

CURRENT AFFAIRS PROGRAM

PRE CUM MAINS 2024

JAN 2024: PART-1

LAND REFORMS

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1. SYLLABUS: LAND REFORMS IN INDIA

2. PYQS

- a. State the Objectives and measures of land reforms in India. Discuss how land ceiling policy on landholding can be considered as an effective reform under economic criteria [Mains 2023, 10 marks, 150 words]
- b. How did land reforms in some parts of the country help to improve the socio-economic conditions of marginal and small farmers? [Mains 2021, 10 marks, 150 words]
- c. Discuss the role of land reforms in agriculture development. Identify the factors which were responsible for the success of land reforms in India [Mains 2016, 12.5 marks, 200 words]
- d. In the view of the declining average size of land holdings in India which has made agriculture-nonviable for a majority of farmers should contract farming and land leasing be promoted in agriculture? Critically evaluate pros and Cons [Mains 2015, 12.5 marks, 200 words]
- e. The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 has come into effect from 1st Jan 2024. What are the key issues which would get addressed with the act in place? What implications would it have on industrialization and agriculture in India [2014, 12.5 marks, 200 words]
- f. Establish relationships between land reforms, agriculture productivity, and elimination of poverty in the Indian economy. Discuss the difficulties in designing and implementation of agriculture-friendly land reforms in India [2013, 10 marks, 200 words]
- g. Give your assessment on land reforms in India [1997, 20 marks]

3. OTHER PRACTICE QUESTIONS

- a. Critically analyze the role of land reforms in post-independence agrarian and economic development. Have the objectives of these reforms been fully achieved? Give reasons. [15 marks, 250 words]
- b. Why were Land Ceiling Acts introduced in India? Have they been able to achieve their objectives? [10 marks, 150 words]
- c. Evaluate the influence of land reforms on the socio-economic structures of rural India. [10 marks, 150 words]
- d. Analyze the achievements and limitations of Bhoodan Movement [10 marks, 150 words]
- e. Analyze the role of land reforms in achieving the SDGs particularly the eradication of poverty (Goal 1) and zero Hunger (Goal 2) [10 marks, 150 words]
- f. Climate change poses significant challenges to land and agriculture. Discuss the role of land reforms in promoting climate-resilient agriculture and sustainable land use. [10 marks, 150 words]
- g. **Land Fragmentation** is a common problem in Indian agriculture. Analyze its causes and consequences and suggest measures to address this issue. [15 marks, 250 words]

- h. Land Acquisition for development projects has often been a contentious issue in India. Critically examine the existing legal framework for land acquisition and suggest possible reforms to balance development with the rights of landowners and affected communities [15 marks, 250 words]

4. LAND REFORMS IN INDIA

- **Introduction:**
 - **Definition:** Changes brought in the agrarian structure through direct intervention are characterized as land reform.
- **Need of Land Reforms in India after Independence:**
 - **The exploitative nature of land tenure system** (Zamindari and Ryotwari system) prevailing during the pre-independence period:
- **Under Zamindari System:**
 - **High rent:** As much as 25% of produce was taken away by the intermediaries in the form of rent.
 - **Illegal extraction:** Encroachment of communal rights in pastures, forests, etc and the farmers were made to pay for accessing these.
 - **Begar and force labor were common:** Other than high rent and illegal extractions, farmers were also forced by zamindars into forced labor
 - **Low capital investment:** Low income for famers led to lack of investment in agriculture, low capital intensity and antiquated methods -> stagnant productivity.
 - **Poor records maintenance:** It led to difficulty in mortgaging and selling of land. It also led to poor development of credit institutions in these areas.
- **Even under Ryotwari system** where rent was directly paid by Ryots (cultivators) to government, several shortcomings had developed. Here, **moneylenders and Mahajan** had come to play a very important role. By the time of independence, more than 20% of the area under cultivation had passed under open tenancy.
- **Objectives of Land Reforms:** The government defined the objectives of land reforms as follows:
 - i. **Increased Agri-Productivity:** Land reforms were focused on removing impediment to agri production through creation of efficient landholding; encouraging investment in agriculture and boosting production.
 - ii. **Ensuring Equity and Social Justice:** Land reforms would provide equality of status and opportunity to all sections in the rural areas.
 - iii. **Reducing Exploitation:** Tilers for e.g. are provided with security of tenure; higher share of crops with sharecroppers etc.
- **Measures taken** to achieve the above objectives were:
 - i. **Abolition of intermediaries:**
 - » Abolishment of Zamindars and bringing farmers in direct contact with state
 - ii. **Tenancy Reforms:**
 - » It included regulation of rent, security of tenure and ownership rights of tenants.
 - iii. **Ceilings on Agricultural Landholdings**

