

SRSC Seminar Proceedings

## SR SANKARAN CHAIR

Research on Rural Labour Matters • Through the Prism Equity Matters

# LAND MARKET AND THE RURAL POOR

## PROCEEDINGS AND POLICY BRIEF



**S. R. Sankaran Chair (Rural Labour)**

**National Institute of Rural Development and Panchayati Raj**

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- As a “think-tank” for the Ministry of Rural Development, NIRD&PR while acting as a repository of knowledge on rural development would assist the Ministry in policy formulation and choice of options in rural development to usher in the changes.

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  - Analyse and offer solutions to problems encountered in planning and implementation of the programmes for rural development, decentralised governance, panchayati raj and related programmes;
  - Study the functioning of the Panchayati Raj Institutions (PRIs) and rural development programmes across the States;
  - Analyse and propose solutions to problems in planning and implementation of the programmes for rural development; and
  - Develop content and disseminate information and transfer technology through periodicals, reports, e-modules and other publications.
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PROCEEDINGS AND POLICY BRIEF

National Seminar  
on  
LAND MARKET AND THE RURAL POOR

January 18-19, 2018



**S. R. Sankaran Chair (Rural Labour)**  
**NATIONAL INSTITUTE OF RURAL DEVELOPMENT AND PANCHAYATI RAJ**  
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## Foreword

Ownership and control of land by the rural poor is essential not only for enhancing livelihood, food security and social status, but also for improving access to credit markets and security in the event of life contingencies. In India, a large segment of rural households, including the marginalised groups, has little access to land. Hence, the pertinent issue is: how to enable land governance so as to provide improved access to land rights to such groups.

The National Institute of Rural Development & Panchayati Raj (NIRD&PR), under the auspices of S.R. Sankaran Chair (Rural Labour), organised a two-day national seminar on “Land Market and The Rural Poor” during January 18-19, 2018 to understand the structure and dynamics of land market with a view to improving access to land for the rural poor.

The seminar brought together policymakers, social scientists and members of civil society organisations to discuss the functioning of land market, land governance and to find a way forward for improving access to land rights for the land-poor households. I thank and richly compliment my colleagues at NIRD&PR, both faculty and staff, for the success of the seminar.

I have no doubt that the deliberations of the seminar offer wide ranging recommendations in a number of areas to strengthen the governance of land and other programmes relating to land resource in rural India.

This publication is placed in public domain for wider dissemination and discussion. I am sure it will prove to be a valuable document in guiding different stakeholders working on land-related issues in rural areas.



**Dr. W.R. Reddy, IAS**  
Director General,  
NIRD&PR



## **Acknowledgements**

Ownership and control of land by rural households is crucial for reducing poverty and ensuring food security. In tribal areas, land is a critical source of livelihood and a part of the identity and culture of Adivasi communities. Provision of assured land rights to households would bring social benefits by facilitating proper use of land, incentive for hard work and access to credit for investment. However, despite a number of measures undertaken by the States over the years, landlessness is very high and more than half of the rural households in India rely on their labour as an important source of livelihood. In such a situation, it will be a daunting task to improve access to land for the land-poor households.

In order to gain a holistic understanding of the functioning of land market in relation to rural poor, the S.R. Sankaran Chair, NIRD&PR, Hyderabad, organised a two-day national seminar during January 18-19, 2018. The main objectives of the seminar were to assess the progress, identify the bottlenecks and explore ways of improving access to land resources for the rural poor in order to empower them to deal with different stakeholders/institutions and improve their well-being.

We are grateful to Professor R. Radhakrishna, Chairman, S.R. Sankaran Chair, Advisory Committee, Professor Y.K. Alagh, Chancellor of Central University of Gujarat, and Professor T. Haque, Chairman, Land Policy, NITI Aayog for accepting our invitation and delivering the inaugural lecture, keynote address and valedictory lecture respectively.

The seminar was graced by a number of eminent scholars, civil society personnel and policymakers. There were six technical sessions. We thank Professors Alakh Narain Sharma, D.N. Reddy, Sucha Singh Gill, Deepak K. Mishra, Judith Heyer, M. Thankaraj and G. Nancharaiah for chairing various sessions of the seminar. More than 30 delegates, including distinguished scholars, Professors Ritu Dewan, Vikas Rawal, G. Omkarnath, S.S. Sangwan, Geethakutty, Rajkishore Meher and Shri C.R. Bijoy, and professionals working on rural land issues participated in the deliberations of the seminar. We thank all of them for their valuable contribution. We specifically thank Shri C.R. Bijoy and Professor S.S. Sangwan for improvising the earlier draft of the document.

We have received generous support and encouragement from NIRD&PR authorities. We are grateful to Dr. W.R. Reddy, IAS, Director General, for his keen interest in the activities of S.R. Sankaran Chair and for this seminar. We are thankful to Professor R. Radhakrishna and other Advisory Committee members for their continuous guidance and support for the activities of the Chair.

We would sincerely like to acknowledge the contributions of Dr. Ch Radhika Rani, members of the faculty and staff of Centre for Agrarian Studies, other Centres and technical staff of NIRD&PR, who helped us conduct the seminar smoothly. We thank Shri A. D. Manikandan and Mrs. B. Supraja for their contribution to the seminar and Ms. Puja Mehta for editing a part of the document.

We hope that this booklet will be useful to researchers, policymakers, civil society organisations and all those interested in improving access to land for the rural poor.

**(Kailash Sarap)**

Professor, S.R. Sankaran Chair



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# LAND MARKET AND THE RURAL POOR

## I. Background

Access to land is crucial to eradicate rural poverty and food insecurity. Inadequate rights of access to land and insecure tenure of those rights often result in entrenched poverty and are significant impediments to rural development and the alleviation of food insecurity. Secure access to land often provides a valuable safety net as a source of shelter, food and income in times of hardship, and a family's land can be the last available resort in the instance of disaster (FAO, 2007). Land is an important asset for the survival of socially vulnerable groups such as pastoralists, farmers and other vulnerable groups, food insecure and marginalised groups. Many depend on land for their overall well-being - for access to food, sustaining their livelihoods and their cultural and social identity.

Secure land rights provide the owners the incentive for hard work. It helps the owners internalise the costs of improvement of land and protect the land from encroachment by outsiders. It also

facilitates access to credit from lenders with land as collateral in credit transactions. All these, in turn, raise the productivity of land and efficiency in land use.

The landless and near landless resource-poor households are compelled to enter into exchange relation with resource-rich parties which are mostly unequal and unfavourable to them. This unequal and dependency relations in exchange arise due to the insecurity of their access to land. In such a situation, the stronger party would have some control over the weaker party's livelihoods. In view of this, land and tenurial reforms could work as a first step in breaking the hegemony of the stronger party. Even seemingly small amount of ownership of land can mean the difference between hunger and self-sufficiency to them. The proper functioning of land market is crucial for achieving efficiency and equity in the context of development of agriculture and hence, improving the livelihoods of the rural people.

There is a direct relationship between women's right to access land

and gender equality, economic empowerment, food security and poverty eradication. A gender approach to land rights can enable shifts in gender power relations and assure that all people, regardless of sex, benefit from, and are empowered by development policies and practices to improve people's rights to land. Women do not have adequate representations in property rights, including right to land. For instance, about 35 per cent of rural households in the country are de facto female headed, from widowhood, marital breakdown or male migration (Government of India, 2008). Households depend on women for managing farms and bearing the burden of family subsistence arises as more men migrate to urban or non-farm rural livelihood increases.

Land has serious efficiency and equity implications when women own and control lands. According to Agricultural Census (Government of India, 2014), women own only 7 per cent of the total agricultural land. In the absence of land right, women have the disability to cultivate land efficiently because they lack access to institutional credit facilities for lack of collateral. Even though the Hindu Succession Act has been amended in 2005, which gives equal rights to men and women in matters of inheritance of both self-

acquired property and joint family property, the injustice done during the past several years cannot be washed away as the law does not have any retrospective effect. One has to know as to whether the law has been implemented effectively in different States.

Similarly, in the case of redistributive land reform laws, the women did not find much place. Some States have passed executive orders to give joint titles to both husband and wife. But, in practice, no substantial change took place. As a consequence, rural women, in general, continue to be deprived of secure access to land. This is one of the pertinent reasons for persistence of poverty, poor management of land and exploitation of women in the country.

Land acquisition by either the Central Government or State governments for various purposes, including infrastructure development, industrial projects, etc., has drawn lot of attention by social scientists and policymakers. Both governments can acquire private lands for development of infrastructure. But, a lot of issues have emerged while acquiring private land. The issues pertaining to land acquisition are not new. It begun since the British government enacted the first land acquisition legislation in India in 1824.

A number of legislations have been made during the pre and post-independence periods. Recent one was the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Bill, 2015. This Act not only enables land acquisition, but also the rehabilitation and resettlement in case of displacement due to land acquisition. It has been noticed that the rural poor, especially the Scheduled Tribes (STs) and marginal and small farmers, were severely affected due land acquisition by the State. It is in this context, there is a need to analyse the status of the implementation of this Act and its impact on the current socio-economic conditions of the affected households.

Alienation of land in tribal areas has been an important phenomenon. Over the years, a large number of schemes have been implemented to improve the living conditions and emancipation of the tribal people. Land alienation in tribal areas is still persisting in some parts of the country, even though; the State governments have adopted the policy/law of prohibiting the transfer of land from tribals to non-tribals and for restoration of alienated tribal lands to them.

The PESA Panchayats (Extension to Scheduled Areas) Act is one of the progressive Acts for tribal welfare in the country, providing for self-governance

and recognising the traditional rights of tribal communities over resources around them. The PESA gives powers to the panchayats at appropriate level and the Gram Sabhas to prevent alienation of land of tribals. As per the Act, Gram Sabha or Panchayat at the appropriate level should be consulted or discussed with local or tribal people before the acquisition of land in Scheduled Areas for development projects. But, due to tardy or non-implementation of PESA in all PESA-governed States and also the non-empowerment of tribals in understanding the Act, there is persistence of land alienation in tribal areas. There is a need to discuss the factors contributing to the low progress in this regard.

Customary practice of resource governance and management of common property resources have been in practice in tribal areas in all countries, including India. It is collectively managed by tribals. Collective tenure refers to a situation, where a group of people holds secure and exclusive collective rights to own, manage and/or use land and natural resources, referred to as common-pool resources, including agricultural lands, grazing lands, forests, fisheries, wetlands or irrigation waters (Anderson, 2011). Under this regime, several or all land rights are held by collectives, whether they are extended

families or communities. A common feature among traditional pastoral societies around the world is that land tends to be treated as a common-pool resource that is accessed, managed, used and controlled collectively (Damonte, 2017). It enabled social harmony, secure livelihoods, conservation of resources, by and large, and prevented land alienation. How are these resources governed in different areas and what are its implication for tribals' livelihood situation?

Land resources are also managed by women self-help groups (SHGs) in some regions of India. Lease farming by SHG/ neighbourhood groups is gaining importance in poverty eradication. In Kerala, lease farming by neighbourhood groups of women is a part of *Kudumbashree*. Both government and private land were leased in. The SHGs were engaged mainly in the cultivation of banana, pineapple and vegetables. In Andhra Pradesh, lease farming by self-help groups of women started as part of a project on 'Sustainable Dryland Agriculture by Mahila Sanghams', called 'Samatha Dharani'. SHGs were engaged in the cultivation of maize, paddy and soya. Lease farming has helped in regenerating fallow and degraded land for cultivation which provides supplementary income to poor women and also improved their socio-political

status. This has been possible because of their heightened bargaining power as a group in Kerala and Andhra Pradesh (Haque, 2011). This is also a kind of collective tenure.

Proper governance of land administration is important in rural areas. It should be transparent to provide unencumbered and secure rights to land owners. Land records consist of different types of information (property maps, sale deeds) and are maintained across different departments at the district or village level. Attempts have been taken to improve the quality of land records and make them accessible to different stakeholders. The Government of India has been implementing various schemes from time to time. The computerisation of land records started during 1988-89, was followed by the strengthening of Revenue Administration and the Updating of Land Records schemes. In 2008, all these schemes were merged into a Centrally-sponsored scheme known as the National Land Records Modernisation Programme (NLRMP). The scheme has now been renamed as the Digital India Land Records Modernisation Programme (DILRMP) and is a part of the Digital India initiative.

Clear provision of secure and unencumbered land rights to owners of land, improving access to land (both for

livelihood enhancing and for homestead purpose) for land poor households in general, and women in particular, are crucial to improve their well-being. Further, land acquisition in general, and in tribal areas particular, for development purposes has been in the centre of debate among different stakeholders. The crucial issues are as to how to minimise the hardship faced by the poor in the process of land acquisition through proper rehabilitation measures and adopting pro-poor approach. Thus, there is a need to have a holistic understanding of the above issues and suggest appropriate policies for improving access of land to poor people, including women, protect their existing land resources and improve their livelihood.

