

## Land Reforms in India: Prospects and Challenges

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### ABSTRACT

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*The paper tries to bring out the prospects and challenges and the whole review and picture of the land reforms system in India. In India, land reforms have a long history that dates back to the country's war for independence. The unequal allocation of lands shocked our nation's authorities. God gave us the land as a gift; it is a component of nature. No one has the ability to disperse either air or water. Vinoba Bhave claimed that since land is God's property, it must be divided equally.*

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**“Land is not merely soil, it is a fountain of energy flowing through a circuit of soils, plants and animals.”**

**- Aldo Leopold**

### Introduction

Usually, the term "land reform" alludes to the redistribution of land from the wealthy to the poor. We can describe it more broadly by saying that it covers laws governing land ownership, use, leasing, sales, and inheritance. The goals of land reforms include granting ownership, establishing fixed rents, and other goals. At the time of Independence, there was a huge disparity in land ownership.

Before India gained its independence, there were three main land tenure systems: the Rayatwari, Mahalwari, and Zamindari systems. In 1793, Lord Cornwallis instituted the Zamindari System through a permanent settlement that fixed the land rights of the Zamindari for all time without a mention of fixed rents or rights of occupancy for actual cultivators. However, there were efforts made in the early nineteenth century to reverse the negative consequences of permanent settlement and to make provision for temporary settlement as a matter of policy.

There were four main categories of land reform legislation in India: the elimination of intermediaries, who were responsible for collecting rent under the pre-Independence land revenue system; tenancy regulation, which aims to improve the terms of the leases that tenants are subject to, such as crop shares and security of tenure; a cap on the number of landholdings with the intention of distributing surplus land to the landless; and finally, efforts to combine disparate landholdings. Most people concur that one aspect of land reforms that has had some success is the elimination of intermediaries.

### Objectives:

Broadly speaking, the objectives of land reforms are as follows:-

1. To alter the unfair and inefficient agrarian arrangement.
2. To end exploitative patron-client relationships, which are common in agriculture.
3. To encourage social justice while advancing agriculture.

It is crucial that we never lose sight of the fact that equity, not productivity, is the primary goal of land reform. In a welfare state like India, land cannot be handled as a commodity because it is not one. The tremendous fragility and unpredictability of the landless person, who lacks the resources to compete with a huge firm or with wealthy, prominent farmers who have sizable land holdings, are ignored when treating land only as an economic asset.

Land reforms strive to reorganise operational holdings in order to maximise the use of land while also redistributing ownership holdings from the perspective of social justice. These have as their objectives granting ownership, securing tenancy, and fixing rents.

The entire idea behind land reforms is to do away with middlemen and put the actual cultivator in direct contact with the government. Therefore, the following are included in the scope of land reforms: (1) abolition of intermediaries (2) Tenancy reforms, which entails regulating rents, providing tenants with security of tenure, and granting them ownership (3) Limits on land ownership and distribution of surplus land to small farmers and landless agricultural labourers (4) agricultural reform, which includes combining properties and avoiding separation and fragmentation (5) Forms for cooperatives should be organised, and (6) record-keeping procedures should be improved.

Land reforms in India had planned for the state to seize all land belonging to landlords after a certain point and distribute it to small landowners so they could make a profit or to landless labourers so they could satisfy their need for land. Therefore, placing a cap on landholdings is a practical way to redistribute land and achieve social fairness.

Before India gained its independence, almost all of its agricultural land was owned by middlemen, such as zamindars and jagirdars, rather than by the farmers who worked the land to grow crops. These farmers naturally suffered from exploitation because the landowners gave little thought to agricultural needs and were only interested in the rent they received from these labourers.

A deficient agricultural output became apparent after India gained independence in 1947. The Indian government took action to improve the issue by changing the rules already in place. Following India's independence, these laws helped to create agrarian reforms.

These laws attempted to distribute agricultural lands equally and uniformly so that ownership wasn't concentrated in a small number of lands. promoting optimal agriculture output through ethical and practical methods.

Rural poverty would be decreased and tenant farmer exploitation prevented with uniform land ownership. Additionally, it would end the exploitation of land relations. to boost agricultural output and spread equity across society. Land reform took centre stage in Indian policy immediately following Independence since it was seen as crucial to the process of constructing a nation.

#### **The aims of India's land reform programme were as follows:**

1. The first step is to remove any barriers to boosting agricultural output that result from the agrarian framework that has been handed down from generation to generation.
2. The second goal, which is closely related to the first, is to eliminate all elements of exploitation and social injustice from the agrarian system.
3. To provide security for the soil tiller and to assure equality of status and opportunity for all segments of the rural population.