» So that access land could be redistributed.

iv. **Reorganization of Agriculture**

» Redistribution of land, consolidation of land holding and cooperative farming.

v. **Land Titling and Registration:** Establishing a clear system of land titling and registration to secure land rights.

Despite various implementation challenges, these land reforms significantly contributed to rural poverty reduction, and social equity in India, thus underlining the importance of land reforms in advancing the socio-economic conditions of marginal and small farmers.

5. ABOLITION OF INTERMEDIARIES

- **Questions:**

» Discuss the challenges faced in implementing the Zamindari abolition policy in India. How successful was it in its objective of land distribution?

- **Background:** The main cause of stagnation in agricultural sector was the exploitation by Zamindars.

» Even before independence it was understood that exploitation of zamindars is the main cause of stagnation in India's agriculture which in turn was the main reason behind stagnation in agri-growth.

- **So,** some states had passed laws to abolish zamindari system, but the primary work related to this was done during the first five year plan.

- **Outcome:**

» Official documents claimed that intermediaries were completely abolished by the end of the First Plan excepting a few small pockets in some areas.

» It is estimated that in all 173, million acres of land was acquired from the intermediaries and, as a consequence, about 2 crore tenants were brought into direct relationship with the state.

- **Assessment:**

» **Challenges:**

- **Absence of land records** in the permanently settled areas: Here the land records and administrative machinery had to be built from scratch.
- **Delays:** Due to delay in making of laws (for e.g. UP Zamindari Abolition act, took 4.5 years) and then due to Zamindar's challenging it in court.
- **Flaws in legislations:**
 - **"Personal Cultivation"** provision was misused. Zamindars could obtain land for 'personal cultivation' upto a ceiling limit. The zamindars could even evict tenants for the purpose.
 - **"Ceilings were very high"** -> very few zamindars were affected.

- **Transfer of land to family members:** Flaws in the legislation have also enabled them to transfer their land to other members of their families and thus escape the ceiling law.
 - For e.g. in post reform Bihar, there existed estates of 500, 700 or even 1,000 acres and older structure of landowner, occupancy raiyat, non-occupancy raiyat, bataidar etc. continued.
 - **Zamindari only changed its 'garb':** The previous zamindars acquired large areas for personal cultivation on which cultivation is done with the help of hired agricultural labor. They are now designated as '**big landowners**' and along with rich peasantry, have formed "a new and dominant class of rural capitalist".
- » **Positives:**
- Most of the states had passed zamindari abolition law by the end of first five-year plan. This perhaps reflected on the popular sentiments against zamindars and their exploitative practices.
 - Exploitation and oppression of tenants and actual tillers of the soil declined steeply and the feudal rural structure crumbled.
 - Reforms led to skimming of great absentee landlords.
 - **Land reforms measures in Kerala (1959) and West Bengal (1967)** are particularly significant.
 - In **Kerala**, the government declared eviction illegal and sharecroppers were granted the right to purchase land. They were not allowed to retain more than 10 acres of land.
 - The United Front Government of West Bengal acted decisively in favour of the bargadars and agricultural workers and against landlords and rich farmers.
- **Conclusion: Overall**, while the policy marked an important step towards reducing economic inequality and rural poverty, its implementation was marred by several challenges, and its success was uneven across the country. For the policy to achieve its objectives fully, these challenges needed to be, and still need to be, addressed more effectively.

