

IMPROVING THE RURAL POORS' ACCESS TO LAND IN INDIA

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Introduction

Access to land is crucial for sustainable livelihoods and food security of a vast majority of India's rural population, comprising landless labourers and marginal farmers who cannot access non-farm employment opportunities for lack of education and skills and are forced to depend on part time (mostly) rainfed farming and part time wage employment for sustenance. The question of the rural poors' improved access to land assumes significance because there is high level of concentration of poverty among landless and semi-landless households. (Govt. of India, 2007a, NIRD, 1999). As the ICARRD Declaration (FAO, 2006), rightly points out, food insecurity, hunger and rural poverty often result from the imbalances in the present process of development which hinder access to land, water and other natural resources and livelihood assets in a sustainable manner. It is in this context that the present paper analyses the key issues relating to the rural poors' access to secure and sustainable land rights.

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Objectives:

The specific objectives of this working paper are as follows:

- i) to analyse the existing patterns of ownership and utilization of land in rural India, especially from the points of view of accessibility by the rural poor;
- ii) to identify the major policy bottlenecks to improving the rural poor's access to secure and sustainable land rights and
- iii) to examine the scope of alternative, albeit new approaches to improving the rural poor's access to land and water and to indicate appropriate policy direction for India's land sector reforms in the coming years.

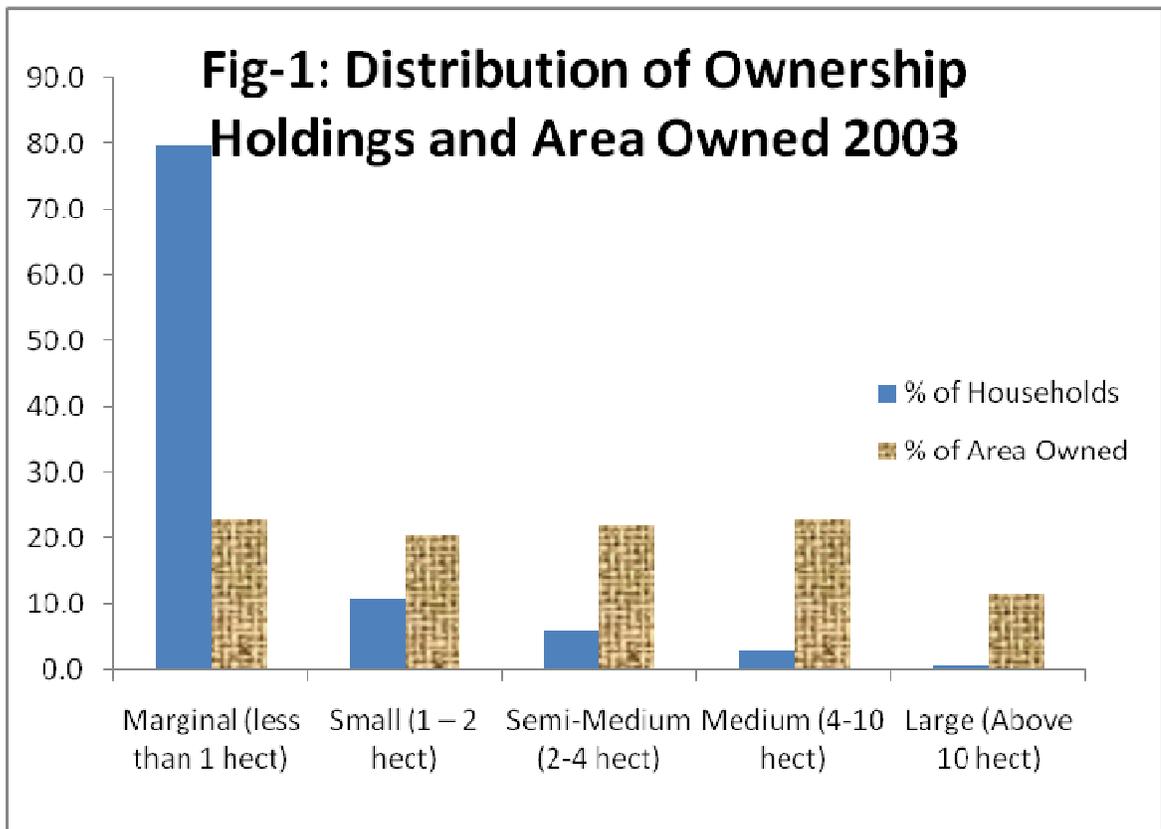
Existing Patterns of Distribution of Ownership and Operational Land Holdings

