

## National Workshop on 'Secure land rights for tribals in the Scheduled Areas in Odisha'

*Jointly organized by*

**Odisha Tribal Empowerment and Livelihoods Programme (OTELP)<sup>1</sup>**

**& Rural Development Institute (RDI)<sup>2</sup>**

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Access to resources is one of the key issues of our times. One of the major problems for our vast majority of rural population is the inadequate or non-existent access to land, therefore, landlessness becoming the best predictor of rural poverty and food security in India. Therefore, without secured land rights, efforts to use natural resources sustainably and thereby achieve food security will remain a non-starter.<sup>3</sup> According to recent statistics from the FAO, the majority of the world's hungry – 508 million out of a total of 800 million people – live in Asia, where hunger is virtually synonymous with landlessness. As tenant farmers, agricultural workers, migrant workers, or very small farmers without any or enough land to support their families, they often earn less than the minimum wages. In Bangladesh<sup>4</sup>, for instance, over 50 per cent of all landless and land-poor families live in abject poverty whereas 'only' 10 per cent of those with over 3 ha of landholding go hungry. The skewed nature of land distribution in India is reflected in the fact that approximately 2 per cent of the population owns 25 per cent of the



<sup>1</sup> **Orissa Tribal Empowerment and Livelihoods Programme (OTELP)** is a programme supported by International Fund for Agricultural Development (IFAD), Department for International Development (DFID), World Food Programme (WFP), Govt. of India and Govt. of Odisha to ensure the livelihoods and food security of poor tribal households and sustainably improved through promoting a more efficient, equitable, self-managed and sustainable exploitation of the natural resources at their disposal and through off-farm/non-farm enterprise development. The ST/SC Development Department under Govt. of Odisha is the nodal agency to implement the programme and is operational in 30 blocks of 7 districts.

<sup>2</sup> **Rural Development Institute (RDI)** is a not-for-profit organization working globally to secure land rights to the poorest. RDI strongly believes that secure land rights would provide the poor with a foundation for economic and social betterment. In its constant endeavour of securing land rights to the poorest, RDI, in India, has interventions in four states namely, Karnataka, Andhra Pradesh, West Bengal and Odisha focusing on micro-land ownership to poor agricultural women and their families. In Odisha, RDI is working to develop effective livelihood models focusing on the 4-10 cents of homestead land distributed under the Vasundhara scheme being implemented by the State Government.

<sup>3</sup> The distribution of land is extremely uneven: even though 75 per cent of the world's poor and undernourished live in rural areas and their food supply, according to the FAO, could be significantly improved by giving them access to land, half the world's arable land is owned by only 4 per cent of the world's landowners - most of whom are either large estate owners or multinationals.

<sup>4</sup> FAO: The State of Food Insecurity in the World 2002, p. 9 ([www.fao.org/docrep/005/y7352e/y7352e/05.htm](http://www.fao.org/docrep/005/y7352e/y7352e/05.htm)).

land (more than 10 ha) and the other 75 per cent own a mere 25 per cent of the land (less than 2 ha). Statistics also reveal that some 43 per cent of rural households in the country are landless.

Post independence, numerous efforts have been made to bridge the gap between the poor landless and the rich landed peasantry with the promulgation of a number of land reforms legislations. So was in Odisha with legislations like the Odisha Land Reforms Act 1960 and Land Ceiling Act 1974, etc. But despite all efforts, access to land still remains a major area of concern for the State. People either have pattas (title) without possession of the land or possession without patta.

Government of Odisha in 2005-06 made an excellent innovation to creatively use existing revenue laws like the Odisha Government Land Settlement Act and the Odisha Prevention of Land Encroachment Act to provide homestead land up to 10 decimals to the rural homesteadless people. But even after almost five years, a substantial chunk of people still remain homesteadless – they have either not been included in the scheme as homesteadless or haven't seen the land that they have been allocated. Assessments revealed that implementation was crippled by a severe shortage of revenue staff at the field level to carry out enumeration of homesteadless families and process their claims. Though Government responded to patta and possession challenges by promulgating the *Mo Jami Mo Diha* campaign in 2007, the situation didn't improve substantially due to operational bottlenecks.