6. TENANCY REFORM

- **Background:**
 - Before reforms, tenants at will and sub-tenants were in a precarious position.
 - Their very existence dependent on the mercy of landlords and this made them prone to various exploitative practices adopted by latter.
 - According to experts, before green revolution, approximately 50% of agricultural land in India was under one or other form of tenancy.
- **Key Reforms:**
 - i. **Rent Regulation:** In the pre-independent India, exorbitant rent was extracted from tenants. In the country as a whole, the rent varied from 34 to 75%.
 - **Reduction in Rent:** The first five-year plan stated that **maximum rent should be fixed at 1/4th or 1/5th of the total produce**. Except in Punjab, Haryana, J&K, TN and Andhra

Pradesh, this limit was observed in all the states. Even in these states, it didn't go beyond 40%.

▫ **Limitations:**

Violation of the law: Because of the strong **socio economic and political hold of the landowners** in the countryside, they have been able to extract considerably more rent from the peasants. For e.g. in Bihar, share croppers are mostly required to pay 50%. In the absence of any security of tenure, the peasants are not willing to confront landlords.

ii. **Security of Tenure:** To protect tenants from ejection and grant them permanent rights in land, legislations have been passed in most of the states.

» **Legislation for security of tenure had three essential aims:**

- No ejection except as per the provision of the law.
- Land may be resumed by the owner, if at all, for 'personal cultivation' only
- In the event of ejection, tenant is assured of a prescribed minimum area.

» **Limitations:**

- **Some sharecroppers not covered by this law:** In WB and Uttar Pradesh, sharecroppers were not included in the definition of tenants and thus were not protected by these laws.
- The '**Right of resumption**' combined with flaws in the definition of personal cultivation rendered all tenancies insecure.
- The '**Provision of voluntary surrender**' was also misused.
 - Socio-economic conditions allowed landlords to compel their tenants to give up the tenancies.
- **No (or incomplete) records of tenancy:** This leads to laws related to security of tenure not getting implemented.

iii. **Ownership rights for Tenants:**

» Some states have also passed law to **confer ownership rights to tenants.**

- It is estimated that as a result of this, 1.2 crore tenants have acquired ownership right over 6.32 million hectares of land.
- **West Bengal, Karnataka, and Kerala** have achieved more successes than the other states.
- In West Bengal, **14 lakh sharecroppers** have been recorded under the '**Operation Barga**'.
 - **Operation Barga** was a land reform movement, throughout the rural WB for recording the names of the sharecroppers (Bargadars) while avoiding the time-consuming method of recording through the settlement machinery. It bestowed on the bargadars, the legal protection against eviction by the landlords (jotedars), and entitled them to the due share of the produce.
 - It was launched in 1978 and concluded in mid 1980s.
 - Till date the operational barga recorded the names of approximately 1.5 million bargadars. Since then, it has been marked as one of the most successful land reform programs in India.

- In Kerala, **applications of 24 lakh tenants** for conferment of ownership rights were accepted.

- **Limitations:**

- » On the whole, the progress was very unsatisfactory.
- » A few states didn't adopt a legislation while in some others implementation has been very poor.
- » For a long period, tenant didn't exercise their rights to purchase ownership of land they cultivated due to following reasons:
 - Many tenants couldn't afford to pay the purchase price.
 - Many tenants were unwilling to purchase. This reflected the dominant controlling power of the landowner's vis-a-vis the tenants.

