Abolishing intermediaries' early model cooperative farming etc. Later in the topic the new trends to be adopted in present land universalisation process, Market support system, gender-oriented land distribution, The upliftment of landless, marginal and small farmers by suitable land distribution system. Towards the end of the topic several possible measures are discussed to increase the cultivable area and utilize available resources to enhance substantive yield to farmers through sustainable environment friendly agriculture techniques.

**Keywords** – Land tenure system, Land reforms, agriculture production, land use policy, farmer's income

### **Introduction**

Land is valuable for any country and used by people for yield and as a source of food, for place to live, for wood, for place to work. In India, before British rule, the land used to be in the hands of the society as a whole. However, during the colonial period, this was changed. Land Reforms usually refer to relocation of Land from rich to poor. Land reforms include; 1) Guideline for Ownership, 2) Renting for cultivation, 3) Collection of Tax, 4) Inheritance of Land.

In an agrarian economy like India were massive inequalities of wealth and unequal distribution of land coupled with a large mass of group living under abject poverty category, there are strong economic and political opinion for land reforms.

Due to all these persuasive reasons, Land reforms had received top priority by the governments at the time of independence. The Government of India by all constitutional powers and authority to state governments for the taking up and execution of the land reforms. This has led to a lot of confusions in the implementation of land reforms all over states in India. Many adopted land reformations act according to the geographical, geological and politico-economic setup. But after sixty years the small and marginal farmers malady still persists in rural areas of India. The Green revolution in mid of 1960's boosted the yield of food grains but overall food security with nutritional support was not achieved.

Later, government implemented managing land records and digitizing the records to account for the exact estimation of the available land and proper utilization in systematic manner. Sustainable land mutilation policy was introduced in 2013 in the wake of National Food Security Act to ensure availability, accessibility and distribution of food to all. The rich farmers are occupying majority of land area and they introduce modern innovations in farming process. But small and marginal section of farmers are still in impoverished conditions and they cannot get substantial

outcome from the farming as per the farm input. Agricultural marketing is controlled by middle-man and poor farmers have no warehouses, which forces them to sell farm products at prices controlled by agents. As measure to protect this Ashok Dalwai proposed series of reforms in agriculture sector and land management system, like Public, Private and Partnership (PPP) in agriculture, enhanced MSP, restricting monopoly in agriculture market etc.

In India majority of farmers are either landless or with meagre land, so they shift to other forms wage employment and alternate income generating works. Food security should be achieved only when these poor farmers are again brought back to their traditional agricultural activities, since poor farmers are poverty stricken and malnourished class in society, they need to be rejuvenated with liberalized schemes in the form of free land provision, farm input subsidies, crop insurance and assured price for product. Their income needed to be doubled and agriculture productivity should be tripled then only sustainability and self-sufficiency can be achieved in coming years,

### **Related Works**

Land is the most significant element for the life support system It is clear that economic inequality formed under the economic dimension got reinforced by the social inequality in agrarian relations (*K.Anand & Sharma AK*)

India overlooked the other part of the agricultural labour force- landless agriculture workers who also become two-fold as tenant farmers and sharecroppers and are generally considered as very poor. The final resort of evicted, minor and marginal farmers is to dig up ponds or wells and lay mud-tracks in villages etc which is low paid (menial work), rural job guarantee scheme of MGNREGS, (*Mohanty Prasanna*).

The earlier (forced) land reform is not feasible, market-oriented reforms and tenancy reforms can be considered, but while they are easy to implement, and they got shortcomings. The government also needs to create a suitable institutional setting for farmer's cooperatives and contract farming. (*Bannerjee.V Abhijit*).

In India a few farmers have large and more productive land holdings and provide access to innovative technologies (*Rajagopalan Sruthi*)

The conventional patriarchy and the social norms relating to the women's position in gender milieu are the real hindrances against "writing rights of the woman" on land. Land agencies often discriminate against women in admittance and ownership of land properties. (*Choudary Ranjan Pranab etal*).