According to 59th Round of National Sample Survey (NSSO, 2006a), nearly 6.6 percent of the rural households in India do not own any land, while about 3.4 percent households own on average 0.002 hectare only. These two categories of rural households are generally categorized as landless. Considering the landless and marginal households having less than 1 hectare land, about 79.6 percent households at the bottom own only 23.0 percent of the total area, while 3.6 percent households having land above 4 hectares, own 34.7 percent of the total area. Nearly 10.8 percent are small farm households in the size group of 1 to 2 hectare which own 20.4 percent of the total area and 6.0 percent are semi-medium farm households in the size group of 2 to 4 hectares that own 22.0 percent of the total area (Table 1).

Table 1: Percentage Distribution of Rural Households and Area Owned by Broad Size Group in India

Size Group	% of Households				% of Area Owned			
	2003	1992	1982	1971-72	2003	1992	1982	1971-72
Marginal (less than 1 hect)	79.6	71.9	66.6	62.6	23.0	16.9	12.2	9.8
Small (1 – 2 hect)	10.8	13.4	14.7	15.5	20.4	18.6	16.5	14.7
Semi-Medium (2-4 hect)	6.0	9.3	10.8	12.0	22.0	24.6	23.6	21.9
Medium (4-10 hect)	3.0	4.5	6.5	7.8	23.0	26.1	29.8	30.7
Large (Above 10 hect)	0.6	0.9	1.4	2.1	11.6	13.8	18.0	22.9
All	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

Source : NSSO(2006a)



It would be seen from Table 1 that the distribution of ownership of land continues to be quite skewed. Even though the percentage shares of medium and large holdings in the total number of holdings as well as in total area owned declined significantly overtime, the pattern of distribution of land ownership remained unequal (see Figure 16.1). In fact, the gini-co-efficient of ownership holdings which remained constant at 0.71 during 1971 to 1992 increased to 0.74 in 2003 (Box-16.1).

Box 1: Changes in the Gini – Co-efficient of ownership Holding

Year	Gini-Coefficient
1961-62	0.73
1971-72	0.71
1982	0.71
1992	0.71
2003	0.74

Source : NSSO, 59th Round, Jan- Dec, 2003

Inequality as such may or may not be a problem, but high incidence of landlessness and marginalization of landholdings pose a threat to livelihood security of millions of rural poor households and consequently, social stability and peace in the villages. During the past three decades, the proportion of rural landless households increased from 9.6 in 1971-72 to 11.3 in 1982 and 1992 which then marginally dropped to 10.0 in 2003 (NSSO, 2006a). Similarly the proportion of marginal ownership holdings (excluding the landless) increased from 56.4 in 1971-72 to 69.6 in 2003. It may be further mentioned in this context that average area owned by sub-marginal holdings in the size group of 0.002 to 0.040 hectare was only in the range of 0.004 to 0.015 hectare, while for those in the size group of 0.040 to 1.0 hectare, ranged between 0.251 hectare

to 0.734 hectare only. By any yardstick, these holdings could at best be called semi-landless. Moreover, the NSS data (Table 2) reveal that the incidence of landlessness is relatively higher than the national average of 10.0 percent in the states of Andhra Pradesh (14.3 percent), Gujarat (13.6 percent), Himachal Pradesh (15.0 percent), Karnataka (14.1 percent), Madhya Pradesh (12.1 percent), Maharashtra (17.7 percent) and Tamil Nadu (16.6 percent).

Table 2: Proportions of Landless Households and Marginal Ownership Holdings (as of 2003)

State	Percentage of landless households	Percentage of Marginal Holdings	Percentage of total area under marginal holdings
Andhra Pradesh	14.3	68.4	21.9
Assam	8.1	73.7	44.4
Bihar	7.6	81.8	42.1
Gujarat	13.6	59.7	13.6
Haryana	9.2	68.0	13.1
H.P.	15.0	68.7	43.8
J & K	3.3	74.2	36.3
Karnataka	14.1	56.9	16.6
Kerala	4.8	90.5	60.7
Madhya Pradesh	12.1	49.6	11.6
Maharashtra	17.7	51.3	12.4
Orissa	9.6	75.9	41.5
Punjab	4.6	71.7	9.2
Rajasthan	5.7	49.5	9.3
Tamil Nadu	16.6	73.5	33.2
Uttar Pradesh	3.8	77.2	34.9
West Bengal	6.2	85.9	58.2
All India	10.0	69.6	23.0