Keeping in view the above issues, the S. R. Sankaran Chair at National Institute of Rural Development and Panchayati Raj (NIRD&PR), Hyderabad organised a two-day National Seminar on “Land Market and the Rural Poor” during 18-19 January, 2018. The main objectives of the seminar were to assess the progress, identify the bottlenecks and explore the ways of improving the access to land resources to rural poor that aims at empowering them while dealing with different stakeholders/institutions and to improve their well-being.

## **II. Inaugural Session**

Professor R. Radhakrishna, Chairman, S. R. Sankaran Chair Advisory Committee, presided over the inaugural session. It was followed by a brief introduction about the themes of the seminar by Dr. Kailash Sarap, Professor, S. R. Sankaran Chair. The inaugural address was delivered by Professor Y. K. Alagh in absentia. Professor T. Haque delivered the valedictory address.

### **Chairman’s Opening Remarks**

Professor R. Radhakrishna said that the seminar assumes importance because land prices have shot up and have become beyond the purview of small and marginal farmers. There are several constraints for the emergence of a well-functioning land market in India due to some inherent problems with land (see Robin Mearns, 1999). The legal and effective regulatory framework can, to some extent, overcome these problems. Despite some progress in land reforms, the land market continues to be highly distorted due to several factors. Land records are inaccurate and outdated. There are widespread disputes relating to land titles. Transaction costs are also high which discouraged formal land transactions. Initiatives, which could have made the market function better, have not been taken and some regulations, particularly relating to

tenancy, are counterproductive. India's rich farmers who blocked reforms, industrialists who took the advantage of land scarcities and land bureaucrats who involved in rent seeking, have a strong hold on the land market.

There is a significant transfer of land from farmers to the project proponents, which became a source of social discontent. Estimates show that during 1991 to 2003, 2.1 million hectares of land was acquired for non-agricultural purposes. A large area of land has been acquired for SEZ purpose, of which a major part remained vacant. Lands given at subsidised rates were mortgaged to banks after land prices shot up and loans used for purposes other than for industry in SEZ. Undivided Andhra Pradesh, Gujarat, Maharashtra and Tamil Nadu account for 70 per cent of land acquired for SEZ. Amit Bhaduri (2015) has shown how incentivising the corporate sector by governments by giving land and other natural resources at subsidised rates and forcefully disposing the poor from their livelihoods have led to political corruption.

Successive rounds of NSS have shown downward sliding of large holdings. They have also shown that the medium and small holdings with 4-10 hectares of land, have not only survived but also comparatively showed better

performance than large holding (V.S.Vyas). If there are no imperfections in the land markets and research, extension credit and marketing institutions are supportive to small and tenant farmers, it would lead to the expansion of the small and medium holdings which is desirable from both growth and equity point of view. The expansion of income from non-farm sector may induce unviable marginal farmers to sale or lease out the land. But the preconditions required for the transition are rarely met. In rural India, markets are highly incomplete, imperfect and interlinked resulting in persistence of marginal and sub-marginal holdings. If the land market is efficient and credit flow to small and tenant farmers are ensured, the expansion of rural non-farm sector would lead to more equitable and efficient agrarian structure in the long-run, either through purchase or lease in the land from large-scale farmers.

There has been feminisation of agriculture due to the shift of male labour from farm to non-farm work. Professor Ch. Hanumantha Rao (2016) suggests "strong policy initiatives, right from the national level, for dealing with public issues such as strengthening land inheritance rights for women, endowment of property rights on houses built with public assistance, ..., and sensitising the agricultural support



systems, including credit institutions, to the needs of women farmers and, in particular, inducting women in large numbers in the agricultural extension system to assist women farmers.”

Land, under the Constitution of India (Seventh Schedule), is predominantly a State subject. Indian land markets, therefore, are heterogeneous. A series of land markets exist in States with different levels of rights over land ownership, usage and revenue. Since each State is able to frame policies to manage its own land markets, the rules and regulations that govern agricultural and urban land differ across States. State-specific issues relating to the functioning of land markets may be discussed in this seminar.

The implications of land pooling method of acquiring lands from farmers as adopted by the Government of Gujarat for construction of roads and the new State of Andhra Pradesh for construction of its capital city may also be discussed in the seminar.

### **Inaugural Address**

Prof. Y.K. Alagh, in his inaugural address, talked about several issues, including agriculture labour, land scarcity, cooperatives and urbanisation. Agricultural labour cannot be separated from land in rural India. If we look at the

statistical base, the NSS Usual Status defines an agricultural labourer as a person offering labour or looking for work for defined periods in a year or a week as the case may be. On the one hand, labour time disposition data are aggregated in terms of time and not individuals, and works with half days in a week. Some half days could be spent on farmland or in a kitchen garden in homestead land. Census definitions, on the other hand, approximate the Usual Status definitions.

Indira Gandhi recognised the importance of homestead land for housing programmes; her successors continued that tradition. In the larger policy context, special provisions were made to protect landless labourers in case of land acquisition for non-agricultural purposes. As we move over to non-agricultural growth as an overriding priority, these nuances of ‘protecting’ the rights of landless labourers become diffused, if not ignored, in policy objectives. The vent for surplus models of growth has little scope for such concerns.

Land scarcity is going to be perhaps the single greatest constraint to development in India and has been seen as so. Local bodies were, traditionally, the repositories of what are called ‘common resources.’ Those who work or

live off a resource are obviously the first to be affected and need to be consulted. We need to build models of cooperation rather than clash. These are not simple matters and while best practice cases exist, we do not as yet have working systems. The idea that land is not an economic good in the market which lies behind the tenancy legislation is irrelevant in practice. It is because the greatest change that has taken place in rural India is that land was voluntarily transferred from very small peasants to middle peasants, in what was called 'reverse tenancy.'

Private organisations are increasingly exploiting groundwater, as seen in places like Kaira district in Gujarat where there are small water storage tanks in private plots. An economic interest in land and water has to be at the heart of any reform process. Groups of stakeholders, including the smallest peasants, can cooperate for well-defined, limited purposes of land development and water projects. Farmer level irrigation management systems, watershed development projects and groundwater cooperatives are all thriving, and there are many more promising possibilities out there.

At present, there are different agricultural diversification models. Amul is a classic example of a cooperative. But corporates work with different

models. Some work with producer associations of farmers; for example, the DCM Hariyali model works with the producers' association and does not get into farming, as also the Tata Khet-se. However, other corporates follow the farm-to-fork philosophy. This model emerged during a Committee Professor Alagh chaired on introducing company structure for cooperatives. An advantage of this model is its operation on the 'one member, one vote' principle of the cooperatives as it imparts transparency to a company. But the traditional corporate always looked at it with distrust and an effort was made by the Irani Committee of the Chambers of Commerce to eliminate it from the Company Act of 2012. The Confederation of Indian Industry (CII) lobbied that the Section relating to the producers' associations in the Companies Act [second amendment (2002)] should be abolished. It was correctly argued that producers' associations do not follow corporate profit maximising principles since they are based on the 'one share, one vote' principle. In principle, nothing says that we have to blindly copy imported models of corporate governance. This argument is at present in flux and we have lobbied with the Prime Minister to allow producers' associations to continue. We lobbied to keep it in the Corporate Affairs governance set-up but it is very

uncomfortably located and is again being switched back to the Ministry of Agriculture which does not have the tradition of company governance.

The central principle we have to work on is whether the small farmer and/or the landless labourer stakeholder will be a part of the institutional processes of organising agriculture or not. Such stakeholder participation is efficient, that this is a concept of dynamic and not short-run efficiency.

Tenancy records have to be straightened so that tenants who farm nearly two-fifths of the land can leverage their assets in bargains with the corporates. While some want to operate from farm-to-fork all by themselves if allowed to, which is seldom, others span the whole range but do not enter the field or the last line retailer. In fact, with large foreign tie-ups, some have explicit strategies of strengthening producer companies as also the mom-and-pop stores.

Urbanisation is gobbling up land. In Gujarat, 'large villages' have actually become towns as per Census definition, if we take into account the double urban growth from 2.87 per cent annual to 5.06 per cent, which is close to double the earlier estimated change and makes a big difference to land use and forecast urban needs. Barbara Harris's work has

shown that informal sector agro-processing and distribution in urban areas are now under great stress because of the privatisation of land earlier used by the "commons." The Andhra Farmers Commission chaired by Prof. R. Radhakrishna went into these issues in some detail and its report is the standard policy document on the subject.

Even if distribution is corporatised, as proposed now by FDI in retail trade, there will be a need for the kinds of strategic policies followed in China to integrate informal sector distribution and artisan-based urban activities with supermarkets. The growth strategy of the NDA Government is clearly stated. It is both unequivocal and unconditional. NITI Aayog's Vision Statement has given a refreshingly new focus on thinking on industrial policy. It has repeated a classical perspective on the manufacturing sector as an engine of growth and the need to remove many cobwebs from the industrial policy environment. It begins its analysis of the manufacturing sector by underlining that India's manufacturing sector is low productivity and low wage. It points out that China's industrial productivity per worker is three times that of India. Small firms employing less than 20 workers account for 72 per cent of employment but 12 per cent of output in the

manufacturing sector. “Our workers are overwhelmingly employed in low productivity and low wage employment” (NITI Aayog, 2017, p. 31). The NITI Aayog is clear that cobwebs must be removed and we need more formal sector jobs. Recent trends bring out the underlying text.

There is a clear-cut case for pre-empting urban land for informal sector distribution and artisan-based processing and industry in the brave new world of the mall culture. The Food and Agriculture Organisation (FAO) is correct in saying that penetration of supermarkets in India is the lowest in the world and so is the Commission on Enterprises in Unorganised Sector is correct in saying that the employment consequences of substitution of the distribution trade by the organised sector can be numerous. At the least, a strategic policy is needed to integrate both. There is a need for broad-based civil society and policy initiatives to keep the issue alive.

### **III. Access to Land and Land Rights**

The first technical session was chaired by Professor Alakh Narain Sharma and there were three presentations. The paper by Vaishali Bansal and Vikas Rawal discussed the changes in incidence of tenancy in India

over the last two decades (1991–92 to 2012–13). The analysis was based on detailed unit-level data collected from the 48th, 59th and 70th rounds of the National Sample Survey (NSS) on Land and Livestock. The surveys involve two visits to sample households in each of which detailed plot-by-plot data on household ownership and operational holdings in different seasons are collected. The author pointed out that there have been changes in the form in which information is collected in different rounds of the Land and Livestock surveys. Using data from these rounds require use of a consistent method for computing household operational holding. A detailed examination of the plot-by-plot data from the three rounds also showed that there were many errors in recording of information between the two visits for many households. For a significant proportion of sample households, plot-by-plot data had to be corrected to ensure consistency of information across two visits of each round.

The study reported that there was a significant increase in the incidence of tenancy between 2002–03 and 2012–13. While the proportion of tenants among rural households and proportion of leased-in land in total operated area fell slightly between 1991-92 and 2002-03, both these ratios saw a significant

increase in the next decade. At the all-India level, proportion of tenants among rural households increased from 11.4 per cent in 2002–03 to 15 per cent in 2012–13. In 2002–03, about 6.7 per cent of total area under operational holding was leased; by 2012–13, this had increased to 11.1 per cent. Another trend that stands out at the all-India level is the increase in fixed-rent tenancy, and within that, an increase in tenancy for fixed-rent paid in money. In 2012–13, only 30.8 per cent of the leased-in land was on share rents. The share of area leased-in on fixed money rent in total leased-in land increased from 13 per cent in 1991–92 to 29 per cent in 2002–03 and to about 40 per cent in 2012–13.

While there has been a significant increase in incidence of tenancy at all-India level, there are considerable variations in levels and trends of incidence of tenancy across States and, where information is available, across different regions within States. Andhra Pradesh, Punjab and Bihar stand out as the States with highest incidence of tenancy. In these States, leased-in land accounts for more than 20 per cent of total operated area. These States witnessed an increase in incidence of tenancy from 2002–03 to 2012–13. West Bengal, Orissa and Telangana, with over 15 per cent of operated area under tenancy in 2012–13, also saw a

significant increase in reported incidence of tenancy. Tamil Nadu, Haryana and Chhattisgarh are States with moderate levels of incidence of tenancy where the proportion of operated area that is leased-in ranges between 10 per cent and 15 per cent. Maharashtra, Karnataka, Gujarat, Madhya Pradesh, Rajasthan, Jharkhand and Uttar Pradesh are States with low levels of agricultural tenancy.

Professor Sucha Singh Gill's paper examined the changing nature of tenancy and operation of land lease market in Punjab. In order to understand the working of land lease market, the paper focused on the size of the land lease markets and its direction over time. The players in the contemporary land lease market are identified as both who lease in land and also who lease out land. The terms of lease in terms of lease contracts, payment of rent and periodicity of rent have been identified both on the public/panchayati land and private (owned) land. The paper also examined the process of crowding out the poor in land lease market.

