



3rd

India Land & Development Conference

Proceedings

**Partnerships for
Enhanced Inclusion & Impact**

12-14 MARCH, 2019

**INDIA INTERNATIONAL CENTRE (IIC)
NEW DELHI, INDIA**




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Preface

This report provides an overview of the proceedings of the third India Land & Development Conference, organized at India International Centre, New Delhi, India on March 12-14th 2019. The members of the organizing committee included Azim Premji University, Center for Land Governance (NRM), Foundation for Ecological Security (FES), Landesa, Housing and Land Rights Network (HLRN) and the Land Portal. The three-day event celebrated partnership with more than 30 Indian and global partners joining together and witnessed enthusiastic deliberations and sharing of experiences, knowledge and practices over twelve thematic areas which included twenty four panel discussions, six master classes, three lightening talk, and one innovation fair.

More than 300 participants from across Indian states and overseas attended the conference and contributed in making it an impactful debates and discussions in the arena of Indian Land Governance. The participants of the conference included representatives from Government of India, State Governments, International Institutions, UN agencies, bilateral donors, people's representatives, media, academia, NGOs, researchers, consultants, practitioners etc.

About 30 papers were presented in the conference orally and as posters. The presentations and deliberation were very well received by the participants and acclaimed as highly valuable for the land actors in prioritizing future action.

The presentations can be viewed from <http://centerforland.org/ildc19-presentation-day-1/>.

The contact list of panellists and paper presenters provided in panellist contact are as per the availability in the registrations during conference. The intent is to connect the likeminded scholars, researchers and experts to connect each other and build networking around this sector.

This report was prepared by Centre for Land Governance, NRM, the Secretariat of India Land & Development Conference 2019. The findings, interpretations and suggestions expressed herein do not necessarily reflect the views of NRM and other organising committee members. We do not guarantee the accuracy of data included in this report either.

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Recommendations of Conference

Session recommendations grouped into 12 thematic areas

Theme 1: Women Land Rights

While women constitute about half of the Indian population with equal constitutional rights, the land rights accorded to them through inheritance laws or otherwise remain a matter of grave concern. Women's contribution as a farmer is significant, but their share in the output and role in decision making are heavily curtailed for lack of land rights and resultant absence of identity as farmers. FRA stipulates recording of Individual Forest Rights with name of female spouse coming first, but practice differs significantly. Initiatives to enhance women's land rights are expanding with research, action and advocacy by some land actors, but a lot more change is required in policy and practice, including a shift in patriarchal mind sets.

Three sessions in ILDC 2019 focused on land rights of women 1) Women Inheriting Land: Rights and Realities (Organizers: Landesa and WGWLO); 2) Women, Land and Farming (Organizers: HLRN, Ekta Parishad, ILC-NES) and 3) Status of Women Food Producer and Policy Recommendation for Recognition of their Identity (Organizers: ILC-NES)

Recommendations::

1. Review all land laws from a gender perspective
2. Establish accountability mechanism for effective implementation of existing inheritance laws.
3. Simplify the provisions and clarify any overlaps between various laws
4. Collect and maintain gender disaggregated data of land ownership at all levels
5. Ensure secure land rights for women through ensuring women's name in land registration process; allocating redistributed land in women's names and by ensuring women's access to common property.
6. Pass the National Right to Homestead Law, and ensure homestead land allocation in women's name.
7. Ensure the passage of the Women Farmers' Entitlements Act and implement recommendations of the Swaminathan Committee
8. Recognize women as farmers, irrespective of whether they own land or not; y recognize the tenants, agricultural workers, and forest workers as farmers.
9. Allow women's names to be included in Kisan Credit Card and enable them to set up individual accounts for their enhanced access to credit.
10. Increase the number of women in land governance institutions viz. in Revenue and Forest Departments in line with FAO's VGGT recommendations, through reservation
11. Operationalize more gender-friendly tools, machinery for farm operations; Promote training of women farmers and make such technology accessible to them.
12. Promote local seeds and varieties and a mechanism to prioritize locally grown and relished crops in local area/ Public Distribution System.
13. Assert for adequate budgetary allocation for addressing pastoral women's issues to promote women's traditional livelihoods and pastoralism.
14. Implement FRA from the perspective of pastorals and fisher folks with necessary gender-sensitivity

Theme 2: Forest Rights, Indigenous Land Rights and Landscape Restoration

Forest rights are critical to the life and livelihoods of forest dwellers, tribal, pastoralists especially for women in these communities. While FRA promises are yet to be reflected in performance, there are grave concerns vis-à-vis forest rights in these constituencies. Attention to post-rights recognition has been minimal. The role of technology and innovations has found a mixed response from the grounds and actors, with contextual-adaptation, ethical-implications and local-embedding calling attention.

There were four sessions around this theme 1) Enhancing Impact of Forest Rights and Governance (Organizer: TISS); 2) Up-scaling Community Forest Resource Rights (CFR): Role of Technology (Organizer: ISB); 3) Rights of Pastoral Communities in Forest Rights Act: Initiatives and challenges (Organizer: Centre for Pastoralism); 4) Modalities for Building a Community-led Restoration Movement at Scale (Organizer: WRI-India).

Recommendations:

1. Remove the fundamental flaws in recognising forest rights using the empirical evidences.
2. Smoothen the institutional bottlenecks around FRA implementation through better coordination by the nodal agencies.
3. Recognize that forest tenure security can incentivise people's participation in climate change mitigation programs
4. Integrate the recognized IFRs in the state's Digital Registry of Record of Rights (RoR) ensuring updating and correcting of the area and location of IFRs
5. Facilitate and monitor post-forest rights recognition impacts on the livelihood, governance and sustainability of forest resources, through appropriate institutional mechanism
6. Organize consistent orientation at multiple levels on the process and intervention in the post-recognition to ensure desired convergence of line department schemes
7. Address and avoid conflict of compensatory afforestation programs with FRA implementation at the grassroots level; mandate that without Gram Sabha's consent the process is a clear violation of FRA
8. Recognise pastoralist mobility as a fundamental right.
9. Recognise the essential role of pastoralists in global environmental sustainability, including the conservation of biodiversity, mitigation of climate change and combating desertification.
10. Recognize rights of pastoral communities especially for those who migrate seasonally, as per section 31D of FRA; bring this under customary rights for the vulnerable community.
11. Focus on rights of pastoralists in non-tribal areas as a lot of older pastoral areas are now de-notified and are being developed by various development authorities.
12. Organize focus group (Researchers, CFR practitioners, NGOs, CSO, etc.) deliberations on the use of technology including web platform, satellite images, GPS, etc. for improving FRA implementation
13. Train key stakeholders on an understanding of satellite images, GPS, and other advanced potential technologies for FRA
14. Develop case studies on technology adoption and empowerment by the academic research group
15. Build a robust monitoring system using satellite imagery to showcase the positive impact of rights recognition on forest and tree cover.
16. Engage for policy level changes to catalyse adoption of technology around FRA implementation
17. Build a network of community led restoration in India to document examples to help scaling up; GO, CSO and communities involved in restoration can showcase their efforts in India's Restoration Opportunities Atlas and help list of best practices to scale community led restoration.
18. Provide government officials and communities' with access and opportunities to learn from successful models of community based resource management post CFR claim recognition; success stories from Maharashtra, central India groups and Soligas (BR Hills) could spur community led action
19. Promote adaptive learning to replicate and scale on how Institutions play a critical role in building community led restoration viz., Maharashtra government's efforts in addressing gaps and bottle necks in community management of resources
20. Build the capacities of farmers and local population in sustainably managing lands and building value chains for their products.

Theme 3. Technology and Land Governance

Technology is increasingly being looked at as a silver bullet for swiftly addressing many chronic and complex problems that land administration faces. With technology, particularly IT and GIS becoming increasingly affordable and universally accessible, evidences and arguments around the use of mobile, drone/UAV, high-resolution satellite imageries, block chain, machine learning and AI, to improve land governance are fast growing. While most technology uses are envisaged at land records, other applications around open data and land-information management, improving tax administration and also better connection to land use management options are fast opening up. Whether, technology is the next silver bullet in land administration, is also being contested, with potential threats around data use and privacy, perceived change in power relations, over-simplified codification of customary tenures as well as implications of digital-divide. The session on Technology Options to Improve Land Administration was jointly organized by Welthungerhilfe, NRMCLG and Ekta Parishad.

Recommendations:

1. Complete the digitization and updating of land records as early as possible
2. Take extra precautions while collecting and storing land rights data to prevent misuse.
3. Involve communities at all stages of land-data collection and verification process.
4. Explore using innovative technologies like drone mapping, geospatial, and mobile apps to validate the data.

Theme 4: Urban Land Tenure

There has been an increasing challenge and concern over urban land tenure particularly addressing the slum dwellers rights and also combating the risk of tenure insecurity in the real estate market. The growing urbanization has also put forth challenges in managing the urban commons and also providing affordable housing solutions to the urban communities.

Three panels deliberated on different aspects of urban tenure: 1) Land Rights of the Urban Poor in the Context of Forced Evictions and 'Smart City' Development (Organizer: HLRN) 2) Transferring Slums to Liveable Habitat: Odisha Model (Organizer: GOO & Tata Trusts) and 3) The Future of Urban Commons: Notes to both Fears and Possibilities? (Organizer: Azim Premji University)

Recommendations:

1. Adopt a human rights approach – implying the recognition of the rights to land and housing as human rights in policy and practice.
2. Provision legal security of tenure to the urban poor – where they live – not in remote settlements outside cities.
3. Make adequate spatial reservation for the urban poor based on their population in urban areas.
4. Control real estate speculation and privatization of public land.
5. Observe a moratorium on evictions and displacement; Implement the UN Guidelines on Evictions in case people have to be relocated in “exceptional circumstances.”
6. Provision different tenure forms - rental, cooperative, collective, since the current ones are not able to solve the problem of housing for all.
7. Implement the 74th Constitutional Amendment Act – ensuring increased participation of people in urban planning and devolution of powers to urban local bodies.
8. Make the law welfare-oriented and simple, when bringing it for providing land rights to slum dwellers
9. Give slum dwellers their land rights without taking their habitat away from them; empower them to take their decision and make their own house construction
10. Discuss with the community to understand their requirements and vision of their slum and together with NGOs and government officials work with them to realize the vision to provide basic amenities in the slums, making it liveable habitats
11. Use latest technology for mapping of slums with all information: spatial, personal in one platform for easy decision making, and ensure transparency in making land data universally accessible.
12. Ensure the benefits at the door step of the slum-dwellers; avoid making them to visit government offices to avoid the harassment for the marginalized.
13. Involve land revenue department in land ownership transfer process as they are the keepers of Record of Rights and to help in accessing the tenability and un-tenability status of land to be settled in the name of slum-dwellers
14. Create space for opportunities for civil society, academia and private sectors and build partnership with them interfacing slum-community for expeditiously mobilizing best solution
15. View the urban community through a nuanced layered lens for a better understanding of their relationships to the urban-commons land.
16. Promote community led formal land trusts that may strengthen their relationship to urban-commons land and increase their collective bargaining power.
17. Consider including reflexive law, iterative decision-making, legally binding authority and responsibility, and tangible state support to the legal framework for urban places with specific social-political-historical relations between actors

Theme 5: People-centred Land Governance

Land and people complement each other with a higher degree of as well as symbiotic inter-dependency. However, the institutions that govern land, market and societies have not been able to appropriately address the land and property issues of poor rural women and men, Tribal, and Dalits. The intricacies and overlapping nature of laws and policies don't necessarily ensure access, control and ownership of the people and communities over land and natural resources they depend on for their livelihoods, neither the policy makers see any incentive in facilitating this. The need of analysing and orienting land governance policies from these people's perspective remains less engaged, calling for efforts towards People Centered Land Governance. Similarly, while the importance of land tenure security, food security and gender rights for development is well known facts of governance and policy, their nexus remains under-investigated and less-nuanced. Global frameworks like VGGT and SDGs provide opportunities to align administrative and structural cultures, implementation and monitoring (data collection) initiatives towards streamlining of these linkages, with required initiatives still awaiting triggers and not mainstreamed.