Source NSSO, (2006a)

Also the proportions of marginal holdings and the percentage of area under marginal holdings (ownership) were relatively higher in the states of Assam, Bihar, Jammu and Kashmir, Kerala, Orissa, Tamil Nadu, Uttar

Pradesh and West Bengal. However, in the states of Gujarat, Haryana, Karnataka, Madhya Pradesh, Maharashtra, Punjab and Rajasthan, the percentage shares of marginal holdings in the total area owned are found to be relatively lower (Table 2).

An unequal situation of the rural poor in accessing land through ownership may be partly improved if they are able to lease in land from large and medium farmers. Although most Indian states have legally banned leasing out of agricultural land, informal albeit insecure leasing continues. The latest NSS data (NSSO, 2006a) show that about 11.5 percent rural households in India lease in land which accounts for nearly 7.1 percent of the total area. In several states, including Arunachal Pradesh, (12.3 percent), Bihar (12.8 percent), Haryana (17.3 percent), Manipur, (12.2 percent), Orissa (14.6 percent), Punjab (19.5 percent), Sikkim, (14.6 percent), Uttar Pradesh (10.5 percent), West Bengal (10.3 percent) and group of union territories (10.5 percent) , the leased in area as percent of total area owned is comparatively higher than the national average of 7.1 percent. Although these figures may be under reported, because cases of concealed tenancy may not easily be revealed, the NSS data show that there is a land lease market in most parts of the country and that majority of the tenants comprise pure landless labourers (35.8 percent), marginal farmers (55.7 percent) and small farmers (4.7 percent). The large farmers having land above 10 hectares account for only 0.3 percent of the total number of tenants, while medium farmers in the size group of 4 to 10 hectares constitute 0.4 percent of the total number of tenants. Also 30.3 percent of the total leased in area is shared by marginal farmers, while small and semi-medium farmers in the size groups of 1 to 2 hectares and 2 to 4 hectares share 22.1 percent and 21.8 percent respectively. Thus, 74.2 percent of the total leased in area is operated by marginal, small and semi-medium farmers. The large

farmers above 10 hectare share only 11.2 percent of the total leased in area. Table 3 shows the distribution of rural households reporting leasing in of land and average area leased in per household.

Table 3: Percentage Distribution of Households Reported leasing in and Average Area leased in (as of 2003) in India by size Group of ownership Holdings

Size Group (ha)	% households reporting leasing in land	Average area leased in (ha)
0.0	35.8	0.055
<0.002	1.4	0.544
0.002 – 0.005	4.0	0.709
0.005-0.040	17.0	0.545
0.040-0.50	25.1	0.461
0.50 – 1.00	8.2	0.656
1.00 - 2.00	4.7	0.937
2.00 – 3.00	1.8	1.285
3.00 – 4.00	0.7	1.80
4.00 – 5.00	0.5	2.00
5.00 – 7.50	0.4	2.757
7.50-10.00	0.2	6.02
10.00 – 20.00	0.3	3.633
20.00 and above	0.0	0.0
All sizes	100.0	0.444

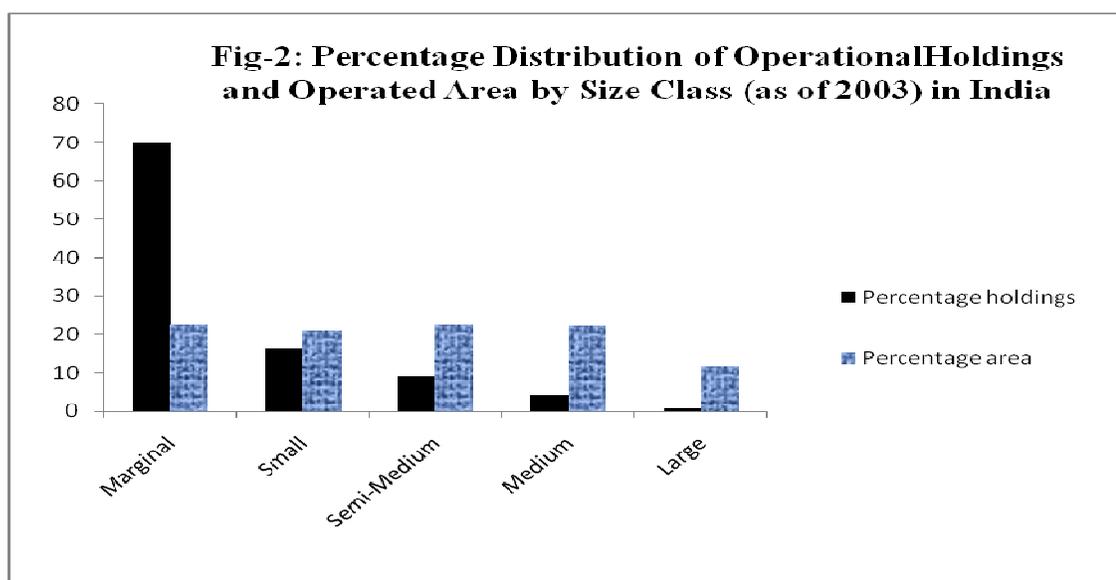
Source: NSSO, (2006a).