The land lease market has undergone a major change in Punjab in the recent period. Earlier in 1950s, the land was leased out by the big and middle owners to small owners and landless tenants. It was also negotiated

on crop sharing basis largely 50:50 share of land owner and the tenant. The proportion of leased-in area to total area under cultivation declined from nearly 40 per cent in 1953-54 to 16.1 per cent in 1981-82. But, it increased slowly in 1980s and 1990s and was recorded at 18 per cent in 2002-03. It has experienced a sharp rise to 24 per cent in 2012-13. During this period, the nature of tenancy has also undergone a change. Now it has been transformed into reverse tenancy, a type of tenancy where the farmers with ownership of means of production (large and medium) lease in land from the small and marginal owners. The leasing of land is contracted in cash. Half the amount of rent is paid in advance during the finalisation of lease contract and the rest is paid after six months, when the first crop is harvested. The leasing contracts are fixed every year and contracts are oral in nature. In the record of official papers land leased in/leased out is very small but actual level is high and rising. Some studies have estimated it to the range of 37-40 per cent of the total operated area. As agriculture in the State is highly commercialised and most of the operations like planting, sowing, harvesting and eradication weedicides are mechanised, the land is largely moving out of hands of those who lack modern means of production like tractors, harvester combines, tube-wells and other implements operated with

power. The poor are practically being crowded out of the land lease market.

The relationship is also worked out between land lease market and credit market in the State. The availability and control of credit is one of the essential factors for successful operation in the land lease market. The available preliminary information point out that the upper caste small owners are accepting their crowding out without any organised resistance. But the Scheduled Caste landless groups are resisting this process in organised way in some areas of the State, especially on the panchayati land.

Based on field observation, M. Mohan Rao has critically examined the functioning of the lease market in Andhra Pradesh. Access to and controls of land are considered crucial for rural households and in particular to the landless for gaining secured and sustainable livelihood in rural areas. But, this largely depends on the land policies of the government, the agrarian structure and the dynamics of land and land lease markets. The functioning of land and land lease markets are in the grip of market forces. In such a situation, to what extent they provide access to the landless deserves attention. It is in this context, the paper has discussed the land and land-lease market in Andhra

Pradesh with special focus on landless rural labour based on primary and secondary data.

The study has noted that the available evidence does not support the case for landless being part of organised agriculture sector. Though the lease-market has increased overtime in India, this is not uniform across the States as concentration indices in around six States have increased overtime. This is also true in respect of access to land related to leased-in land to the landless or pure tenants. In view of this, land relations should not be totally left to market forces, but call for proper interventions and effective monitoring and implementation. Similarly, mere liberalisation of tenancy legislation, without taking cognizance of myriad types of tenancies in the country is not going to be useful. Such legislation should be properly tuned to the local realities and practices. The paper has also noted that equitable access to the lease market becomes a reality if only there are limits to the extent one can lease in, similar to the norms prescribed under ceilings on land holdings. However, there are many bottlenecks poor have to face in gaining access to leased-in land and enjoy the fruits from such land. The paper concluded with the call for policy changes at official level

and sound organisational structures of the beneficiaries to fight for what is due to them in a given policy framework.

The paper presentation was followed by comments from the discussant Professor S.S. Sangwan. He said that the incidence of reverse tenancy which started in the 1980s in Punjab has increased in recent years and it is also found in other regions of India. Farmers with machinery and other implements and access to working capitals are able to lease in land. Further, the sharecropping arrangement has been rapidly giving rise to fixed tenancy and that the payment of rent is in cash rather than in produce. In many cases, the tenant has to pay the rent in cash in advance to the extent of 50 per cent or more before taking possession of the land. The amount of rent per hectare has also gone up exorbitantly in recent years. In such a situation, land poor households without access to fix and working capital are rationed out in the land lease market. Of late, the corporate sector has showed interest in leasing of land from the farmers. In this situation, the poor land owners would be further rationed out in the land lease market. After the observation made by the discussant, the floor was opened for discussion. Several clarifications were sought from the paper presenters. These include the reasons for absence of group farming in



Punjab, especially among women farmers, implications of divergence of land ownership and possession of land by households, profitability of cultivation of tenants due to exorbitant amount of rent per hectare, sustainability of agriculture at present, nature of reverse tenancy, terms and conditions of tenancy in different regions and so on.

Replying to the questions from participants, Professor Gill said that to sustain agriculture and save the small and marginal peasants, a lot of support, including subsidy of inputs, agriculture extension, training and guiding the farmers and persuading them to move towards group cultivation have to be given. Then only they would take up a variety of activities, including production, marketing and processing of the crops. By doing so, a substantial part of income, which goes out of agriculture, can be retained in the rural areas. But, over the years the support to agricultural sector has declined substantially. The dominant view now believes that the corporate sectors have to play an important role to organise, manage and foster growth of agriculture. In such a situation, the corporate sector would compete for getting access to land of farmers.

Professor Gill believed that as the tenurial contracts in Punjab are mostly oral in nature and there is no written

document the farmers cannot submit any document relating to possession of land to formal credit institutions. In such a situation, the NABARD scheme may not be applicable. He said that though the tenants, who are in temporary possession of land, are excluded from getting any facility, including access to credit and compensation for loss of crops from the State.

He believed that liberalisation of tenancy to protect small owners is a welcome step but giving it to the corporate sector is not an acceptable move. Citing example from Punjab where corporate sector and others interested in land have got land on long-term lease on easy terms and conditions and generate income from crop production, he said they need not pay tax on such income. In contrast, the poor tenant farmers are unable reap any profit from the crop production and in case of failure of crop many of them face hardship and fall into debt trap. Only farmers with large holdings are able to generate some surplus due to economies of scale in the use of machinery and bulk buying of inputs.

Professor Vikas Rawal said that reverse tenancy is rather a small proportion tenancy in India and the bulk of the tenancy relates to poor tenants. Further, fixed tenancy as a form has increased in recent years and a major



proportion of such tenements pay rent in cash. It is noteworthy that a significant proportion of such tenants are those who do not have own land and small operators. He pointed out that Punjab has a bit of exception in that respect as bulk of leasing is done by large cultivators. It is rather lateral tenancy and not reverse tendency as land owners with substantial amount of land leasing out to such large tenants.

Professor Rawal said that when the poor are in distress they do not lease out land, they sell out land. Due to a situation created by tightening labour market and increasing landlessness, the poorest farmers are leasing in land on very harsh terms and conditions, including fixed cash rent. He has observed this situation in the villages of the coastal Andhra Pradesh, Haryana and Western Uttar Pradesh. Among many such tenant households, the rent accounts for anything like 70 per cent of the total produce. This kind of tenancy is not happening among the large land owners leasing in land.

He pointed out that we do not have a situation, where tenancy market liberalised is opening opportunities for the poor to benefit from tenancy. Rather, we have a situation where lack of tenancy regulation is making large land owners to lease out land to poor tenants on onerous terms and conditions. It is a

situation of distress for the land poor households and it reflects the collapse of tenancy regulation.

Concluding the session, Professor Alak Narain Sharma thanked the paper writers and the participants for the interesting and lively discussion. He said that there is difference in the situation of tenancy in Punjab as compared to backward regions of Odisha and Bihar. The very high average amount of rent paid per hectare by the tenants in Punjab cannot happen in Odisha or Bihar, where the productivity of land is low. He agreed with Vikas Rawal's argument that reverse tenancy was taking place for economic reasons, because poor peasants do not have sufficient production assets. But, during his field research in Bihar villages, he has observed some reverse tenancy in irrigated areas. The reasons are that the poor peasants want to diversify their livelihood opportunity. They want to lease out their land and migrate to other regions in search of better livelihood. Least migration is found among middle peasants. So, middle peasants are leasing in the land from the poor peasant. So, there are very divergent forms of tenancies found in backward and advance regions. One finds land poor households leasing in land on harsh terms and condition; reverse tenancy is found among middle and large-scale

farmers and now the corporate sector has also leasing in land. These diverse situations throw us many challenges in policy front.

#### **IV. Gender and Land Rights**

The second technical session was chaired by Professor D.N. Reddy and consisted of four presentations. Ritu Dewan's paper highlighted the low access of land rights among the women in general, and marginalised communities in particular. Citing the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), 1979 especially Articles 14, 15, and 16, she said that right to own and administer property without discrimination, and equal treatment in land and agrarian reform are important. Both spouses must have equal rights in 'ownership, acquisition, management, administration, enjoyment and disposition of property' because discrimination against women to acquiring and securing land is a violation of human rights. Accordingly, the State needs to amend or repeal laws and policies that encourage discriminatory customs and traditions in acquiring and securing property by women. The paper reviewed India's policies and five year plans (FYP) as well as the relevant and appropriate policies and agrarian rights from the point of view of gender crucial

signposts identified, including the groups and individual distribution of land rights to women, distribution of surplus land to women under the Land Ceiling Act, and enhancing women's land access from the three major sources of direct government transfers, purchase/lease from market and inheritance. The paper also looked at the land laws and legislations in Maharashtra beginning with first-ever such legislation which is the Muslim Personal Law (Shariat) Application Act, 1937, recognised and accepted the fundamental right of women to property. Likewise, the amendment of Maharashtra Revenue Act of 1966 gave the right for women to register their names along with men on property ownership 7/12 records as co-owner.

While analysing the share of land possessed by women in Maharashtra vis-a-vis to all-India level, it has found that it has declined between 2001 and 2011. An important trend to note is the increase in percentage of marginal and small landholders among women from 79 per cent to 83 per cent during this period. Besides, the operational holding of women varies between SCs and STs. It is to be noticed that the number of female land owners increased by two per cent only. However, the area operated by women owners decreased by two per cent. Also noted was a clear divide in

land operated based on size of landholdings, particularly between the small and semi-medium holdings, the larger farms actually witnessing a decline in the share of women over the last decade, implying that the richer and non-marginalised sections do not permit gender equality. Also noted was that social inclusion of both SC and ST women in relation to land had risen more sharply in the poorer States, thus bringing to the fore the debate on the prevailing pattern of growth and development being anti-women's equality. This was also true to all districts of the State of Maharashtra, women gaining land rights primarily where their movements and struggles were stronger.

This paper concluded with some important policy suggestions, including recognition of women as farmers (not as female cultivators). There is need to prioritise land distribution - single woman, female-headed households, landless, farm suicide affected households, beggars, manual scavengers, and other such socially vulnerable and marginalised groups. Gender disaggregated data base at macro, micro levels, consisting of public, private and institutional holdings across all castes and communities, enumeration of all groups of landless and land leasing women peasants have to be prepared.

Shyamal Kumar Jana's paper outlined the avenues to address the gap between the reality of rural women and their entitlements in the programmes of land, land reforms departments and of other departments for sustainable utilisation of the allotted micro-plot under government land allocation programmes. The analysis is based on 300 sample plot holders drawn from diversified geographical regions of West Bengal.

The emphasis in most government land administration activities has customarily been on the technical and legal components, rather than on the social, economic or environmental impacts of these activities. There is a lack of understanding of the diversity and complexity of tenure and a belief that gender issues can be solved easily through joint-titling or employing women on the land reforms programmes. In view of this, the paper discussed a number of issues relating to the present methods and approaches of ways of distribution of government land to the land poor households, identified the existing gaps in reducing gender inequality in such programmes and discussed way forward for reducing the gender gaps in such programmes.

The author has found that due to ignorance of the government laws and

lack of sensitisation of the land officials, women's names are not included in the land titling programmes and are also excluded from the post-title benefit from the government because they are not considered as farmers. It also found that women, who own land and participated in the agri-extension training programme, are significantly more likely to have their final say in household decisions regarding utilisation of the allotted plots in the areas of agriculture and allied activities.

Anju Helen Bala's paper discussed the access to land through gender perspective. She said access to land defines and structures the relations of power within the society, notably in the gender relations. Gender is a vital component in deciding the division of labour and the various role of "who plays what" in the production and reproduction process within and outside the household. Daughters, wives and mothers have always played crucial role in the upkeeping of the household and they bind a family. But when it comes to their rights and access of property, they are denied and shun away. Land for them is not merely a matter of property; rather ownership of land is a matter of empowerment. In most of the academic literature related to gender and land, it is being asked as to why land rights are important for women. Gender studies

have raised the issue of the gender differences and subordination of women created due to the patriarchal societal structures and norms. One of the major causes for the women subordination has been the control over land. Men and women play different role in forest conservation and livelihood development. In forestry sector, women are the primary actors engaged in collection of forest products. But the globalisation and urbanisation forces have drastically changed the village tribal landscape of India. Unlike the previous times, now men are mostly migrating to cities in search of better opportunities and women are left behind in the villages to look after their households. The families are disintegrating and it has mostly impacted the fate of widows, unmarried girls and old age women. Earlier, they were a part of larger families, but now they are left alone. These changes have left women in poverty and destitution.

Given this backdrop, the paper discussed the tribal women and their land rights with special reference to Oraons of Gumla district. The study is based on the oral history and primary data collected from interview schedule. Since there are many tribal groups who are staying within the vicinity of forests and for them land rights also comes under Forest Rights Act (FRA), the

respondents have been taken mainly from two groups - those staying within or near the forests areas and those who are in the settled agriculture in the non-forested regions. Through this analysis, this paper tried to understand the condition of tribal women in the context of production, ownership and control of land, livelihood and life.