This theme was discussed through these two lenses with different policy and practice examples in two sessions: 1) Closing the loop: From local to international frameworks in food security and land rights' (Organizer: University of Hertfordshire, UK & NRMCLG) and 2) How far Land Policies ensure people centred land governance in India – Experiences from grassroots in intersections with policies and practices (Organizer: ILC-NES).

Recommendation:

1. Take up appropriate amendments in the existing tenancy acts along with ownership rights to the women operational land holders.
2. Diversify livelihoods in a sustainable manner to ensure sustainability and resilience for women, tribal as well as rural population. (Examples offered from West Bengal, Gujarat and NE)
3. Organize VGGT (UN/FAO's Voluntary Guideline on Governance of Tenure) reporting from ground up; The Government of India should submit VGGT report.
4. Pass the pending Draft National Land Reform Policy, spearheaded by Ekta Parishad
5. Enable legal framework for local communities to claim and assert collective rights on commons
6. Involve communities in planning, regeneration and management of common lands, including distribution of benefits.
7. Recognize the forest rights of OTFD with due emphasis levied on them under FRA

Theme 6: Promises of Commons

Considering that the strength of the commons depends on the community, the language of commons has treated the community perhaps rather naively, and narrowly, as one that eternally represents egalitarian values. Lack of shared understanding on definition, use and management of commons remains a challenge both in rural and urban contexts. Ambiguous legal and institutional mechanisms governing commons along with weak policy framework makes unclear community ownership over commons. The theme included one panel organized by FES, which conducted a policy dialogue to achieve the promises of commons.

Recommendations:

1. Organize Legal and institutional reforms around commons
 - a. Restrict diversion of commons through stringent legal procedures
 - b. Enable legal clarity to decentralise management of commons
 - c. Develop a model commons policy at the national level and facilitate state policies on Commons
2. Integrate commons in rural livelihoods and development programmes to ensure doubling of farm income and ecological balance
3. Strengthen institutional framework for restoration and reclamation of existing and lost village commons
4. Allocate a major chunk of public expenditure budgeted for gram panchayat development towards soil and water conservation works
5. Double the budgetary provisions for livestock rearing
6. Centre-stage potentials of commons to create 'one hundred thousand' smart villages in the next five years

Theme 7: Customary Tenure in North East India

North East India exemplifies and boasts unique and rich diversity in land governance regimes in formal and customary space, which are witnessing a rapid transformation vis-à-vis contemporary development paradigms, generating opportunities, challenges and risks for local community and other land actors. Customary tenure in Nagaland now faces increasing insecurity over land tenure, while the matrilineal land tenure system in Meghalaya does not necessarily ensure tenure security. Unabated infrastructure development in Sikkim is negatively impacting rural communities with loss of land and improper compensation. There was one session under this theme titled 'Contexts, Issues and Challenges around Customary Tenure Regimes and Community Land Governance practice in NE India'. Jointly organized by RNBA, HLRN and NRMCC-CLG. The session deliberated on the issues and challenges in customary tenure practices in North East India.

Recommendations:

1. Build village -level land registry by community-mapping of land holding categories / land tenure systems across the tribes; Skill the community youth, ensure informed consent while building capacity of the traditional village council/authority.
2. Work with each individual tribal village for codification of the oral land laws and make rooms to support the existing traditional laws that are positive toward women and land in general as also recommended by Nagaland State Women Commission.
3. Conduct Feminist Participatory Action Research to enable equitable land rights to women particularly among the patriarchal/patrilineal/patrilocal tribal societies, while also promoting comprehensive research around customary land tenure.
4. Build partnerships among academia-CSO-traditional community institutions in developing robust land rights framework within the customary/traditional land tenure system that will have recognition/endorsement of the community leaders/institutions and the Government.

Theme 8: Small Farm Tenure and Land Leasing Reforms

Smallholder farmers make up the majority of the poor in India and belong to the most vulnerable and marginalized people. Along with other vulnerabilities; smallholder farmers are perennially trapped with highly insecure land tenure, which curtails their access to entitlements, credit and market leading to low production and income. About 25 million hectares of land is left fallow in India – a huge chunk of land that could be used productively, largely due to a sense of insecurity of landlords towards tenants. Governments' promise and effort towards doubling the farmers' income will be difficult to achieve in most farms due to lack of tenure security. Under this theme, a session on 'Land Policy Reforms to Double Small Farmers' income and achieve SDG' was organized by Smallholder Adaptive Farming and Biodiversity Network (SAFBN) Programme of Caritas Austria / India, ICRISAT and Centre for Agriculture Policy as a panel discussion, which deliberated largely on how the model land leasing act would ensure tenure security and farm investment.

Recommendations:

1. Ensure long-term access and control over land by smallholder farmers to ensure sustainable production
2. Make smallholders the primary stakeholders at all levels including the policy discussions and decisions
3. Encourage and establish multi-actor partnerships around small holder farmers
4. Enable land tenure security for productively using arable land lying fallow for food production
5. Legalise land leasing
6. Update and digitalize land records, followed by land titling
7. Give high priority for the immediate implementation of Haque Committee Report across the country.

Theme 9: Legal Reform

Land reform in India has remained an unfinished agenda in India. While there are more than a thousand land laws, the major legal disputes in Indian courts continue to be around to land. While “land” is a state subject, subjects relating to “land revenue” fall within the State List, but others, including “acquisition and requisitioning of property” and “registration”, and “trusts” remain in the Concurrent List. A majority of land laws were enacted during the 1950s and 1960s, following a steady decline, with a peak coming up again post 2000s. Most of the laws pertain to rural land reforms, land acquisition, land use, and urban tenancy and development. The engagements by land rights researchers and practitioners around the changes related to legal, policy and institutional reforms as well as technical innovations by state and non-state actors, demonstrate that the desired impacts of these changes are disproportionately distributed. Certain marginalized communities particularly women face immense challenge to secure their land tenure underlining the need and role of enablers and partnerships for assisting in enhanced access and control land resources and earn sustained livelihoods with dignity.

The theme witnessed two sessions: 1) One Thousand Land Laws: Mapping the Maze of Land Regulation in India (Organizer: CPR Land Rights Initiative) and 2) Land, Investment and Conflicts (Organizer: UNDP-India and NRMCC-CLG), the former a panel discussion and the latter a selected paper presentation.

Recommendations:

1. Review land laws pertaining to tribal issues around the central question of the role of land in poverty alleviation and balancing power nexus
2. Need to revisit the principal vision and purpose of urban land laws vis-à-vis theoretical and functional view of urban development
3. Mobilize political will for better implementation of land laws, proper institutional mechanisms, removing shortcomings and for improving the monitoring and implementation
4. Strengthen the justice system to reduce alienation of tribal communities in terms of land rights
5. Develop an all-encompassing resettlement policy which can look at the specific problems of SC and ST population.
6. Raise awareness amongst key policy makers on the importance of information sharing, knowledge management and, more specifically the power of an information ecosystem around land
7. Ensure livelihoods and housing for poor, especially women before they are displaced for development.

Theme 10: Land Records and Titling

As India aims conclusive titling, achieving one of its underlying principles: mirroring i.e. a state of sync of textual and spatial records with actual situation on ground, poses enormous challenge. Strategic technology-led initiatives around computerization of land records, digitization of cadastral maps, high-tech resurvey as well as linking encumbrances launched by flagship Digital India Land Records Modernization Program (DILRMP; earlier NLRMP) remain incomplete. Un-updated land records are cited as reasons for high prevalence of disputes in Indian civil courts (~66%) and reasons for denial of access to housing and farming entitlements by a majority of households. About 1.5 billion parcels either remain un-updated or un-surveyed, with a minimum of 10% needing updating every year, due to transactional and inheritance changes which is very difficult to achieve through conventional survey with the existing capacity of land departments in terms of ground force, skills and resources. Urban and peri-urban areas have a high demand, but a very poor state of land and property records, owing to historical focus of revenue-driven land records administration for agricultural areas. Post-independence, the coverage of urban land records has remained incomplete, even as high levels of transactions, high rate of urban spatial expansion and overlapping and expanding jurisdictional boundaries of multiple urban authorities have compounded the problem. Failure to ensure better urban property records and administration, has been considered as the prime reason for India's low ranking in the Ease of Doing Business, growth and expansion of the 'black' (underground) economy in real estate, poor progress of affordable housing and expansion of slums, with limited property rights or security of tenure. State and non-state actors, through various institutional and technological innovations, are trying to address these challenges and improve rural and urban land records and forest rights implementation. This theme had two sessions 1) Inclusive Land Tenure Mapping by Skilling Rural Youth (Organizer: NRMC-CLG and Centurion University) and 2) Creating Urban Property Records, for Improved Security of Tenure (Organizer: IIHS-CLG).

Recommendations:

1. Create opportunities for establishing partnership ecosystems around community surveyors among legal, technical and institutions
2. Establish flexible digital survey platforms like Uber, OLA, Urban Clap for Licenses/community
3. Explore leveraging Skill Mission opportunities to train local youth as community surveyor in coordination with land revenue department of states
4. Enable/enrol/link appropriate government/private institutions for skilling youth in land survey and mapping and build necessary capacity and infrastructure
5. Create quality packs/ training modules and certify the youth taking trainings as land surveyors.
6. Explore training the farmers through RPL- Recognition for Prior Learning, as another way to get land and mapping skill funded.
7. De-link issues of lack of tenure clarity, from the concept of affordable housing; de-link clarity in land titles, or efforts to have clear marketable land titles, from affordable housing.
8. Ensure regulatory mechanisms around clear land titles to prevent gentrification in cities, and marginalization of urban poor.
9. Delimit the overlapping and conflicting jurisdictions of multiple institutions in maintaining the property record needs by using technologically linked database.
10. Adopt a tenure continuum approach to settle the informal settlements with ownership or use right
11. Invest in systems to create and maintain a better quality urban property record getting updated on a real time basis.

Theme 11: Land Rights and Governance

Institutional failure in land administration has been a major area of concern, while one attempts to improve land governance and ensure inclusive tenure security. The dichotomy that seems to influence land governance remains the same two broad groups of development- pro business and pro socialist. While unregulated real estate development in urban areas finally leads to huge debts, the ignorance to address land rights of women and forest dwellers often imposes huge cost on the economy. Reorientation of the policy focus is required along with efforts to strengthen land institutions to correct for the rigidities. This theme had one session titled 'Land Rights and Governance: Policy and Practice Reflections' coordinated by NCAER, which consisted of selected paper presentations.

Recommendations:

1. Strengthen the land institutions to correct rigidities towards land rights to women and forest dwellers which imposes huge cost on the economy as well as ensure desired urban land supply for experiments like SEZs, IT parks, integrated townships etc.
2. Develop mechanisms to address the institutional paralysis in land administration viz. technical issues, fast rotation of the officials etc.; poor governance results in substantial gap between targeted and actual titling.
3. Bring in regulations around the real estate land market to avoid artificial price bubbles and unaffordable urban land prices
4. Ensure land rights to women farmers to address their exclusion from agricultural markets while increasing feminization of agriculture is happening with more male out-migration

Theme 12: Global perspectives, Land Data and SDG

Efforts to address land tenure security got a shot in the arm with Sustainable Development Goals (SDG) land indicators demanding monitoring of land rights, while digital technology fast expanding options to create and update land records. However increasingly digitization of land records and information and their fast globalization and opening up, also pose new threats and externalities while creating vast opportunities and innovation platforms. Concerns for data privacy, ethics and informed consent are rising along with demand and examples around community-based data creation and management and crowd sourcing. While Community-led data collection brings transparency, clarity and knowledge, empowerment, it requires enormous effort towards capacity building and setting up of systems to ensure timely data collection with reasonable accuracy. The theme included two panels; 1) Meeting SDG Targets around Land Indicators: Global Initiatives & Experiences (Organizer: NRMCLG) and 2) How to Tackle the Divergent Needs for Openness and Protection in Land Data Governance in India? (Organizer: University of Twente, Netherlands and NRMCLG).

