



A CRITICAL STUDY ON LAND REFORMS IN INDIA

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ABSTRACT: The word "land reform" is broad. It alludes to an institutional move intended to change the current system of land ownership, tenancy, and management. It comprises a shift of land usage and ownership rights away from large landowners and in favor of cultivators with tiny or no land holdings. Therefore, land reform broadly refers to a strengthening of agro-economic institutions. It comprises measures and policies for land redistribution, rent control, bettering tenancy terms, cooperative organization, agricultural education, and other related topics. Land reform is a byproduct of the country's struggle for independence because the agrarian system we got from the British at the time of independence had an exploitative, feudalistic character. Zamindars, middlemen, and moneylenders were crucial in taking advantage of the populace. Land alterations have been haphazardly attempted under various conditions, and this has turned out to be a case of the illness being worse than the treatment. Remarking on the procedure of land changes, Prof. M.L. Dantwala sees; " All things considered, the land changes in India that have been planned up to this point and those that will be studied shortly are in the right direction; nevertheless, because of a lack of execution, the actual results are far from attractive". We must assess the goals of India's land reform agenda within this backdrop. Measures for land reform aim to increase agricultural production as well. It is also considered an instrument for enhancing society. Post-Independence Bharat's land programme has gone through wholly unanticipated stages of development. Laborers continued to enjoy normal rights to the land they worked on, and they typically were not ejected until they failed to pay the state the predetermined land income (arrive assess). A group of operators known as zamindars received their possibility of conglomeration arrival income. Laborer continued to enjoy normal rights to the land they worked on, and they typically were not ejected until they failed to pay the state the predetermined land income (arrive assess). The primary natural resource and the most tangible, imperishable item from which people get their economic autonomy, social status, and a simple but reliable means of subsistence is land. Land also provides them with a sense of identity and dignity, as well as the conditions and opportunity needed to realize social equality. In India, the path to economic and social justice will be paved by guaranteed possession and the equitable distribution of land. Article 39 of the Indian Constitution stated that (1) ownership and control of the nation's material resources should be distributed in a way that best serves the common good and (2) the operation of the economic system should not lead to a concentration of wealth or a means of production that is detrimental to the general welfare. The Indian Constitution included land to the list of State subjects. Therefore, only State Legislatures have the authority to pass and put into effect and reform laws. However, because of its constitutionally mandated responsibility in social and economic planning, the Central Government had a considerable consultative and financial role in land policy. [Sidharth, Raman Kumar. **A CRITICAL STUDY ON LAND REFORMS IN INDIA**. *J Am Sci* 2023;19(3):1-7]. IS SN 1545-1003 (print); ISSN 2375-7264 (online). <http://www.jofamericanscience.org> 01. doi:[10.7537/marsjas190323.01](https://doi.org/10.7537/marsjas190323.01).

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1.INTRODUCTION

Since the period when India gained freedom from British rule, land policy has occupied a noteworthy portion of government negotiations. By reason of the country's predominately agrarian conditions, the farmers of the nation keenly supported both the freedom fight and the Congress Party's "Land to the Tiller" programme.⁴ India's independence struggle presented a significant difficulty in terms of implementing the promises made regarding the

agrarian structure. Addressing land policy was the first assignment given to the first Indian Parliament. Almost all other progressive initiatives incorporated land as a major and challenging problem because it plainly reflected social status and wasn't only a means of production in India's densely populated agrarian economy.

2.NATIONAL POLICY OF LANDRE FORMS

Since 1951, the Planning Commission has created a number of five-year plans. One of the crucial

elements integrated into all the Plans has been land policy. The First Five Year Plan (1951–1956), which provided specific recommendations to modify the then-existing land reforms system, laid out the programme for land reform. The initial Panel on Land Reforms was established by the National Planning Commission in 1955.⁶ According to the Second Five Year Plan (1956–1961), it was intended for the tiller of the soil to regain his proper position in the agrarian system through the elimination of intermediary tenures and the protection of tenants.