Vandana Upadhyay investigated the transformation of land rights and changing gender distribution of work and employment in rural Arunachal Pradesh. The land tenure system in the hill areas of India's north-east region, inhabited mostly by tribal population, is significantly different from the system that is prevalent in the plain areas of the region. Like most other parts of India, in the plains of north east region also individual rights over land holdings are transferable and buying and selling of rights are normally not restricted. However, this is not the case in the hill areas where individual rights over land has not taken the form of full property rights in the sense that there are certain restrictions imposed on the transfer of these rights, if not practically possible. The non-transferability of holding rights makes the land unsuitable as collateral for the purpose of securing institutional credit to land holders, which in turn acts as a constraint on extension of institutional credit in the hill economies

of the region. Using both the secondary data obtained from population census and agricultural census and primary data collected through various rounds of household surveys this paper argues that commercialisation of agriculture has led to a situation where informal private property rights regime over agricultural land has emerged in the State. This transformation in land rights is not merely a substitution of collective ownership by private ownership over land; rather it has led to a process of gendered dispossession, where in the women peasants have lost their rights over land, as privatisation usually means transfer of land rights to the male heads in the households. Potentially, women can obtain or acquire land through the State, the family and the market. The paper basically argues that the State has played an extremely ambiguous role during this period of transition, by allowing and even encouraging the gendered privatisation of land in practice, while formally recognising collective, community ownership over agricultural land. The emergence of informal land-leasing involving migrant tenant households and local landowners has introduced another class of invisible women farmers and children, who simply work as family labour in leased-in holdings. There has been a gendered diversification and increasing feminisation of work force in the State

in recent years. Simultaneously, the process of privatisation and commercialisation of agriculture is also happening in a big way mainly by the rich and the powerful people in the State. The analysis of two rounds of time use pattern of rural women in the plain district of East Siang, and the hill districts of Changlang and West Kameng in Arunachal Pradesh clearly points out that on an average women are spending more labour days in farm operations than men and the weekly average time spent by them in primary agricultural activities are found to be more than men in recent years. The burden of maintaining subsistence agriculture is disproportionately shared by the women and they end up doing those tasks which were earlier performed by the men folk. Thus, the data collected from the 18 districts of Arunachal Pradesh point to the fact that the male-centric private property rights over land has emerged and expanded specifically during a period of increasing feminisation of agriculture and higher work burden of women in crop farming as men move out from farm to non-farm activities. This paper looks into the question as to whether there exists a more egalitarian gender relation in the society and argues that the political economy of agrarian transition provides a better structure to understand the gendered transformation of land relations in Arunachal Pradesh.

The presentation was followed by comments by discussant, Professor Vikas Rawal. While commenting on Ritu Dewan's paper, Professor Rawal said that one has to be careful about the data relating to operational holdings being managed by women or men as provided by Agricultural Census. In most cases and in most States of India, it is repetition of land records. There is no idea how land records, which are in individuals' names, are identified into household's land title by the enumerators. Further, there is neither any guideline nor any clarity on how it is being done. In that context in particular, he is not even sure what it means if you say it is a female operational holding or male operational holding, mostly both may be working. Perhaps in many more holdings women do more labour than men which are not actually recognised.

In the context of West Bengal, Professor Rawal said that there has been at least much larger scale of distribution of land titles to women. The decision to provide joint titles and single title of land to women in West Bengal has a longer history and this has been possible due to the result of strong women's movement and political struggles in the State. It started around 1990s and by around 2003, there were about five lakh title of joint land holdings given to women in West Bengal. Of course, the

completion of giving *patta* to the beneficiaries was incomplete and it has been accomplished later through administrative process.

Professor Rawal found the papers by Anju Helen Bala and Vandana Upadhyay interesting. The message conveyed by both the papers is that it is not very useful to do uncritical verification of tribal traditions. One has to critically examine as to whether the functioning of institutions are non-democratic and hierarchical and not women-friendly. But it is all democracy among men. Women are completely excluded from the democracy and all the terrible things of caste in the society, in terms of patriarchal attitudes, particularly seen in the society, both, in terms of the house, property and also inheritance of land. Commenting on Vandana's paper, he said that we have the situation, where one did not have the history of individual property rights, but you had lack of democracy in decision making. Now, the situation is that where penetration of individual property rights actually brings in all the problems, including exclusion of women in property rights and in decision making. Similar studies elsewhere have also found feminisation of workforce, women being restricted to this kind of work and their exclusion from access to land titles. He appreciated the paper writers for

focussing on these issues. The floor was then opened for discussion. Several participants posed questions to the paper writers on different issues relating to women's access to property rights, laws on inheritance of property by women, the factors contributing for changes in taking place from communal property to individual property rights and the role of different actors in such process. The paper writers clarified the points raised by the participants. The Chairperson, Professor D.N. Reddy, thanked the paper writers, the discussant and the participants for the fruitful and lively discussions.

## **V. Land Market and Regional Scenario**

In many low developed areas, the land market is imperfect and has not been functioning well and it has been constrained by a number of factors, including the fragmented nature of land right system systems and cultural reasons. Further, in recent years prices of land have been rising rapidly. This session was devoted to these issues in general and in regional context. The session was chaired by Professor S.S. Gill and there were six presentations.

The session began with the paper on Land, Caste and Gender in India, by M. Thangaraj. He discussed the factors contributing for lower access to



livelihood enhancing resources such as land among the Scheduled Caste communities in historical perspective. He stressed that despite several ameliorative measures taken by the Colonial government in India, Christian missionaries and the post-independence government in India for their upliftment, there is no marked improvement in their sources of livelihood and occupational status. Majority of them continue to work in the agriculture sector as wage labour and other occupations such as casual work, scavenging and menial labour. These communities have been subjected to discrimination and oppression from time immemorial and they are not treated on par with others by the upper caste people. Land is the basic source of livelihood for most of the households in rural India. But, the observed pattern of land distribution among different social group exhibit that Scheduled Castes (SCs) have been, by and large, excluded from getting adequate access to land ownership.

Eleventh five-year plan has emphasised on inclusive growth and it was adopted during the Twelfth five-year plan. The concept of inclusive growth is broader than welfare programmes implemented by the government. Inclusive growth demands that all social groups in India should have equal access to the services provided by the State and

equal opportunity for their upward economic and social mobility. It is also necessary to ensure that there is no discrimination against any section of the society. There is a need for an in-depth study covering all issues of the socio-economic factors inhibiting for rapid improvement of Scheduled Caste communities. The author suggested several measures, including provision of land for them to improve their livelihood conditions and to eliminate discrimination against them.

Deepak K Mishra's paper highlighted the changing agrarian relation and land structure in Arunachal Pradesh. He said that land governance in Arunachal Pradesh is marked by a great deal of institutional diversity as access to land is mediated through the 'traditional' community institutions and customary laws. In this mountainous State, community rights over forests and agricultural land have been protected under the law, notwithstanding the ambiguities and overlapping jurisdictions of various State and non-State authorities over agricultural and forest land. With restrictions in place over entry of outsiders to the State through the inner-line permit system as well as the prohibition of land ownership by those who do not belong to the indigenous communities of the State, denned as Arunachal Pradesh Scheduled



Tribes (APST), the scope for land alienation from tribal to non-tribal population has been severely curtailed. Such relatively robust institutional safeguards, however, have not been able to ensure an equitable or sustainable access to land and forests. Drawing upon multiple rounds of field surveys in various parts of the State, during 1999-2016, this paper attempts to examine the transformations in community rights over land in Arunachal Pradesh, as part of the on-going agrarian transition.

Judith Heyer discussed the impact of Changing Land Markets in Tiruppur/Coimbatore villages and noted the contrast between the impact of land market changes in peri-urban areas with the impact on rural areas such as those in Tiruppur district. The paper contrasts the village land market in the 1980s and 1990s with the village land market in the 2000s and 2010s and argues that the land market of the 2000s and 2010s has exacerbated the decline in the area of land under cultivation and has also been associated with quite significant changes in the nature of the village community as outsiders have got involved. Thus, rural areas, in which the land market changes have had much less of an impact than in areas closer to urban conurbations. The trends noted in the paper can only get worse as the land market encourages black money and

other funds to find their way into land ownership on an increasing scale.

Agricultural land sale prices in India, contrary to past, has exponentially increased during post liberalisation period. The higher prices are bound to have implication on the allocation, equity, efficiency and sustainability of the agriculture sector. Ch. Shankar Rao discussed these issues in the context of his study relating to land market for the agricultural land sales in Andhra Pradesh, India. The study is based on six villages - two each from three regions of Andhra Pradesh. Villages are selected based on the proximity to urban centres, covering both near and far villages. Both secondary and primary data were used for the analysis. Secondary data on agricultural land sales since 1991 in the village were obtained from the Department of Stamp and Registration, Government of Andhra Pradesh. Primary data were obtained from the household survey administered by the schedules/questionnaire and personal interviews from key informants. The survey covered a total of 600 households in the State, 100 from each village, containing both buyers and sellers of agricultural land during last two decades. The households were selected based on stratified random sampling method from the total list of land transactions. The study is both empirical and analytical in nature.

Basic statistics are used to analyse the quantitative data.

The results revealed that there has been a fast changing nature of agricultural land from agricultural productive factor to non-agricultural commodity (like gold) that has multiple uses. Land as ever fixed factor with increasing scarcity but with multiple uses is seen as asset that gives scope to speculative demand to play major role in its price determination, which could always be much above the stream of net returns equal to marginal productivity or economic rent. Sellers, who are mostly the owner cultivators, often motivated by distress factors in the agricultural sector coupled with increasing general consumption expenditure on social and educational needs. On the other hand, buyers who are mostly rich non-cultivators with huge stocks of surplus (money) earned from high growth driven non-farm sectors (either legal or illegal) are motivated often by speculation that included store of value and tax benefits. At this typical nature of commodity and motivation for demand and supply, the resultant market output (high sale price) is bound to have implications on the sector in terms of allocation of land resources that complicate issues of equity and efficiency in agricultural sector as whole. This kind of speculative market for agricultural land, though it

benefits the sellers but completely exclude cultivators from buying, increases role of the non-cultivators. This in turn led to rise in tenancy which has many problems in terms of risk and efficiency in cultivation at current legal system.

This paper concluded that the current developments in agricultural land markets with increasing entry of rich non-cultivators with high offered prices with the non-productive motives like store of value, speculation, tax heaven, etc., have implications on resource (land) allocation and equity that are unfavourable to real cultivators. This also leads to inefficiency in land use in agriculture of Andhra Pradesh, India.

Dinesh Kumar Nayak and Partha Pratim Sahu analysed the dynamics of landholding structure in the context of Odisha. In the tribal and rural based State of Odisha, where the agricultural land is important as a primary source of livelihood, income and employment for major proportion of population, agriculture plays a crucial role in the overall development and transformation process. It needs to be inclusive and sustainable due to its extensive net crop area coverage of about 35 per cent to total geographical area of the State. Further, more than 60 per cent of State's total workers population depend on

agriculture for their sustenance. But, the land available for agricultural purposes has been declining in the State. A major challenge of the Indian (agricultural sector) is the shrinking of average-farm holding size. It has been estimated that the average farm-land, which was 2.28 hectares in 1970-71, declined to 1.15 hectares in 2010-11.

Land cannot be expanded endlessly. As the multiple demands for land increase, less land is devoted to agriculture and allied sub-sectors. Therefore, intensive cultivation of available cultivable lands, wherever feasible, seems a viable strategy for increasing the gross area under cultivation and augmenting food production.

This paper attempted to study a detail analysis on changes in landholding structure with different aspects and to estimate the trend, magnitudes changes and pattern in Odisha at quinquennial intervals over the time. It also discussed the implications of corporate land holding, special economic zone, mining; how the existence land reform and land digitalisation should be re-framed in the State Agricultural policy in order to increase the productivity of crops and income of farmers.

Jeetendra Kumar examined the changing land structure in rural Madhya

Pradesh by taking a single village - Dikhatpura village in Morena district - over the years as a case study. The study employed households listing schedules to collect the primary data. He said that the development of land market has become quite complex in Dikhatpura village due to interplay of several factors in recent years. The village was a zamindari village till 1951. But due to implementation of 'Zamindari Abolition Law,' the land had been distributed among different social groups. Further, green revolution, technological transformation, indebtedness among poor households, changing consumption pattern, tendency of possession of land and growth of population played major roles in bringing the change in the land structure. The study has found that among four social groups (i.e. *Brahmin* (GEN), *Gujar* (OBC), *Kumhar* (OBC) and *Jatav*) only Jatav land owners have been selling the land to the Gujars and Brahmins since they have got the land. Because this community was a service doer, had no land and used to be subtenant of zamindars. Even after acquiring tenancy rights, some of the households from this community could not overcome from their age old indebtedness. Accordingly, they kept on selling the land over time which led to landlessness among the community. The Brahmins and *Gujars* who were zamindars of this village have not sold

land. On the other hand, *Kumhar* households depended on their traditional occupation for their livelihood. Of course, individuals of some households were in government jobs and because of that they could able to meet social and economic expenditures without selling the land. Further, cultural factors also played some role in avoiding the sale of the land among the *Kumhar, Gujar and Brahmin* communities. Sale of land is considered a sign of social and economic regress among these communities. However, many households belonging to different communities bought tiny pieces of land for construction of houses for dwelling purpose. This has resulted into activation of land market to some extent in and around the village.