Recommendations:

1. Build clarity and transparency in the way governments are collecting and reporting SDG land data
2. Support and ensure appropriate reflection of vulnerable communities and community-level data in national SDG reporting
3. Find alternative solutions (i.e. occupancy certificates) aside from documents issued by the government around land records both for tenure security and as an evidence
4. Create more flexibility around alternative forms of advancing tenure security
5. Make land data open (esp. availability, accessibility, standards, inter-operability) to add transparency, efficiency, participation in land administration and to promote land tenure security
6. Consider land data regulation as more as more land becomes open and visible. In this context converge NSDAP with Draft Data Privacy Bill
7. Inform adequately local landholders before taking their consent for their land-data collection and empower them to influence the processing and uses of their data
8. Distribute responsibilities over data management and sharing between civil society organizations, data platforms, technology providers, and governments





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Pre-Conference Events

Data Journalism Workshop & Webinars



WEBINAR
Forest Rights and Governance in India
January 30, 2019
6:00 PM - 7:30 PM IST
(1:30-3:00 PM CET or 7:30-9:00 AM EST)
 Co-hosted by:
NRMC  **land portal**

WEBINAR
Land Rights for Slum Dwellers in Odisha:
Making technology work for the urban poor
February 14, 2019
6:00 PM - 7:30 PM IST
(1:30-3:00 PM CET or 7:30-9:00 AM EST)
 Co-hosted by:
   **land portal** **NRMC** 

WEBINAR
Women Inheriting Land:
Rights and Realities
February 22, 2019
6:00 PM - 7:30 PM IST
(1:30-3:00 PM CET or 7:30-9:00 AM EST)
 Co-hosted by:
 **land portal** **NRMC** 

Key takeaways from webinar sessions

Forest Rights and Governance in India

- The Ministry of Tribal Affairs (MoTA) is the nodal agency for driving implementation of the Forest Rights Act through the states, and mandated to take up proactive steps to push for effective implementation of the Act.
- More than half of forest rights claims have either been rejected or pending at various levels (SDLC/ DLC).
- Implementation of the Forest Rights Act has been more successful in Maharashtra and Odisha due to tribal and forest dwelling communities and CSOs playing a proactive role in its promotion.
- Effective implementation of Forest Rights Act in India will require political will and commitment from both central and state governments along with transformation of the forest administration.
- Little progress has been made in recognizing the rights of other traditional forest dwellers due to lack of appropriate evidence to establish their occupancy for three generations in forest land.
- Persistent efforts of civil society organizations have resulted in the emerging focus on women's land rights within the purview of FRA.
- Although the Forest Rights Act provides equal rights to women over land and community forest resources and ensures representation of women, these provisions been largely ignored.
- A host of conflicting laws, policies and programs implemented by the Ministry of Environment and Forests undermine the Forest Rights Act.

Land Rights for Slum Dwellers

- The Odisha Land Rights to Slum Dwellers Act, which came into force in August 2017, confers land right on slum dwellers on an *in situ* basis. For untenable lands, such as protected forests or rangelands that cannot be settled, slum dwellers will be located in a new habitat in a nearby vicinity acceptable to the community with their full consent.
- To complement the Act, the JAGA Mission promoted by Government of Odisha puts efforts to transform the slums into liveable habitats, including civic infrastructure, amenities and services, benefitting 350,000 households and a population of 1,000,000.
- Conferring land rights to slum dwellers ensures that gains will be passed on from one generation to another, as these land rights are heritable.
- Government support at all levels, from the recognition of a need to adopt a new policy that would allow for recognition of informal rights and then executing it to the willingness to test and try new approaches, has been key success of the Act.
- Detailed and accurate drone imagery, combined with community data collection, were powerful and effective means of determining property boundaries to the satisfaction of the community.
- The project adopted multi-stakeholder partnership strategy from the beginning, mobilizing each slum community into Slum Dwellers Associations (SDA), combined with capacity building for stakeholders and functionaries, and was very cost-effective.

Women Inheriting Land: Rights and Realities

- Despite a hoard of international and national commitments, ownership of land continues to be an area with appalling disparities between men and women. An overlapping web of legal, structural, socioeconomic, and cultural factors prevent women from realizing their right to inherit land.
- Inheritance laws, policies, and regulations while not overtly discriminating against women, are gravely insufficient to ensure them an equal right to inheritance.
- The plurality of laws and huge ambiguities further undo progressive moves of the law. Even when the laws entitle equal rights to women, the social norms and institutions constrain women from claiming their inheritance rights.
- Although the Hindu Succession Amendment Act of 2005 improved inheritance rights, it has neither been effectively implemented nor monitored.

Inaugural Session

ILDC 2019



Land governance is at the heart of people's livelihood, heart of human rights and dignity. [@KarolBoudreaux](#)



Land governance can be seen as a path to prosperity and growth (Balancing development and conservation, especially in the case of forest land rights) @Dr. T. Haque



Application of Information technology solutions may resolve the challenge of land governance in India @HS Meena, Joint Secretary, Dept. of Land Resources, Govt. Of India

Key Takeaways

Issues

1. Consolidation of land records in India.
2. Implementation of Forest dwellers and pertaining laws especially FRA, 2006.
3. Land Governance in India.

Challenges

1. Co-operative federalism that involves different tiers of government for recording land records as a major issue for bringing up centralized and verified land records.
2. Shifts in political will has led to downplaying of forest and land right issues.
3. Insensitivity towards land issues and lack of adequate implementation of land and forest policies.
4. Effective community management of natural resources is becoming increasingly difficult in many regions with some exceptions.

Good practices

1. Community management of natural resources has been highly successful in Namibia, as a result of locals collaborating with the officials on the issues of sharing and management of resources.
2. Land rights for women has been recognized as a fundamental human right and is crucial for good land governance.
3. Reviewing the stories of communities and individuals dealing with land security issues, the conference launched the platform of “Our Land Our Story”, specifically focusing on women.

Recommendations

1. Application of technology can aid in resolving some of the issues of land governance in India (e.g. use of drones to measure land more accurately and quickly).
2. Active involvement of forest dwellers in the management of forest resources.

Panel Session Highlights

Session panel 1: Women Inheriting Land: Rights and Realities

Landesa & GWLO



The complex web - difficult setup through the inheritance land rights in India
@Akanshadubey



There is no uniform law of inheritance for women in India. It is largely determined by religion, tradition and custom @Kiran Gupta



The rural India thinks that if the land is owned by men, it results in better economic value, growth and prosperity of the family and better agricultural output as compared to land owned by women.
@Swati Sharma

Organizers:



Panellist:

Dr. Govind Kelkar, Senior Advisor, Landesa
Dr. Prem Chaudhry
Dr. Kiran Gupta

Nupur, Varsha, Nilam and Keshav, GWLO
Creating institutional mechanisms to ensure women's inheritance rights to land

Chair/Moderator:

Shilpa Vasavada, GWLO

Akansha Dubey & Shipra Deo, Landesa
Inheritance of land by women: an overview of laws in India

Prof. (Dr.) Reena Patel Dean, Maharishi Law School, MUIT,
Swati Sharma Hopebright Legal Empowerment
Foundations "Land of My Own"- Still a Dream for Most
women in India

Key Takeaways

Issues / Trends

1. Micro studies and all the available data suggest that Women's ownership of land in India is strikingly low. Comprehensive gender segregated data on land ownership is not available.
2. There are multiple laws with complicated provisions determining inheritance of women.
3. Some progress has been made but the provisions for women's inheritance are often inadequate to provide equal inheritance rights to women.
4. Where there are progressive provisions, the implementation of laws is not effective.

Challenges

1. Multiple and overlapping provisions makes it difficult to clearly understand the existing provisions and legal applications.
2. Existing cultural biases and social norms pose challenges in implementation of progressive laws and provisions.
3. Lack of mechanism to frame accountability in implementation of laws
4. Women's rights in marital property are largely ignored.

Good practices

1. Women's rights to inherit land are now being seen in the wider context of SDGs.
2. Institutional mechanisms of working with women's grassroots federations; training cadre of community based Para legal workers; setting up Swa Bhoomi Kendras by WGWLO at block level in Gujarat and establishing legal clinics where the lawyers support at block level for complicated cases
3. Sensitization of stakeholders such as revenue officials, elected representatives, community leaders, and community members towards rights of women
4. Review of laws from a gender responsive perspective and consistent advocacy with State towards requisite changes

Recommendations

1. A review all land laws, including inheritance provisions, is needed from a gender perspective
2. Mechanisms need to be established to ensure accountability for effective implementation of existing laws
3. There is a need to collect and maintain gender disaggregated data of land ownership at all levels

Session panel 2: One Thousand Land Laws: Mapping the Maze of Land Regulation in India

CPR Land Rights Initiative



There is need of protecting the poor and the marginalized. Land is what demarcates the powerful from the powerless. [@raghavchandra](#)



India has more than 100 federal land acquisition laws and 100s of state laws [@NamitaWahi](#)



Citing the example of Andhra Pradesh(undivided), where state has gone through lot of land laws & policy reformation, one actually needs to navigate the policy and understand rule books to understand laws [@Arkaja Singh](#)

Organizer:



Panellists

Lead Presentation: Dr. Namita Wahi, Mr. Ankit Bhatia, and Ms. Soumya Jha, CPR Land Rights Initiative
Raghav Chandra (IAS (retd.)), Former Secretary, Government of India, President Society for Culture and Environment and member of Steering Group for Centre for Tribal Research and Exploration, Ministry of Tribal Affairs

Chair/Moderator:

Dr. T Haque, Former Chairman, Land Policy Cell, NITI Aayog

Usha Ramanathan, Independent Law Researcher

Ramesh Sharma, National Coordinator, Ekta Parishad

Arkaja Singh, Fellow, Centre for Policy Research (CPR)

Key Takeaways

Issues/ Trends

1. Land is major source of legal disputes and on ground conflict in India, both because of its importance to individuals and communities as a social, economic, and cultural resource, and also because of its importance to the government for the purposes of economic development.
2. Legal and extra-legal conflict over land threatens not only India's economic development, but also its social and political stability.
3. Centrality of land in poverty alleviation and power nexus

Challenges

1. Complexities around types of land (based on land use, topography, and ownership); agrarian tenure systems and historical nature of land governance in India around Zamindari, Mahalwari, Ryotwari; land reforms; and legal arrangements (like, Fifth and Sixth Schedule areas).
2. Within India's federal system, "land" is a state subject, and many subjects relating to "land revenue" fall within the state list, but many other subjects, including "acquisition and requisitioning of property" and "registration", and "trusts" are subjects within the Concurrent List, on which both union and state legislatures can legislate.
3. Vast majority of original laws were enacted during the 1950s and 1960s, and following that there is a steady decline, though legislation picks up again post 2000s. Land laws present chronology of contradictions in postcolonial India, demonstrating the ideological shifts in land governance over time, especially in the post-liberalization
4. Land legal framework suffers from weak monitoring and implementation perspective, lack of proper institutional mechanisms, and lack of political will in implementation of laws.