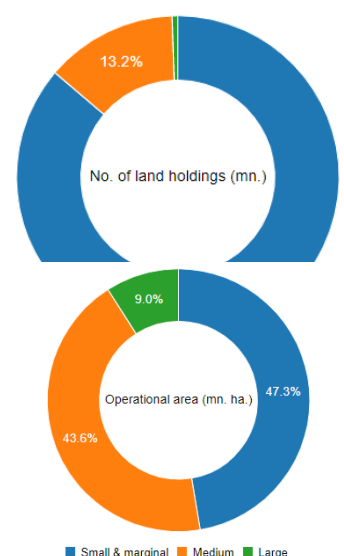
7. CEILING ON AGRICULTURAL HOLDING

- A ceiling on agricultural holdings means **statutory absolute limit** on the amount of land which an individual may hold.
- **Need of Ceiling:**
 - The Social Rationale:** It is socially unjust to allow a small number of people to hold a large part of land and thereby subjugate the interests of millions of laborers to the interest of this handful minority.
 - Improving the position of poor:**
 - » **According to FAO**, "Redistribution of only 5% of farmlands in India, coupled with improved access to water, could reduce rural poverty level by 30% under what otherwise would be, so that in India conditions land and water reform would be a key approach.
 - » Various studies have shown that the per capita income of the rural poor has more than doubled, as is their share in total personal incomes.
 - The Efficiency Factor:** With ownerships, small farms can be more effectively managed in comparison to large farms. Small farms offer more opportunities for employment as they are less capital intensive as compared to large farms.
 - Inculcating the Spirit of Cooperation:** The land redistribution can be done with a condition that farmers form cooperatives for its cultivation and management. This practice will enable the hitherto landless laborers and petty peasants to learn the techniques of social management and joint cultivation on the one hand, and enable them to realize the benefits of large-scale farming as well.
- **Steps taken to promote ceilings:**
 - » It had two aspects - Ceiling on future acquisition and Ceiling on existing holdings.
 - » **The 2nd Five Year Plan** provided that ceiling should apply to all future acquisitions of land and all existing agricultural land holdings held under 'personal cultivation'.
 - » **Compensation:** The plan said that it should be recovered from persons to whom allotments are made.
 - » The priority should be accorded to tenants displaced as a result of resumption of land for personal cultivation, **farmers with uneconomic holdings and landless workers**.
- **Limitations:**
 - » The above guidelines haven't been applied uniformly across the state laws.

- » **Malafide transfers, Benami properties** have reduced the sting out of the ceiling laws and have tended to defeat the aim of these laws.
- » In some cases, **too many exemptions** permitted evasion of ceiling on a considerable scale.
- **1972 Conference of Chief Ministers:**
 - » **To bring uniformity in the different policies** regarding imposition of ceilings being pursued by the states, a conference of chief ministers was called in July 1972. Based on the consensus at the conference, a new policy on land ceiling was evolved.
- **Aim of the new policy of land ceiling:**
 - i. Lowering the ceiling to 18 acres of wet lands and 54 acres of unirrigated land.
 - ii. The change over to family rather than the individual as the unit for determining land holding - lowered ceiling for a family of five.
 - iii. Fewer exemptions from ceilings
 - iv. Retrospective application of the law for declaring Benami transactions null and void.
 - v. To insulate measures from being challenged in the court, most of the laws were introduced under the 9th schedule of the Constitution.
- **But, even its implementation was poor.** Only around 3 million hectares has been declared surplus so far, which is hardly 2% of net sown area in India.
 - » About 30% of the land hasn't been distributed as it is caught up in litigations.
 - » A number of Benami and Clandestine transactions have resulted in illegal possession of significant amount of land above ceiling limits.
 - » The balance of power in rural India is so heavily weighted against the landless and the poor that implementing land ceilings law is difficult.
 - » A new problem also emerged. In certain states like Karnataka, the industry and the large farmers are being given exemption from ceiling laws without seeking the permission of Government of India

8. CURRENT LANDHOLDING SITUATION IN INDIA: AGRI-CENSUS 2015

- **Current Situation of Agriculture Holding In India: Agri-Census 2015**
 - » **Small and marginal landholdings** (<2 hectare area) constituted **86.21%** of the total landholding, an **increase of 1.2%** points compared to 2010-11.
 - Farmers holding 10 hectares and more account for just **0.57%**.
 - Semi-Medium and Medium: 13.2%
 - » **Decline in average size of landholding** from 1.15 hectare to 1.08 hectare.
 - » Average size of farm holding was the **highest in Nagaland** at 5.06 hectares and **lowest in Kerala** at 0.18 hectares.
 - » It is noteworthy that **small, marginal and medium landholdings** constitute the lion's share of operated area - **large landholding** account for only 9% of the total operated area.
- **Causes of Subdivision and Fragmentation:**