The paper presentations were followed by comments and suggestions by discussant, Dr. G.Vijay. He observed that one has to be careful while drawing certain observations on the basis of linking the land distribution structures to the social structures. Given the fact that the existing agrarian economy is being in crisis to read land as if it has a similar kind of social status as it may had during 1970s, would be quite problematic. The overall agrarian economy is under pressure and therefore many farm households want to quit agriculture. So, without talking about

other complementary inputs and reasonable prices for crops, etc., to relate distribution of land ownership or simple entitlement of land by or of particular social groups to directly connecting to well-being or mobility of any kind of the group or individuals will be problematic.

Dr. G. Vijay appreciated the arguments of Deepak Mishra. But, he pointed out that one has to consider the fact is that there would be certain interested groups, which would like to preserve the community. Hence, it is always a dialectical process in which interest groups that are trying to preserve those communitarian modes do not come out as clearly as the other dominant kind of mode, where the State elites and the market seem to be pushing the whole thing into one particular direction. What is the countervailing forces working in opposite direction? There is a need to understand as to what is happening to those processes and the ways the different forces are behaving and its consequences.

With respect to Professor Judith Hoyer's work, Dr. Vijay said that it was true that financialisation of the land markets and the kinds of modes it has caused with respect to changing nature of village community. But, perhaps one could also look at how or what are the

consequences of this entire process to the way that links to new modes of urbanisation. He believed that the link has huge bearing on the way that there is a disconnect of slots between the diversification of land use and the whole classification of farm and non-farm, as being significant to classifying the space as in the urban or rural. But, there is great disconnect between the public utilities that ought to be provided by local government and what is happening to it and its use. As public utility is being driven by the private investment, one has to know about its consequence. Perhaps there is also need to look its link to the subsistence economy of the larger sections of poor people.

On Shankar Rao's paper, he felt that there is need to look also on the other side of the land sale by poor people. Because, after the appreciation of the land prices there is increase in the income of sellers. How to theorise that? In what ways they use the large amount of money received from sale of land. What happens to that kind of economy and how one really looks that mode of diversification? Of course, one set of findings suggest that there is long-term unsustainability in such types of transactions because these people do not have the ability immediately to determine how to really use the finances. But in coastal economy of Andhra

Pradesh, it may be slightly different from backward areas in Telangana or other places given that there is entrepreneurship and larger kind of networking among people. Could it be possible that it might lead to sustainable diversification of assets among the sellers of land? There is a need to ask these questions while analysing the implication of land transactions. While commenting on the paper on changing land structure among different social groups, he suggested that one has to look at the agrarian crisis and then interpret the value that connect welfare/well-being or mobility of different social groups. With these comments by the discussant, the floor was opened for discussion. The paper presenters answered several questions posed to them..

While closing the session, Chairman Professor Gill observed that he was happy to see papers coming from different regions of the country discussed in the seminar. It brought out lot of regional variations. Different regions are at different rates of change and they are behaving in different ways, some of them are fast and others are slow. While discussing the issues of access to land and land relation, the geographical variation must be taken into account. He also said that while dealing in land-related issues, the

interest of the small land owners have to be protected. He thanked all the paper writers, commenters and participants for focussing on the broad and regional dimensions of land issues for providing inputs for policymakers.

## **VI. Land Acquisition and Rehabilitation in Tribal Areas**

The fourth technical session was chaired by Professor Deepak Mishra and consisted of five presentations. C.R. Bijoy's paper analysed the ways through which appropriation of lands take place. Land is appropriated in many ways such as appropriation through recognition of private property rights with the wholesale takeover of the remaining land by the State, acquisition of the private property through land acquisition laws, acquisition of land by notifying huge tracts of land as forest lands, and large-scale change of land use to afforestation. The methods adopted are non-recognition, partial or incomplete recognition, acquisition and denial of rights by the government, and by government collusion and failure to prevent appropriation of land as well. The customary and traditional rights to land, particularly in tribal areas, are individual rights as for homestead and agriculture, collective or community rights as usufructuary or use rights such as for water, pasture, minor forest

produce, shifting cultivation, etc., and territorial rights or rights to ancestral domain or ancestral lands. These rights are both material and relational, and temporal and spiritual. Some of them are transient while others are long lasting. These rights span their historical, political, social, emotional, sacred and existential terrains over generations and not merely a source of livelihood or a tradable commodity in the market place which can be compensated on market terms. Land is appropriated when these rights are not recognised, partially recognised, acquired or expropriated, manipulated or denied, whether by government or private actors. All these squarely fall within the domain and scope of 'land acquisition' by acts of omission or commission by the governments. In fact, land is acquired not just through the use of the laws on land acquisition for public purpose, but also through various other land laws, both regulatory and reform, as well as by the absence of laws to recognise certain dimensions or realms of land rights. This is so simply because the constitution explicitly necessitates the protection of tribal lands. This paper also discussed the paradigm shift from private property to tenurial rights over land and resources, and governance of tenure of land internationally and in the country. The PESA, FRA, and the LARR 2013 are laws that mark this paradigm

shift where land rights go beyond private ownership rights to collective, community and resource use rights, including community governance of land and its resources. All discourses on land acquisition therefore requires to move away from mere acquisition of private land to include the larger process of appropriation of land by the State through multifaceted instrument of laws to make visible the real scale of actual land acquisition.

Rajkishor Meher examined the functioning of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (RFCTLARR) Act, 2013 in the context of Odisha. The mainstream Liberalisation Privatisation and Globalisation (LPG) development model of post reform years in India by putting emphasis on many mega projects such as large mineral-based industries, thermal power plants, multipurpose river dams, urban centres, townships, etc., to accelerate the process of economic development in terms of increase in growth of the economy. It has been alleged that this model has been responsible for large-scale displacement of human populations and decimation of the sustainable subsistence of ecosystem people in the country. It has now taken the shape of a conflict between the ecosystem people and the

omnivores. The ecosystem people involuntarily displaced from their means of sustainable subsistence by the promotion of modern mega development projects fail to cope with the sudden changes in local economy and society. The traditional cash compensation measure coupled with land-based and job-based rehabilitation of the displaced families does not help much in improving their living condition. Lack of emphasis on development of local human capital, ad hoc rehabilitation and resettlement measures for the displaced families further marginalise the living of their progenies and pauperise them in the long run.

In this light, the present paper examined the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (RFCTLARR) Act, 2013, which has been enacted to replace the old Land Acquisition Act, 1894, framed during British colonial rule and was in force until the end of 2013 with minor modifications. It may be mentioned here that the new RFCTLARR Act, 2013 envisages social impact assessment of land-affected as well as project-affected people by an independent agency before acquiring land for any development project, be it government initiated, public sector,



public-private partnership or private sector project meant for nation's development. The new Act clearly specifies the way of determination of cash compensation for the land losers, rehabilitation and resettlement (R&R) benefits of displaced families and social impact management plan to mitigate the negative impacts of the project on project-affected people and region. However, how far the law is likely to be enforced in words and spirit and the social impact studies carried out by various agencies for various development projects now under implementation in a poor and backward State like Odisha have been discussed in this paper. Finally, the paper seeks to evolve out a consensual and inclusive development model by making development-induced displacement less painful and more beneficial for the project-affected population in the State of Odisha in particular and in the country in general.

Animesh Ghosh discussed the issues of rehabilitation in the context of Indira Sagar (Polavaram) project located on river Godavari in Polavaram mandal of West Godavari district in Andhra Pradesh. The emergence of this project will submerge forest land as well as tribal habitations in East Godavari and in West Godavari districts. This project will lead

to submergence of 65,000 hectares of forest land and will affect nearly two lakh tribal families in Andhra Pradesh.

In order to provide the best packages to project-affected families and to implement a sound developmental plan, Government of India has formulated detailed guidelines in the form of "The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation, and Resettlement (Second Amendment) Bill, 2015". However, there are many issues of concern which have not been reflected in the Bill. While drawing the Land Acquisition, Rehabilitation, and Resettlement Plans, it is imperative to consider all facets of the projects and should be linked with the people, environment and socio-economic attributes of those areas. Land acquisition process involves significant implications towards health, employment, livelihood, culture and social structure. In this background, the present paper has critically analysed the land acquisition, rehabilitation, and resettlement process adopted by the Government of Andhra Pradesh at Rampachodavaram mandal in East Godavari district by using Participatory Rural Appraisal (PRA) and Focus Group Discussion (FGD) and based on a mix of secondary data (compiled from Integrated Tribal Development Agency



(ITDA), Rampachodavaram) and primary data collected from the affected households.

Shri. Mohan Kumar's presentation (co-author with Dr Sarmistha Patnaik) discussed the nature of land acquisition that has been taking place in the State of Odisha and its adverse implications on the livelihood condition of affected population in general and tribal, including female members. There has been a rising concern in understanding the land use conflicts due to accumulation of land and land acquisition through capitalistic expansion and local people's own understanding of environmental change and degradation due to this accumulation and acquisition process. To this end, the land acquisition issue in India has become more controversial and conflicting recently since its amendment. Scholars have argued that in its 117 years of existence, the Land Acquisition Act, 1894 (LAA 1894) has influenced the expansion of the power of the State to acquire and take over land. Premised on the doctrine of 'eminent domain', it presumes a priority to the requirements of the State which, by definition, is for the general good of the public, over the interests of landowners and users. The doctrine of eminent domain invests power in the State to acquire private land for public

purpose on payment of compensation. For several decades, development projects in India have expropriated and displaced scores of people, and much more worst has been done under the doctrine of 'eminent domain.'

Apart from acquisition, alienation of land has also been understood as a concept in the form of 'depeasantisation'. The problem of land alienation is a much deeply connected phenomenon with full of contradictions related to the existing socio-economic order. In the State of Odisha in India, the separation of land from the tribal communities can be understood in a more scientific way with the help of the theoretical formulations of the concept of alienation of Marx as has been conceptualised in the capitalist mode of production in the industrial society. Forced displacement or deprivation through development projects as well as other forms of migration in India have serious implications for a woman's economic and social status. Secondly, another consequence of such alienation and its impact on gender is looked in the form of the introduction of new relations of power and dependency in a society that formerly maintained separate male and female realms and roles. The subaltern tribal women, after the alienation and displacement and after being resettled, rarely maintain their

economic autonomy. In land-based resettlement, land is allotted in the name of individuals, invariably men, who are considered to be the heads of their respective households (An exception is the female-headed household). Women in subaltern groups had decision-making powers in the family and controlled its production and economy as long as the community sustained itself on Common Property Resources (CPRs). With individual *pattas* becoming the norm, power is transferred to the man and from him to his son. The woman is deprived of her economic autonomy, ceases to be a decision maker and becomes fully dependent on men. Her social status also deteriorates with the emergence of class formation in what was previously a more egalitarian society. In the past, she was not equal to men but had a higher status than caste women did. This situation changes with the deprivation of her livelihood and the transformation of traditional institutions.

Against this backdrop, the present study has been contextualised in Odisha since vast areas of lands in the State has been acquired in the remote rural areas. Hence, any kind of acquisition by the State in the name of public purpose has made the tribal and peasants victims, who have borne the brunt of acquisition over the last three to four decades. Mining activities in these areas have

various impacts on the natural environment, most prominent of all the clearing of patches of tropical forest, land alienations and water pollution resulting livelihoods loss. Understanding the question of land and the current process of acquisition need to be re-examined in the contemporary development discourse in India and more particularly, when there has been a continuous conflict between the classes, castes, and communities and the State due to this acquisition and accumulation process.

More so, the implementation of the legislations like Forest Rights Act, (FRA) in 2006 came up as a big challenge to the government for the situation of displacement in Odisha. Prior to the FRA, 2006 coming into force, any occupation of forestland was considered to be an illegal encroachment (Pattanaik, forthcoming). The rights of the communities displaced from their forest land had never been duly recognised. Apart from that, due to mines and other large industrial projects, there have been large-scale displacement of people and destruction of the environment which have led to widespread grass-roots resistance (Kumar, 2014).

The study discusses the traditional political economy of the agrarian transition in Orissa and uses this

traditional historical approach as a starting point in understanding the land as a resource in the State. However, it further goes beyond this historical approach in understanding the issue of 'contemporary dispossession as an outcome of land acquisition and dispossession; and other complex and conflicting issues surrounding the socio-cultural, political and ecological aspects.