It may be seen from Table 3 that on an average, the landless agricultural labourers leased in 0.055 hectare of land and marginal farmers in the size group of 0.02 to 1.0 hectare leased in land in the range of 0.461 hectare to 0.709 hectare. In other words, landless labourers and marginal farmers are able to improve their land access through leasing which cause the distribution of operational holdings to be relatively less skewed (Table 4).

Table 4: Percentage Distribution of Operational Holdings and Operated Area by Size class (as of 2003) in India

Size Group (ha)	Percentage holdings	Percentage area
Marginal (less than 1 hect)	69.8	22.6
Small (1 – 2 hect)	16.2	20.9
Semi-Medium (2-4 hect)	9.0	22.5
Medium (4-10 hect)	4.2	22.2
Large (Above 10 hect)	0.8	11.8
All Groups	100.0	100.0

Source: NSSO, (2006a)



In fact, the Gini-co-efficient, showing the inequality in the distribution of operational holdings in 2003 was 0.62 as against that of ownership holdings estimated at 0.74. It would be seen from Box-16.2 that the Gini-co-efficient of operational holdings which showed a rising trend from

0.59 in 1971-72 to 0.63 in 1982 and 0.64 in 1992, declined to 0.62 in 2003 (Box-2). It would also be seen from fig. 1 and 2 that distribution of operational holdings is relatively less skewed than that of ownership holdings.

Box 2: Changes in the Gini – Co-efficient of operational Holdings in India

Year	Gini- co-efficient
1961-62	0.58
1971-72	0.59
1982	0.63
1992	0.64
2003	0.62

Source: NSSO, 59th Round, Jan- Dec, 2003

Land Holdings Status of Scheduled Castes and Scheduled Tribes

The scheduled castes and scheduled tribes in India are considered to be the most marginalized and vulnerable groups. Therefore, it would be appropriate that land holding status of these marginalized groups is examined separately in relation to the general group. The NSS data (NSSO, 2006a) show that 5.7 percent of scheduled caste households are pure landless and 5.6 percent have on average less than 0.002 hectare, who are also traditionally considered as landless. (Table 5) In the marginal size group of 0.002 to 1.0 hectare, there are about 80.0 percent households, while small farmers in the size group of 1 to 2 hectare, constitute 5.8 percent. Only about 0.6 percent schedule caste households are in the size group of 4 hectares and above.

As regards scheduled tribes, about 9.1 percent households are totally landless and 3.7 percent are in the size group of less than 0.002 hectare. Thus, the incidence of landlessness is relatively higher (12.8 percent)

among scheduled tribe households, followed by scheduled caste households (11.3 percent) than the overall landless households in the country, estimated at 10.0 percent. In the marginal size group of 0.002 to 1.0 hectare, there are about 63.1 percent tribal households having on average 0.004 hectare to 0.736 hectare area per household. Nearly 14.2 percent of tribal ownership holdings are in the size group of 1 to 2 hectare, 7.3 percent in the size group of 2.4 hectare and 2.5 percent in the size group of 4 hectares and above (Table 5).