- i. **Law of Inheritance:** Land gets equally divided among all the siblings.
 - ii. **Increasing Population:** The land under agriculture has increased marginally, but the population has kept on going up.
 - iii. **Decline in joint family system**
 - iv. **Farmer's Indebtness:** This sometimes leads to farmer selling a part of the land to someone else.
 - v. **Psychological Attachment to land:** Even if people migrate to urban areas, they would want that their land in village remain owned by them. Every child want to have a share in father's land and is not willing to accept payment in lieu of land.
 - vi. **The Practice of share cropping:** This allows a farmer to manage several fragmented pieces of land.
- **Disadvantages:**
 - » **Wastage of land:** Sometimes after division, the land become so small, that it can't be used for agriculture. It has been estimated that in Punjab around 6% of land is wasted on this account.
 - » **Difficulty modernization:** Investment on farm equipment, irrigation facilities etc. become very probable. This also contributes to low productivity.
 - » **Difficulties in land management:** For a farmer, several small pieces of land fragmented in entire village is less manageable, than one large field located together.
 - » **More fragmentation leads to more boundaries** leading to more disputes. This one several occasion hamper the peace in the village.
 - » **Disguised unemployment:** Small piece of land fail to provide work for all members of the farmer's family. But they still remain dependent on it, causing disguised unemployment.
 - **Efforts towards Consolidation:**
 - » **Land Consolidation** is designed to solve the problem of fragmentation of holdings. The method that was adopted was to give one consolidated holding to the farmer equal to the total of the land in different scattered plots under his possession. Initially the program was voluntary, but it was later made compulsory.
 - **Critical evaluation of Consolidation Program:**
 - » **However**, the progress under the initiative have been quite low. Consolidation has been done only on 1/3rd of the consolidable area of the country. It is a continuous process, but most states have stopped consolidation. Only in Punjab and Haryana the task has been consolidated so far.
 - » **Factors:**
 - **Different quality of soil from land to land:** This makes it difficult to convince farmer to accept other piece of land which may be smaller.
 - **Emotional attachment to land:** She doesn't willingly cooperate with consolidation officer.
 - **Most states** were engaged in the immediate land reform programs like abolishment of intermediaries, tenancy reform etc and thus consolidation reforms were postponed.
 - **Failure of other aspects of land reform** reduces the scope of land consolidation.
 - **Socio-Economic Factors:** Rich and influential often manage to get fertile and well situated land, whereas the poor and uninfluential get inferior lands.

9. COOPERATIVE FARMING

- Cooperative farming has been advocated to solve the problems created by subdivision of holdings. The idea is that farmers having very small holdings should join hands and pool their lands for the purpose of cultivation.
 - Farmers will be able to pool resources, implements and cultivate jointly and thus can reap the benefit of large-scale farming.
- **Arguments in favor of Cooperative farming: Solving the problems created by small uneconomical holdings.**
 - Small holding can be pooled together with this method and joint cultivation on the pooled land enables the members to reap all benefits of large scale farming.
 - Reduce input cost -> Inputs bought in bulk will cost less
 - Modernize -> Big agricultural implements and machinery like tractors, harvesting machines, etc. which small individual farmers can't purchase can now be purchased on a collective basis by the society and can be rented out to individual farmers.
 - **Marketable surplus of food grains and industrial raw materials** can be obtained more easily from large farms and can be transported to the market on a bulk basis in an easier way. Thus agriculture surplus can be located and transported more easily.
 - It is also **easy to collect agricultural data** from large scale cooperatives farms instead of sub-divided and fragmented small farms. This increases the reliability and authenticity of agricultural data which is a sine qua none of all good agricultural planning.
 - **Social Cohesion**: Cooperative farming will inculcate, the spirit of cooperation among members of the society which can go a long way in inspiring mutual confidence, collective action, joint thinking, and feeling of fraternity and friendship among members.
 - **Foundation for strong democracy** can be laid by such cooperatives.
 - In recent years, there have been a lot of talk about 'public participation in planning' and 'planning from below'. This will remain mere slogans unless and until the spirit of cooperation develops at the village level.
- **Progress:**
 - In the first three plans, there was a push for cooperative farming through various incentives and facilities for the development of these societies like financial assistance, technical assistance, subsidies, preference in allocation of improved supply of seeds etc. However, the progress was extremely low and as of June 1969 there were only 8,160 such societies with 2,20,047 members.
- **Other limitations:**
 - An analysis by planning commission had found that cooperatives were formed mostly by well-to-do farmers to enjoy the benefits of government initiatives. Very few farming cooperatives are true cooperatives formed by small landholders.
 - **Lack of necessary professional skills:**
 - » **Inefficient administration and corrupt practices** eroded the confidence of members of the society who were soon disillusioned by the experiment of cooperative farming.
 - » Thus, this led to **reversal to individual farming**. This failure discouraged other peasants also who were either planning to join the existing societies or to form new societies.

