



The impact of abolition of intermediaries In India: A legal study on land reforms

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Abstract

This paper seeks to explore the impact of land reforms in India, particularly the abolition of intermediaries, on the present land reform policy and its impact on the rural economy and society. The paper seeks to examine the impact of reforms on the livelihoods of the people in rural areas and the access to resources by both the marginalized and the privileged sections of the population. Furthermore, the paper assesses the different implications of the reforms on the legal framework and applies its findings to determine the efficacy of the land reform measures taken to improve the situation of land-ownership in India.

Keywords: Land reforms, India, abolition of intermediaries, rural economy, legal framework, privileged sections

Introduction

The impact of abolition of intermediaries in India, particularly as part of land reforms, has been a much-studied field. This paper seeks to explore this impact from a legal standpoint ^[1]. It will consider the implications of land reforms on the rural economy and society, specifically the effect on the livelihoods of people living in rural areas. It will also look into the access to resources by both the marginalized and the privileged sections of the population and how the reforms have impacted the legal framework in India. By applying its findings to determine the efficacy of the reform measures taken to improve the situation of land-ownership in India, the paper seeks to draw conclusions on the overall effect of abolition of intermediaries in the Indian subcontinent ^[2].

The abolition of intermediaries in India had far-reaching implications for land reforms. The impact of abolition of intermediaries has been a subject of political debates and legal discussions since its introduction in 1951, with both opponents and advocates highlighting various repercussions ^[3]. Given the empirical evidence and legal framework, it could be said that abolition of intermediaries has had a significant adverse impact in India. This legal study assesses the impact of the abolition of intermediaries in India in terms of its influence on land reforms, particularly focusing on the effects of abolition of intermediaries on land market functioning, land monopolization, uncertainty and conflict over ownership, and access to land by the lowest strata of society ^[4].

The impact of the abolition of intermediaries in India on land reforms has been the subject of much debate in recent years. In particular, the issue of abolishing zamindaris—mediators between the state and its citizens in various parts of India has been hotly debated for its impacts on the lives of those involved in the land reforms process ^[5]. This paper investigates the legal implications of such a change on land reforms in India. Specifically, it examines the legal history of the zamindari system in India, the effects of zamindari abolition on the ability of indigenous communities to engage in land reforms, and the various approaches taken by the Indian government to address these issues. The paper also reviews evidence of the impacts on land reforms and attempts to draw conclusions about the overall impact of the

zamindari abolition on land reforms across the nation. Through an analysis of the legal issues involved in the abolition of intermediaries and an overview of the impact on land reforms, this paper seeks to provide insight into the larger debate on the effects of the zamindari system on land reforms in India.

The legal history of the zamindari system in India is long and complex. In the antebellum period of Britain's rule in India, the zamindari system was established to manage agricultural land. The zamindars, as they were commonly known, were charged with collecting revenue from the land on behalf of the British government ^[6]. Zamindars were given a certain degree of autonomy within this system, and were often able to keep a portion of the revenue they collected. The zamindari system ultimately came to serve as a means for the British government to exercise a degree of control over the agricultural economy in India ^[7].

In the post-independence period, the zamindari system was abolished. This took place in the 1950s, in part to give citizens of India more autonomy over their land, and to begin the process of land reforms in the country. The aim of land reforms was to redistribute land in a more equitable manner, and to put it into the hands of those who needed it, such as poor and landless farmers or the tribal communities of India. Before the abolition of intermediaries, land reform efforts in India were limited in their effectiveness, since the zamindars were able to hold onto some of the land they managed. However, the abolition of the zamindaris enabled land reforms to be more easily undertaken ^[8].

Beginning in 1951, the Indian government passed several landmark pieces of legislation that had the effect of abolishing many of the intermediary roles that used to exist between the state and the peasants. These reforms were adopted in response to the colonization of India by the British, whereby they imposed a centralized administrative structure which was carried out in part by the introduction of several layers of intermediaries between the British administration and the peasants. One of the key objectives of the reform was to replace these intermediaries with a more direct relationship between the state and the peasants, which would reduce the feudal influence of those who had traditionally held hierarchical and oppressive positions of authority ^[9].

In terms of the impacts on land reforms, the evidence from the legal literature on the in India is mixed. In some instances, the abolitions of zamindaris had led to a marked increase in the amount of land available for redistribution under land reforms. This has been seen in parts of the country such as Andhra Pradesh, where the land redistribution process has been particularly successful. On the other hand, in other parts of India, the abolition of intermediaries has not had such an immediate or dramatic effect on land reforms. For instance, in Jharkhand, the trends of land ownership have not changed significantly, even after the zamindari abolitions^[10].