Limitations on corporate tenancy have prevented the entry of private outlay into agro-processing activities. Therefore, it is indispensable to relax the present land ceiling limit and tenancy laws to empower Indian agriculture in getting benefit from globalization (*Thimmaiah.G*)

### **Objectives**

- I) Analyze land management system before Independence
- II) Analyze Land reforms after Independence
- III) Assess Government interventions in Land management systems
- IV) Recommendations for new land reforms

### **Methodology**

In this article researcher relied on secondary source of data. The article was prepared by collecting data from various Research journals, Published printed sources, Government records, Unpublished records, Magazine/Newspapers etc.

### **Land Management System Before Independence**

During British colonial period land tenure system was according to three types

**Zamindari System** – It was first put forth by Lord Cornwallis in 1793 through the Land Permanent Settlement Act. It was introduced in provinces of Bengal, Bihar and some parts of Varanasi. In this system Zamindars were given full power of land (Ownership right) and rights to collect rent from peasants. These peasants are called tenants the actual produce will be divided into 11 parts and 1/11 will be claimed by Zamindars, 10/11 will be taken by EIC.

**Ryotwari System** – It was introduced by Thomas Munroe in 1820 and it was basic Land revenue system in South India. It included areas Madras, Bombay, parts of Assam and Coorg province of British India. Its significance is that ownership rights are given to peasants and British government collects tax from peasants Land revenue rate was 50% for un-irrigated land and 60% for irrigated land.

*Drawbacks*- Although ownership belongs to farmers fluctuation and excessive taxation made them poor.

**Mahalwari System**- This type of land tenure system was introduced in 1822 by Holt Meckenzie and later it was modified by William Bentick in 1833. It was primary land revenue system in North West India, Central Province and Gangetic valley. In this type of system land was separated into Mahals, which consists of one or more villages. The Village head was responsible for collecting revenue from farmers. Here also ownership right vested among peasants.

### **Effect of Pre-Independence Land revenue system**

- The amount of tax to be decided was left to land owners, exorbitant and disproportionate amount was collected from farmers making them poorer and poorer.
- ‘Tenants at will’ - The of tenants not secure
- Absentee landlordism – The owner of land never involved in production and got a share in produce.
- During climatic failure, famines the poor farmer are ultimate sufferers and they never received any benefit from either from British government or from land lord.
- In Ryotwari and Mahalwari system, although peasants got ownership rights they were exploited by hefty taxes and burden directly to farmers
- When the yield fails the farmers, in order to pay taxes farmers were forced to sell lands cheaply to money lenders.
- The agriculture and economic development were stagnant, in addition to this there was drain of wealth from India
- Social inequality and income disparity was prevalent. Number of poor people increased rapidly.

### **Land Reforms After Independence**

The expert thinkers had an opinion that, India could develop both industrially and agriculturally only through efficient land tenure system. Hence drastic law making was essential to overcome this illegitimate land tenure system.

The first and foremost study was conducted by J.C Kumarappa, Chairman of Agrarian Reforms Committee. This committee submitted report on 1949 containing several recommendations favouring land reforms through decentralisation.

### **Major recommendations of Kumarappa Committee**

- Abolish intermediaries in land tenure system
- Tenancy reforms

- Fixing land possession limit
- Consolidation of land holdings

#### **Four types of Experiment in Land universalisation**

By reformation process	-	Legislation from central government implemented by agencies of state government
By coercion	-	Land grab movement viz Telengana, Naxalate movement
Legislative orders	-	Controlled land seizure like in West Bengal, Kerala, Karnataka and protecting poor farmers
By Social movements	-	Persuasion and through permission of landlords, peaceful agitation, and educating land lords viz Bhoodan movement, Gramdan