The establishment of a "socialist pattern of society" and the "eradication of all types of exploitation and social injustice within the agrarian system" were two goals that were broadly outlined in the Third Five Year Plan (1961–1966). It stated that providing everyone seeking employment with gainful employment is the primary requirement for ensuring equality of opportunity and achieving a national minimum.⁷ Land reforms were the subject of a thorough investigation in the Fourth Five Year Plan (1969–1974). The requirement of reexamining the ceiling legislation was also underlined in the Plan. Many discrepancies between legislation and its implementation were found during the Fifth Five Year Plan (1974–1979). The Plan placed emphasis on the importance of setting up Land Reforms Tribunals rather than Civil Courts in order to expedite and bring justice closer to the underprivileged in order to remove legal barriers to the execution of land reforms.⁸

The key components of land reform policy were presented in the Sixth Five Year Plan (1980–1985) in a highly comprehensible manner. The elimination of intermediary tenures, tenancy reforms that include rent regulation, tenure security, and the grant of ownership rights to tenants, a cap on land ownership and the distribution of surplus land, holdings consolidation, and collection and updating of land records are among them. The scientific survey of un surveyed land, the cording of tenant and share cropper names in land records, the strengthening of the revenue system at the lowest level, and the provision of training facilities for revenue officials to increase their effectiveness are all priorities in the Seventh Five Year Plan (1985–1990).⁹ Except for Nagaland, Meghalaya, and Mizoram, all States have tenancy legislation according to the Eighth Five Year Plan (1992–1997). The Eighth Plan acknowledged the ongoing significance of land reforms, with the elimination of intermediaries, redistribution of ceiling surplus land, tenancy reforms granting tenants and sharecroppers security of tenure, consolidation of holdings, and

updating of land records as the main goals of the land reform policy. As a result, the Ninth Five Year Plan (1997–2002) placed a heavy emphasis on agricultural restructuring to improve agriculture's productivity and employment. In fact, it has been suggested that the lack of a systematic implementation of land reforms is what has led to the necessity for programmes to reduce poverty. Based on the recommendations of the Chief Ministers' Conference held in 1972, the Government of India has established Guidelines for the distribution of ceiling surplus land to the rural poor, including SCs/STs. The rural poor are also receiving government waste lands and hood a land from the State Governments and UT Administration.

The tenth five-year plan (2002–2007), which was formally adopted in December 2003, shows a shift in national policy priorities and does not restate the fundamental tenancy reform principles that had been covered in the first nine Plans. This stood in stark contrast to the political climate shortly following independence, when land reforms were intended to give small and marginal farmers ownership rights based on equality considerations.¹⁰ The Eleventh Five Year Plan (2007–2012) advocated for the antilegalization of tenancy. The Eleventh Plan also acknowledged that women's ability to work successfully and independently as farmers was becoming increasingly important for agricultural productivity and had suggested protecting women's land rights. The Plan also protected the rights of underprivileged, agrarian less, and indigenous women over commons, forests, and other resources.¹¹

A Commission on Land Reforms has been established in the Eleventh Plan specifically look into the issues of continued possession and effective uses of land distributed earlier to SCs under various programmed and legislative interventions, as well as the availability of landform distribution to SCs, STs, and landless families. Care will be taken to guarantee that women own preferentially or jointly in all of these.¹² In India, Civil Society Organizations (CSOs) have been pushing for a national land use plan and a land reforms strategy in 2011–2012, as expected from the National Land Reforms Council (NLRC). The report of the Government-instituted Committee on State Agrarian Relations would serve as the foundation for the NLRC's judgement about the policy and plan. A people's march was planned for October 2012 to call for the expediting of the process in light of the increased urgency to swiftly decide on the land reforms policy and land