In order to address the challenges mentioned, a proactive initiative has been undertaken by OTELP and RDI initially in about 1000 villages in the seven project districts with a goal to ensure land (both homestead and agricultural) to all within a span of two years. In this collaboration, OTELP is scaling up a model experimented by RDI in its pilot districts where, with support from the revenue officials, local capacities were identified and trained to help local revenue officials in identification of homesteadless households and process their claims for *pattas*. Since the model identifies a local resource to support the Revenue Department, it is called the **Community Resource Person (CRP) model**. Using the CRPs, the extent of landlessness is identified and with support from revenue authorities cases prepared for distribution of pattas.



In 2008, the **Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006** came into effect and recognised rights over forestland that forest dwelling Scheduled Tribes and other traditional forest-dwellers have been occupying for generations but whose rights could not be recognised and recorded earlier. The Act provided for 13 sets of rights for scheduled tribes and other traditional forest-dwelling communities, including land under individual and community control, community forest resources and rights, etc. Till date, about three hundred thousand households have been distributed individual forestland *patta*. Though in comparison to other States, Odisha has done reasonably well in the implementation of Forest Rights Act, it still faces a number of challenges. Prominent among them are; (i) quantum of forest lands recognised is less than claims; (ii) there have been too few community claims; and (iii) a good number of forestland occupants



are still not aware and have not applied for land. Besides, the post-FRA challenge of productive utilisation of land through converging existing government schemes for increased production and income to avoid any further clearing of new forests has not been met adequately.

### **National Workshop on 'Secure land rights for tribals in Scheduled Areas in Odisha'**

In this context a national workshop is being planned jointly by **Odisha Tribal Empowerment and Livelihoods Programme (OTELP) and Rural Development Institute (RDI), Odisha** with the objective to present the collaborative initiative and the intervention design, share examples, experiences and innovations adopted in Odisha and in other states, bring in informed thoughts and ideas around land allocation and settlement that Government can consider for implementation.

### **Objectives of the Workshop:**

- ❖ Present and discuss local capacity model (through CRPs and paralegals) for land allocation and conflict resolution;
- ❖ Share experiences around land allocation and settlement - homesteads, farm and forest land.
- ❖ Identify policy and practice gaps in the implementation of land allocation / settlement laws and programmes.
- ❖ Discuss and debate around possible recommendations and solutions to the challenges discussed.
- ❖ Bring in national and other state perspectives on land allocation and settlement.

### **Key discussion focus:**

- ❖ **Local capacity models in land allocation – Odisha and Andhra Pradesh**
- ❖ **Tenancy Laws and Tenurial Reforms – Different views from studies across the state and in other countries.**
- ❖ **Innovative land allocation and settlement approaches**
- ❖ **National perspectives on implementation of Forest Rights Act**
  - Specific practices and methods used for implementation of FRA in the context of CFR - learnings, different models of implementation, etc. -
  - Biodiversity conservation and participatory forest management after FRA
  - Post-FRA Challenges to Food Security and Conservation

### **Expected policy and implementation outcomes:**

- ❖ Government prioritises land allocation as an entry point programme in all livelihoods and poverty reduction programs.
- ❖ Government takes proactive steps to settle scheduled castes and scheduled tribes on the land they currently occupy irrespective of the land category.
- ❖ Government decides on 100% housing coverage in Schedule V areas with special focus on OTELP project villages
- ❖ Discussions and planning around exemplary models, post-FRA challenges: convergence and land development, and production enhancement, introduction of integrated farming model.

### **Key Participants:**

Government officers (Collectors and revenue experts), Academia, legal practitioners, NGO professionals from within and outside Odisha