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Q5(c)

## **Land reforms programmes led to some constitutional amendments. Comment**

UPSC Civil Services Mains 2025 · PSIR GS 1 · 10 marks · Planning and Economic Development

Planning and Economic Development: Nehruvian and Gandhian perspectives; role of planning and public sector; Green Revolution, land reforms and agrarian relations; liberalization and economic reforms.

### **Core demand of the question**

- Link land reform to the constitutional property-versus-social-justice conflict
- Comment on the First, Fourth, Seventeenth, Twenty-fourth, Twenty-fifth, Forty-second and Forty-fourth Amendments as relevant
- **Show why amendments were needed:** courts, zamindari, ceilings, and the basic structure aftermath

### **Revision summary**

Zamindari abolition and ceilings collided with the fundamental right to property, so Parliament built **Articles 31A, 31B**, and the **Ninth Schedule** in the First Amendment.

The Fourth and Seventeenth Amendments tightened compensation rules and widened 'estate' to catch more tenures.

Golaknath led to the Twenty-fourth Amendment restoring the power to amend fundamental rights.

The Twenty-fifth Amendment's **Article 31C** linked land and resource redistribution to Directive Principles; Kesavananda then limited Parliament through basic structure.

The Forty-second Amendment over-expanded that project; the Forty-fourth Amendment ended property as a fundamental right and placed it in **Article 300A**.

### **Introduction**

Land reform was a promise of the freedom struggle and a test of the Constitution. Zamindari abolition, tenancy protection, and ceilings struck at property as a fundamental right. Parliament therefore amended the Constitution repeatedly so that agrarian legislation would not die in court. The comment is on that constitutional struggle, not on every state's land-record success.

### **Body**

#### **The First and Fourth Amendments**

Early zamindari laws were challenged as violations of **Articles 14, 19**, and **31**. In Kameshwar Singh and related litigation, the Supreme Court and High Courts constrained the project. The **First Amendment** (1951) inserted **Articles 31A and 31B** and the **Ninth Schedule** to immunise specified agrarian laws. **Nehru** told Parliament that social revolution must not be vetoed by a colonial-minded reading of property.

- **The Fourth Amendment (1955) further tightened Article 31:** the adequacy of compensation for certain acquisitions would not be justiciable in the same way, and more state laws entered the **Ninth Schedule**. The political theory is clear. Property remained a right, but it was made to bow to agrarian redistribution.

## Seventeenth, and the Kesavananda sequence

The **Seventeenth Amendment** (1964) widened 'estate' so ryotwari tenures could be reached after Karimbil Kunhikoman. Golaknath (1967) then barred amendment of fundamental rights. The **Twenty-fourth Amendment** (1971) restored that power. The **Twenty-fifth** inserted **Article 31C**, protecting laws for **Articles 39(b)** and (c) from 14, 19, and 31. Kesavananda (1973) added basic structure. The **Forty-second Amendment** (1976) tried to widen 31C to all Directive Principles. The **Forty-fourth** (1978) deleted the fundamental right to property and placed it in **Article 300A**. Implementation is another story; the amendments show land justice as a constitutional battlefield.

## Flow diagram

Land reform -> Article 31 property  
Article 31 property -> 1st 4th 17th  
Article 31 property -> 24th 25th  
24th 25th -> Kesavananda  
Kesavananda -> 42nd then 44th / 300A

## Conclusion

Land reform forced India to rewrite the property clauses. The First, Fourth, and Seventeenth Amendments saved agrarian laws; the Twenty-fourth and Twenty-fifth reopened amending power and Directive Principle protection; the Forty-second overreached; the Forty-fourth took property out of Part III. The comment is that the Constitution was not a barrier accidentally; it was a battlefield by design.

## Facts & figures

### First Amendment, 1951

**Articles 31A and 31B** and the **Ninth Schedule** were inserted to protect zamindari abolition and related agrarian laws.

### Twenty-fifth Amendment, 1971

**Article 31C** protected laws giving effect to **Articles 39(b)** and (c) from challenge under **Articles 14, 19, and 31**.

### Forty-fourth Amendment, 1978

The right to property ceased to be a fundamental right and was recast as **Article 300A**.