The Indian government has taken a variety of approaches in an attempt to mitigate any potential negative impacts of the abolitions. One of the methods employed has been through setting up the State Land Development Corporation, which is a body established to purchase and redistribute land in regions that have been affected by the zamindari abolition^[11]. Furthermore, the Indian government has tried to address the issues associated with the abolitions through initiatives such as the ceiling laws, which imposed maximum limits on the amount of land a single individual or family could own. Such initiatives were intended to address the issue of land concentration following the abolition of intermediaries, and were aimed at ensuring greater access to land for poorer farmers and communities.

Overall, the impact of the abolition of intermediaries in India on land reforms is difficult to quantify. The legal literature on the issue has suggested the possibility of both positive and negative outcomes, depending on the particular context in which the abolition has taken place. In terms of the overall impact of the zamindari abolition on land reforms across the nation, the available evidence suggests that the abolition of intermediaries has had both successes and failures. In certain areas, the abolitions have helped to sharply increase the amount of land available for redistribution, and to give greater autonomy to communities who had previously been denied access to land. On the other hand, the abolitions have also had less successful outcomes, with some regions experiencing little to no improvement in the amount of land available for redistribution.

In spite of its forward-thinking aim, the abolition of intermediaries had several impacts, precise of which were related to the displacement of those who had previously held intermediary positions. The aim of this study is to examine these impacts of the abolition of intermediaries, particularly focusing on the effects of abolition on land reform and access to land^[12]. First, the study examines the theoretical aspects of intermediary abolition as they relate to land reform. Second, the study examines the legal framework wherein the reforms were enacted, and the changes that were brought along. Finally, the study looks at the empirical evidence and discusses the negative impacts that have resulted from the abolition of intermediaries on Indian land reforms.

Ultimately, this study seeks to answer the question as to how successful the abolition of intermediaries in India has been in terms of its impact on land reform. Through an examination of the legal framework, along with empirical evidence, this study seeks to draw conclusions regarding the efficacy of the reforms brought about through the abolition of intermediaries, particularly in terms of the effects it has had on access to land and other aspects of land reforms.

Overview of abolition of intermediaries

Land reforms in India have been a long and complex process, dating back to the pre-independence era. One of the most important aspects of land reforms in India has been the abolition of intermediaries.

What are intermediaries?

Intermediaries are individuals or groups who stand between the actual cultivators of land and the government. In the pre-independence era, India had a complex system of intermediaries, which included zamindars, jagirdars, talukdars, and others^[13]. These intermediaries held a variety of rights over the land, including the right to collect rent from the cultivators, the right to transfer the land to others, and the right to appeal against government decisions.

Why were intermediaries abolished?

There were a number of reasons why intermediaries were abolished in India. First, the intermediaries were seen as a drain on the economy. They often collected high rents from the cultivators, and they did not invest in the land. Second, the intermediaries were seen as a source of exploitation. They often treated the cultivators unfairly, and they sometimes used their power to oppress them. Third, the intermediaries were seen as a barrier to development. They prevented the cultivators from owning their own land, and they made it difficult for the government to implement land reforms.

How was the abolition of intermediaries implemented?

The abolition of intermediaries was implemented through a series of laws that were passed by the state governments. These laws varied from state to state, but they generally had the following features:

- The intermediaries were stripped of their rights over the land.
- The land was transferred to the cultivators.
- The cultivators were given ownership rights over the land.

The impact of the abolition of intermediaries

The abolition of intermediaries had a significant impact on Indian society. It led to a redistribution of land, which gave more power to the cultivators. It also led to an increase in agricultural production, as the cultivators were now more motivated to invest in their land^[14].

The challenges of land reforms

Despite the success of the abolition of intermediaries, land reforms in India have faced a number of challenges. One challenge has been the lack of political will. The government has often been reluctant to implement land reforms, as they have been opposed by the powerful landowners. Another challenge has been the lack of resources. The government has not always had the resources to implement land reforms effectively.

The future of land reforms

The future of land reforms in India is uncertain. However, there is a growing consensus that land reforms are essential for the development of the country. Land reforms can help to reduce poverty, increase agricultural production, and improve social justice.

