

Nirma University
Institute of Law
B. A.,LL. B. (Hons.) and B.Com.,LL. B. (Hons.) Programme
Academic Year 2018-19
Institute Elective

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Course Code	2IE1012
Course Title	Agrarian Reforms and Law

Course Learning Outcome (CLO)

At the end of the course, students will be able to:

1. Identify the genesis of the land and agrarian laws of the country.
2. Appreciate the legislative structure of agrarian laws exists in its present form.
3. Compare and contrast the laws relating to land acquisition before and after 2013.
4. Interpret and develop upon the socialistic perspectives of land and agrarian reforms.

Syllabus

Teaching Hours: 60

Unit: I Pre-Independence position

- 1.1. Concept of land and its ownership
- 1.2. Zamindari Settlement
- 1.3. Ryotwari Settlement
- 1.4. Mahalwari System
- 1.5. Intermediaries
- 1.6. Absentee Landlordism
- 1.7. Large holdings

5 Hours

Unit II Constitutional Perspectives

- 2.1. 1st, 4th, 17th, 24th, 25th, 42nd and 44th Amendments to the constitution
- 2.2. Art 31(A), 31(B) and 31(C)
- 2.3. Art 300-A

7 Hours

Unit III Post-Independence Reforms

- 3.1. Abolition of Zamindari
- 3.2. Abolition of Intermediaries
- 3.3. Tenancy Reforms
 - 3.3.1. Land to the tiller
 - 3.3.2. Personal Cultivation
 - 3.3.3. Voluntary Surrenders

5 Hours

Unit IV Evaluation of Land Reforms

- 4.1. Lack of Political will as an impediment to land reforms
- 4.2. Role of Law
 - 4.2.1. Role of Law and Legal Profession in implementation
 - 4.2.2. Imposition of bars to the jurisdiction of civil courts
- 4.3. Role of administrative agencies
- 4.4. Lack of demand from beneficiaries

6 Hours

w.e.f. academic year 2018-19 and onwards

- 4.5. Lack of organization of beneficiaries
- 4.6. Other constraints
 - 4.6.1. Moral
- 4.7. Results of Land reforms
 - 4.7.1. Leasing in and leasing out
 - 4.7.2. Underground tenancies
 - 4.7.3. Green Revolution and development of capitalistic farming

Unit V Socialistic Goals and Land Management

10 Hours

- 5.1. Co-operative Farming
 - 5.1.1. Foreign models
 - 5.1.2. Avadi Resolution
- 5.2. Ambedkar's views on Socialization of Land
- 5.3 Minorities and land rights
- 5.4 Land rights in gender perspective
- 5.5. State Farming in Mixed Economy
- 5.6. Problems and perspectives of Nationalization of Land

Unit VI Land Acquisition Legislation

15 Hours

- 6.1 Land Acquisition Act, 1984
 - 6.1.1 Public purpose
 - 6.1.2 Procedure for acquisition of land
 - 6.1.3 Judicial trends
- 6.2 Land Acquisition and Rehabilitation and Resettlement Act, 2013
 - 6.2.1 Genesis of the new legislation
 - 6.2.2 Impact of the LARR Act, 2013
 - 6.2.3 Judicial trends
- 6.3 Special Economic Zones Act, 2005

Unit VII Consolidation of Holdings

6 Hours

- 7.1. Socio-economic background of land consolidation
- 7.2. Experience in land consolidation
 - 7.2.1. Foreign experience
 - 7.2.2. Indian experience
- 7.3. Legislation relating to consolidation
- 7.4. Procedures relating to consolidation
- 7.5 Survey and recording of rights

Unit VIII Agricultural Laws

6 Hours

- 8.1 Agricultural infrastructure
- 8.2 Post liberalisation and agricultural sector
- 8.3 Protection of Plant Varieties and Farmers Right Act, 2001

Suggested readings

1. Baxi, U. (1986). *Towards a Sociology of Indian Law*. Satvahan. Pp 25-65
2. Franklen, Francine R. (1978). *India's Political Economy: 1947-1977*, Princeton: Princeton University Press.
3. Ghose, M. (1992). Nehru and Agrarian Reform. In Rajeev Dhavan and Thomas Paul (eds.), *The recovery of fire: Nehru and legitimization of power in India*. Bombay
4. Jacob, A. (January-June 1992). Land Reform in India- A Review. *IASSI Quarterly*, 10 (No.3-4), 6-19
5. Kohli, A. (1987). *The State and Poverty in India: The Politics of Reform*. New York: Cambridge University Press
6. Neale W.C. (1990). *Developing rural India: Policies, politics and progress (Perspectives on Asian and African Development)*. Allied.
7. Rudolph, S., & Rudolph, L. (1987). *The Political Economy of Lakshmi*. New Delhi
8. Tripathi N.M. (1992). In Rajeev Dhavan (ed.), *Nehru and the Constitution*. Bombay

w.e.f. academic year 2018-19 and onwards