

National Institute of Rural Development & Panchayati Raj
Rajendranagar, Hyderabad 500 030

Centre for Agrarian Studies

Seminar on

**Land Rights, Changing Agrarian Relations and
Rural Transformation**

(14 – 15 October, 2016)

CALL FOR PAPERS

We invite scholars working in this area to submit papers (6000-8000 words), on the themes and sub themes of the seminar. Submit full paper by 30th September, 2016 with an abstract. Authors of papers who will be shortlisted for presentation at the seminar will be communicated. Paper presenters will receive travel support as per NIRD&PR norms and as per requirement and need. Communication may be sent to Dr. K. Suman Chandra, Professor & Head, Centre for Agrarian Studies – e-mail : sumanchandranird@gmail.com; sumanchandra.nird@gov.in; Mob : 09848997643; Telefax : 24008515.

National Institute of Rural Development & Panchayati Raj
Rajendranagar, Hyderabad 500 030

Seminar on

**Land Rights, Changing Agrarian Relations and
Rural Transformation**

(14 – 15 October, 2016)

Background Note

A – Introduction:

The Committee constituted by the Government of India on *State of Agrarian Relations and the Unfinished Task of Land Reforms* observed that “Agriculture and primary sector activities based on land and other natural resources are the prime source of livelihood for the vast majority of the economically vulnerable rural population”. Rural poverty and well-being remain closely linked to the question of land ownership and control. Land has inherent value, and it creates additional value. A plot of land can provide a household with physical, financial, and nutritional security, and provide a labourer with a source of wages. Land is a basis for identity and status within a family and community. Land can also be the foundation for political power.

India is the home for largest share of rural population in the world, surpassing China which is fast urbanizing. India has distinctive primacy as a country with majority of population in the countryside is likely to continue for a few more decades. Though there have been rapid changes in the rural economy of India in the form of faster growth of non-farm activities and net decline in the workforce in the farm sector in the past decade, agriculture continues to be an important source of livelihood for almost half of the rural population. Even with high rates of growth there are no signs of faster shift of workforce from agriculture to non-agriculture or from rural to urban. There has been drastic decline in the share of agriculture in the national gross domestic product to as low as fourteen percent, but still fifty per cent of workforce continues to be in agriculture, resulting in growing productivity disparities between the sectors of agriculture and non-agriculture in the country.

It is widely accepted throughout India that the countryside is under distress and urban-rural inequalities have grown since the economic reforms were introduced. How people in rural India live and survive while the share of the contribution of agriculture in total GDP is declining is a question that needs to be answered. What is the place of land as a source of livelihood for the poor in the countryside? What is the nature of the emerging non-agricultural or non-farm economy and its implications for agrarian structure and rural livelihoods? Several social scientists are engaged in unravelling the process of

rural and agrarian transformation in the context of declining land-person ratio, rising non-farm economy, changing rural power structure, increasing migration and a series of rural development and welfare programmes initiated by the Indian state with the objective of inclusive growth.

B – Land Rights:

Land and associated property are key assets for the rural poor that provide not only a foundation for economic and social development but can help to empower them to adjust to the challenges posed by urbanization and globalization in a number of ways. Focusing on the main forces shaping the evolution of land rights, possible sources of tenure insecurity, and ways in which action by the community and by the government can help to reduce such insecurity and provide a basis for more effective land utilization that will be critical for countries to utilize the resources at their disposal most effectively, thereby promoting growth and poverty reduction. Historically, a key reason underlying the evolution of property rights to land was in response to increased payoffs from investment in more intensive use of land due to population growth or opportunities arising from greater market integration and technical advances. In the course of development by virtually all societies, the need to sustain larger populations will require investments in land that cultivators will be more likely to make if land rights are secure. There is abundant evidence suggesting that institutional innovations to gradually increase the security of property rights can lead to a virtuous cycle whereby higher population density leads to greater investment in land, economic growth, and increased welfare. At the same time, failure of the institutions administering land rights to respond to these demands can lead to social conflict which, in extreme cases may undermine societies' productive and economic potential.

C – Access to Land:

Access to land is of fundamental importance in rural India. The incidence of poverty is highly correlated with lack of access to land, although the direction of causality in this relationship is not clear. Households that depend on agricultural wage labour account for less than a third of all rural households but make up almost half of those living below the poverty line. Many of these households also own some land, but in holdings that are so small or unproductive that their owners derive a greater share of their livelihoods from their own labour than from their own land. Land plays a dual role in rural India: aside from its value as a productive factor, land ownership confers collateral in credit markets, security in the event of natural hazards or life contingencies, and social status. Those who control land tend to exert a disproportionate influence over other rural institutions, including labour and credit markets.