A.D.Manikandan discussed (based on his study co-authored with V. Mathew Kurian) the land alienation and land degradation in Attappady, a tribal-dominated area in the State of Kerala. The main objectives of the study were to understand the extent and factors contributing for land alienation, land degradation and their impacts on the livelihood of the tribal households. It also discussed tribal people's perception of land degradation. He observed that that no single theory can adequately explain the complex evolution of land degradation and its effects on the tribal livelihoods. So, the researchers employed alternative theories viz. Malthusian, Neo-Malthusian, and Boserupian, Tragedy of the Commons and Land Ethic in order to understand the situation. Primary and secondary data were used in the study. A total of 380 tribal households were sampled using mixed methods sampling. Several methods were administered to assess

land degradation, which include expert opinions, field observations, and opinion of land users, productivity changes, field measurements, remote sensing-GIS and econometrics modelling methods that help in understanding land degradation at the field or farm level.

The organised land grabbing by non-tribal from the tribal people and the resultant land alienation of the past decades have weakened the social and political bargaining power of the tribal people in their own territory. Leasing and mortgaging of land have emerged as the two ways in which possession continues to be alienated from the tribes. Tribes are approaching non-tribes for a loan in the event of a financial crisis. While doing so, they pledge a part of their land. In most cases, however, they are unable to repay the borrowed amount, which accumulates interest over time and this finally ends up in the transfer of ownership in order to repay the amount. In other cases, non-tribes cultivate tribal lands on a nominal lease for a short period of time to start with. In many of the reported cases, the non-tribal retain the land even after the stipulated period of time. In due course of time, the tribal people became predominantly landless labourers and reduced as minority in population wise. *Tribes* are the worst victims of land degradation because the incidence and intensity of the problem

is high in tribal areas due to deforestation and soil nutrients loss.

As a result, the agricultural productivity declined due to loss of soil nutrients and has resulted in low income, low food supply and low nutrition intake among tribal people. The study observed that tribes have adequate knowledge of land degradation, but they do not have enough money to invest in soil and water conservation. This underscores the solution of the problem. The author suggested a Special Land Distribution Act in order to provide lands to landless tribes.

The presentation was followed by comments by discussants, Dr. Sujit Mishra and Dr. Shankar Rao and the floor was opened for discussion. Several questions were addressed to the paper presenters and these were clarified by the paper writers. At the end, Professor Deepak Mishra thanked all participants of the session.

## **VII. Land Rights and the Rural Poor**

The fifth session technical session was chaired by Professor Judith Heyer and consisted of three presentations. P. S. Geetakutty's presentation highlighted the functioning of group farming among women in the State of Kerala and the

groups' challenges of land accessibility and farming profitability among them. Around one-fifth of women only own operational holdings in Kerala and the women belonging to land less and marginal landholding families face serious challenges in accessing farmland for land-based livelihoods. As in other parts of India, though traditionally rural women of Kerala were engaged in primary farming as co-farmers (of men-headed households), and farmers (of women-headed households), their participation was not formally recognised or treated as significant for agricultural planning and development in the State. Till recently, the participation of the female agricultural workers as hired labour only had gained recognition as women's participation in the agricultural context. The pilot scheme on Central Sector Women in Agriculture (CSWIA) implemented in Kerala from 1996 to 2005 by the Department of Agriculture was the foremost development effort in the State that had enabled selected rural women groups in various districts to initiate collective activities of primary farming. Then also, majority of these groups had started group-based farming activities on hired lands obtained from the owners of lands who do not cultivate. As leasing of land has been legally banned in Kerala since 1963, informal

leasing or hiring was the only way of transaction involved in such activities of land accessing by the women groups. Evaluative study conducted on the CSWIA scheme (Geethakutty et al., 2006) had highlighted the initiative and the potential of the same for the promotion of the participation of women in group-based primary farming activities. The study also pointed out the lack of accessibility of farmlands and farm credit as two prime challenges faced by them to continue the newly found livelihood activity. Though the CSWIA had developed promising impression with regard to the scope of participation and recognition of women in farming at various levels of planning and development, somehow the scheme was not continued by the Ministry of Agriculture. Subsequent to the withdrawal of the interventions of the CSWIA scheme, most of the women groups formed under the scheme had also discontinued their collective farming activities. It is important to note that a few of them were able to sustain their collective farming as part of the income generating group activities initiated under the Kudumbashree Mission of Kerala. It was also a juncture wherein the farming sector in the State was facing crisis and fallowing of land among land owners had become a prevalent trend.

The large-scale abandoning of wetland farming by the land owning class in Kerala is to be considered as one of the important factors which had catalysed the entry and visibility of the rural women of landless and marginal landholding families as farmers in Kerala; the other push factors being the micro credit and institutional support the women groups could avail through Kudumbashree Mission at grassroots. Due to the legal ban on land leasing, in general, the owners of fallow lands are reluctant to hire out their lands and provide formal records of hiring out. In addition to this, rarely the women groups are able to access the same lands in consecutive seasons and/or years from the owners. This often leads to discontinuing of the farming by the group or limiting their farming efforts to whatever area available. Despite all these challenges, a large number of women groups of Kudumbashree were able to hire in land and take up farming as income generating activities. The trend, in fact, had persuaded the Kudumbashree Mission to promote group farming as a rural livelihood activity among its members by availing (of) the funds from the Mahila Kisan Sashaktikaran Pariyojana (MKSP) of the Ministry of Rural Development in 2011.

Simultaneously, the introduction of the Joint Liability Group (JLG) scheme by (NABARD) in 2007 had also enhanced availability of farm loan facility with low interest among farmer groups engaged on hired or leased lands. Around 3 lakh rural women are engaged in JLG farming groups under the Kudumbashree in Kerala. These women groups undertook cultivation in 48,347 hectares of land in 2014 and 93.66 percentage of the land was hired in from land owners. However, no effective interventions are in place in the State to address the challenges the landless women groups face in accessing land on a sustainable basis. Hence, the Centre for Gender Studies in Agriculture of the Kerala Agricultural University had taken initiative to sensitise the stakeholders about the challenges women groups face in accessing land on hiring and how the absence of formal hiring records is leading to profitability loss in their farming on hired lands. In this regard, one field survey and two stakeholder consultations were organised during 2015-17 with the support of the NABARD.

The study observed that the women groups engaged in hired land farming are mostly without proper documents of land hiring. In the absence of land ownership or hiring records, the development

departments are unable to consider them as farmers and to provide them with the eligible farming support and services (bonus of fallow land farming, input subsidies, insurance claims, procurement price support, etc). It is important to note that though various agricultural and rural development programmes introduced in the recent past such as JLG Scheme by NABARD, Kudumbasree Mission for Poverty Alleviation by Department of Rural Development, Fallow Land Rice Cultivation from the Department of Agriculture, etc., are promoting cultivation in hired land, guidelines for hired land farming do not exist in Kerala. In the absence of such a guideline, these women collectives are facing the hurdles of informal land hiring practices and associated exclusion from the development system. These constraints are seriously affecting the profitability and sustainability of their farming activity.

The potential role the local self-governments should initiate in setting up gram panchayat-based farmland banks, strict monitoring on implementation of the Kerala Conservation of Paddy Land and Wetland Act, effective convergence between the Department of Agriculture and Kudumbashree and introduction of guidelines for hired land farming were

some of the policy recommendations the study had advocated to enhance land accessibility and availability of farm land among the local women groups.

Ankita Goyal's paper discussed the nature of customary land tenure system and its impacts on their livelihood patterns, food security and poverty in selected districts of Jharkhand and Meghalaya. The paper shows lot of variation in the land tenure systems in different areas. But, the status of women with regard to land rights remains more or less similar. A system of lease for fixed cash is more prevalent in Khasi and Jaintia Hills; share cropping is the predominant form of lease in Garo Hills. The paper has also noted that there is a growing tendency towards individual ownership and occupancy rights of land. Besides, lot of non-tribal businessmen and bureaucrats residing in Shillong as well as Nepali cultivators are reported to have purchased land and become a part of the local land use and local governance systems. Also, large areas of land on the border of Assam and Meghalaya have reportedly been sold by the tribals to non-tribals. It is happening in Jharkhand too. In Jharkhand, the transfer of tribal land to non-tribals by way of gift or adverse possession of land is quite common. In most places, community land has been transferred to

individuals, including both tribal and non-tribal. Lot of forest lands were acquired by the government, dispossessing many tribal families and depriving them from their important source of livelihood. .

There seems to be pros as well as cons of both community ownership and individual ownership of agricultural land and that system alone is not helping the uplift of these marginalised communities. With proper agriculture extension services, marketing, transportation and better irrigation facilities, the agriculturists will certainly benefit.

The paper argued that it is certainly better in terms of collective security of the indigenous people but without proper infrastructural support, the poor farmer will remain in deplorable condition. The customary land tenure systems serve the interest of the poor household better. Besides, based on the perceptive views, it can be said that women feel more secure under customary laws than what can be expected from the market laid/ individual land ownership kind of land governance system.

Paridhi Kindo (jointly written with Pradip Kumar Bhowmick) discussed the issues with regard to the land rights of tribes in Jharkhand. The paper noted that



tribal people are one of the most vulnerable, marginalised and isolated/excluded social groups in the process of the development. Despite impressive economic growth shown in recent years and specific measures (protective and promotional) undertaken for tribal development, these communities are still lagging behind in terms of several socio-economic indicators. There is a concern over how to protect the current sources of livelihood and promote economic and human development of these communities through vibrant and pro-poor institutions. The government has introduced many Acts relating to land rights of tribes such as the Chotanagpur Tenancy Act (CNTA), 1908 and Santhal Parganas Tenancy Act (SPTA), 1949, the Panchayats Extension to Scheduled Areas Act (PESA) and Forest Rights Act (FRA) over the years.

Here the question arises: Do different land rights Acts really address land issues and development of tribes? This paper has tried to address this question. The main objectives of the study were to examine the different Acts of Tribal Land Rights in Jharkhand and to find out as to whether they are leading towards development of the tribal clan; and to explore the challenges and opportunities in implementation of Forest Right Act in Jharkhand. Unfortunately, till date, the development

approach followed is not organically linked to the roots. As a result, the tribals have benefitted the least. Experience from the field shows that most of the Joint Forest Management (JFM) communities that are selected by the Forest Department for the implementation of JFM are not based on proper assessment of the potential of the JFM communities for collective action. Consequently, many JFM communities have failed to organise themselves as an institution, leading to unsuccessful forest management and protection. The study found that the Forest Rights Act has not been implemented properly in the State. There is need for effective implementation of this Act by different stakeholders.

Presentation of papers was followed by comments by the discussant, Professor G. Omkarnath. He felt happy to find papers drawn from three different regions. These papers were extremely interesting and the presentations were clear and lively. He said that land use rights in general and the variety of land use rights and its performance in relation to women are of importance. Referring to Geethakutty's paper on group farming among women in Kerala, he said that it is a big issue because land is essential means of production in agriculture and it is non-reproducible resource. Ownership and control of land invariably



enter into the socioeconomic power structures. Land also acquires as a strategy of development. In independent India, industrialisation was emphasised as important strategy of development but the absorption of labour force in jobs was very low. Majority of workforce have to fall back on rural areas and especially in agricultural sector. As a result, it exerted continuous pressure on land as an important source livelihood. But, a bulk of the population dependent on agriculture could not diversify the activities other than agriculture. This led to severity of problem related to poverty and women's well-being. In a State like Kerala, there is no development of broad-based industries. In agriculture, there has been decline of area under paddy for a long time and there is competing demand for land for housing especially for the gulf returnees. In such a scenario, the community farming involving women under the Kudumbashree Mission has its own importance. But these groups require support from different stakeholders to make them viable and sustainable.

In regard to the paper on customary land tenure in Jharkhand and Meghalaya, Professor Omkarnath said that one requires objective conditions at the ground level about the productivity, efficiency of communal land tenure and that of private farming. Professor

Omkarnath agreed with Kindo's observations that there is an urgent need to monitor on a continuous basis the operation of different land Acts as well as the Forest Right Act, 2006 and systems in operation in various States at the grassroots level. One gets the impression that FRA, 2006, especially in Jharkhand, is operating on a top-down approach and does not seem to involve people's organisation, and there is no democratic decision making at the local level. After the comments of the discussant, the floor was opened for discussions. Several questions were addressed to the paper presenters and these were addressed by them.

Many participants reported that several civil society organisations have come together and become stakeholders for implementation of FRA, 2006 in Jharkhand. Similarly, there has been awareness among the people in Jharkhand as to how to safeguard their land from predators who are interested to acquire huge amount of land. Professor Judith Heyer thanked all the participants for the useful deliberation.

## **VIII. Digitalisation of Land Records in India**

The last technical session was chaired by Professor M. Thangraj and it had two presentations. Pradeep Nayak focused on the working of the

digitisation of land records modernisation programmes initiated since the 1990s in India. The paper unraveled interesting developments that have emerged in the light of nearly three decades of land records digitisation programme in India. By studying the computerisation or land records modernisation programmes in India, one is required to straddle many aspects of the subject matter such as the historic legacy of the land records management; role of the State and its policy shifts in land records management; impact of computerisation on its bureaucracy; the capacity of the government officials to handle delivery of CLRs; role of the political and administrative leadership; and role of ICTs in contributing governance reforms and its impact on democratic governance, citizenship, federalism and development process.