The NSS data bear out that proportions of marginal holdings (other than landless) are comparatively less among scheduled tribes (63.1 percent) and high among scheduled caste families (80.0 percent), other backward castes (69.2 percent), and other castes (64.3 percent). Also the average area owned per household is higher in the case of tribal households (0.77 hectare) and lowest in case in the scheduled caste (0.30 hectare). However, it should be noted in this context that the quality of land held by tribal households is generally poor and even though there is tribal ownership on some land, possession may be with some non-tribals. Upto September, 2006, about 4.54 lakh cases of tribal land alienation were filed in the court, involving nearly 10.10 lakh acres of land, of which 4.02 lakh cases were reported to have been disposed off, but only 50 percent cases were decided in favour of the tribals (GOI, 2007, Annual report of MORD). Still about 51.5 thousand cases are pending in various courts. It would be seen from Table 5 that both scheduled tribe and scheduled caste households also lease in land, but the average area leased in is relatively smaller in their cases as compared to all groups.

**Table 5: Distribution of Ownership and Cultivation of land by
SCs and STs (as of 2003) in India**

Size Class	Percentage Households			Average Area Owned			Average Area Leased in		
	ST	SC	All Groups	ST	SC	All Groups	ST	SC	All Groups
0.0	9.1	5.7	6.6	0.0	0.0	0.0	0.05	0.04	0.06
<0.002	3.7	5.6	3.4	0.001	0.002	0.002	0.50	0.45	0.54
0.002 – 0.005	9.7	15.2	9.6	0.004	0.004	0.004	0.56	1.00	0.71
0.005-0.040	12.1	30.4	20.6	0.014	0.014	0.015	0.57	0.46	0.54
0.040-0.50	22.3	25.9	26.0	0.29	0.24	0.25	0.53	0.44	0.46
0.50 – 1.00	19.0	8.5	13.4	0.74	0.72	0.73	0.75	0.57	0.66
1.00 - 2.00	14.2	5.8	10.8	1.36	1.34	1.37	0.63	0.75	0.94
2.00 – 3.00	5.6	1.6	4.3	2.33	2.33	2.34	0.99	2.41	1.28
3.00 – 4.00	1.7	0.6	1.7	3.41	3.41	3.38	1.11	4.77	1.8
4.00 – 5.00	1.2	0.3	1.4	4.46	4.38	4.39	2.26	1.95	2.00
5.00 – 7.50	0.8	0.2	1.2	5.97	6.05	6.04	5.44	00	2.76
7.50-10.00	0.2	0.0	0.4	8.25	8.12	8.50	1.62	1.19	6.02
10.00 – 20.00	0.2	0.1	0.5	12.9	14.65	13.48	0.0	1.21	3.63
20.00 and above	0.1	0.0	0.1	36.55	0.0	31.05	0.0	0.0	7.04
All sizes	100.0	100.0	100.0	0.77	0.30	0.72	0.42	0.40	0.44

Source: NSSO, (2006a)

Land Rights of Women

Roughly about 35 percent rural households in India are de facto female headed, from widowhood, marital breakdown or male migration (Govt. of India, 1998). As more men shift to urban or non-farm rural livelihoods, more and more households depend on women for managing farms and bearing the burden of family subsistence. However, as women generally own and control land, it has serious efficiency and equity implications. According to Agricultural Census (Govt. of India, 2003), women own only 7 percent 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 decades, cannot be washed away as the law does not have any retrospective effect. 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 title 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 land right.

Limitations of Past and Present Land Reform Approaches

During the past six decades after independence, various state governments have undertaken several measures of land reform, including abolition of intermediaries, abolition or regulation of tenancy, imposition of ceilings on landholdings and redistribution of ceiling surplus land among landless and semi-landless families, prevention of alienation of tribal land, modernization and digitization of land record and so on. The major objectives of such reforms were to (i) provide the social, economic and institutional framework for agricultural growth with social justice, (ii) remove such impediments to agricultural production as arise from the character of the agrarian structure and (iii) to create conditions for as speedily as possible, an agrarian economy with high levels of efficiency and equity (Second Five Year Plan, Govt. of India). A close examination of relevant facts however, reveals that these objectives have been achieved only partially.

Abolition of intermediaries

At the time of independence, India inherited from the British a feudal agrarian structure which was marked on the one hand by the

concentration of land ownership in the hands of a parasitic intermediary class who played no positive role in production and on the other, the divorce from land ownership of the vast mass of peasants who were the actual cultivators (Haque and Sirohi, 1986). During the 1950s, almost all states in India enacted legislation for the abolition of intermediary tenures as a consequence of which about 20 million cultivators were brought into direct contact with the state. However, barring West Bengal and Jammu & Kashmir, the legislation on abolition of zamindari was not accompanied by simultaneous legislation on land ceiling. As a result, law seemed to be applicable only to tenanted interests and not to agricultural holdings. The ceiling laws in most states came in the early 60's which left enough time for manipulation by ex-zamindars to evade the provision of law through fictitious or benami transfer of land. Also the term 'personal cultivation' was often defined vaguely to allow for absentee landlordism.