use plan as well as to hasten the completion of the "unfinished task of land reforms," which has spanned over several decades. There should be a thorough assessment of all land available with the Government, including ceiling surplus land, uncultivated wasteland, and so forth. This is according to the recommendations made by the Twelfth Five Year Plan (2012-2017) Working Group on Disadvantaged Farmers, including Women (D&W). Unofficial estimates from groups like Ekta Parishad indicate there is a lot more land available for distribution than is indicated by government estimates. Instead of giving individual families access to all accessible land, it should be dispersed to a group of D&W farmers. The land may either be provided to the group under a very long-term lease agreement or registered in the group's name.¹³ The following problems are brought up in An Approach to the Twelfth Five Year Plan, yet no logical, just, fair, or compassionate solutions are offered: (1) What kind of land should be used for what? (2) What methods should be used to obtain land for new uses (industrialization, urban station, and infrastructural development)? (3) In what way and how much should those whose lands are seized be decompensated/rehabilitated?

A national land reform policy, land use plan, and improvements to the access of the rural poor to land from sources like industries, religious and educational institutions, forests, ceiling surplus, blooded, village commons, government estates and waste land, and home stead equality and efficiency are therefore urgently needed. Finally, in July 2013, the National Land Reform Policy¹⁴ was drafted. The National Land Reform Policy places particular emphasis on land reform measures that, if carried out in accordance with law and spirit, have the ability to tip the scales in favor of the landless and the under privileged. The sear the mechanisms for creating a land use plan for each village as it is combined at higher levels, which will direct the best use of each and every parcel of land. Policies and systems are also put in place to ensure effective land distribution to landless poor people, protecting them from losing their lands, restoring alienated lands, and effectively safe guarding the lands of the schedule castes and schedule tribes while also ensuring homestead rights, tenancy rights, and land rights for women. In conclusion, land reform policy has changed drastically over the past six decades of independence, but the fundamental problem—a reasonable distribution of land resources—has persisted and taken on new significance and focus. The issue is more complex than simply

providing social justice for the impoverished in rural areas. The issue at hand is primarily one of economic importance to our country as a whole. Both the foundation and the superstructure of the national economy willer a in fragile and insecure until the rural society is revitalised and transformed into a vibrant and quickly expanding system.

3. IMPLEMENTATION OF LAND REFORMS POLICIES OR LEGISLATION

There are a dizzying array of laws relating to agrarian reform since India's rural life is made up of numerous and intricate socioeconomic relationships. Given the foregoing, it will be necessary to set some self-imposed limitations since it will not be possible to study all of these laws in detail in this chapter. Although complete laws have been passed in a number of States, the implementation has been far from adequate, according to a concise summary of the many land reform studies supported by the Planning Commission since May 1953. The implementation of land reform laws, including tenancy reforms, land ceilings, holdings consolidation, land records and titles, alienation prevention, restitution of alienated tribal property, and security of homestead rights, have been covered in the pages that follow. It is important to note that most Indian States' agricultural tenancy laws conflict with the principles of land leasing set forth in different Five Year Plans. The Plan materials state that with the elimination of Zamindari, Jaghirdar imams, etc., intermediary tenures have largely been removed nationwide, leading to an estimated 20 million cultivators coming into direct touch with the State. Legislative action was taken to guarantee renters' security of tenure and to control the rent amounts they must pay. In all States, with the exception of Andhra Pradesh (the Andhra region), Haryana, and Punjab, the maximum rent rates were set at levels that did not exceed 1/4th to 1/5th of the gross produce. However, the current laws in the States of Andhra Pradesh, Bihar, Tamil Nadu, Haryana, and Punjab still fall short of the recognized national policy when it comes to granting ownership rights to cultivating tenants. Sharecroppers were not brought into direct contact with the State in West Bengal, despite the fact that they were safeguarded from being evicted at any time.¹⁵ There is still work to be done on this problem. After the first elimination of " zamindari" and the transfer of title to owner-cultivators in the immediate post-independence period, very little progress has been accomplished in the field of tenancy reforms. Tenancy rules have only been successfully implemented in West Bengal, Karnataka, and Kerala. Since there was no advancement in the Eighth Plan regarding the grantor rights to renters, the subject of tenancy

changes remains illusory bluntest be addressed. Tenancy rules were found to exist in all States in the Eighth Five Year Plan, with the exception of Nagaland, Meghalaya, and Mizoram. They included provisions for the State granting ownership to the renter, tenants acquiring ownership after paying affair price, tenure security, and the determination afferent. These laws provided preferential treatment for a number of groups, including minors, widows, and members of the armed forces. Provision was also given for a restricted right of resumption in a few additional situations. These rules have been implemented in various ways across the States, though. Compared to the other States, West Bengal, Karnataka, and Kerala have had more success. Under "Operation Barge," 14 lakh sharecroppers in West Bengal have been identified.