It is claimed by the State that e-governance would provide increased transparency, greater accountability, impact on corruption, greater convenience to citizens, revenue growth and cost reduction. The National Land Records Modernisation Programme (NLRMP) as “a high-tech and complex project” seeks to computerise the land records, digitise cadastral maps, integrate registry with tahsil /taluka/ mandal and undertake modern land survey and mapping for providing citizen

services like issue of Record of Rights (RoRs), online correction, maintenance and updating of land records. Ultimately, the Centrally-sponsored scheme seeks to switch over from the present presumptive land titles to a conclusive title system. The paper critically examined these assertions of the Indian State in the light to the actual working of the digitisation programme brought from the findings from field study.

The importance of up-to-date land records in effective implementation of redistributive land reforms has been a constant refrain in all public policy documents on land questions and any academic studies on the impact of land reform measures. Interestingly, the sole objective of the contemporary land records modernisation programme is to do away with the existing presumptive nature of land records and implement conclusive title guarantee system in which the State would provide title guarantee to land holders not the implementation of land reforms. This policy shift is certainly a historic reorientation of India’s land policy. The paper made an attempt to bring out the impact of digitisation programme, based on comparative study in Karnataka and Odisha, its constraints and emerging trends.

The next paper was on Status of Computerisation of Land Records in

Punjab and its Impact on Credit Flow to Farmers by Sher Singh Sangwan. The findings of this paper were based on a study conducted by author for NABARD with a view to examine the status of Computerisation of Land Records (CLRs) in Punjab and their impact on ease in accessing and on increasing bank credit and tenancy. The district-wise status of CLRs was obtained from the office of the Punjab Land Records Society. To study the impact of CLRs, 180 farmers were interviewed from 12 branches of different banks in two tehsils of Samrala and Payal in Ludhiana district of the State. The main findings of the studies are as follow.

The CLRs of rural areas in respect of villages made alive, updating of mutations and rapats is almost 100 per cent as compared to 70 per cent for urban Khewats as the later were reported more cumbersome with frequent changes. The *nakal* (copy) of *Jamabandi* (ownership) is available from Farad Kendra at tehsil level since last quarter of 2011. The computerised Jamabandi is accepted by all banks for any type of loan and security. The availability of computerised revenue record was reported as very convenient, time and cost saving by the farmers and bankers. It is easy to monitor ones records on the website. The analysis of trend in agricultural credit in terms of number

and amount revealed that the number of loans after 2011 declined for two years compared to steep growth during 2004-05 to 2008-09 but the KCCs again increased since 2013-14. Hence, CLRs alone may not affect credit offtake. Perhaps, some other policies like doubling of agricultural credit during 2004-08, interest subventions on KCC in 2006&2011 and liberal KCC coverage since 2012 may have affected the trend in credit flow.

Further, a few policy changes are required to leverage full benefits of digitalisation of land records. Farmers have still to take the no encumbrance certificate (NEC) which is costing them minimum Rs.1000 and it takes several days through an advocate. As discussed with officials of the Punjab Land Record Society and bankers, CLR is an authenticated and updated document in all respects which has been cross-checked at three stages and its latest status copy is again obtained after mortgage with the bank. Therefore, a policy decision is required to dispense with requirement of NEC and some other related documents to give full benefit of CLRs. As regards financing for leased in land, there is no provision to record the name of tenant in CLRs. However, bankers in Punjab are informally including the leased-in land for enhancing KCC limit, if any affidavit

given by the tenant or a letter by Patwari that the farmer concerned is leasing in so much of land. The State governments may prescribe a certain type of format which can be given on the basis of *dairy* records of the Patwari to the tenant farmer against payment of fixed charges. Banks should also consider including the leased rent in KCC to some extent, say 50 per cent, which has to be given in advance by the tenant. The presentation of papers was followed by discussion. Chairman of the session, Professor M. Tangaraj, thanked the paper presenters and the participants for the useful deliberation.

## IX. Valedictory Session

The valedictory session was chaired by Professor G. Nancharaiah. Before requesting Prof. Haque to deliver his lecture he made few observations. Though the share of agriculture in the national income has come down, but still it is important sector in terms of supporting more than 50 per cent of the work force.

In rural economy land plays a crucial role in terms of important source of income and symbol of social status. Even today, the occupations of Indian villagers are organised on caste line with some deviations. Despite several measures taken by the States, the inequality in the ownership as well as

operational holdings of land among social groups is very high and it is concentrated among the higher castes groups. The marginalised communities could not gain much in terms of access to land except in few States such as West Bengal to some extent.

Further, the tribals have been affected severely due to land acquisition by the State for the developmental purposes as well as usurious practice of money lending persisting despite the efforts of the States to prevent the same. Professor Nancharaiah emphasised that the States have to take proactive steps in providing land and other necessary capital to marginalised communities. This will be step towards for inclusive development.

## Valedictory Address

Thanking the organisers of the seminar and Professor Nancharaiah, Professor Haque began the valedictory address by stating that land, water, forests and animals are the most important resources of India which need to be preserved, protected and utilised for improving the lives of poor.

Of these, access to land is crucial for the livelihood and food security of a large segment of India's rural population. However, the incidence of landlessness in rural India in general, and among the marginalised groups is very high. Even

if they want to switch from agriculture to other forms of employment, they seldom get appropriate opportunities due to lack of adequate and appropriate education and skill. Thus, for such people at least, access to land is critical to livelihood.

Land is not only a source of livelihood for about half of India's workforce, but also it is in growing demand for the purpose of housing, urbanisation and industrialisation. Therefore, our land policy should (be such that it) ensure efficient, equitable and sustainable use of land for accelerated, diversified and inclusive economic growth.

Taking a look at the evolution of some of the land reform policies that have been formulated, in 1956 the Indian government passed laws to abolish the *zamindari* system which involves intermediaries. Initially, there were many problems. For instance, some land-owners resorted to eviction of tenants on the pretext of self-cultivation using various legal as well as administrative weaknesses, but over time land kept dividing and sub-dividing and now hardly any intermediaries are found. In respect of the tenancy reforms introduced in the 1960s, 1970s and 1980s, Kerala and Jammu & Kashmir have, without any exception, prohibited land leasing altogether, while most other States allowed it in a highly restrictive manner;

for instance, to widows, minors, defence personnel, physically and mentally challenged and some such restricted categories, but not other people in general. As a result of tenancy reform, on the one hand, about 12.6 million tenants were conferred occupancy rights over 6.7 million hectares of land, but on the other, it resulted in large-scale eviction of tenants. Many landowners prefer to keep their lands fallow due to fear of losing their rights over the land. This resulted into underutilisation of scarce land resources. Thus, restrictive tenancy law has slowed down both productivity and the pace of much-needed occupational mobility and rural transformation.

Coming to ceiling, in the 1950s, both West Bengal and Jammu & Kashmir imposed ceilings on land along with the abolition of intermediaries. As a result, there was little manipulation from the intermediaries to keep land to themselves or divide or sub-divide the land. This is one reason why land reforms were relatively successful, at least in case of West Bengal. But, in other cases, during the second phase of ceiling from 1960 to 1970, the ceiling levels were a little higher. Presently, ceilings range between 3.68 hectares and 28.3 hectares for different categories of land, except in some places like Rajasthan where quantum of ceiling is high because it is mostly a desert. So far,

about 5 million acres of ceiling surplus land have been distributed among 5.4 million families, of which 2.1 million belong to SCs, 0.9 million STs and 2.4 million other castes. The State of West Bengal alone distributed one million acres among 2.5 million beneficiaries. However, as of now, there is hardly any scope or political will to redistribute the ceiled land which has been divided and sub-divided over time.

In case of *bhoodan* and *gramdan* lands, we find that 4.9 million acres of land was donated all over India, of which 3.2 million acres were distributed to poor rural households. However, 1.10 million acres of land that was donated was found “not fit” for cultivation.

Despite stringent laws, the problem of land alienation in tribal areas continues. It may be attributed to various reasons such as acquisition of land by the government, manipulation of record due to defective surveys and settlements and non-recording of possession; and, granting of easy possession for purchase of tribal land by local level competent authority or *benami* purchases. In fact, attempts were made by the State governments to identify and restore land to the tribals, but in nearly 50 per cent of the cases, the tribals lost their land following court rulings.

The Ministry of Rural Development initiated a scheme for computerisation of land records initially on pilot basis in

1988-89 and as a full-fledged programme in 1992-93. But so far, the progress is quite unsatisfactory, except in a few States like Karnataka, Andhra Pradesh, Gujarat, Rajasthan, Maharashtra and Tamil Nadu. It must be noted that e-governance is not a substitute for good governance as hardcore jobs such as correcting and updating land records, recording encroachments, verifying mutation in the field and observing changes in land require capacity building of officials. Besides, none of the State governments were able to finish fresh revisional surveys of land. As a result, land records have not been updated due to unsatisfactory nature of the outputs of the survey operations and the exploitative nature of the whole process. Therefore, State governments will have to devise a method by which RoR (Record of Right) can take place without conducting survey operations in the present mode. The Warangal model of digitisation and updation of land records which involves community participation, legal and paralegal assistance and active support of the local level revenue officer is critical in this regard.

The biggest challenges the country facing today are as follows: to improve access to land for the rural poor by way of redistribution of available ceiling surplus land; legalise land leasing to help improve land ownership security for the



landowners and land tenure security for the tenants as well as help raise agricultural productivity; protect land and forest rights of tribals; provide legal and institutional framework for adequate and secure land rights of women; prepare, update and digitise accurate record of land rights on a regular basis; and, formulate and implement farmer-friendly land acquisition policies as well as rehabilitate the affected families.

Under the present circumstances, we need to focus on the following options to achieve these objectives: (i) Government should allocate at least 10-15 per cent of the land to 20 million landless families, giving *patta* in the name of women or joint *patta* in the name of husband and wife or even a single woman. (ii) Under the Pradhan Mantri Gramin Awas Yojana, the rural housing scheme of the government, the concept of land purchase for house construction for eligible rural landless families should be modified to provide at least 10 per cent of land and not 2-3 per cent. A guaranteed access to homestead plot of 10 per cent in size would create a sense of livelihood security for the landless poor. (iii) Land leasing should be legalised within the ceiling limits in all States to improve access to land for the rural poor. (iv) There should be a special land tribunal in every State to expeditiously dispose of all ceiling surplus cases and distribute the nearly 2.0 million acres of land which

is presently under litigation. (v) Encroachment by land mafia and the rich and should be freed for redistribution among the eligible landless and semi-landless families. (vi) Effective implementation of the Forest Rights Act, 2006 for conferring real ownership and utilisation rights over forest resources by the tribal and other forest dwellers, for which massive legal aid and awareness building campaign among tribals and forest officials would have to be initiated. (vii) Ensure effective implementation of Hindu Succession (Amendment) Act, 2005 and also enact a national law empowering women of all religions, castes and region by providing ownership and inheritance rights to women over agricultural and non-agricultural land in respect of both parental and husband's land. (viii) Updation and digitisation of land record and village maps coupled with verification of ground truth in a time-bound and cost-effective manner, with participation of Gram Sabha is critical for promoting private investment for increased agricultural production and productivity. It will facilitate farmers' access to bank credit, insurance, disaster relief, and marketing and other support services. (ix) Use innovative ways that minimise the need for land acquisition for urban expansion.

The seminar was concluded with a vote of thanks by Professor Kailash Sarap.

## X. Policy Brief

Land rights became an important agenda of Sustainable Development Goals (SDGs) formulated in 2015 along with poverty eradication and food security at the global level. Earlier in 2012, the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT), an internationally negotiated document by the Committee on World Food Security (CFS) under the Food and Agriculture Organisation of the UN (FAO), is now encouraged by G20, Rio+20, United Nations General Assembly and many others. Land policy is crucial for governance, and a key component of some government programmes. There are many challenges in India relating to land rights for sustainable, inclusive and good governance.

The participants ranging from academic researchers, policymakers, and NGOs functionaries cutting across different disciplines and backgrounds identified a number of issues and concerns relating to land market and suggested measures to assure more equitable access to land to poor. Six technical sessions were devoted for deliberations on the above theme.

Suggestions emerged from the discussions of the seminar are given below:

### Land to Landless and Other Land Poor Households

- Absolute landless households opting for agriculture for sustenance should be provided sufficient<sup>1</sup> land for cultivation along with the schemes, easy credit and support to ensure sustained economic progress.
- Absolute landless to be provided house site of at least 10-15 cents of land along with support for housing, kitchen garden and animal shed.
- There is a need to prioritise land distribution to the landless giving first priority to very vulnerable sections such as single woman, female-headed households, victim of natural calamities, and communal, caste and ethnic violence, the internally displaced due to development projects and violence, destitutes, manual scavengers, and other socially vulnerable and marginalised groups.