10. KEY THINGS WHICH LIMITED THE SUCCESS OF LAND REFORMS

i. Snags in the legislation:

- **Definition of 'Personal Cultivation'** broadly led to large scale ejection of tenants.
 - **Limits for retention of land for personal cultivation:** Intermediaries were allowed to retain substantial areas of land for personal cultivation. This enabled zamindars to resume large areas of land for cultivation defeating the entire purpose of abolition of zamindari system
 - **Transfer of land to family members:** To escape the law related to land ceiling there was large-scale transfer of land to family members. For quite some time there was no law in some states to prevent such transfers.
 - **Definition of tenant inadequate:**
 - In some states, sharecroppers were kept out.
 - Further, considerable number of tenancies in India are oral and informal and these tenants are not protected under the law.
 - **The problem of voluntary surrender:** Due to the dominant position of the landlord/zamindar
 - **Inadequacies in ceiling laws:**
 - The list of exemptions were unduly large.
 - A lot of benami and clandestine transaction had taken place by then.
- ii. **Lack of Political Will and determination** on the part of authorities
- Given the tardy progress of land reforms, it seems that governments were not interested in the implementation of the legislation enacted. The structure of grassroot democracy and huge influence of landlord class may have been a strong factor.
- iii. **Apathy of Bureaucracy:**
- Most of the officials and bureaucrats also came from the landed class and thus they also sympathized with the landed class more. The rich peasant power not only dominated the state government but also the regional and local administration and serves as the principal instrument of land grabbing and as a strong impediment in the implementation of land reforms.

11. LAND LEASING REFORMS NEEDED TODAY

- **Past year Questions**
 - » In view of the declining average size of land holdings in India which has made agriculture non-viable for a majority of farmers, should contract farming and land leasing be promoted in agriculture? Critically evaluate the pros and cons [Mains 2015]
- **Background**
 - » Land leasing laws relating to rural agricultural land in India were overwhelmingly enacted during decades immediately following the independence.
 - Focus on **abolition of Zamindari and Redistribution of Land**.
 - Tenancy and Sub-Tenancy were seen as integral to feudal land arrangements and therefore **discouraged**.
 - » Therefore, state governments brought tenancy law reforms which
 - Focus on transferring ownership rights to tenant.
 - **Prohibited or heavily discouraged leasing** and sub-leasing
 - Imposed ceiling on rent (at 1/4th of the produce)
 - Provided tenant the right to purchase land after specified period of time.
- **Unintended Consequences of above laws**

» **Negative consequence for tenant**

- Contracts became informal and oral i.e. the above laws forced tenant underground. Almost 1/3rd of India's land may be under tenancy but only 10% is under formal mechanism.
- Tenants lost security of tenure

» **Negative Consequence for Owners**

- Felt insecure in leasing the land and thus chose to leave the land fallow. This became increasingly prevalent with landowners and their children seeking non-farm employment.
- As per official records (NSSO, 2012-13), only about 10% of agricultural land is under tenancy, down from 20% in 1953-54.