Good Practices

1. Compilation of comprehensive database for the first time in India by CPR LRI, of laws enacted at the level of Central as well as the State governments - includes original laws and its subsequent amendments covering eight states in India viz. Andhra Pradesh, Assam, Bihar, Gujarat, Jharkhand, Meghalaya, Punjab, and Telangana.
2. Creation of the database with 150 central laws and 1261 state laws is a first step in navigating the labyrinth of land regulation in India, with a view to streamlining existing laws.

Recommendations

1. Review land laws pertaining to tribal issues around the central question of role of land in poverty alleviation and balancing power nexus
2. Need to revisit the principal vision and purpose of urban land laws vis-à-vis theoretical and functional view of urban development
3. Mobilize political will for better implementation of land laws proper institutional mechanisms, removing shortcomings and improving the monitoring and implementation

Session panel 3: The Future of Urban Commons: Notes to Both Fears and Possibilities?

Azim Premji University



This is appropriate time to talk on the urban as across the globe social and natural scientist have agreed that our urban and industrial ways of life have altered the geological and climatic system in a significant way. @ Abhayaraj Naik



Talking on the questions of urban commons, @ Sushmita Pati says Urban commons which was understood to be a rural phenomenon for long has now been highly acknowledged a urban phenomenon and strength of urban commons lies in the urban community.



Tourism projects on common land (mostly urbancommons) sponsored by corporates are more focused on rich(elite) class tourists than mass/public tourist thus making the use of common land un-common @ Swati Shesadri

Organizer:



Panellists

Abhayaraj Naik: Lawyer, Environmental Activist and Visiting Faculty at National Law School of India University.
Governance of Urban Environment: Commons in Indian Cities

Swati Sehadhri, Equitable Tourism Options
Tourism Planning and Land Governance: A case study of Dharavi Bet

Chair/Moderator:

Champaka Rajagopal, Senior Practitioner, Urban Design and Planning & Visiting Faculty, Azim Premji University, Bangalore

Sushmita Pati, Assistant Professor, Azim Premji University, Bangalore
The Privatisation of Commons, Land, Real Estate and Politics in South Delhi

Key Takeaways

Three panelists – an academic working on urban villages, an environmental activist cum legal expert and a practitioner focusing on tourism development in India, deliberated on diverse forms of changing local demands and dilemmas that confront claims to land-based urban commons.

Issues and Challenges

1. Considering that the strength of the commons depends on the community, the language of commons has treated the community perhaps rather naively, and narrowly, as one that eternally represents egalitarian values.
2. Western teleological approaches in environmental law and policy for urban India do not capture the realities of Indian urban environmental complexity.
3. While the socio-technical, socio-political and socio-historic approaches posited by several researchers and practitioners, are legitimate approaches to address the heterogeneities and multiplicities of urban modernity's in India, they are still paradigms that tend to universalize and generalize approaches to environmental justice. While these approaches reinforce the premise that urban environmental governance is defined as comprising "formal and informal" rule making, and actor networks across scales, sectors and institutions, they still have not ushered the necessary change in mitigating social and ecological vulnerabilities. For the Indian urban context, an adaptive governance framework that addresses situated ecological considerations forms a relevant approach.

Good Practices:

1. In Dharavi Bet, an island located to the West of Greater Mumbai, the local fisherman's communities sustained resistance against two large private corporations, including Essel World, who repeatedly threatened their very existence with the possibility of acquiring the commons land for large scale tourism projects and establishment of associated firms.
2. The local people's movement strategically targeted political foundations of the problem. In doing so, they mobilized the cohesiveness of their community and collective bargaining power to extricate themselves from the jurisdiction of the Mumbai Metropolitan Region Development Authority's (MMRDA), a developer in their role and function, and be transferred back to the jurisdiction of the Municipal Corporation of Greater Mumbai (MCGM), preventing any threat of their dispossession from their native land.

Recommendations:

1. There is a need to view the community through a nuanced layered lens for a better understanding of their relationships to commons land.
2. Community led formal land trusts may strengthen their relationship to commons land and increase their collective bargaining power.
3. For urban places with specific social-political-historical relations between actors, a legal framework should include reflexive law, iterative decision-making, legally binding authority and responsibility, and tangible state support.

Session panel 5: Women, Farming, and Land rights

Housing and Land Rights Network, Ekta Parishad & ILC- NES



Gender division of work: women's work including in agriculture not included in labor market. Since their work is not recognized, their right to ownership is also not recognized. Dr. [@GovindKelkar](#)



The idea of farmer in India is flawed so much to include that even in banking definitions and govt. schemes we can only identify farmer as a male entity. [@Ramesh Sharma](#)



Women are the main source of knowledge, starting from preservation of seeds to natural pesticides to managing available credit. [@Sharat Singh](#)

Organizer:



Panellists

Dr. Govind Kelkar, Senior Advisor, Landesa

Dr. K P Soma, Independent expert and member of National Facilitation Team, MAKAM

Chair/Moderator:

Shivani Chaudhry, Executive Director, Housing and Land Rights Network

Shraddha Kashyap, Ekta Mahila Manch, Ekta Parishad

Sharat Singh, Society for Promotion of Wastelands Development (SPWD)

Key Takeaways

Issues and Challenges

1. The practice of propagating the forest department as a sole protector of the forest has led to the harassment of forest dwellers. Women, depending upon and interacting with forest for livelihoods, are treated as criminals by the forest department.
2. Persistent discrimination against women farmers, including women forest workers and forest-dwellers.
3. Non-recognition of agricultural work done by women even though they constitute about 60% of the agricultural workforce and contribute to 80% of India's food production.
4. The perception of who a farmer in India is skewed, even in banking definitions and government schemes, a farmer is identified solely with male pronouns.
5. Language in Indian policies is also biased towards the male – very little space and recognition of women's contributions.
6. Women have a limited voice in decision-making even though they constitute the majority of farmers, especially marginal farmers.
7. Lack of land rights for women and failure to recognize women as farmers is leading to increased hunger, marginalization, and impoverishment of women.
8. Cultural taboos and “fragmented voices” of women need to be acknowledged, while some women may fight for their secured rights to land, they may not think of giving land to their daughters especially if they also have sons. This is a sign of how entrenched patriarchy is in India.

Good Practices:

1. Initiatives and outfits like Gulaabi Gang and AROH Campaign have empowered women to the level that they deem themselves “saksham.”
2. In Balrampur, Odisha, women hugged trees and protested against their felling; this resulted in the prevention of further deforestation.
3. Supporting and training women for agro-ecological approaches to improve food security and nutrition in Gujarat by WGWLO NGO network partners

Recommendations:

1. Recognize women as farmers, irrespective of whether they own land or not. Include tenants, agricultural workers, and forest workers. Forest-dwellers and forest workers must also be recognized as farmers.
2. Ensure secure land rights for women; register land in women's name; allocate redistributed land in women's name; ensure women's access to common property.
3. Allow women's names to be included in KCC accounts and to enable them to set up individual accounts, so that women can have access to credit.
4. Pass the National Right to Homestead Law, and ensure allocation of homestead land in the names of women.
5. Ensure the passage of the Women Farmers' Entitlements Act and implement recommendations of the Swaminathan Committee.
6. Increase number of women, including through reservation, in Revenue Departments and Forest Department.
7. Collect gender-disaggregated data on farmers, land ownership, and other issues related to women and farming.
8. Operationalize more gender-friendly tools and machinery for farm operations. Promote training of women farmers and make such technology accessible to them.
9. Promote sustainable cultivation methods and agro-ecological concepts.

Session panel 6: Inclusive Land Tenure Mapping by Skilling Rural Youth

Centurion University & NRMCLG



There are challenges to get skilled manpower for land mapping across India. Integrating land mapping in skill training is the option to fill this gap. @Prof. Dr. Muktikanta Mishra



There are an estimated 1.5 billion parcels in India, but only 264 million are mapped [@prchoudhury](#)



License surveyors can also be launched in application platforms like Uber, OLA, Urban Clap and utilize the surveyors' service as per requirements @Ravi Ranjan

Organizer:



NRMCLG

Panellists

Ravi Ranjan, Mission Director at Jharkhand Skill Development Mission Society, Govt of Jharkhand

Prof Mukti Mishra, President, Centurion University, Odisha

Chair/Moderator:

Frank Pichel, Cadasta Foundation

Pranab R Choudhury, NRMCLG

Key Takeaways

Issues and Challenges

1. Estimated 1.5 billion land parcels in India require updating mirroring ground situation, if the goal of conclusive titling aimed by India's flagship DILRMP is to be achieved; additional 10% of these parcels have to be updated annually to address the transactional changes
2. Efforts by DILRMP around computerization of existing records and digitization of existing (old) maps have been encouraging while resurvey has not been able to take off.
3. Revenue department in states is heavily loaded with many other works. Department personnel have not been trained and exposure to technology is not as per the current demand.
4. To carry out implementation of FRA, government depends on retired Revenue Inspectors and Amin, but the progress is slow and costly
5. While with available technological revolution, easier options are available, mapping these numbers in 0.6 million village through desired participatory processes require about 1.2 million surveyors to complete and update the records right.
6. While some states have legal provisions around private/licensed surveyors using modern technology, the institutional framework around implementation of the same has been poor and not tuned to encourage rural youth
7. Successful skilling initiatives around skill missions lack provisions to promote land surveying as a skill; it also suffers from the limitations of promoting only job-oriented skills, not entrepreneurship skills

Good Practices/Scope

1. Experience of private surveyors in Karnataka and Andhra Pradesh and similar provision of licensed surveyors in Survey Acts of Odisha and Bihar provide space for certified licensing. These Acts also have provision of using modern technology including DGPS based survey for land mapping process.
2. State of West Bengal on a similar note with help of Landesa has worked with Women SHGs to train the members carry out mapping and surveying and is recognized by government.
3. Approx. 40 land legal services including mapping is being delivered by Bhoomi Bandhu initiative through locally trained youth by BRAC in Bangladesh.
4. Example from pilot mapping exercises by NRMCA and others around forest rights and customary tenure mapping indicate that local youth and community can be trained to use mobile based DGPS to map their parcels.

Recommendations

1. Potential resources of Skill mission of GoI and states can be leveraged to train rural youth on land surveying and mapping using ubiquitous mobile phones augmented to DGNSS in collaboration with relevant departments viz. Land revenue department, Tribal departments (for FRA) starting with states, having legal provision around community/licensed surveyors
2. Donor must help in piloting techno-institutional models and platforms to promote engagement of skilled rural youth in land surveying and mapping using downsized IT/GIS tools, supported in the back-end technology and legal firms, with involvement of Government
3. Land survey should be treated as an added skill and National Skill Development Council should recognize and facilitate trainings and encourage them. Quality packs/ training modules to be created and certify the youth taking trainings as land surveyors.
4. Existing skilling institutions should be incentivized to introduce the land surveying and mapping module along with their existing curriculum. Government may consider paying the common cost towards the training as per the norms.
5. Training the farmers through RPL- Recognition for Prior Learning, can also be looked as another way to get land and mapping skill funded.

