

Capacity Building and Policy Advocacy for Land Rights and Entitlements of the SC communities, particularly Women in Gaya District of Bihar

Background and Rationale

Gaya district consists of the highest percentage (around 33%) of the Scheduled Caste (SC) population among all the districts in Bihar, and nearly two-thirds (around 60%) of its SC population belongs to the most marginalized Musahar community (Census of India, 2001). Majority of the SC households in the project area do not have legal entitlement to their homestead land on which they have been residing since long, even since generations. They are also mainly landless labourers without access to land for agriculture. Historically, they were unfree/ bonded labourers in the traditional jajmani/ kamauti system who were settled mainly



on raiyati land given to them by their landowning employers during the Zamindari System. However, since Independence they have gradually been forced by circumstances to build their settlements increasingly on various types of government and public land, on foothills, or on the banks and dried up beds of *aahars* (village irrigation tanks) or *pains* (traditional village irrigation channels), etc.

Although, in Bihar, there already exist laws such as the Bihar Privileged Persons Homestead Tenancy Act 1948 and other policies and provisions which promise to provide legal right to ownership of homestead land of various types (raiya, gairmazarua aam and gairmazarua khas) as well as surplus

govt. land to the landless, the SC households have not received the benefits of these laws and provisions. The govt. officials and institutions have not been responsive to the rights and entitlements of the SCs, and, therefore, the implementation of laws and policies meant to benefit SCs have been neglected. Due to their socio-economic and political marginalization, the SCs are unable to raise their collective voice to influence the institutions and structures of governance, and act as effective pressure groups to claim their rights and entitlements.

In view of the above, this project aims to address the need for capacity building of the community to enhance and strengthen their knowledge, information, skills and abilities to assert their collective voice and act as effective pressure group to claim their land rights, as well as the need for policy advocacy and lobbying to make the government institutions and structures more responsive and accountable to the rights and entitlements of socially excluded SC communities. The project has received financial support from DFID India under the second phase of its Poorest Area Civil Society (PACS) Programme, and is being implemented by Deshkal Society in partnership with Gram Nirman Kendra (GNK), Lok Shakti Shikshan Kendra (LSSK) and Prakhand Gram Swaraj Sabha (PGSS).

Project Purpose

To improve uptake of land rights and entitlements by SCs, particularly women and enable transformation for them to live with dignity.

Project Duration: February 2012- January 2016

Coverage of the Project

State	District	Block	NO. of Gram Panchayats	NO. of Villages	NO. of SC households covered under the project	NO. of SC individuals covered under the project
Bihar	Gaya	Atri	8	57	5313	26449
		Paraiya	9	76	6823	34236
		Wazirganj	19	137	15178	75891
		Mohanpur	18	210	15131	75657
Total			54	480	42445	212233

Key Outcomes

- Increase in homestead land entitlement of SC households, particularly women
- Increased access of SC households, particularly women, to land for agriculture as a result of distribution of surplus govt. land
- Govt. officials and institutions are more responsive and accountable to rights and entitlements of SCs, particularly women, and delivery of benefits of laws and policies on land rights to SCs are increased
- Increase in govt. policies and provisions for ensuring land rights of SCs
- Increase in enrolment of children
- Increase in retention of children
- Increase in percentage of children receiving mid-day meals

Project Strategies and Activities

Key Strategies

- Organising and mobilising the target communities through CBOs and enhancing their capacities for improved dialogue, effective interface and networking with PRIs and the government.
- Public campaigns and advocacy led by CBOs, CSOs and networks through mass rallies and public hearings.
- Advocacy and policy engagement with the government led by CBOs, CSOs and networks through interactive meetings and workshops.
- Setting up channels for grassroots communication through folk theatre and bulletins



Major Activities

- Identification of SC households without legal entitlement to homestead land and access to agriculture land
- Formation and strengthening of CBOs at village, Panchayat, block and district levels for planning, implementation and monitoring of activities, negotiating and engaging with the Mukhiya, ward members, and govt. officials
- Training of CBOs for capacity building, enhancement of their knowledge of various laws, policies and provisions pertaining to land and education rights
- Filing of RTI applications for obtaining information on legal status of homestead lands and surplus govt. land.
- Filing of applications for legal entitlements to homestead land and distribution of surplus government land
- Performance by folk artistes for awareness generation, sensitisation and mobilisation of the community on the issues of land rights and education
- Interface meetings with govt. officials at block and district levels to identify and discuss the issues at the Block and district levels.
- Workshops of CBOs with government officials at block, district and state levels for sharing and discussing the issues and information on land rights of the SC, problems related to improvement of schools, efforts and measures that need to be undertaken by the govt as well as by the community at various levels
- Peaceful means of social assertion at block and district levels
- Public hearing at state level and submitting the recommendations of the Public Hearing to the Govt. of Bihar for undertaking necessary action to implement them
- Bringing out information bulletins on land rights



Sustainability

The major strategy at the community level will be to mobilise and organise the community through CBOs, enhance their knowledge, skills and capacities, and enable them to effectively demand and claim their rights and entitlements. They would be provided training for enhancing their knowledge of the laws, policies and provisions, the administrative processes and procedures, the use of RTI for obtaining information and records, etc. from govt. offices, and leadership skills to organise and mobilise the community as well as to effectively negotiate and engage with govt. officials and institutions. The training as well as the practical experience of the community in engaging with the govt. institutions and officials at various levels during the course of implementation of the project will enhance active participation of the community in the processes of decision making in local institutions of governance like PRIs. The network of CBOs formed at various levels from village/tola to District alongwith their capacity building will enable the community to act as effective pressure group and sustain the processes and practices initiated during the project. The joint committees including members from the CBOs and the govt. officials that may be formed during the project for planning and monitoring the implementation of land rights will provide an important structural mechanism to sustain the processes and expand the delivery of results even after the completion of the project. Initiatives will be taken to get these joint committees institutionalised through policy changes.