» **Negative Consequence for Agriculture sector**

- Lack of investment in the land
- Lack of credit availability to tenant farmers

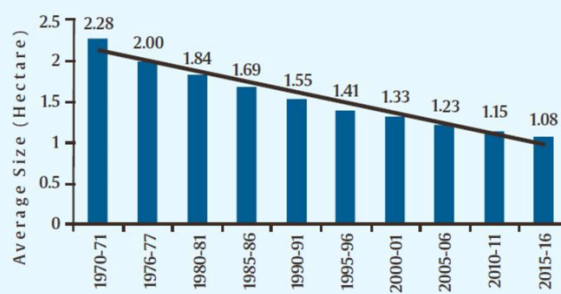
» **Negative consequences for government policies**

- **Crop Insurance** -> how to ensure that tenant who bears the bulk of the risk of cultivation receives the benefit
- **Disaster Relief** - > How to ensure actual cultivator gets the disaster relief.
- **Direct Benefit Transfer** for e.g. for Fertilizer subsidy
 - Difficulty in identifying real cultivators and therefore intended beneficiary. DBT cannot be satisfactorily implemented.

- **Other benefits which liberal land leasing would have**

- » **Difficulty in land acquisition** under the, 2013 land acquisition law, can be solved. States wishing to facilitate industrialization can benefit from liberal land leasing if they simultaneously liberalize the use of agricultural land for non-agricultural purposes.
- » **Decreasing landholding size** also requires that easy land leasing options should be available.

FIGURE 1: AVERAGE SIZE OF OPERATIONAL HOLDINGS
AS PER DIFFERENT AGRICULTURE CENSUS



Source: Agriculture Census, 2015-16 and various issues of NSSO Reports

- **Model Agriculture Land Leasing Act, 2016**

- » The act seeks to permit and facilitate leasing of agricultural land to improve access to land by the landless and marginal farmers.
- » It also enables recognition of farmers cultivating on leased land to enable them to access loans through institutional credit.
- » **Key Provisions**

- Ownership rights protected
- Right of tenant to cultivate the land for the leased period protected
 - Tenant eligible to raise loans without mortgaging the leased in land
 - Entitled for compensation from owner for any improvement investment on land.
- Ban on sub-leasing -> to prevent misuse

- **Way Forward**

- » The introduction of transparent land leasing laws that allow the potential tenant or sharecropper to engage in written contracts with landowner is a win-win reform.
 - Long term investment
 - Landowner would not be apprehensive of losing the land
 - Government will be able to implement its policies efficiently
 - Will ensure availability of land for landless and small and marginal farmers.
- » A potential hurdle to the land leasing reform laws is that landowners may fear that a future populist government may use the written tenancy contract as the basis of transfer of land to tenant and therefore would oppose the reform.
 - This is a genuine fear and may be addressed by give landowners inalienable titles.
- » **State governments must seriously consider revisiting their leasing (and land use) laws** to determine if they could bring about the simple but powerful changes provided in the Model Agricultural Land Leasing Act, 2016 to enhance productivity and welfare all around.

12. CONTRACT FARMING

- **Example Questions**

- » "In spite of many advantages associated with contract farming, the practice is not very popular in India" Give reasons. [10 marks, 150 words]
- » Critically analyze the provisions of the Model Agriculture Produce and Livestock Contract Farming and Services (Promotion and Facilitation) Act, 2018. [15 marks, 250 words]

- **Introduction**

- » Contract Farming refers to a system of farming, in which bulk purchasers including agro-processing/exporting or trading units enter into a contract with farmer(s), to purchase a specified quantity of any agricultural produce (including livestock and poultry) at pre-agreed prices.
- » Studies by Food and Agriculture Organization (FAOs) show that contract farming can indeed benefit both parties by increasing efficiency, productivity and farmer's income, while at the same time giving private player a larger say in farming methods, type and quality of produce.

- **Advantages of Contract Farming**

- » **For Buyers** it ensures quality product availability and price stability.
- » **For producers** it reduces the risk of fluctuation in market price and demand. Research have shown that contract farmers earn considerably more than non-contract farmers.
- » **Increases private participation** in agricultural reforms.
- » Contract farming also **improves the quality of input** as the producer get support from the buyer in the form of technology, pre-harvest and post-harvest support etc.
- » It **reduces the subsidy burden** on government on procurement.