Session panel 7: Land, Investment and Conflicts

UNDP-India & NRMCLG



Lack of any sensitive institutional mechanism for women to seek counsel and redressal in the situation when they want to understand and realise their land rights @Pallavi Sobtirajpal



It is estimated that 50-60% of tribal land in Jharkhand has gone to non-tribal due to development and related acts and process. Moreover, the alienation and restoration of tribal land and land rights is now the most complex in Jharkhand @Praveen Kachhap



Apart from inheritance to land only, we should also encourage women to apply singly or jointly to various schemes offered by govt. and public institutions to own assets. @ Kanta Singh

Organizer:

NRMCLG

Panellists

Dr. D. Rajasenan, Director, CSSEIP & **Dr. Rajeev B** Associate Professor, CSSEIP
Development Triggered Displacement vis-à-vis Livelihood Deprivation of the Scheduled Castes and Scheduled Tribes in Kerala

Praveen Kachhap, PhD Scholar, TISS
Land rights of Tribes and disputes in Jharkhand

Chair/Moderator:

Kanta Singh, UNDP-India

Brototi Roy, PhD Scholar, Autonomous University of Barcelona
Environmental Justice Movements in India: An analysis of the multiple manifestations of violence on the marginalized

Gauriben, Pallavi and Nafisa, Dinesh, Shilpa
Changing land scenario in the era of Globalization and women's inheritance rights to agriculture land: insights from Gujarat

Key Takeaways

Issues and Challenges

1. Regions where agriculture dominates livelihoods, land is important for excluded communities for reducing the risk of poverty and enhancing food security.
2. Land rights are finally at a point of global attention due to the inclusion of several land-related indicators in the Sustainable Development Goals (SDGs). A major challenge before India's land sector in achieving SDG is to ensure faster and proper inclusion of excluded communities and groups, living without land rights viz. women, landless, tenants and share-croppers, Dalits, minorities and indigenous communities; forest dwellers including pastoralists, coastal communities including fish workers and slum dwellers etc.
3. The land reform implemented in various states in India have not attained desired impact to the marginalised communities like the SCs and STs, instead it increases displacement and forceful eviction.
4. The present situation of impoverishment among the SCs and STs in Kerala in terms of poverty, livelihood issues because of land alienation, lack of education and lack of housing due to the development induced displacement.
5. Development induced displacement, progressive land reform legislation too works as centrifugal forces for displacement. This is because the available land under this scheme is not properly allocated to avoid colony formation. This also forces poor and Dalits to move to poor vicinity without any infrastructure for proper living.
6. India has the highest number of murdered land and environmental defenders in South Asia, and the second highest after Philippines in Asia.
7. As against 75% women, only 53% men are still in agriculture. From this 75%, only 10% of women own land. About 60 – 80% of food and nearly 90% of dairy products are produced by these women.
8. An estimated 32% of rural households are de facto women-headed (widows, deserted women as well as women who manage farming when men migrate). But even among this large and growing body of female headed households in India, just 35% have direct access to land in their own right.
9. With meagre access or control over productive resources like land (also, housing, farming resources/income), women's access to government schemes, subsidies, credit, access to technology or markets is limited. They are reduced to a state of extreme dependence on those who own and control these resources (husbands, families, big farmers).
10. Increasing prices of land thus increasing ways to alienate women from land: Daughters are socialized not to sustain their claim is a known fact, but the district variations show that it is largely in districts where land value is increasing more, that women are the first victims of the withdrawal of their claims. They are then given some small amount, but not equal to the actual value of the land.
11. While daughters are forced/socialized to give up their rights as a part of the tradition, now she is pressurized by the in-laws, to argue that the thumb impression was not hers, or the sign was not hers! – so that she can claim her right as daughter and get the value of land when it is sold! Patriarchy functions both ways here.
12. While the personal laws and tenurial land laws make unequal provisions for women's land share, the reality is that societal practices deny women their land rights even when it is permitted under law. Land transfer in India occurs mostly through inheritance and women face severe discrimination from their families in this respect.

Recommendations:

1. Government should develop all-encompassing resettlement policy which can look at the specific problems of SC and ST population
2. Justice systems have to be strengthened to reduce alienation of tribal communities in terms of land rights
3. Livelihoods and housing for poor, especially women have to be ensured before they are displaced for development.

Session panel 8: Closing the Loop: From Local to International Frameworks in Food Security and Land Rights

University of Hertfordshire, UK & NRM-CLG



Organizer:

University of Hertfordshire UH

Hertfordshire Law School

Panellists

Dr. Chamu Kuppaswamy, Senior Lecturer, Hertfordshire Law School, UK

Govind Desai, Jyotsna Tirkey, Purushottam Vankar, Trupti and Anjali Gamit, GWLO

Single Women and Inheritance rights to land: Strategies and learning from Gujarat

Chair/Moderator:

Dr. Chamu Kuppaswamy, Senior Lecturer, Hertfordshire Law School, UK

Sejal Dave, Sureshbhai, Jayshree, Ravindrabhai, Hiral Dave, Jyotsna, Alice, Babubhai and Karen, GWLO

Tribal Women and Inheritance Rights to land: Experience and learning from Gujarat

Bibhor Deo, Presearcher, Vasundhara

Conflict of Forest Land and Resources: Addressing them through Community Forest Rights under Forest Right Act, 2006 by using technology in Odisha

Key Takeaways

Issues / Trends

1. Food security and land tenure are integrally linked. Forests also play a vital role.
2. Women play a key role in household food security.
3. Tenancy is increasing and should be fully accommodated into economic policies and the law.
4. Economic instruments such as tenancy should be gender equitable.
5. Ground up reporting on food security and land tenure using SDGs and quasi-legal instruments is gaining traction.

Challenges

1. Slow rate of updating of land records
2. Administrative practices that relegate women's names later on in the list, with the chance of being left out.
3. Data in relation to agricultural practises from various primary sources are not consistent. Definitions and scope of terms in data collection not clear
4. Social position of single women is low
5. Single women burdened with agricultural work as well as household work
6. The agrarian structure of Indian economy has been witnessing reduction of mean size coupled with high level of fragmentation and marginalisation.

Good practices

1. Tool Library and Drudgery reduction tools introduced by WGWLO – to ease the work of women, also they make sure women don't do more burdensome work in the time that has been saved!
2. Incentives through stamp duty relief for women brought in many states
3. Swabhoomi Kendra – Revenue officers at block level and hands on help with paralegal workers to ensure women inherit rightfully.
4. Inheritance rights capacity building workshops are conducted by WGWLO.
5. 15 blocks paralegals meet for tribal and non-tribal issues, sharing, reflection and training, the sessions include state level and retired govt. officers are in the sessions, thus creating linkages and rapport.
6. CBD, PESA, CAMPA, Biodiversity act, FPIC and other laws are important for forest rights.
7. Joint land ownership for women is as important as inheritance rights.

Recommendations

1. Appropriate amendments in the existing Tenancy Act along with ownership rights to the women operational land holders should take place.
2. Diversification of livelihoods in a sustainable manner is an attractive option for sustainability, resilience, and women and tribal communities. Examples were offered from West Bengal, Gujarat and NE.
3. VGGT reporting should take place from ground up, and GoI should submit VGGT report.

Session panel 9: How far Land Policies ensure People centred land governance in India – Experiences from grassroots in intersections with policies and practices

International Land Coalition-NES



Government doesn't want to recognize pastoralists as a significant group of people though they are present everywhere in the country @Dinesh Rabari



The classification of commons remains complicated and common land is shrinking drastically. @ Barna Baibhav Panda



Grass level public institutions like Panchayats & its affiliates play crucial in creating awareness on land rights among women. It is thus important to work with these institutions for Land rights @Kritida Vora

Organizer:

Panellists

Anu Verma, NES India

Vidhya Bhushan Rawat, SDF

Policy Analysis of First Generation LR laws; policy recommendation using old and new legal tools to enforce first generation LR

Dinesh Rabari, MARAG

Policy Recommendations to ensure sustainability of Pastoralism in India, how it interacts with other existing policies

Chair/Moderator:

Yonas Mekonen, International Land Coalition

Barna Baibhav Panda, FES

Does policies and acts ensure people's governance over forest – what lies in future

Mohan Dangi, Prayatna Samiti

How Natural Farming Practices help in ensuring PCLG to farming communities, does policies in the favor?

Govind Desai, **Jyotsna Tirkey**, **Purushottam Vankar**, **Trupti and Anjali Gamit**, GWLO

Influencing Panchayats to ensure women's inheritance rights to land : Case study of AKRSP (India)

Key Takeaways

Issues

1. First generation land reforms are yet to be implemented in their spirit
2. The common land is shrinking.
3. Less clarity and action on post-Forest Rights recognition of management of resources
4. Higher rejection of CFR and IFR claims

Challenges

1. Under the Land Ceiling Act, the landless do not have either access, control or ownership over land, to the surplus land; however, huge landholdings have been given to the goshalas, religious trust, etc.
2. The role of pastoralists in use of commons is not recognized
3. The classification of commons remains complicated.
4. Non recognition of forest rights of OTFD

Good Practices

1. Natural Farming Practices Developed by Cho Han kyu, as a methodology to improve the living of the poor farmers – Model used by NES India
2. Influencing Panchayats to ensure women's inheritance rights to land: Case study of Aga Khan Rural Support Programme (India) and WGWLO

Recommendations

1. Enact the Land Reforms Bill spearheaded by Ekta Parishad.
2. Create an enabling legal framework for local communities to claim and assert collective rights on Commons
3. Involve communities in planning, regeneration and management of common lands, including distribution of benefits.
4. Recognize the rights of OTFD and emphasise them under FRA

Session panel 10: Enhancing Impact of Forest Rights and Governance

Tata Institute of Social Sciences (TISS), Mumbai



There has been a 10% decrease in the bamboo plantation in Kerala due to the clear field method adopted by private companies. Scarcity leads to such environmental tragedies @Dr. Anita V



Compensational afforestation and plantation fencing are leading to legal and physical land gaps. Why are there land gaps in areas where shifting cultivation is practised? @Laura Valencia



Individual claim rights have helped the people of village to save their land from being converted into plantation fields by the forest officials and private agencies. @Prasant Mohanty

Organizer:



Panellists

Dr. Anitha V, Associate Professor, University of Kerala
Climate Resilience: Forest Right Act, 2006 Based Solutions

Aparna Tyagi, TERI School of Advanced studies
Assessment of Implementation of the Forest rights Act, 2006 in Sonbhadra District of Uttar Pradesh.

Chair/Moderator:

Dr. Geetanjoy Sahu, Assistant Professor, School of Habitat Studies, TISS

Sarbeswar Singh Sahoo, Landesa
Strengthening tenure security of the FRA title recipients through correction of government record

Prashant Mohanty, Executive Director, NIRMAAN
Learning, good practices and challenges in facilitation of Forest Right Act for Inclusive Land Governance and development.

Laura Valencia, Scholar, University of Toronto
Forest restoration and afforestation in India

Key Takeaways

The broad aim of this special session on impact of forest rights and governance was to explore and highlight the major socio-economic benefits of forest rights act both from individual and community forest rights recognised point of view.

Issues/Challenges

1. Lack of monitoring and assessment of post-forest rights recognition impact on the livelihood, governance and sustainability of forest resources
2. Interface of multiple laws at the implementation level in addressing forest conservation and climate change concerns.
3. Recognition of individual forest rights has several fundamental flaws viz. gap in the recognised and claimed area, no record of rights issued so far in many parts of Odisha. Intervention by the state in the post-recognition phase has been very minimal around enhancing the livelihood of forest dwellers.
4. In the absence of due interventions by the nodal agency i.e., Tribal Welfare Department, forest dwellers have been facing challenges in asserting their rights.
5. Conflicts of compensatory afforestation programs and forest rights act implementation at the grassroots level. Without Gram Sabha's consent afforestation activities are undertaken by the forest department which is a clear violation of forest rights act. Several misuse of compensatory afforestation funds have also been observed in non-plantation activities.

Good Practices

1. Forest dwellers better adapt to climate change in different parts of Kerala where FRA has been implemented effectively. Tenure security right has incentivised people's participation in climate change mitigation programs.

Recommendations

1. Collective action in the management of forest resources require tenure security of individuals and a democratic and transparent institutional arrangement.
2. The recognition of rights without institutional support will not promote and enhance the livelihood of people, despite recognition of rights.
3. Consistent orientation at multiple levels about the process and intervention in the post-recognition to integrate line department schemes is the need of the hour.