#### **Objectives of Land reforms**

- Enhance productivity of land by improving the economic conditions of Peasants/Tenants, so that they may have interest to invest in cultivation and improve agro-economy.
- Guarantee collective justice and to create an equal society by abolishing all forms of exploitation.
- Transfer of wealth from a few to many people so that demand of consumer goods will create thus developing economy.
- “Land to Tillers” proprietorship to exact workers(peasants). security to tiller of land

#### **Impact of Various types reforms to society**

##### *Abolishing Intermediaries*

It was estimated that 2 cores of tenants became owner of land. Huge area of cultivable land and private forest came under the control of government and thus making distribution to landless group became smooth. But huge financial burden on state due to compensation paid to ex-intermediaries. Another problem was large scale eviction of poor peasants living in these lands by registering their property under relative's name

##### *Tenancy reforms*

The rent paid by tenant to landlord was not according to any criteria. The landlord imposes unimaginable tax to tenants. The rent was regulated according to irrigated and non-irrigated area. The laws also provided security to tenure and allowed to construct farmhouse in land. Another important feature of land reforms where ownership was granted to tenants and get compensation from landlords whenever any improvements are made in land. The sub-tenants were also appointed who are working class. Informal and hidden oral tenancy without any legal approval was prevalent and it nullified tenancy reforms to some extent.

##### *Ceilings on holdings and consolidation*

It is legally stipulating maximum holding of land. No individual farmer or farm household could hold any land beyond the government fixed limit. It resulted in equitable distribution of surplus land to needy in a transparent manner. The fragmented small lands are re-organized into single plot for the convenience of cultivation.

##### *Developed Co-operative farming*

In order to reduce agriculture input cost land reforms legislation envisaged co-operative farming. Land was owned individually but cultivation is done jointly by forming village co-operative agencies. The profit of crop will be shared according to quantum of land owned by respective individual. Later during third plan period (1961-66) it was noticed that 40 percent of co-operative cluster are not working genuinely. The government subsidies are in vain and subsequent output is not reflected in agrarian economic growth. Political and local caste leadership with vested interests toppled the very meaning of co-operative agricultural farming.

### **Why Post Independent Land reforms not fulfilled**

- Fragmentation of land and inefficiency. For large scale cultivators pockets of land were not viable for vast cultivation
- Inversely affected existing extreme poverty and food security
- Peasants who received land were not rich enough to start cultivation
- Wide scale nepotism, exploitation and bogus settlement deeds between officials, landlords and farmers.
- Plantation crops were exempted from land ceiling act and there was no uniformity in land reforms act from state to state.

The central theme of land reforms was rapid economic development and to attain food security, however the onset of green revolution during 1966-67 kick started our food grain production by introducing High Yielding Varieties in agriculture. India became one of the biggest agriculture producers in 1978-79. After registering impressive performance during 1980s, the agricultural growth decelerated in the economic reform period (commencing in 1991) the rate of growth of production of food grains fallen gradually.

### **Causes of Decline in Agricultural Growth**

The main reasons for the decline in agricultural growth in the post-reform period have been

- considerable deceleration in the public and overall investment in agriculture
- reduction in farming area
- Failure to follow emerging technologies
- Scarcity in irrigation network
- Unbalanced use of inputs
- Not enough outlay in Plan
- Weaknesses in credit delivery system

India's Land policy till 1990's was mainly concerned with poverty alleviation, maintenance of food security and land equity. Towards the end of 20<sup>th</sup> century, we witnessed various environmental protection obligations, sustainability in development process and inclusive development all over the world. India being a signatory to various treatise and conventions the forthcoming land use policy, Land reforms etc. need to be in congruent with environmental impact study.