While India's agrarian systems have not prevented the poor from taking advantage of new opportunities presented by the Green Revolution, the gains from technological innovation remain unequally distributed between those with access to land, water and inputs, and those without. There is broad consensus that the main causes of rural poverty lie in low rates of agricultural growth and factor productivity, and that the key to raising productivity in agriculture lies largely in the deregulation of the policy environment together with measures to broaden access to land and complementary inputs. More equitable distribution of operational land holdings would create more equitable patterns of demand,

which in turn would enhance growth in the rural non-farm sector and remove some of the biases in credit, marketing and research institutions that arise from the unequal distribution of assets and power. This is supported by recent evidence which suggests that countries with more equal land distribution experience higher rates of economic growth.

D – Land Reforms:

Land reforms are a major policy focus of the Government of India's Department of Rural Development under the Ninth Plan, following recent reassessment of India's post-Independence land reform experience. State-initiated land reforms are conventionally believed to have been unsuccessful in getting land to the poor in India (albeit with notable exceptions such as West Bengal), although it is widely acknowledged that they have been successful in creating the conditions for agricultural growth by consolidating the position of small and medium farmers.

The Government of India and State governments have taken up several land reform measures since independence to secure land to the landless and land-poor in the country. Land and land reforms are under the exclusive legislative and administrative jurisdiction of the states, as provided by the Constitution of India. However, the central government has played an advisory and coordinating role in the field of land reforms. Several progressive and pro-poor land laws were enacted in the last six and half decades. In fact, the largest land reform legislation ever to have been passed in so short a period in any countries was in the post-independence India. These laws include: (1) land ceiling laws that put restrictions on family land holdings and redistributed surplus land; (2) abolition of intermediaries and conferring ownership on actual cultivators; (3) protection of the rights of tenants; (4) assignment of government waste land and *Bhoodan* land to the poor; and (5) prohibition on alienating land allotted to the poor and the land belonging to tribals. Recently, a historic piece of legislation, the Scheduled Tribes and Other Traditional Dwellers (Recognition of Forest rights) Act (2006), was enacted by the Government of India to recognize land and other forest rights of the tribal and other traditional forest dwellers.

In spite of these efforts by both the Union and state governments, a significant percentage of the poor are still either landless or have insecure rights on land. It is estimated that at least 15 million rural households in the country are functionally landless and another 28 million rural families who "own" land but hold it insecurely because they lack one of the three essential ingredients of legally secure land rights: possession of land, a title document and entry in the Record of Rights.

E – Updating Land Records:

The system of correction and updating of land records is very elaborate. Maps depicting land parcels (cadastral maps) are required to be updated every 30 years through the process of survey and settlement operations. A majority of States have not done any survey and settlement operations after Independence. As a consequence, updating of records has suffered and they no longer represent the ground realities relating to ownership and possession. This situation has been well recognised at various levels at

different points of time. In December 1988, the Conference of Revenue Secretaries of States took cognizance of the poor state of land records and recommended immediate action. Even the First Five Year Plan (1952-57) took note of this fact and its possible consequences. In a primarily agrarian economy with a distorted social structure, it has serious implications in terms of its impact on the execution of all welfare and economic development activities.

The poor are suffering from either landlessness or insecure rights to land. Since Independence, about 43 million acres of government waste land, ceiling surplus land and *Bhoodan* land has been distributed to the landless poor in India. However, there are several problems with these assigned lands. First, in many cases, the state allots land to the poor and fails to provide them with proper record of rights. Second, in spite of restrictions, the poor have often alienated much of the land distributed to them. Third, much of the assigned land is degraded and remain unutilized due to lack of any assistance to improve it. Further, some of the poor who have been on government land, either cultivating it or with a house on it, continue without legal rights, even though law provides a process for legalizing their possession. In recent times, especially since the beginning of the regime of economic liberalisation, the issue of access of land to the poor has been relegated to the background. This brings us back to the question as to the role of access to land in the process of transformation witnessed in India?