Session panel 11: Policy Dialogue to Achieve Promise of Commons

Foundation for Ecological Security (FES)



Commons have degraded in the absence of proper institutional, legal and governance framework and laws for their management says [@T_Haque](#)



Cognitive psychology and behavioral economics have a great role in formulating the policy regarding commons, how they can serve as a challenge as well as an opportunity. @Dr.Kanchan Chopra



Integrate rural livelihoods and development programmes with the commons to ensure doubling of farm income and ecological balance @Sanjoy Pattnaik

Organizer



Panellists

Sanjoy Pattnaik, Consultant, FES

Introducing the session – Objective and panellists

Dr. Kanchan Chopra, Former Director and Professor, Institute of Economic Growth, University of Delhi

Chair/Moderator:

Dr T Haque, Ex-Chair, Land Policy Cell, Niti Ayog

Dr. Ankita Goel, Associate Professor, CSD, New Delhi
Planning for Integrated use of Village Commons:

Key Findings and Policy implications'

Vishnukant Govindwad, TISS

Key Takeaways

Issues and Challenges

1. Lack of shared understanding on definition, use and management of Commons
2. Data deficit and use of archaic data around commons
3. Ambiguous legal and institutional mechanisms governing Commons
4. Weak and poor policy framework recognising community ownership over village commons
5. Limited awareness and knowledge about contribution of Commons
6. Encroachments and large-scale individualisation of CPRs

Good Practices

1. Integration of commons into government programmes like MGNREGA and NRLM: Use of Comprehensive Landscape Assessment and Restoration tools by FES to augment such integration

Recommendations

1. Legal and institutional reforms
 - a. Stringent legal procedures to restrict diversion of Commons
 - b. Legal clarity to decentralise management of Common
 - c. Model Commons Policy at the national level to facilitate state policies on Commons
2. Integrate rural livelihoods and development programmes with the commons to ensure doubling of farm income and ecological balance
3. Strengthen institutional framework for restorations and reclamation existing and lost village commons
4. Earmark a major chunk of public expenditure budgeted for gram panchayat development to be spent on soil and water conservation
5. Double budgetary provisions for livestock rearing
6. Centre-stage potentials of Commons to create 'one hundred thousand' smart villages in the next five years

Session panel 12: Contexts, Issues and Challenges around Customary Tenure Regimes and Community Land Governance Practices in North East India

RNBA, HLRN & NRMC-CLG



In Meghalaya, a matrilineal society gives inheritance rights to women, but laws were introduced to deny that right if she marries outside the tribe. Women are forced/threatened into giving consent for land use @Jaynie Sangma



In northeast India inter-tribal conflicts, overlapping claims, lack of legal frameworks, prevalence of customary laws that marginalise women and mega projects are challenges



Partnerships among academia-CSO-traditional community institutions in developing robust land rights framework within the customary land tenure system that will have recognition/endorsement of the community leaders/institutions and the Government

Organizer:



Panellists

Dimgong Rongmei, Secretary, Rongmei Naga Baptist Association (RNBA), Manipur

Akeina Gonmei, Chief Functionary, Rongmei Baptist Association (RBA), Nagaland

Chair/Moderator:

Dr Vincent Darlong, Vice Chancellor, Martin Luther Christian University, Shillong

Jaynie Sangma, Social Activist, Meghalaya

Lobsang Gyatso, Save Mon Region Federation, Tawang, Arunachal Pradesh

Gyatso Lepcha, Affected Citizens of Teesta, Sikkim

Key Takeaways

Issues/Trends:

1. Naga customary land tenure especially in Nagaland & Manipur reflects increasing tenure insecurity among individuals ; increasing land conflicts as customary laws being only oral codification; no legal framework and institutions for land governance; shrinking community land due to land acquisition for mega government programmes; and elite capture of land.
2. Matrilineal land tenure in Meghalaya do not necessarily ensure secure land tenure to all women; while the youngest daughter among the Khasi society could inherit the ancestral land/property, in practice she is only the custodian. The overall 'land basket' within customary regime of land tenure is actually reducing for women.
3. Unabated infrastructure development particularly roads and hydroelectric projects in Sikkim is affecting land tenure of rural communities; land compensation where applicable is inadequate and untimely.

Challenges

1. '*Meiram mei nap phunbou de*' a customary tenure system in Manipur, reflects persistent patriarchal mind sets that consider women belonging to others' house, therefore, no assets be given as that will go to other households.
2. Privatisation of community land through issuance of 'land patta' to individuals to secure bank loans for cash crop plantations often have no inclusion of wife's name but only that of the husband in Meghalaya
3. Implementation environmental management plan for land restorations is affected by development activities in Sikkim

Good practices:

1. Ms Dithuanliu Kamei as the first woman Chairperson of the Village Council of Machiang Village in Nagaland, has ushered in some exciting transformation. Her conduct of the Village Council meetings and deliberations has led to respectable attention for the women. Male members appreciate her efforts for inclusive social justice in every decisions of the village authority.
2. RNBA partners are facilitating mapping of different categories of land tenure within local customary practices by using modern technologies in some villages in Manipur hills. They are assisting development of village cadaster with village authority with issue of the Land Tenure Certificate (LTC) which respects the customary practices while embedding women land rights. This is being appreciated as a good practice giving hope to providing secure land tenure/rights to the women and also contributing to peace building between conflict-prone communities.
3. In Meghalaya, under the Meghalaya Succession to Self-Acquired Property (Khasi & Jaintia Special Provision) Act of 1984 many families are purchasing land and giving equally to all daughters (and also sons), thereby, enabling land title to all women members in the families (while the youngest daughter gets the ancestral property).

Recommendations:

1. Map various land holding categories / land tenure systems across the tribes by skilling the youth and capacity building of the traditional village council/authority.
2. Work with each individual tribal village for codification of the oral law for land, making rooms to support the existing traditional law that are positive toward women and land/in general as also recommended by Nagaland State Women Commission.
3. Institute a Feminist Participatory Action Research that will enable equitable land rights to women particularly among the patriarchal/patrilineal/patrilocal tribal societies, as well as promoting comprehensive research around customary land tenure.
4. Promote partnerships among academia-CSO-traditional community institutions in developing robust land rights framework within the customary/traditional land tenure system that will have recognition/ endorsement of the community leaders/institutions and the Government.

Session panel 13: Technology Options to Improve Land Administration

Welthungerhilfe & NRM



New low cost foot mounted inertial navigation system for updating cadastral maps , briefing by Ashwini Munangi. He talks about his experience in testing it and how it can be a better alternative.



Drone enabled mapping in Odisha by Transerve technologies in assisting the state of Odisha to provide formal land right documents. @Amarsh Chaturvedi



The mobile app "SPATIANET" developed by Geolysis is an example for mapping forest land rights in remote villages in Odisha with DGPS receiver. @Pravanjan Mohapatra

Organizer:



Panellists

Moderator: Ramesh Sharma, National Convener, Ekta Parishad
H.S Meena, IAS, Jt. Secretary, Department of Land Resources, Govt of India

Ashwini Munangi, PhD. Scholar, IIT Kanpur
 Low-cost foot-mounted inertial navigation system for updating of Cadastral Maps

Chair/Moderator:

Vinod Agrawal, Retd. Additional Chief Secretary, Government of Telangana

G V Rao, Director, Geolysis & **Pravanjan Mohapatra**, NRM
 Use of mobile app augmented with DGPS receiver in mapping forest rights
Amarsh Chaturvedi, Transerve
 Drone-enabled workflow for mapping urban slums: Solution and Challenges
Gopal Naik.
 Hybrid geospatial technology for improving crop area data management in India

Key Takeaways

Key issues

1. Easy accessibility of land records in India. The general state of land records in India is inadequate. The vast majority of rural households – and virtually all-poor households – have problems with their land records or documentation causing a variety of negative impacts
2. Maintenance and updating of land records. Textual records are often of low quality and limited coverage and spatial records are often outdated.
3. Land conflicts form the majority of court cases (66%) in India largely due to un-updated land records, which are also significant cause of land tenure insecurity – certainly for the poor, but also much more broadly. Inadequate land records also facilitate corruption, contribute to the high and costly incidence of land disputes, reduce the government's ability to conduct effective

Challenges

DILRMP has been able to complete only 2% villages in terms of resurvey, while 86% records computerized and 46% old cadastral maps digitized as on November 2017. The digitization of the land records faces following challenges:

1. Huge initial costs involved in training personnel as well as doing the surveys.
2. Clearances from appropriate authorities for aerial survey
3. Technology choices

Good practices

1. Use of drone in mapping urban slums in Odisha: - Transverse/Tata/Government of Odisha pilot.
2. Hybrid geospatial technology for improving crop area data management in Karnataka – IIM Bangalore
3. Use of mobile app augmented with DGPS receiver in mapping forest rights- Geolysis/NRMC
4. Low-cost foot mounted inertial navigation system for updating cadastral maps- IIT Kanpur

Recommendations

1. Digitize land records should be completed as early as possible in a fast mode.
2. Take extra precautions while collecting and storing data as the data can be misused.
3. Involve communities in data collection as well as verification process.
4. Employ new innovative technologies like drone mapping, geospatial, and mobile apps to validate data.

Session panel 14: Land Rights of the Urban Poor in the Context of Forced Evictions and Smart City Development

Housing and Land

Rights Network



Issues related to land and land rights are at the heart of socio-economic inequality. Access, control, and ownership of land determines the quality of life and the realization of several human rights, including adequate housing, water, and food. @Shivani Chaudhry

There is an urgent need to adopt a human rights-based approach that also focuses on linkages between the urban and rural. @ Miloon Kothari

The state has institutionalized practices of discrimination and exclusion, which shifts the burden of development to the urban poor, to enhance the standards of living for a certain class of citizenry. @Shanta Devi

Organizer:



Panellists

Dr Usha Ramanathan, Independent researcher on the jurisprudence of law, poverty and rights

Dr Partho Mukhopadhyay, Fellow, Centre for Policy Research

Chair/Moderator:

Mr. Miloon Kothari, Former UN Special Rapporteur on Adequate Housing

Br Varghese Theckenath, Director, Montfort Social Institute

Ms Shivani Chaudhry, Executive Director, Housing and Land Rights Network

Ms Shanta Devi, Field Coordinator, Housing and Land Rights Network

Key Takeaways

Issues:

1. Importance of land rights in the urban context.
2. Discrimination and insecurity resulting from the lack of land rights for the urban poor.
3. Trends promoting exclusion and marginalization of the urban poor

Challenges:

1. Land rights in rural areas are discussed and taken up by policy-makers as an important issue but the same does not apply to urban areas. However, land rights are at the heart of the social, political, economic story of the city. Even though public policies work for electricity and water to reach slums, the fact that people can be evicted at any point means they do not have any security.
2. Continued forced evictions of the urban poor and forced relocation to city peripheries are resulting in violation of multiple human rights.
3. Real estate speculation and lack of investment in social/low-cost/public housing makes housing unaffordable for the majority.
4. Inherent insecurity, precarity, marginalization, and poverty of the urban poor – linked to the lack of secure land rights in urban areas.
5. There is no allocation of land for the urban-poor. They are forced to often build their homes on land that no one else wants to live on. But they do not get security of tenure over their homes/land. This lack of tenure causes insecurity, as people can be evicted at any point in the absence of secure land title/records.
6. The Smart Cities Mission is excluding people from the planning process and private players are impacting governance.
7. Durability of long-term settlements is also questionable. Untenable lands have often been made tenable by the people and that should be valued.
8. Excessive land ownership by different agencies and bodies who own land that is not being used, and the lack of transparency about this.