Ceilings on Landholdings

The ceiling laws were enacted and enforced in India in two phases – the first phase covering the period from 1960 to 1972 before any national guidelines were laid down and the second phase since 1972 after the adoption of national guidelines. The present ceiling level ranges from 3.68 hectare to 24.28 hectares, depending on various classification of land. Upto September, 2006, about 4.9 million acres of ceiling surplus land were reported to have been distributed among 5.4 million beneficiaries of which 2.1 million were scheduled castes, 0.9 million scheduled tribes and 2.4 million belonged to other castes. The state of West Bengal alone distributed 1.02 million acres among 2.85 million beneficiaries. Lack of political will, legal hurdles, litigation, lack of proper land record and administrative inefficiency together led to poor

implementation of ceiling laws in most states. Meanwhile, the number of area of both medium and large holdings which could yield some ceiling surplus land for redistribution with improvement in implementation, have substantially declined and the average size of land in all categories got reduced due to population pressure on land.

In view of the total lack of political will power, and lack of proper land record in most states, one is not sure whether the actual ceiling surplus land can be properly identified for their effective acquisition and redistribution. In fact, redistribution of about 2.0 million acres of land which have been declared surplus, but not yet distributed because of litigation or otherwise, itself poses a challenge.

Land Leasing/Tenancy Reform

During the first phase of post-independence land reforms, although the major emphasis was on the abolition of intermediaries, certain amendments to the existing tenancy laws were made with a view to providing security of tenure to the tenants of ex-intermediaries. Upto September 2006, about 12.58 million tenants on 16.72 million acres of land were conferred either ownership or occupancy rights (GOI, 2007b). At the same time, these legal measures provoked the landlords to secure mass eviction of tenants, sub-tenants and share croppers through various legal and extra-legal devices. The highly defective land records, prevalence of oral leases, absence of rent receipts, non-recognition in law of share croppers as tenants and various provisions of the tenancy laws such as right of resumption of land for personal cultivation, voluntary surrender etc, were utilized by the landlords to secure the eviction of all types of tenants (Govt. of India, 1976). Tenants' families were evicted from as much as 33 percent of total land as a result of tenancy reform

(Appu, 1996). Box-16.3 shows the restrictive nature of tenancy laws in various states.

Box 3: Restrictive Nature of Tenancy Laws in Various States	
Category of States	Nature of Restrictions in Tenancy Law
1. Kerala and Jammu & Kashmir	Leasing out of agricultural land is legally prohibited without any exception
2. Telengana Area of Andhra Pradesh, Bihar, Jharkhand, Karnataka, M.P., Chattisgarh, U.P., Uttaranchal and Orissa	Leasing out of agricultural land is allowed only by certain categories of land owners such as disabled, minors, widows, defence personnel etc. (and also Lord Jagannath Temple in the case of Orissa)
3. Punjab, Haryana, Gujarat, Maharashtra and Assam	Leasing out of agricultural land is not specifically banned, but the tenant acquires right to purchase the tenanted land after a specified period of creation of tenancy. Also marginal and small farmers, belonging to SCs and STs cannot be totally evicted, from land, even on grounds of personal cultivation in Punjab and Haryana.
4. Andhra Area of A.P., Rajasthan, Tamil Nadu and West Bengal	There is no ban on land leasing, although in West Bengal, only share cropping leases are legally permitted
5. In Scheduled Tribe areas of AP, Bihar, Orissa, MP and Maharashtra	Transfer of land from tribal to non-tribals even on lease basis can be permitted only by a competent authority. The idea is to prevent alienation of land from tribal to non-tribals.

Source: Haque (2001)

In fact, various kinds of legal restrictions on leasing out of agricultural land discourage the land owners to lease out land for fear of losing the land if they lease it out and thus tend to reduce the poor peoples' access to land through leasing. Even though informal tenancies exist, these are mostly rotational on season to season basis, without any security of tenure. As a result, tenants do not have any incentive to cultivate land

efficiently. In other words, existing tenancy laws have not served much purpose from the points of view of either efficiency or equity.