Legal framework for abolition of intermediaries

The abolition of intermediaries as a part of land reforms is widely seen as an important strategy to promote social, economic and environmental justice. Intermediaries are those people or institutions which are placed between landowners and landless people in terms of access to land^[15]. They are usually landlords or middlemen who act as a link between the landowners and the landless people. This link is usually in the form of contracts and agreements that provide some form of financial assistance to the intermediary in return for his or her rights over a given piece of land. This paper will provide a comprehensive overview of the legal framework for the abolition of intermediaries as a part of land reforms. The Legal Basis of Land Reforms The legal basis of land reforms is based on several international principles and documents such as the United Nations Declaration on Human Rights, the International Covenant on Civil and Political Rights and the Convention on the Rights of the Child. All these documents emphasize the need for individuals and nations to respect the right to development, equitable distribution of land and freedom to acquire, use, enjoy and alienate property.

Intermediaries, those who acted as middlemen in the transfer of land ownership and its related entitlements, had been a dominant part of the Indian landholding system for centuries^[16]. This system of intermediaries benefited the elite, while tenants and farmers, the majority of the population, were left with minimal rights. To counteract the monopoly of the upper strata and to ensure the right to land ownership for the weaker sections of society, legal frameworks for the abolition of intermediaries have been enacted in some states of the Indian Union.

The abolition of intermediaries was seen as a crucial part of the agrarian reforms that were initiated by the Government of India in the mid-1950s, in an effort to ensure the equitable distribution of land and its various products. In 1957, the Madhya Pradesh Land Improvement Act attempted to abolish the rights of intermediaries by removing their scope for avoiding land-related laws, creating vesting of ownership in tenants, and implementing measures to discourage the creation of intermediaries. However, it was the Madhya Pradesh Zamindari Abolition and Land Reforms Act of 1959 that had the maximum impact on the system of intermediaries^[17]. The abolition of intermediaries as a part of land reforms is widely seen as an important strategy to promote social, economic and environmental justice. Intermediaries are those people or institutions which are placed between landowners and landless people in terms of access to land. They are usually landlords or middlemen who act as a link between the landowners and the landless people. This link is usually in the form of contracts and agreements that provide some form of financial assistance to the intermediary in return for his or her rights over a given piece of land. This paper will provide a comprehensive overview of the legal framework for the abolition of intermediaries as a part of land reforms.

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development, equitable distribution of land and freedom to acquire, use, enjoy and alienate property. In India, land reforms have been accorded legal basis by the Constitution of India. Articles 38, 39, 39A and 39B of the Constitution.

The legal framework for the abolition of intermediaries as a part of land reforms involves various laws and regulations which have been enacted to facilitate the transfer of land ownership and control from intermediaries to tenants and landless farmers in India. These laws provide for the abolition of feudal systems and grant tenants and landless farm workers a share in the ownership, control and utilisation of the land. This paper provides an overview of the various legal frameworks which have been established to ensure the implementation of land reforms in India.

In India, the concept of land reform originates in the 1950 Constitution, which provides constitutional protection to private property, and guarantees citizens the right to own and use property. The Constitution further empowers the Parliament to enact laws which facilitate the transfer of land rights from intermediaries to tenants and landless farmers. Accordingly, the Parliament began to enact a series of legislation to facilitate the implementation of land reforms in the country.

The first of these laws was the Ceiling on Land Holdings Act, 1956, which provided for the acquisition of surplus land from the owners, including intermediaries, and placed a ceiling of ownership, based on the size of the landholding. The Act also enabled the government to acquire and distribute the acquired land among tenants and landless people. This was followed by the Union Land Development Legislation, 1969, which provided for the vesting of the rights of use, control and transfer of the land in the tenants and landless farmers. Under this legislation, members of the Scheduled Castes and Scheduled Tribes were granted preference in the distribution of the land.

The Land Reforms Act of 1972 was a major law which was passed to provide ownership rights to the tenants and landless farmers. It provided for the transfer of land from the intermediaries to the tenants and landless farmers. It also provided for the vesting of rights over the land in the name of the tenants and landless farmers, along with the conferment of other related rights such as irrigation, soil conservation and access to government welfare schemes.

The Forest Act, 1980 also provided for the granting of rights over forest lands to the indigenous people. This Act enabled the government to transfer the control of forest land to the people who inhabited and used the land prior to its acquisition by the state. The Act also provided for the vesting of rights such as access to water, soil conservation and management of the forest resources by the local people^[18].