<sup>1</sup> Land available from ceiling surplus land, Bhoodan land, land encroached by ineligible persons and government land can be utilised for this purpose.



- Determination and recognition / regularisation of possession and/or use of government land/community land by eligible persons for livelihood needs including residence, and as legal rights.

### **Women's Access to Land right**

- Title of land ownership to be jointly held by the spouses as far as possible.
- Land title in the name of women in the case of single women and women-headed household.
- Determining and recognising women's occupation and access to land and its resources on government and community land on a priority basis to secure, ensure and increase women's access and ownership to.
- Ensure effective implementation of features of Hindu Succession (Amendment) Act, 2005 enacted national law for empowering women belonging to all religions, castes, and regions by providing ownership and rights to women over agriculture/ non-agriculture land in respect of both parental and husband's land.

- Lowering stamp duty and registration fee in all cases where land is registered in their name, if not done yet.

### **Land Leasing: Individual and Group**

- Land leasing should be legalised within the ceiling limits in all the States to protect the interest of marginal and small farmers.
- Leasing of all unused, potentially cultivable lands, including endowment lands, canal embankments, inland fisheries rights, etc., to landless poor, women and other such vulnerable groups and recognise them as valid category of landowners and leasers.
- Lease farming groups like joint liability groups (JLG) under Kudumbashree mission in Kerala can be replicated in other areas as far as possible. Government is supporting and promoting these groups under the National Rural Livelihood Mission (NRLM).
- Encourage and provide priority to leasing of land by workers cooperatives.

## Effective Implementation of Forest Right Act, PESA and LARR

- PESA, FRA and LARR are legal instruments that have to be strengthened in law and practice, and expanded to cover the maximum ST population along with related other laws such as the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and relevant orders, directions and guidelines among the concerned political and administrative structures besides the communities.
- First priority to be given to demarcation and conferment of titles to the Gram Sabhas for Community Forest Resources, the customary common forest land within the traditional or customary boundaries of the village or seasonal use of landscape in the case of pastoral communities
- Massive legal aid and awareness building campaign among tribals and other officers are to be carried out.
- Convergence of all programmes related to development for improving productivity of FRA land and to enhance the livelihood of FRA forest rights holders.
- Ensure no land acquisition is carried out in Scheduled Areas as far as possible as provided for in the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act of 2013 (LARR) by introducing free prior informed consent of the Gram Sabhas, besides the affected persons.
- Ensure that the consent provisions for land acquisition and forest diversion are strictly followed with adequate participation of women and with 50 per cent quorum.

## Community Land Rights in Tribal and Plain Areas

- Codify customary rights on land and resources uses in all tribal areas, including the north east region at the community and Gram Sabha level through a participatory process in order to safeguard the interest of the communities.
- Legal recognition of community rights to safeguard against privatisation of such resources in the context of peasant differentiation should go hand in hand with; the State's responsibility to protect such community rights against attempt to privatise them

from within or outside the community.

- Determination of rights by the Gram Sabha and recognition of customary and traditional rights over revenue land remains to be legislated.
- Every State with Scheduled Area to establish a 'Land Consolidation Fund' (LCF) to enable the Gram Sabhas in the Scheduled Areas to purchase those lands at market prices that come up for sale by and amongst tribals and non-tribals, and between tribals to non-tribals; these lands which are to be inalienable and non-transferable are to be used as community lands or by the landless and marginalised tribals as determined by the Gram Sabha.
- A speedy, effective and accessible criminal justice system for enforcing these laws add to ensuring tenurial security.

## Land Governance

Updating and digitisation of land records, village maps after ground truthing and approval of and certification by Gram Sabhas in a time-bound and cost-effective manner to ensure security of tenurial rights with accurate updated land records.

All transfer of lands to be verified by the Gram Sabhas as genuine and as per proper procedures.

- Focus on improving cadastral maps of the area.
- System of title registration.
- Systematic recording of land, recognition of land and resource rights, occupation, possession, and land use, whether seasonal or continuous, whether use by different communities for same or different use of the same land on all categories of government and community land.
- There is a need to record the name of tenants and leased area in computerised land records (CLRs).

## Land Administration

- Consolidation and simplifying of land legislations by all the States to update and remove irrelevant, complex and outdated provisions in law and practice.
- Increasing awareness on land legislation enhances knowledge and power of right holders over land and resources, whether individual, collective or communities.

- Incidence of land dispute has to be reduced. Access to legal services to poor/landless through legal aid services, the law department, NGOs and through customary community dispute resolution methods.

### **Land Acquisition**

- Ensure that there is awareness of the provisions of LARR, PESA and FRA along with related other laws

such as the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and relevant orders, directions and guidelines among the concerned administrative and policies personnel, besides Adivasis (tribals).

- Use innovative ways that minimise the need for land acquisition for the infrastructure and urban expansion.

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**S. R. Sankaran Chair (Rural Labour)**  
**National Institute of Rural Development and Panchayati Raj, Hyderabad**  
**National Seminar on**  
**Land Market and the Rural Poor**  
**January 18-19, 2018**

**Programme Schedule**

<b>Day 1</b>		<b>18<sup>th</sup> January, 2018 (Thursday)</b>
9.30 AM to 10.00 AM	:	<b>Registration (S.K. Rau Conference Hall)</b>
10.00 AM – 11.30 AM	:	<b>Chairperson: Professor R. Radhakrishna</b>
	:	Welcome Address: Dr. W.R. Reddy, IAS
	:	About the Seminar – Professor Kailash Sarap
	:	Inaugural Address – Professor Y.K. Alagh
	:	Vote of Thanks – Dr. Ch. Radhika Rani
<b>Technical Session I</b>		
11.45 AM – 01.30 PM		<b>Chairperson: Professor Alak N. Sharma Access to Land and Land Rights</b>
	1	Changes in Incidence of Agricultural Tenancy in India, Vikas Rawal & Vaishali Bansal
	2	Land Lease Market and Rural Poor in Punjab, Sucha Singh Gill
	3	Land Lease Market and the Rural Poor: Evidence from Field Experience in AP, M. Mohan Rao
		Discussant: S.S Sangwan
<b>Technical Session II</b>		
		<b>Chairperson: Professor D.N. Reddy Gender and Land Right</b>
2.30 PM – 4.15 PM	4	Land Rights of the Marginalised: India & Maharashtra, Ritu Dewan
	5	Methods and Approaches for Addressing Gender Gaps in Land Distribution Programmes: A Study in West Bengal, S.K. Jana



	6	Women, Land and Laws of Inheritance: A Study of Customary Practices among the Oraon Tribe in Jharkhand, Anju Helen Bala
	7	Gender Dispossession and the Transformation of Land Rights in Arunachal Pradesh, Vandana
		Discussant: Vikas Rawal
<b>Technical Session III</b>		
		<b>Chairperson: Professor S.S. Gill</b> <b>Land Market: Regional Scenario</b>
4.30 PM to 5.45PM	8	Land, Class and Gender in India, M. Thankaraj
	9	Political Economy of Informal Land Markets in North-East India: Insights from Arunachal Pradesh, India, Deepak Mishra
	10	The Impact of Changing Land Markets in Tiruppur/Coimbatore Villages, Judiyyth Hyer
	11	Land Price Bubble: Dynamics of Agricultural Land Sale Market and its Implications on Agriculture in Andhra Pradesh, Shankar Rao
	12	Emerging Issues in Landholding Structure: A State-level Analysis, Dinesh Kumar Nayak and P.P Sahu
	13	Changing Land Structure in Rural Madhya Pradesh: A Case Study of Digatpura Village, Morena District, 1961-2014, Jeetendra Kumar
		Discussant: G. Vijay
<b>Day 2:</b>		
<b>19<sup>th</sup> January, 2018 (Friday)</b>		
<b>Technical Session IV</b>		
		<b>Chairperson: Professor Deepak Mishra</b> <b>Land Acquisition and Rehabilitation in Tribal Areas</b>
9.20 AM to 11.120 AM	14	<b>Rendering Land Acquisition Legible: Redefining its Borders and Frontiers, C.R. Bijoy</b>
	15	Can the New LARR Act 2013 Prevent Impoverishment Risk of Marginalised People Loosing Land (Agricultural and Forest) for Development Projects in India: The Case of Odisha: Rajkishor Meher
	16	Adopted Land Acquisition, Rehabilitation and Resettlement Process at Rampachodavaram in AP, Animesh Ghosh
	17	Land Acquisition and Livelihood Insecurity three district of Odisha, Sharmishta Pattanaik and Mohon Kumar Naik

	18	Land Transfers in Kondh Land: Trajectory of Tribal Land Alienation in Western Odisha, Tapas Kumar Dalapati
	19	Land Alienation and Degradation in the Tribal Areas: A Study of Attappady Tribal Block in Palakkad District, Kerala, Manikandan A.D and V. Mathew Kurian Discussant: Surjith Mishra and Shankar Rao
<b>Technical Session V</b>		<b>Chairperson: Professor Judith Heyer</b> <b>Land Rights and the Rural Poor</b>
<b>2.00 PM – 3.15 PM</b>	<b>20</b>	<b>Challenges of Land Accessibility and Farming Profitability Among Women – Experiences of Women Farmer Groups Engaged in Hired Land Farming in Kerala, Geetha Kutty</b>
	21	Customary Land Tenure Serves the Poor Better: A Study of Jharkhand and Meghalaya, Ankita Goyal
	22	Does Different Land Rights Acts in Jharkhand Leading towards Development of the Tribal Clan?, Paridhi Kindo and Pradip Kumar Bhowmick Discussant: Professor G. Omkarnath
<b>Technical Session VI</b>		<b>Chairperson: Professor M. Thangaraj</b> <b>Digitisation of Land Records in India</b>
<b>3.15 PM – 4.15PM</b>	<b>23</b>	<b>Digitisation of Land Records in India, Pradeep Nayak</b>
	24	Status of Computerisation of Land Records in Punjab and Its Impact on Access to Credit by the Farmers, S.S Sangwan Discussant: Raj Kishore Meher
<b>Valedictory Session</b>		
<b>4.15 PM - 5.30 PM</b>	<b>Chairperson: Professor G. Nancharaiah</b> <b>Valedictory address: Professor T. Haque</b> <b>Vote of Thanks: Kailash Sarap</b>	

### Organising Committee

- Dr. W.R. Reddy, IAS, Director General, NIRD&PR
- Dr. Radhika Rani, Head, In-charge, Centre for Agrarian Studies
- Dr. Kailash Sarap, Professor and Convener & Secretary, S.R. Sankaran Chair (Rural Labour)

### Coordinator

- Professor Kailash Sarap, S.R. Sankaran Chair (Rural Labour)

## Shri S. R. SANKARAN

S. R. Sankaran, a Civil Servant, is known for his commitments and actions for the upliftment of the poor and the marginalised. The seamless integrity between his life, ideas and work was the unique dimension of his personality. As a civil servant he took Constitution as a mandate and made every opportunity to put in practice the fundamental principles of equality, non-discrimination, justice and affirmative action in favour of the economically backward sections. He believed that his true vocation as a civil servant was to serve the people where the poor occupied the primacy of position. Within the poor his concern was about SCs and STs as they have been at the lowest rung of the social hierarchy, wallowing in chronic misery and deprivation and subjected to daily acts of injustice and indignity.

The transformative role that Sankaran as a civil servant played in the lives of the poor is exemplary to date. His deep understanding of the social environment of the poor is remarkable. In his view, the poor are typically unorganised, hard to reach, inarticulate and often invisible by residing in periphery. Along with lack of access to land and other natural resources, lack of access to education makes them vulnerable to manipulation by adversaries leading them to internalise the ideology of dependence and submission. The conditions of poor can be compressed into five disabilities: (i) lack of access to land and employment, (ii) unfree labour, (iii) low wages, (iv) institutionalised discrimination, and v) deprivation in social services. His work during his career and after retirement devoted to uplifting the poor by relieving them from such adversaries and organising them. While working for the poor he had not only used his professional skill but also brought to bear on the problem of human touch.

Sankaran was a legendary civil servant, a crusader for social justice, a civil rights activist, a perceptive critic of development and public policy with extraordinary sensitivity, clarity, and above all, an epitome of compassion. A single social goal of his entire life's work was the reduction of contradiction between political and socio-economic inequality.

## **S. R. Sankaran Chair (Rural Labour)**

S. R. Sankaran Chair (Rural Labour) is instituted at the National Institute of Rural Development and Panchayati Raj (NIRD&PR), Hyderabad by the Ministry of Rural Development (MoRD) with the objective of promoting research on issues that would enhance understanding and help in improving the world of work and the life worlds of rural labour. Collaborative research, seminars, workshops and policy dialogues involving institutions, organisations, policymakers and other stakeholders with similar objectives, and placing the results in the larger public domain through working papers, articles in learned journals, books and policy briefs are part of the activities set out for the Chair.



**S. R. Sankaran Chair (Rural Labour)**

**National Institute of Rural Development and Panchayati Raj**

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