Distribution of Government Land

Upto September, 2006, various state governments in India reportedly distributed nearly 6.01 million hectares of government land to rural landless poor families (GOI, 2007b). However, these figures could be over-stated. Field investigations in Andhra Pradesh indicate that as much as 30 percent of the reported beneficiaries do not have legal as well as physical possession of the allocated land (Hanstad et al, 2008).

Some New Land Redistribution Approaches

In the past few years, the states of Karnataka, West Bengal, Andhra Pradesh and Orissa have launched some special schemes for non-ceiling based land redistribution, the main features of which are summarized in Box 4.

Box 4: Key Features of some Innovative Land Redistribution Schemes in the States of Karnataka, West Bengal, Andhra Pradesh, Orissa	
(i) Karnataka	The state of Karnataka initiated a new scheme, called Namma Bhoomi - Namma Thota (My Land - My Garden) in 2005-06 with the aim to improve the livelihoods of landless poor agricultural labourers through the allocation of small plots. A budget of Rs.20 crore was initially provided in the year 2005-06, with a target of 1 lakh landless families each year for the five year project term. The scheme provides for purchase of land and allocation of 4500 sq feet (0.10 acre) of dry land or 2250 square feet of wet land for a family that is landless for two generation. Title to the land is to be granted jointly in the name of husband and wife or jointly in the names of the members of an eligible

	<p>self-help group. So far, about 17000 families have obtained plots.</p> <p>Although the scheme was quite popular, no budget was subsequently provided for the scheme, as there was significant amount of unspent funds which partly were diverted to the new suvarna Gramodaya scheme. Nevertheless, the local Panchayat raj institutions in several places continue to work on it on a small scale, with some encouraging results as most beneficiaries are seen to have improved their food security and social status. The state government needs to revive and revitalize the scheme with necessary financial and administrative support.</p>
<p>(ii) West Bengal</p>	<p>In 2006, the Government of West Bengal launched a scheme called Chash o Basebaser bhumi-dan Prakalpa (cultivation and dwelling plot allocation scheme), with the objective of providing rural landless and houseless families small plots of land through purchase from open market. Rural BPL households without houses are each entitled to 0.04 acre of homestead land and all landless poor rural households that rely on daily wage agriculture labour or food gathering from common property resources are entitled to 0.16 acre of cultivable land. So far till about 1300 landless families have benefitted from the scheme.</p> <p>Although necessary budget and political will power is there, the scheme has ran into operational difficulties at the local level, due mainly to lack of proper involvement of potential beneficiaries in the identification, purchase and distribution of land. In several cases, land purchased and allocated was not within reasonable distance from the place of their present residence and also of not good quality for either homestead or cultivation. The scheme would succeed if organized on the line of operation barga, involving panchayats, local govt. officials and representatives of potential beneficiaries in the whole process of implementation. Also organization of the potential/real beneficiaries into self-help groups may yield a better result. Besides the beneficiaries have to be provided with support services such as credit, irrigation etc. However, the scheme holds tremendous potential for being successful in improving the socio-economic condition of land less</p>

	poor as well as peace and stability in the villages.
(iii) Andhra Pradesh	The state of Andhra Pradesh launched Indira Karanthi Patham Project (IKP) in 2002, which had a land purchase and land allocation component, ranging from 0.50 to 1.0 acre per beneficiary household. During 2004 to 2009, the IKP subsidized the purchase of about 4539.24 acres of land by 5303 women, with a total amount of Rs. 2937.45 for the land. It is a beneficiary driven programme.
(iii) Orissa	<p>The Government of Orissa launched Vasundhara scheme in 2004, which aimed at providing homestead plot of at least 4 cents in size per beneficiary to all the homestead less rural families in Orissa in about 3 years period. According to Government record, more than 2,50,000 landless families in the state benefitted from allocation of micro plots till March, 2007. Subsequently, the scheme has been modified for allocating 10 cents instead of 4 cents of land per family, where feasible. Till recently allocation of government land was emphasized in all places. But the revised government circular mentions about land purchase where government land is not adequately available. In some cases, the beneficiary households not only use the plot for housing, but also for some economic activities such as plantation of high value trees like mango, guava, teak etc. and goat rearing, poultry that generate supplementary income for them.</p> <p>This is a very important scheme, effective implementation of which can significantly reduce the incidence of rural poverty in Orissa. However, there are some implementation gaps which should be attended. In some places, the beneficiaries have been issued patta on the allocated land, but no effective possession. The state government is reportedly working on this.</p>