### **Governement Interventions In Land Management System**

#### **National Land Records Modernization Programme (NRLMP)**

A good land records system is a necessity for any developing and united society. Millions of civil cases are pending various courts regarding land ownership and related disputes. Digitization of records is a powerful and efficient way to tackle this problem. The former digitalization programme of Strengthening of Revenue Administration and Updating Land Records and Computerization of Land Records are merged together to form NRLMP in order to develop a modern, wide-ranging and transparent land records management system in the country with the aim to implement the convincing land-titling system with title guarantee, which will be based on following guidelines, i.e.,

- A) It provides an exclusive option to handle land records (maintaining and apprising of written records, charts, survey and settlement processes and registering of permanent property),
- B) The cadastral records reflect the ground originality.
- C) NRLMP ensures that the title change will be automatically recorded, if any change occurs it will reflect in past records.
- D) Title insurance, which promises the title for its accuracy and underwrites the title holder against any damage arising on cause.

### **The National Land Utilisation Policy – 2013**

It was introduced to suggest ways in which land in the country could be utilised in a better way. The primary objective of National Land Utilisation Policy is to achieve growth of livelihood, food security and water management in addition to this developmental target also to ensure sustainable development goals of India. Some of the objectives envisaged in policy are

1. Production of food grains to 307 million tonnes by 2020.
2. Protection of agricultural lands from land use conversions so as to ensure food security and to meet consumption needs of a growing population and to meet livelihood needs of the dependent population.
3. To identify and protect lands that are required to promote and support social development, particularly of tribal communities and poor section of society for their livelihood.
4. To preserve the areas of natural environment and its resources that provides ecosystem services. Objectives related to developmental/ economic concerns
5. To promote properly guided and coordinated development in a sustainable manner of all developmental sectors including agriculture, urban, industrial, infrastructure and mining so as to minimise land use conflicts or negative environmental impacts. Aims related to enforcement and implementation of the policy.

### **The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013**

This act will replace 120-year-old Land Acquisition Act of 1894 which was enacted way back in British rule.

The intentions and objects of the Act comprise:

- To ensure, in consultation with institutions of local self-government and Gram Sabhas a humanitarian, participative, informed and clear process for land acquisition for industrialization, development of essential infrastructural facilities and urbanization with minimal trouble to the holders of the land and other affected families.
- Compensate reasonably to the affected families whose land has been took over or are affected by such acquirement
- Provide adequate provisions for such affected individuals for their rehabilitation and resettlement.

### **Recomendations For New Land Reforms**

New land reforms are aimed at restructuring state and group farms into family-size units or individual cultivable units and introducing market-oriented land systems. It is generally about separating resource distribution and production decisions to market forces rather than to the government institutions.

The emphasize in new policy should be in following facts

- **Generality** First generation reforms like tenancy act, land ceiling etc. benefitted many peasants but the benefits were unfairly distributed across strata and regions. New reforms are required to cover all prospective beneficiaries.
- **Land market development** Issues in land acquisition transfer and lease of land prevents the development of a sound market mechanism where land is seen just as an asset that can help its owners in crisis condition.
- **Enhanced Productivity** Land leasing, co-operative farming, contract farming etc. Enable farmers obtain improved income from the same portion of land,

- **Gender Unbiased** Although there has been increased womanisation of agriculture due to male migration, but women are still deprived ownership rights over land.
- **Land banks and pooling** Government should create land banks and pooling of unused land by reclaiming or non-irrigated wasteland and provide it to farmers for cultivation of feasible crops. Contract or collective farming in such areas.
- **Foreign Direct Investment in Agriculture** New policies to liberalise the flow of foreign investment and technology transfer to agriculture sector boosting production

#### **Re-consolidation of holdings**

It is observed that over year's number of agriculture holdings in India increased considerably, but area under cultivation decreased. This resulted in diminishing of average size of land holding and share of marginal farmers in the field also rose considerably. The average land holding size in 1970-71 was 2.28 hectares (Ha), which has come down to 1.08 Ha in 2015-16 So urgent and stringent measures should be ensured once more from policy makers to effectively re-consolidate land holdings.