#### **Causes of Land Reform Failure:**

Although real attempts to implement land reform measures were not initiated until after Independence, there are still a variety of reasons why land reform programmes have failed. These are what they are:

1. Excessive publicity before passing land laws and delays in doing so

2. Legal problems and restrictions impede the country's efforts to pursue land reform.
3. The majority of the laws allowing tenants ownership rights are optional.
4. Unlawful land transfers. The Zamindars have engaged in extensive land transfers to their kinnew or family in order to get around rules governing land ceilings. Such fraudulent transactions have little impact on how agriculture is operated.
5. The tenants lack of social consciousness.
6. Because state governments, which oversee land operations, have shifted in favour of large farmers. As a result, the interests of small farmers have been significantly impacted.
7. The lack of concurrent evaluation and trustworthy (current) records is the main factor contributing to the failure of land reforms.
8. A lack of financial support is another barrier to land reform.
9. Another reason India's land reforms failed was the lack of a comprehensive strategy, including the abolition of intermediate tenures, tenancy reforms, holdings ceilings, etc.
10. The main problem is that people who gain from land reforms don't all come from the same social or economic level.
11. Insufficient political will.
12. Corruption in the workplace.
13. A broad interpretation of the phrase "personal cultivation." According to the definition, one might start cultivating property for personal use while seated 200 miles away. The zamindars are now allowed to own significant tracts of land for farming.
14. Most rules that provide tenants ownership rights are discretionary. Due to their fear of their landlords, many tenants are hesitant to seek legal assistance in this matter.
15. Owners who do not have spare land often change land statistics to make the extra land they do have usually bleak and unusable for farming.
16. Disparate land reform laws. India's laws governing land reform vary from state to state. In many states, they are different.
17. New agricultural technology is urgently needed.

#### **Corrective actions for land reforms:**

Numerous corrective actions have been taken to get rid of the obstacles and structural limitations affecting India's land reforms. These are what they are:

1. The definition of personal cultivation under land legislation needs to be modified with landless farmers' needs in mind.
2. The requirement for a primary residence should be made mandatory for land ownership.

3. The distribution of extra land that has been seized from large landowners should proceed quickly.
4. The computerization and updating of land records should be given primary importance. The states should get the necessary funding for this purpose, and a verified extract of the record in the form of an updated "Farmers Passbook" should be issued.
5. No non-agriculturist should be allowed to receive a transfer of agricultural land.
6. Tribals require special consideration. At the earliest opportunity, all unregularized agricultural land owned by the tribal members should be regularised.
7. The government should identify wastelands, both public and private, and implement restoration strategies there before distributing the results to the less fortunate.
8. The country's marginal landowners and farmers should be encouraged to work together or as a community.
9. To enable farmers to buy the lands that are rightfully theirs, loans should be given to them on more lenient terms.
10. Unnecessary political involvement and harassment should not be allowed to affect the administrative machinery.
11. The underprivileged peasants should have access to legal representation up to the supreme court level. Along with the swift resolution of cases by rural courts, i.e., Nyaya Panchayat/Rural Nyayalaya, the Lok Adalats should be given the authority to handle land reform litigations.
12. Representatives of landless small and marginal farmers should be included in local Panchayat bodies and ministries so they can participate in all levels of decision-making.
13. Through various educational programmes and media, the rural peasants should be made aware of their own rights.
14. In order to safeguard the interests of small and marginal farmers, peasant groups should be established. Through these groups, they are able to fight against exploitation and submit claims for the grant of ownership rights.
15. There needs to be a strong political will so that the government may use land reforms as a tool to create an egalitarian society.
16. Separate scientific examinations of the agrarian structures of various regions should be carried out on a regular basis.

It takes a government with strong political will and a bureaucracy with dedication to achieve the desired objectives. In order to overcome these obstacles, the poor should be inspired through education and persuasion and the rich should be coerced to cooperate.

The best course of action is to create and put into effect sound land reform laws that aim to redistribute land fairly and equally among the rural masses.

Thus, land reforms make up our country's legacy. An important example of land reform is in India. We can say that state government is concerned with land reform. Every state has made steps to put in place land reforms. However, we may still claim that current land reform law is contentious. We must keep in mind that in a nation like India, where 70% of the population is dependent on the land, when talking about land reform. It appears that several land reform laws have failed when we examine the outcomes of their implementation. States have different failure rates.

We might sum up by saying that the challenges and difficulties relating to the land tenure system, land reforms, etc. cannot be put off any longer. Some of the crucial tenancy of land reform provisions still need to be put into action by the State Government.

Government should make it easier for farmer groups and cooperatives to form so they can work together to advocate for the fulfilment of their requests and serve as a safeguard against exploitation and abuse.

It is necessary to enhance the National Land Reform Councils, which lack binding authority. The impact of land reform on productivity will be found to yield favourable outcomes if such actions are taken by all the Authorities and vigorously enforced. In a country like India, which has a history of inequality and exploitation of the poor, land reform attempts "may lead to a true burst of enthusiasm, a genuine release of energy among the working peasantry." For land reforms to be effective, they must be carried out efficiently. To accomplish the desired goals, a government must have strong political will and a committed bureaucracy. The rich should be forced to cooperate while the poor should be inspired to overcome the challenges through education and persuasion.

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