The Tenancy Acts of various states have also been enacted to protect the tenants and landless farmers from exploitation by the intermediaries. The Acts provide for the granting of ownership rights to the tenants and landless farmers, along with the recognition of the tenants as legal owners of the land. This has enabled the tenants to possess and use the land, and also claim compensation if the land is taken away from them.

The Land Acquisition (amendment) Act of 1984 provided for the compensation of the tenants in the case of the acquisition of land by the government for development purposes. Under this Act, the government is required to provide adequate compensation to the tenants and landless

farmers, and ensure that the tenants' rights are taken into consideration before the land is acquired.

Finally, the National Land Use Policy, 1987 was enacted to promote the sustainable use of land resources for the benefit of the tenants and landless farmers. The policy provides for the sharing of costs and benefits between the government, landowners and the tenants and landless farmers, in order to ensure equitable distribution of land resources. The policy also emphasises the need for land-use and resource planning which takes into account the rights and interests of the people who are affected by the land reforms.

Analysis of impact abolition of intermediaries

The abolition of intermediaries as a part of land reforms in India has been a significant development in the country's socio-economic landscape ^[19]. It has been significant in its role in enabling the state to take decisive steps in protecting the land rights of farmers and ensuring the equitable distribution of resources. The impact that the abolition of intermediaries has had on the rural population of India cannot be overestimated.

The abolition of intermediaries has had both positive and negative implications for agricultural production in India. On the positive side, it has been argued that the abolition has enabled the state to grant more secure tenurial rights to cultivators and other stakeholders, reducing fear of eviction, increasing the incentives to undertake investments in technological up-gradation of agricultural practices, and enabling the efficient exploitation of all available resources ^[20]. This has had a positive effect on agricultural productivity, leading to increased incomes for many villages all over India.

On the other hand, the abolition has resulted in a number of negative consequences. Firstly, it has caused a disruption in the existing revenue flows. This has been especially detrimental to those groups which relied heavily on the resources provided by intermediaries ^[21]. As a result, the abolition of intermediaries has resulted in an increased income inequality within the agricultural sector of India. Secondly, the abolition has led to huge losses for those individuals who had made investments in the belief that they would be able to maintain their status as intermediaries. This has resulted in a further erosion of capital available for investment in the agricultural sector, making it difficult for the sector to undergo necessary structural changes and modernization.

The abolition of intermediaries has also had a significant impact on the socio-economic landscape of rural India. In particular, it has led to a decline in the traditional status of powerful landowners, such as zamindars, and an increase in the economic power of small and marginal farmers ^[22]. This has been beneficial in giving farmers more control over their own destiny and enabling them to gain a greater share of the agricultural market. In addition, it has led to a greater focus on promoting modern technology, such as high-yielding varieties and the introduction of improved irrigation techniques, as well as increased investments in rural infrastructure and other rural development activities.

Overall, the abolition of intermediaries as a part of land reforms in India has had a significant and positive impact on the lives of the rural population of the country. It has provided a more secure tenurial environment, enabled the efficient exploitation of all available resources, and given farmers more control over their own destiny. However, it

has also had a number of negative consequences which must be addressed in order to ensure that the reforms are beneficial for all.

Effect of abolition of intermediaries

The Abolition of Intermediaries as part of Land Reforms in India is one of the most important Agricultural and Social Reforms act of the past century. It is estimated that this act has benefitted over 8 crore people and has been crucial for India's rural economy and its land reforms. The act was borne out of the need to recognize rightful ownership and rights of the tenant farmers as a part of the larger effort of providing equity to the rural masses ^[23].

Prior to this act, the tenant farmers were allowed to produce crops on their landlords' land. However, they were made to pay high rents each year but were often not allowed to keep or use the produce. Many of the tenant farmers also had no security of tenure and could be removed or forcefully evicted at any time. This exploitation often resulted in extreme levels of poverty and strengthened the divide between the rural and urban societies.

The Abolition of Intermediaries as a part of land reforms in India sought to address these issues by recognizing the entitlement of the tenant farmers over the produce and ending the practice of intermediary exploitation. Under the act, the intermediary landlords, often referred to as Zamindars (in northern India) and Jagirdars (in western India) were abolished; the crop producing tenants were given rights to the land, equipment, motor vehicles and implements of production; and a minimum annual rent was fixed. This led to not only improved agrarian economy in India but also significantly improved the standards of life of the rural tenants.