The prevalence of informulable disguised tenancies is extremely high, therefore overall, tenancy changes have not produced the expected effects. Although agricultural tenancies are prohibited in the majority of States, they are nonetheless prevalent in some areas, especially in various kinds of crop sharing. Due to the oral nature of tenancy agreements—which are frequently illegal—the tiller's status is uncertain and he or she lacks motivation to efficiently cultivate the land. The Ninth Five Year Plan's midterm evaluation offered a justification for maintaining the ban on leasing in underdeveloped areas, but it also suggested legalizing tenancy there because it would increase access to land for the poor and allow large landowners to move around more easily in their careers.¹⁶ Many States did change their legal frameworks. However, the issue of verifying the current tenancies persisted. Tenancies were further pushed underground as a result of new policies and related regulations. While pointing out the flaws in the legislation and their poor execution, the Fifth to Ninth Five Year Plans primarily restated the preceding policies. A new approach for policy was offered by the Tenth Five Year Plan. The Plan claimed that because tenants aren't even considered to be tenants and are thus excluded from the protections of laws that guarantee tenure security and set rent, the restriction on tenancy has only served to harm their financial interests. The Plan also claimed that the prohibition on tenancy had not actually put an end to the practice but had instead led to agricultural practices that did not promote improved productivity, which in turn had a negative impact on job chances for agricultural laborers who lack access to land.¹⁷ For the protection of land rights and to promote investment, accurate and current

land records are essential. These lessen disputes and conflicts, permit the use of land as collateral, reduce transaction costs and corruption, guarantee effective land markets, and support the execution of land reforms and programme planning. A limited legalization of tenancy was suggested under the Eleventh Five Year Plan. It should give the tenant stability for the duration of the contract, which may be long enough to encourage the tenant to make long-term investments. According to the Twelfth Five Year Plan, there is a compelling argument in favor of legalizing tenancy and permitting land leasing with sufficient safeguards to protect the interests of small and marginal farmers.¹⁸ Admittedly, the State Governments have not been convinced to change their tenancy laws and adopt the Planning Commission's viewpoint in this regard. The land ceiling regulations are the principal tool for achieving a more equitable distribution of land. Several States passed these laws in the late 1950s and early 1960s, and stricter revisions were made to the statutes in the early 1970s to close legal gaps left by the earlier legislation. According to the National guidelines of 1972, ceiling laws were passed in all States with the exception of Goa and the North East region. However, ineffective enforcement has restricted success. Out of the total 74.94 lakh acres declared surplus at the end of the eighth plan, 52.13 lakh acres had been handed to 5.5 million beneficiaries. In other words, barely 6-7 lakh acres were transferred throughout the Eighth Plan. Furthermore, 19.59 lakh acres were not accessible for distribution because they were unsuited for agriculture, reserved for public uses, or for other unspecified reasons, and 12.4 lakh acres were the subject of legal disputes that were still pending in the courts. In reality, there were only 59,000 acres that could be distributed. 53 percent of the Bohdan land donated was distributed, totaling 24.52 lakh acres. In addition, 88.5 lakh recipients received 142.87 lakh acres so wastelands.