- **Situation in India**
 - » Despite the above advantages, the Contract farming is not very common in India.
 - » The 2003 model law provided for contract farming, but it suffered from various limitations including APMCs being designated as authority of registration and dispute; provisions for stockholding limits on produce limited the participation by bigger players and finally poor awareness/publicity about contract farming and its benefits among farmers.
 - » **2018 Model Law** tried to bring some changes but wasn't very effective.
 - » **2020 Ordinance and law** - withdrawn in 2021
 - This law tried to bring some simplification and protection for farmers, but had to be withdrawn because of farmer protests.
- **Conclusion**
 - » While contract farming, if implemented wisely, does have the potentials to alleviate the sufferings of India's farmers, improved yields, and greater technology transfer, it is imperative that the state government takes a cautious, research backed approach and implements the model law with modifications suitable for the state.

13. LAND POOLING POLICY

- **Example Question**
 - » "A transparent and well regulated Land Pooling system has the potential to solve the problems associated with the current Land Acquisition Framework" Critically Analyze [15 marks, 250 words]
- **Background**
 - » India is a country with high population density and huge land scarcity. Therefore, land acquisition is slowly becoming more and more difficult and it is hindering developmental activities. Further, the land acquisition system had also become unpopular due to complaints of low compensation and forceful acquisition. The system of land pooling comes as a ray of hope in this scenario to ensure that the developmental activities are not hindered and the original land owners are also satisfied.
- **What is Land Pooling?**
 - » Under Land Pooling Policy, a development agency pools land parcels owned by individuals, a group of owners or a builder. Then it develops the land and returns a part of it to the original owners. In this way, the land is made available for development work and a part of developed land returned to owner is worth more than the original value of the land, thus satisfying the original owners.
- **Advantages of Land Pooling Policy**
 - » **Unlocking huge parcel of land for development** -> Land Acquisition is becoming unattractive for people and this may appear as an alternative and attractive option.
 - This would also contribute to **reducing stress on already developed area** and may also restrict price escalation in these areas.
 - It thus emerges as an **transformative step for urbanization**.
 - » It also **promotes public-private partnership and trust** -> this is due to wider community participation in the whole process of land pooling, development and return of ownership.

- » **Aggregates small land piece** for bigger projects. This leads to more efficient utilization of land.
- » **Reduced initial cost for development authority** -> As there is no need of buying the land for the developmental projects
- » **Less conflict ridden** as is the case of Land Acquisition due to inadequate compensation, consent, process etc.
- » **Original Owners** will also be benefitted as the land returned to them, though smaller in size, have access to infrastructure and services which increases the value of the land drastically. Further, the landowners are not displaced in the land pooling scenario.
- **Concerns**
 - » **Poor System of land records** can be concern here. As participation in land pooling is dependent on the owner having proper land ownership documents.
 - » In case of pooling for Amravati even **fertile agricultural land** was also pooled.
 - » Unlike land acquisition, the provisions for the **social or environmental impact assessment is absent** in case of land pooling. Therefore, the impact on landless laborers and on environment are generally ignored or very meagre compensation is paid to landless workers.
 - » There have been instances of mandatory land pooling. For e.g. in case of Navi Mumbai Airport Land Pooling, the pooling was made mandatory because of the delays in the process.
- **Way Forward**
 - » There is a need of a **transparent regulatory frameworks with statutory backing** to ensure that the land pooling process is transparent, consensual and doesn't use agricultural or environmentally sensitive zones. Further, this framework should also provide for mandatory social and environmental impact assessments before the beginning of the developmental work.
- **Conclusion**
 - » Land Pooling if done on non-agricultural land (for e.g. in urban villages) and along with social and environmental impact assessments, can emerge as a tool of transformative urban development which is beneficial for all the three parties i.e. the land owners, the private sector and the government. Land owners get better value and better quality of land, private players are able to participate in commercial and developmental process and the government is able to facilitate development.