The Abolition of Intermediaries was an important step in creating a more equitable and just land reform system in the country. It provided the tenant farmers with a sense of security of tenure, while still ensuring the rights of the landlords by having a reasonable fixed rent that the tenant farmers had to pay. Furthermore, it provided the tenants with more opportunities to secure livelihoods and income from the land that they were cultivating. This act also meant that tenants could buy the necessary implements for cultivation and enhance their crop production.

Furthermore, the Abolition of Intermediaries has also had major implications for India's rural economy. It encouraged local trade in rural areas, which meant that the tenant farmers no longer had to depend on the landlords for all their produce and other commodities. This not only increased the economic autonomy of the tenants but also provided a boost to local trade and rural employment opportunities.

The Abolition of Intermediaries has also provided a platform for the tenant farmers to get access to credit for their farming needs and other investments. Prior to this act, the tenants were often subjected to high interest rates of loan, but now they can access low interest loans from government banks and other agencies. This has made it much easier for tenants to invest in their crops and has encouraged their entrepreneurial spirit.

Conclusions and recommendations

The Indian government has taken several measures to reform the land tenure system since the formation of the Republic of India. Land reform has been necessary to ensure

that farmers don't face exorbitant land rents, are not forced to relinquish land ownership due to debt, have access to quality irrigation facilities, and that the poor in rural areas have access to small bits of land to farm. Land reforms can also lead to improved agricultural production, increased employment, and better income distribution, among other benefits. In this paper, we attempted to examine the current trends of land reform in India, the successes and failures, and make suggestions on how to improve the process.

Our analysis of land reform India revealed that much progress has been made in the reforms so far. The various legislative policies that the government has passed have helped to bring in a sense of fairness and equity in the land ownership system. Laws such as the Land Ceiling Act, the Right to Homestead Act, the Zonal Act, and the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, amongst others, have gone a long way towards conveying a sense of balance in the access of land and other resources in rural India. Moreover, efforts to develop irrigational and other agricultural infrastructure have made a considerable amount of progress in improving the quality of agriculture sector in the country. At the same time, there are serious issues that still need to be addressed in regards to the implementation of land reforms in India. Around 63 per cent of rural households are estimated to be resource-poor according to Census 2011 and the condition of a majority of underprivileged farmers are still dire, indicating the need to increase the priority of the government in formulating land policies. Moreover, due to a lack of organized government land records, many people still remain deprived of land rights and benefits even after the implementation of various pieces of legislation. Additionally, the policies fail to provide any protection to the traditional farmers that are still inhabiting the land.

In light of the aforementioned challenges, we suggest some policy recommendations for the government on how these issues can be addressed. First, the government may consider implementing the Land Titling Program to properly document and certify land rights and ensure recognition on official records. From a financial standpoint, it is important for the government to provide agricultural subsidies to the farmers in regions with limited access to irrigation facilities and other basic infrastructure. Additionally, the government may consider drafting policies related to responsible housing in order to enable people living in rural areas to get access to better housing opportunities, especially for those living under poverty. Finally, the government should also explore ways of encouraging local businesses to invest in the farming sector in order to spur economic development in rural areas.

Based on our analysis, it is clear that land reform in India has come a long way since its onset. However, there are still several issues that need to be addressed in order to ensure that all citizens are given fair access to land resources and that poverty in rural regions is abated. By implementing measures such as proper documentation of land rights, providing agricultural subsidies, encouraging investments in the farming sector, and formulating responsible housing policies, the government can ensure that farmers not only gain access to resources, but are also able to lead a more prosperous and comfortable life.

Recommendations

In order to make the implementation of land reforms more effective, a number of recommendations can be made. First, policymakers should ensure that there is an increase in agricultural productivity in order to make it possible for tenants to pay land rents. This involves use of improved seeds, fertilisers and other inputs, as well as greater access to credit. Second, land revenue records should be updated and accurate surveys of landed properties should be undertaken. Third, better infrastructure should be provided including irrigation and electricity. Fourth, extension services and training should be provided to make agricultural production more efficient.

The implementation of land reforms also requires a supportive legal and institutional framework. This involves various measures such as passing of laws to protect tenants and prohibiting eviction of legitimate tenants. Further, it also involves land consolidation and collection of overdue land rents. In addition, the government should implement programmes to facilitate cooperative farming and provision of subsidies to small and marginal farmers.

Finally, it is essential for land reforms to be combined with rural development initiatives. This includes improvement of housing, health services, education, and provision of employment opportunities in order to improve the overall quality of life of the rural population. Overall, implementation of these recommendations would ensure that land reforms have a positive impact in terms of reducing inequality and poverty.

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