Good practices:

1. 2BHK housing scheme in Telangana.
2. 'D form pattas' given to people in Hyderabad - which was an attempt to provide the urban poor with some form of tenure security and also to include people living in slums in city planning.
3. Bombay Hotel housing project in Ahmedabad.
4. Odisha Property Rights to Slum-dwellers Act

Recommendations:

1. Adopt a human rights approach – implying the recognition of the rights to land and housing as human rights in policy and practice.
2. Provide legal security of tenure to the urban poor in situ – where they live – not in remote settlements outside cities.
3. Ensure adequate spatial reservation for the urban poor based on their population in urban areas.
4. Regulate real estate speculation and privatization of public land.
5. Impose a moratorium on evictions and displacement. Implement UN Guidelines on Evictions in case people have to be relocated in “exceptional circumstances.”
6. Make provision for different tenure forms - rental, cooperative, collective, since the current ones are not able to solve the problem of housing for all.
7. Implementation of the 74th Constitutional Amendment Act – ensuring increased participation of people in urban planning and devolution of powers to urban local bodies.

Session panel 15: Upscaling Community Forest Resource Rights (CFR): Role of Technology

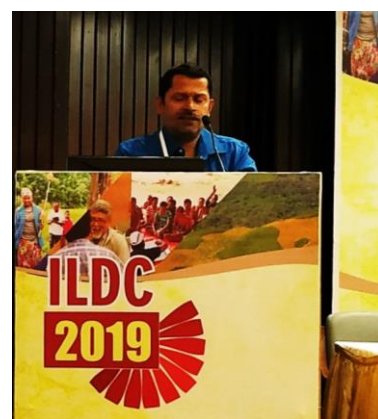
Indian School of Business (ISB)



Gender division of work: women's work including in agriculture not included in labor market. Since their work is not recognized, their right to ownership is also not recognized. Dr. [@GovindKelkar](#)



The idea of farmer in India is flawed so much to include that even in banking definitions and govt. schemes we can only identify farmer as a male entity. @Ramesh Sharma



Women are the main source of knowledge, starting from preservation of seeds to natural pesticides to managing available credit. @Sharat Singh

Organizer:



Panellists

Tushar Dash, Independent Researcher

Dr. Geetanjoy Sahu, Assistant Professor, School of Habitat Studies, TISS

Chair/Moderator:

Nabin Pradhan, Indian School of Business

Shomona Khanna, Lawyer, legal researcher and writer, Legal Resource Centre

Ambrish Mehta – Action Research in Community Health (ARCH)

Key Takeaways

Issues/Trends

1. The absence of decision-making tools for the gram sabhas and NGOs
2. The absence of a transparent and robust system to monitor the forest rights recognition and post-recognition process under FRA
3. No web-enabled platform to collect, store and analyze community level social-economic indicators

Challenges

1. An understanding of the usage of advanced technology for democratic governance of CFRs
2. Technology for a good cause and accessibility

Good practices /Scope

1. Tracking improvement, protection, institutions at the community level
2. Measuring non-timber forest product for livelihood at household and community level
3. Low-cost technology that can work with and without internet, graphs, and charts for easy interpretation

Recommendations

1. An elaborate discussion on the benefit of technology including web platform, satellite images, GPS, etc. with the focused group (Researchers, CFR practitioners, NGOs, CSO, etc.)
2. Training sessions for key stakeholders on an understanding of satellite images, GPS, and other advanced technology that can be used for the good cause
3. Development of case studies on technology adoption and empowerment by the academic research group
4. Policy level change on adoption of technology for effective implementation and benefit realization from FRA.

Session panel 16: Land Policy Reforms to Double Small Farmers Income and Achieve SDG

Caritas-SAFBIN, ICRISAT & CAP



Two vital recommendations on Land Reforms Policy making can be -
Legalising of Land Leasing ; Land Titling
[@arvindpadhee](#)



"The Five P's of sustainable development for small holder farmers' are- People, Peace, Planet, Prosperity and Partnership."- Fr [@PaulMoonjely](#)



" every time we eat, one should think about a farmer; and every time we make a policy, the policy makers should think about smallholder farmers too"
[@sunilsimons](#)

Organizer:



Chair/Moderator:

Dr T Haque, Former Chairman, Land Policy Cell, NITI Aayog

Fr Paul Moonjely, Executive Director, Caritas-India

Panellists

Dr Arabinda Padhee, IAS, Director-Country Relations, ICRISAT

Mr. Sunil Simon, Head of SARE, SAFBIN

Key Takeaways

Issues / Trends

1. Smallholder farmers, the majority of the poor, most vulnerable and marginalized people in the country, have poor access to land and water resources with highly unsecure land tenure. Moreover, 25 million hectares of land is left fallow in India – a huge chunk of land that could be used productively.
2. To double farmers income investments of around 640,000 crore rupees excluding all the subsidies, are needed. The great need for capital also demands for farmer's investments but the current lack of formal contracts clearly disincentives farmers to invest.
3. Three per cent of GDP is lost for not having clear land titles. Another main issue is gender inequality in land rights: Equitable land rights for women could reduce global poverty by 20%.

Challenges

1. Land records are poorly kept, neither up-to-date nor digitalized. Also, there are no titles for smallholders for the land they have historically used.
2. Whereas science is clear about what needs to be done, there has been very limited attention and actions in policy and practice on this key structural democratic state, equality provisions in the constitutions dimension of small farming.
3. The land-leasing model proposed by Haque Committee Report has largely not been implemented. The cultural mind-set is a challenge to the empowerment of women.

Good Practices/Scope

1. There were several Caritas project success stories with features worth upscaling. Especially the “Collective Farming” approach, sufficiently good framework policy.
2. Vietnam and other Asian countries showcase the great potential of land reforms, not only for food production and improving smallholder livelihoods, but also as a game changer in the overall economic growth of the country.
3. Women empowerment is key in the process.

Recommendations:

1. Provide long term access and control over land for smallholder farmers to ensure sustainable production.
2. Make smallholders the primary stakeholders at all levels including the policy discussions and decisions.
3. Partnerships are key and thus should be encouraged and established.
4. Arable land kept fallow should be productively used by enabling land tenure security.
5. Legalise Land Leasing.
6. Update and digitalize land records, followed by land titling.
7. Give a high priority for the immediate implementation of Haque Committee Report across the country

Session panel 17: How to Tackle the Divergent Needs for Openness and Protection in Land Data Governance in India?

University of Twente & NRMCLG



land sector is the 3rd most corrupt institution globally? 1 in 5 people globally have paid a bribe to make a land transaction. @Frank_Pichel



A very minute scale of India's population can actually use data available with different data institutions viz. Census, Economic due to nomenclature & definition of data. @John Samule Raja



Making data inclusive and democratic in the principles of open data principles we can move towards improved & better land governance for most vulnerable group @Neil Sorensen

Organizer



NRMCLG

Panellists

Prof Christine Richter, Faculty, University of Twente, The Netherlands

John Samule Raja, CEO, How India Lives

Pranab R Choudhury, NRMCLG

Chair/Moderator:

Frank Pichel, Cadasta Foundation

Lisette Mey, Information Management Officer, The Land Portal Foundation

Frank Pichel, Chief Program Officer, Cadasta Foundation

Guneet Narula, Datameet

Key Takeaways

Issues/Trends

1. Land data (locational and personal) is becoming increasingly digitally documented, open and visible through efforts of DILRMP, various policy reforms, Open data policies, RTI as well as non-state initiatives
2. Fast changes in technologies (IT & GIS) also making data increasingly accessible and visible
3. Countries and states adopt different practices in sharing data e.g. in US all property data and transactions are available openly; In many states of India, personal land records are also openly available in DILRMP websites
4. Data becoming next oil, more investments into this sector as well as more unethical or unintended uses are becoming common

Challenges

1. There is lack of clarity in understanding and defining open land data. There seems to be different understandings as land data bundles both personal and locational data; open data usually excludes personal data
2. Questions of who collects data for what purpose and whether the data providers and subject are informed about the same and potential externalities are becoming a gray area

Good Practices

Not many good practices in public domain as the challenges are new. Frameworks like Europe's GDPR, FPIC provide some direction, while cultural identity and data privacy/ethics underlines normative concerns

Recommendations

1. Make land data open (esp. availability, accessibility, standards, inter-operability) to add transparency, efficiency, participation in land administration and to promote land tenure security
2. Consider land Data regulation as more and more land becomes open and visible. In this context India's National Data Sharing and Accessibility Policy (NSDAP) is required to converge with Draft Privacy Bill and National Spatial Data Infrastructure (NSDI) and DILRMP must consider alignment around it.
3. Inform and empower local landholders adequately to influence the processing and uses of their data during the process of documentation
4. Distribute responsibilities over data management and sharing between civil society organizations, data platforms, technology providers, and governments

Session panel 18: Status of Women Food Producer and Policy Recommendation for Recognition of their Identity

International Land Coalition-National Engagement Strategy



Traditional communities of fishermen have been living in harmony with nature but the absence of legal protection and governing policies have downplayed the economic benefits says @Sejal Dave.



India doesn't recognize the pastoral community legally and the absence of laws on common grazing grounds compounds the problem of pastoralists and women ones in particular says @ Anu Verma



Land rights of fisher communities in decentralised government of Kerala in Thiruvananthapuram district discussed by Dr. Resmi C. Panicker

Organizer:



Panellists

Sejal Dave, Anandi, Gujarat

Relationship of Women and Forest, policies affecting women in forest and policy recommendations from women's perspective

Anu Verma, NES India

Pastoral Women – maintaining food sovereignty

Chair/Moderator:

Dr. Namita Wahi, Director, CPR-Land Rights Initiative

Sejal Dave, Anandi

Women Salt Pan Workers

Dr. Resmi C. Panicker Assistant Professor, Government

Coge for Women

Land Rights of Fisher Communities in Decentralised Governance of Kerala

Key Takeaways

Issues

1. Multiplicity of marginalization of women that pushes them on further margins. These layers of marginalisations are through aversive legal systems, the economic development paradigm, caste/ethnicity and gender.
2. Non-recognition of the identity of fisherfolk women, women salt pan workers, pastoral women and tribal women as food producers and farmers.
3. Poor land ownership in the name of women, even under FRA, many IFR titles are not in the joint names, as they should be
4. Promulgated land ownership issues.

Challenges

1. FRA - No voice of women in decision making bodies like Gram Sabhas, JFM Committees, FRCs, SDLC, DLC- impacts overall livelihood & access to forest produce
2. Despite being a significant proportion of the OTFD, Maldhari women & men are grossly under-represented on FRCs across the State.
3. Shrinking Commons, infrastructure development and lack of the policies in favour of pastoralist and non-recognition of pastoral women's role, push them to sedentarise, thus having a very negative impact on the status of women
1. Exploitative working and living conditions of salt pan workers and fisher folk women
2. Non-existence of government policies in favour of salt pan workers
3. The fisherfolk families, esp. women can't benefit from government schemes for them, in Kerala , as the eligibility criteria makes them ineligible
4. Rehabilitation often increases the cost of living.
5. Deep patriarchal mind set and the absence of enabling laws for women.
6. Proxy methods to fulfil women quota in surveillance forest committees.