The situation was mostly unchanged by the time the Ninth Plan came to a conclusion. The search for hidden land and its distribution to the poor and landless rural populations have not advanced. However, there is still a lot of room for redistribution of Bohdan land, common lands, ceiling surplus land, and government wastelands. Even though the majority of States have passed and are now enforcing ceiling laws, there are significant interstate differences in the framework of the law and its efficacy. Furthermore, a sizeable amount of the land designated as ceiling surplus in many States is either unsuitable for cultivation or unavailable

for distribution due to a variety of factors. Thus, the outcome of the application of ceiling legislation was not satisfactory due to a number of circumstances. Around 3 million hectares of land have thus far been designated in accordance with the 12th Five Year Plan, which is only about 2% of India's net sown area. Due to ongoing legal disputes, about 30% of this land has not yet been distributed. The First and Second Five Year Plans placed a lot of emphasis on the work of holdings consolidation. About 45 lakh hectares of land were consolidated under the First Plan, while about 120 lakh hectares were consolidated under the Second Plan. The Third Five Year Plan has only succeeded in achieving 85% of the overall goal. By 1968–1969, 296 lakh hectares of land had been consolidated. By spending the 28.4 million, 94.5 lakh hectares of land have been consolidated under the Fourth Plan. By 1978–1979, the Fifth Plan had led to the consolidation of another 450 lakh hectares of land. Particularly in Punjab, Haryana, Uttar Pradesh, Madhya Pradesh, and Rajasthan, the consolidation sets have advanced quickly. In some States, holding consolidation has advanced, whipstitches, it has not yet begun. 15 States have established legislation allowing for the consolidation of holdings. As of the end of March 2002, only 66.10 million hectares of the 142 million hectares of cultivable land had undergone holding consolidation. the consolidation work that was done around 1875. So far, 33 lakh hectares of land have been finished. In Punjab and Haryana, the consolidation of assets is now complete. However, other States' consolidation development is not up to par. The recording of land rights and their updating are indisputable requirements for any land reform measure. The Seventh Five Year Plan places a strong focus on scientific surveying of surveyed land, registering tenant and sharecropper names in land records, strengthening the revenue system at the lowest level, and giving revenue officers access to training facilities to increase their effectiveness. As a result, in the second half of the Seventh Plan, a Centrally Sponsored Scheme of Land Records for Strengthening of Revenue Administration and Updating of Land Records (SRA & ULR) was introduced, with a budget of Rs. 20.8 crore and spending Rs. 14 crores. However, because the revenues are split 50:50 between the Center and the States, several States have been unable to contribute their fair amount, which has resulted in low use. Many other States have not used this programme at all. A tiny portion of the total

resources needed for the modernization of revenue administration are covered by the resources allocated under the SRA & ULR and CLR initiatives. The States must upgrade the management system for land records on a much bigger scale. To represent current ownership and rights of tenants, sharecroppers, and other holders, a systematic programme of compilation and correction of land records has been implemented across the nation. To achieve a decent amount of trustworthiness in land records should be the main objective of land management in the Eleventh Five Year Plan. The goal should be to

bring land records closer to actuality so that they can act as a stimulant for the nation's overall development. Land record modernization must be comprehensive and time-bound. By the end of the Twelfth Plan, all land records, including GIS maps, should be fully digitalized.

Pilot projects should also be started at this time to facilitate the transition to a Torrens system in the 13th Plan. However, in many States, land records are either disorganized, lacking, or outdated, which not only makes land reforms difficult but also results in a great deal of disputes.

which not only makes land reforms difficult but also results in a great deal of that all States update their land records, computerize them, and digitize their maps. Karnataka, Madhya Pradesh, Gujarat, Tamil Nadu, Uttar Pradesh, and Goa have all finished the procedure since it began. Nevertheless, it must be accelerated and ANGO finished in the remaining States as well, with proper training and assistance, utilizing the best practices of the States where the work has already been finished.