#### **Reclamation of degraded land**

India's land is undergoing degradation or desertification. In 2011-2013, it was 29.3 percent of the total land, constituting an increase of 0.57 % (merely 1.87 million hectares in area) in comparison with 2003-2005, according to study done by ISRO's Space Applications Centre. Soil erosion caused by water and wind, and disintegration of vegetation cover were the main processes that have led to land degradation. Land deterioration is hastened by both changes in climate conditions and anthropogenic activities. One of the prime reasons of land deterioration is indiscriminate using of natural resources. In order to prevent land degradation and reclaiming the degraded land following measures should be adopted

- Watershed management initiatives include planting trees and other initiatives aimed at conserving soil and hold water.
- Regain unfertile lands will require a firm land-use policy.
- Afforestation- planting trees in the forest again over the lands where they were existed once and lost due to forest fires, overgrazing, and excessive felling. Re-forestation controls water logging, denudation, Top soil erosion and enhance efficiency of land.
- Wastelands are an alternative for providing dwellings to landless agriculture workers.
- Reclaimed lands can be shifted to cultivable land by using sufficient water and manures.

#### **Doubling Farmers Income (Ashok Dalwai Committee report)**

The Central government framed an inter-ministerial committee supervised by Ashok Dalwai to prepare a blueprint for doubling farmer's income by 2022. The key suggestions put forward by committee are

- Agricultural marketing should place under concurrent list of Indian constitution.
- Involving private sector in agro-marketing and logistics services.
- Formation of Farmer producer organisations (FPO) and Village produce Organisations (VPO) to integrate small and marginal farmers.
- Making a Model Agriculture Produce and Livestock Marketing (APLM) rules.
- Incorporation of cold chain services and Infrastructure development.
- Increase ceiling of agriculture credit.
- Agro-exports should be increased by three times by 2022-23.
- Like GST council, permanent Inter-ministerial committee to monitor prices and shortfalls should be formed.

### Rejuvenating Farmers Income

The Dalwai committee recommended that small and marginal farmers, constituting 86% of all farmers, be given special treatment because their financial constraints and other issues (Low literacy/skills) made it hard for them to adjust to the climatic change linked challenges. Central government and most governments are ignoring landless farmers. Whatever scheme, maybe it is *PM Kisan* or *Telangana Rythu Bandhu scheme* landless or tenant farmers are getting negligible aid. It is planned in draft Central Land Reformation Policy "*Landlessness is a genuine indicator of rural poverty in the nation*". *Land is the most precious, everlasting possession from which people derive their economic independence, social status and a modest, perpetual means of livelihood.*"

### Eliminate Landlessness in farmers

It is the major problem faced by farmers in India, high majority of Indian farmers are either marginal or small-scale farmers and others constitute landless or tenant farmers. Only a small peasants hold considerable acreage of land. For attaining self-sufficiency in food production and double the farmer's income some measures need to be done in war foot.

- Industrial and infrastructure project should be confined to unfertile land as much as possible and economic development should not be in price of sinking primary sector.
- Surplus land consolidated and unutilised in the hand of conglomerates should be procured by government and distributed to landless farmers equally.
- Tribal land encroachment should be strictly restricted by law. Land distributed to tribals for the sake of cultivation and livelihood should be government property and no title transfer should be permitted.
- All lease period expired lands in the hand of people should be procured by government in time bound manner.
- Leasing of land from unviable holdings for investment thereby enabling income and employment generation.

### Conclusion

Land reform has a great responsibility in the rural agrarian economy that is dominated by land and agriculture. New and pioneering land reform actions should be adopted with new vitality to eliminate rural poverty. Basic aspect of land reforms is to fair distribution of land and boosting of farmers tendency to cultivate more. For this, small and marginal farmers which constitute a lion's share are still contended with infertile and fragmented lands, input support and marketing support to agriculture produce should be primary objective of government. A viable and substantial crop insurance scheme backed with crisis support system is essential in making India a sustainable agricultural economy in the world.

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