Source: Rural Development Institute, Bangalore and Notes of Respective State Governments

Conclusions and Future Policy Direction

It becomes clear from the foregoing discussion that despite various measures of land reforms undertaken since independence, high incidence of landlessness, growing marginalization of land holdings and informal, albeit insecure tenancies and consequently poverty and indebtedness continue to plague India's rural economy. There is also no reason to believe that the traditional land reforms policy which failed to yield much result in terms of improving the rural poor's access to land, would ever be able to do so in future, especially when there is a total lack of political will as well as appropriate administrative infrastructure for implementation of traditional land reforms. At the same time, it is also important to understand that agriculture cannot bear the burden of rising population for all times to come, as the average size of holdings in all size groups of farms is declining.

Currently, the average area owned per household is only 0.72 hectare ranging between 0.23 hectare in Kerala and 2.1 hectare in Rajasthan. In several states, including Andhra Pradesh (0.62 ha), Assam (0.55 ha), Bihar (0.38 ha), Himachal Pradesh (0.56 ha), Jharkhand (0.56 ha), Manipur (0.50 ha), Orissa (0.48 ha), Tamil Nadu (0.34 ha), Tripura (0.26 ha), Uttar Pradesh (0.62 ha), Uttaranchal (0.29 ha), West Bengal (0.29 ha) and UTs (0.19 ha), the average area owned per household is below the national average size of 0.72 hectare per household (NSSO, 2006a) . Under the impact of population growth and slow growth of rural non-farm employment opportunities, the size of holding would further decline. Hence there is need for promoting diversified rural livelihood opportunities in which the landless and semi-landless poor also can have adequate scope for upward mobility through participation in off-farm and

non-farm sources of employment and income. In the medium to long run, all rural youth should have access to proper education and skill acquisition to take up skilled jobs both within and outside of agriculture. But before any such transformation takes place, the landless and semi-landless poor should have adequate access to land along with provisions of irrigation water, credit etc. so that they can earn adequate income through part time farming and part time wage employment for overcoming poverty.

However, in view of various limitations of the existing ceiling laws to yield adequate surplus land for redistribution in most states, both ceiling and non-ceiling approaches to land redistribution should be attempted. The key elements of the new policy would be as follows:

- There should be special land tribunal to expeditiously dispose off all ceiling surplus land related cases and distribute about 2.0 million acres of land which have been declared surplus in various states, but not yet distributed because of litigation.
- The exemption granted under existing ceiling laws to educational, religious and charitable institutions should be reviewed and ceilings refixed at a more realistic level so as to make more ceiling surplus land available for redistribution among the landless and semi-landless poor.
- The maximum size of land to be allocated per landless household should be in the range of 10 to 15 cents only depending on the quality of land and not one acre or two acres, which was normally the case before in most states, so that maximum number of landless poor can benefit.

- Government should launch a special scheme for allocating at least homestead plot of 10 cents in size to all landless families in a time bound manner. This could be done through either allotment of government land along with reclamation and land improvement measures, ceiling surplus land or land purchased from the market. This will enable the beneficiary family to construct a house if he does not have one and use the additional space for taking up some economic activities such as cultivation of vegetables, fruit trees, goat rearing, poultry etc. which can enhance their food and nutritional security and also social status. In fact, the new guidelines of Indira Awas Yojana which now include the concept of land purchase for house construction should be modified to provide at least 10 cents of land and not just 3 cents or so for this purpose. Also the land should be registered in the name of women or jointly in the name of both husband and wife.
- The allotment of homestead plots to new beneficiaries should be made in a compact block with proper facilities of drinking water as well as irrigation water, sanitation, road connectivity, electricity, school, health care centre etc. so that they could be attracted to shift to a new place.
- Leasing in and leasing out of agricultural land should be legalized and permitted within ceiling limits of various states. This would 'improve the rural poors' access to land through leasing and discourage landowners to keep their land fallow, aside from motivating them to take up non-farm employment without any fear of losing their land right. However, in states like Assam, Orissa, Uttar Pradesh and West Bengal where ceiling law is applied only to ownership holdings and not to operational holdings, there would be a need to amend the law

- to fix ceilings on operational holdings, so that there is no concentration of land in a few hands by way of leasing in.
- The beneficiaries of land reforms should be organized into self-help groups which would empower them to negotiate for improved and equitable access to support services such as institutional credit, irrigation water, quality seed, marketing etc.

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