The importance of precision in computerization and digitalization cannot be overstated. The historically disadvantaged and backward segments of Indian society that occupy the base of the social and economic pyramid are known as scheduled castes and tribes. The States are required by Article 46 of the Constitution to advance the interests of Scheduled Castes and Scheduled Tribes and to defend them against exploitation and other forms of social injustice. The State Governments have endorsed a policy that forbids the transfer of tribal land to non-tribals and calls for the return of alienated tribal lands to the original owners. As of September 30, 2011, the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 and Rules, 2007 had granted 1,219,922 titles for 1,601,524 acres of forest land nationwide. Despite significant challenges, the process proceeds, and the titles for a sizable

amount of additional forest area will be issued in due course. Also available to the landless are sources including ceiling excess, Bohdan, village commons, government estates, businesses, institutes of higher learning and religion, forests, and homesteads. Tribal areas need urgent and particular attention when it comes to land concerns.¹⁹ However, it is important to note that current legislation and initiatives (such as Forest Rights, Rural Employment Guarantee, Land Acquisition, Rehabilitation and Resettlement, and Food Security), while important and beneficial, were not included in the initial package of land reforms. A Commission on Land Reforms has been established in the 11th Plan to specifically address the following issues: (I) the continued possession and effective use of land that was previously distributed to SCs under various programmed and legislative interventions; and (ii) the availability of land for distribution to STs, and landless families. Care will be taken to guarantee that women own preferentially or jointly in all of these. Therefore, the land reform initiative is far from finished and must be continued if we are to effectively combat the issue of poverty and inequality. The subordinate bureaucracy is ultimately responsible for carrying out land reforms; however, these officials are not only ineffective, as has been claimed, but their conduct toward the people the legislation is meant to assist has been observed to be particularly callous, obstructive, and even hostile. These regulations' impact on the organization of land holdings has been negligible due to the slow and flawed pace at which they have been implemented. Rajagopal is covered and was informed that more than 29,000 Dalit village did not even have access to burial or cremation grounds during a year-long trip through 350 districts, 24 states, and meetings with tens of thousands of people. Many of these meetings were public hearings with affected communities as well as meetings with intellectuals and middle-class citizens. Poor people sometimes lacked access to both open spaces for defecation and restrooms in villages. Many individuals fight daily to survive, and they lack access to resources for their livelihood (water, forest and land).²⁰ Therefore, the land reform initiative is far from finished and must be continued if we are to effectively combat the issue of poverty and inequality.

4. IMPACT OF THE LAND REFORM POLICY

Changes to the land are being attempted for reasons: to improve production and efficiency and the flow of income and resources. Measures for

changing the land are free ways to increase the generation in the farming sector. It also meets the requirement for social fairness. Arrival change initiatives have increased the grower's profitability and ensured social equity.

1. increase the:

The recent land alteration procedures implemented have not had a significant impact on profitable productivity. The most likely explanation is that the modifications have not been sufficiently implemented. The tillers have not yet entirely assumed responsibility for. The real leases continue to lead. The merging of possessions is still ongoing. Helpful cultivation has not advanced too far. Advanced methods cannot be connected to arrive without moderate holding being in actual title of the cultivator, in which he has a long-term interest. Efficiency typically remains low.

2. On Social Justice:

Whatever the case, a remarkable amount of progress has been made toward the aim of social fairness. The rights of the intermediary person have been terminated. India never again exhibits a picture of serfdom at its worst and feudalism at its best. The occupancy regulations have protected the tillers from abuse by granting them residency security and settling the highest chargeable rents. The pace of implementing land reform policies has unquestionably been moderate. Additionally, there is a noted unevenness in terms of progress in various states. This does not, however, imply that there has been absolutely no progress made in the field of land reform since independence. In any case, the advancement has slowed down and needs to be accelerated. Through the explanation of a logical land strategy, the intricate problems in Oregonian be grasped.

CONCLUSION:

India, a country with a predominance of agricultural society, has a significant relationship between a person's social standing and their land. It is crucial to solve the land issue in a way that ensures millions of Indians have a livelihood, dignity, and access to food because close to 70% of the population is dependent on land, either as farmers or agricultural laborers. Lack of land is a significant predictor of rural poverty in the nation. It is crucial to keep in mind that equity, not productivity, is land reform's primary goal. In a welfare state like India, land cannot be handled as a commodity because it is not one. The main goals of India's land reform programme are to ensure social and economic fairness for the vast majority of peasant

farmers and to eliminate barriers to the growth of a strong and vibrant agrarian society.

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