Nonetheless, it is now recognized that the prospects for bringing about a meaningful improvement in access to land by the rural poor may be even stronger if attention is also turned to more pragmatic and market-oriented measures, such as the selective liberalization of land-lease markets; the promotion of women's land rights; and efforts to increase transparency in land administration and public access to land records. Incremental reforms in land administration, designed to facilitate more rapid, fairer and cheaper conveyancing procedures, are also likely to assist in the implementation of land reform legislation, thereby enabling state-initiated and market-oriented approaches to land reform to complement one another.

F – Land Access to Marginal Communities:

Large proportion of the marginalised sections in the countryside continue to long for access to land not merely as a source of income but as a measure of social security and status. But ever since the unfolding of the neoliberal regime for over last two decades, the role of access to land to the rural poor has been underplayed and the issue of land reforms has been relegated to insignificance. The typical neoliberal assertion is that higher and faster growth will resolve major economic problems. The growing distress among small-marginal farming community caused by the neglect of agriculture under the neoliberal regime is turned into an argument against land reforms! The process of redistributive land reforms including assigning small parcels of land to the landless or land poor is argued as a measure of perpetuation of marginalised pieces of farming that would not result in any improvement in the incomes of the poor. Further, it is argued that the potential land available for distribution is too meagre, and if distributed would only add to already high proportion of marginal farms aggravating the distress.

G – Land Degradation:

Land degradation or deterioration of land quality for agricultural production and environmental protection has been a matter of concern for land users. Land degradation assessment undertaken by the various Central and State agencies resulted in the generation of databases on the degraded and wastelands. But these agencies had used varying definitions of land degradation, data sources, classification systems, methodologies and scales that resulted in diverse estimates of degraded and wasteland areas. And for proper implementation of reclamation/conservation and ameliorative measures, harmonized/uniform data are required.

The earliest assessment of the area affected by the land degradation was made by the National Commission on Agriculture at 148 M ha, followed by 175 M ha by the Ministry of Agriculture (Soil and Water Conservation Division). The NBSS&LUP estimates projected an area of 187 M ha as degraded lands in 1994 following GLASOD methodology, and revised it to 147 M ha in 2004. The National Wasteland Development Board estimated an area of 123 M ha under wastelands.

H – Conclusion:

Perception of the state of agrarian structure totally ignores the complex issues involved in the rural transformation at the present critical stage of transition that the Indian economy is set to undergo. The structural, institutional and policy dimensions involved in the land and livelihood relations in rural transformation require much more attention, deeper study, analysis and debate to evolve an appropriate strategy that would help mitigate the hardship particularly to those who are asset poor.

Therefore, the objective of the seminar is to focus on the critical issues by bringing together scholars who have been actively involved in the study of these problems with a view to pool together the state of knowledge on the theme that could serve as the basis for appropriate interventions.

The broad themes and sub-themes include the following:

1. Structural and Institutional Dimensions of Indian Agriculture

- a) Agrarian Structure: Changing Size-Class and Caste Scenario
- b) Changing Nature of Land-based Rural Power Structure
- c) Rural Landless and Land Poor and Land Development Policies
- d) Potential Land Resources (Public and Private) for Improved Land Access

2. Access to Land and Land Rights

- a) Appraisal of Redistributive Land Reforms and Access to Land
- b) Tribal Land Rights Alienation of Tribal Land and the Forest Rights Act

- c) Women's Rights to Land
- d) Growth and Nature of Tenancy and Tenant Rights
- e) Land Conflicts and movements

3. Policy and Institutional Interventions

- a) Displacement, Dispossession, Resettlement and Rehabilitation
- b) Cooperatives, Farmers' Producer Organisations (FPO), Self-Help Groups and Access to Land
- c) MGNREGS and the Development of the Small-Marginal Farms.

References:

1. FAO : Land and livelihoods: Making Land Rights Real for the India's Rural Poor, FAO, May 2004, Rome
2. ICAR-NAAS : Degraded and Wastelands of India : Status and Spatial Distribution, June, 2010, New Delhi
3. Robin Mearns : Access to Land in Rural India : Issues and Policy Options, World Bank, May 1999, Washington
4. Klaus Deininger : Land Policies for Growth and Poverty Reduction, World Bank, June 2003, Washington
5. M. Sunil Kumar, A Systems Approach to Resolve Land problems of the Poor and Tribal, Landesa (Rural Development Institute), 2013, Hyderabad
6. DoLR : Report of the Committee on State Agrarian Relations and Unfinished Task of Land Reforms, Ministry of Rural Development, 2008, New Delhi
7. Kuldip Rai & D.K. Bhalla : Computerisation of Land Records in India, Press Information Bureau, Govt. of India, New Delhi