Good Practices

1. Development of fodder storage and seed bank for promoting women participation – by Utthan, Gujarat
2. Malia Mahila Shakti Sangathan and a fish farmers' cooperative Azad Mahila Machhimar mandala have promoted models of demonstrating healthy and nutritive feeding practices for the children below 6 years and educating mothers and fathers and other family members on nutrition education and child rearing – by ANANDI, Gujarat

Recommendations

1. Recognise pastoralist mobility as a fundamental right. Recognise the essential role of pastoralists in global environmental sustainability, including the conservation of biodiversity, mitigation of climate change and combating desertification.
2. Segregate the department of livestock and agriculture
3. Make separate guidelines for each fishing village
4. Provide adequate budgetary allocation for addressing pastoral women's issues to promote women's traditional livelihoods and pastoralism.
5. Implement FRA from the perspective of Pastorals, Fisherfolk and Fisheries

Session panel 19: Rights of Pastoral Communities in Forest Rights Act: Initiatives and Challenges

Centre for Pastoralism



A feeling of collective action towards the [Landrights](#) of the pastoralist is required. The recognition of these rights beyond forest act and tribal rights is the need of the hour. @Dinesh Bhai



Strategic hindrance in the grazing rights of many communities in the Himalayan states by various agencies and officials requires the recognition of [community rights](#) of the pastoralist. @Akshay Jasrotia



Ramesh Bhatti on illegal encroachment of the pastoralist lands and the fight of the villagers of Banni in claiming their lands

Organizer:



Panellists

Tushar Dash, Independent Consultant
Background and key provisions

Ramesh Bhatti or Isa Bhai, MARAG, Gujarat
Initiatives by pastoral communities for claiming CFR rights — Banni, Kutch, Gujarat

Chair/Moderator:

Tushar Dash, Centre for Pastoralism

Akshay Jasrotia, Advisor, Himachal Ghumantu Pashupalak Mahasabha
Initiatives by pastoral communities for claiming CFR rights — Kangra, Himachal Pradesh

Tarun Joshi, Amit Rathi, Centre for Pastoralism
Issues and challenges — Uttarakhand

Ramesh Bhatti, MARAG, Gujarat
Way forward and recommendations

Key Takeaways

Issues/Challenges:

1. The Banni grassland of Gujarat is the largest natural grassland in the Indian subcontinent, and an area that is both socio-culturally unique and ecologically valuable. It has a long history of migratory pastoralism going back at least 500 years. Among these are the 22 ethnic communities that comprise the “maldhari” pastoralists.
2. Under Forest Rights Act, 31D, rights of pastoral communities are recognized especially for seasonal migration.
3. There is no focus towards rights of pastoralists in non-tribal areas. This needs to be done as a lot of older areas are now de notified and are being developed by various development authorities.
4. A Gujjar community in Himachal Pradesh, was displaced from their traditional place of habitat and relocated to a far flung area with no greenery. This community which has been cattle rearer and continues to do so are clueless about the future of their occupation. “Gujjar bassa diya par uski Bhainse ujaad di”

Recommendations:

1. Provide institutional support to pastoral communities to ensure that community is aware of the rights and is able to file claims
2. Identify migratory routes and areas. Areas be granted access to secure livelihood of the pastoral communities.
3. Looking at the poor evidence to prove or claim the land rights, alternate ways to accommodate the pastoral community and ensure ownership is to be worked.
4. Provide access to forest, protected areas and grasslands to other deserving communities in addition to tribals.
5. Take up pastoral communities’ rights as a political issue.
6. Use collective information on pastoral communities available with the people’s organisation and NGOs like MAARG, Centre for Pastoralism to draft policies.
7. Make Himalayan states t focus on community level land rights viz. Community Forest Resource Rights (CFR) rather than at Individual levels viz. Individual Forest Rights (IFR) where rejection of claims over such rights are high.
8. Define inclusive boundaries looking on to the fodder potential and availability for the grazing of livestock for pastoral community.

Session panel 20: Modalities for Building a Community led Restoration Movement at Scale

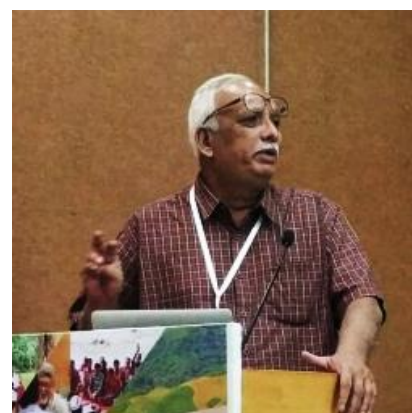
WRI- India



There are proven ways to work with communities for post right recognition management of forest @Dr. Jyotsna Krishnakumar



Tenure security and the recognition of rights, including over trees, is crucial for successful landscape restoration.
@khamoshrewa / Ruchika Singh



"For CFR management financial support is needed but the funding should be independent from government funding"
@Ambrish Mehta

Organizer:



Panellists

Dr Ruchika Singh, WRI-India

Dr. Jyotsna Krishnakumar – Keystone Foundation

Chair/Moderator:

Dr. T Haque, Former Chairman- Land Policy Cell, NITI Aayog

Dr. Geetanjoy Sahu – Tata Institute of Social Sciences (TISS)

Tuliram Ronghang – Chief Executive Member, Karbi Anglong district council, Assam

Ambrish Mehta – Action Research in Community Health (ARCH)

Key Takeaways

Issues/ Trends

1. There is growing evidence from across the globe that secure tenure results in low deforestation rates, significant increase in forest cover, and sustainable production of timber and other forest products. Examples from Brazil, Mexico, Guatemala, Nepal, Indonesia, Tanzania etc. show that securing rights of indigenous communities is a cost-effective way of combating climate change.
2. In the Nigiris Biosphere Reserve (NBR), there is a critical need to meet conservation and livelihood goals. Recognition of community rights in this region is at a nascent stage and many Community Forest Resource Rights (CFR) applications are still under preparation.
3. Maharashtra is a leader in recognition of community forest rights and community forest resource rights. Evidence of post-recognition resource management by communities shows laudable effort around protection and restoration of forest cover and biodiversity conservation.
4. In Gujarat, recognition of rights has led to improved productivity of land. However, communities require technical and financial support for managing resources and NGOs play a key role in building capacities of communities for resource management.

Challenges

1. India's commitment to sequester additional 2.5 to 3 billion tons CO₂ eq. by 2030 through improved forest and tree cover under the Nationally Determined Contribution (NDC) can have positive climate and social benefits. However, in the absence of secure tenure and resource rights, the full benefits of restoration cannot be realized by communities. There is a need to consolidate efforts, scale best practices in community led restoration for NDC as well as SDGs.
2. In the NBR, key challenges facing recognition of rights include inconsistencies in the claim process, rejection of claims without explanation, lack of awareness and assertiveness of CBOs such as the Forest Rights Committees (FRC) and even the Gram Sabhas. There is a lack of collective effort of communities in the rights process.
3. Though recognition of rights is strong in Maharashtra, in areas in western Maharashtra and Konkan region, the process is not successful. The barriers here include lack of government support and political will.
4. In Gujarat, farmers face several challenges post recognition of individual forest rights, largely due to lack of financial and technical capacities required for using land sustainably. Despite interest in improving tree cover, farmers are unable to improve productivity of land.
5. Lack of coordination among government departments, lack of willingness of state governments to recognize forest rights and reluctance of forest departments to engage in this process.

Good Practices

1. India has multiple legislations that could support community led restoration as a pathway to achieve the NDC targets and SDGs. WRI India's Restoration Opportunities Atlas identifies the potential for landscape restoration in India and presents four layers on tenure and resource rights as key enabling conditions for successful restoration. These layers include the percentage of Recorded Forest Area under JFM, recognized community forest resource rights areas, potential for recognition of community forest resource rights and Schedule V and Schedule VI areas as designated by the Constitution of India. Further, the Atlas has a database of restoration initiatives that documents best practices including those related to tenure and resource rights.
2. Good practices from the NBR region include; a) strengthening FRC and FMC committees through knowledge enhancement, building leadership capacity, increasing visibility, accountability and legitimacy; b) training programmes on sustainable harvest practices, organic agriculture, organic input production, wild food and indigenous seed promotion, establishing indigenous seed banks and seed exchanges; c) promoting organic agriculture –production and sales; d) promoting value added non-timber forest produce (NTFPs) - training on value addition and marketing; e) Strengthening Farmer Producer

Organisations (FPOs)- marketing support, price guarantees and incentives for sustainably harvested NTFPs and organically cultivated products and f) certification support- PGS-India, Fair Trade, Fair Wild.

3. Maharashtra has also led the way in easing management of natural resources post rights recognition. It has issued over 80 circulars on a range of issues through various departments including the tribal development, rural development, planning, governor's office and forest and revenue department. The Governor's office in particular issued 17 circulars and played a crucial role in issuing 44 circulars by tribal department. Key interventions to assist communities include setting up of title correction committees, transit permit book – gram sabhas, tender advertisements (over 700), PESA and FRA co-ordinators, convergence committees, management plan grant, tribal sub-plan grant, line department schemes and CAMPA funds to gram sabhas.
4. Post-recognition resource management by communities in Maharashtra shows the impact on livelihood, forest cover protection and restoration and biodiversity conservation. Communities have developed successful livelihood activities around forest produce and have robust mechanisms to maintain their finances. For example, communities in a village decided not to harvest tendu leaves for moral and biodiversity reasons. A key outcome of this measure was the immediate increase in migratory birds in the region that were drawn to the tendu flowers. The community spent approximately INR 5 lakhs in this conservation effort.
5. NGOs have played an important role in building capacities among farmers in Gujarat. Farmers with IFRs are investing in growing and protecting trees in their areas thereby increasing green cover and the productivity of lands. Satellite image analysis between 2009 and 2017 shows significant improvement of tree cover in Narmada district with IFR lands and customary rights.

Recommendations

1. There are several positive examples of community led restoration in India. However, these tend to be small scale and lack documentation. One effective way of scaling effort would be to build a network of community led restoration in India. Government departments, civil society and communities involved in restoration can showcase their efforts in India's Restoration Opportunities Atlas and help build a list of best practices to scale up restoration in India.
2. In areas like NBR where recognition of rights is still in preliminary stages, it is important to provide government officials and communities' access and opportunities to learn from successful models of community-based resource management post CFR claim recognition. The success stories from Maharashtra, central India groups and Soligas (BR Hills) could spur community led action in other areas.
3. Institutions play a critical role in building community led restoration movements in India. Maharashtra's experience highlights the importance of government effort in addressing gaps and bottle necks in community management of resources. There is a need for adaptive learning in other regions to replicate and scale the positive learnings from Maharashtra.
4. Building on the case studies from Gujarat, there are two key next steps. First, is to build the capacities of farmers and local population in sustainably managing lands and building value chains for their products. Second, to build a robust monitoring system using satellite imagery to showcase the positive impact of rights recognition of forest and tree cover.



Session panel 21: Securing Tenure in Urban India: First Get the Record Right

IIHS-Centre for Land Governance



Organizer:



Chair/Moderator:

Deepak Sanan, Ret. IAS, Head, IIHS-CLG

Panellists

S. Chockalingam, Settlement Commissioner and Director of Land Records, Govt. of Maharashtra

Darshini Mahadevia, Visiting Professor, School of Arts and Sciences, Ahmedabad University

Atanu Chatterjee and Gautam Prateek, Lecturer, Xavier University Bhubaneswar
Tenure security through the lens of community: case of Gopalpur, Odisha

Key Takeaways

Issues/Challenges

1. The need to de-link issues of lack of tenure clarity, from the concept of affordable housing; also de-link clarity in land titles, or efforts to have clear marketable land titles, from affordable housing.
2. Unaffordability of rental or ownership-based housing market in most Indian cities has sustained the high prices despite several recent shocks to the economy.
3. In view of the steep real estate prices, the existing informality in Indian cities often creates opportunities to accommodate the marginalised population within the city, by providing incremental housing to migrants and labourers.
4. There is a broad spectrum of tenure in Indian cities, and there are several more critical issues which may not be addressed by a narrower focus on clarity in land titles. A more nuanced approach.
5. Overlapping and conflicting jurisdictions of multiple institutions in maintaining the property record in Delhi, and the lack of technologically linked database.
6. High perception of tenure security in India, based on information collected by Prindex. Informality indeed finds its way in a manner that is negotiable and affordable for majority of the population, and thus trying to bring it into the formal domain may instead be counter-productive.
7. Informal settlements also wish to have a formal right to their land or property, whether ownership right or use right, as they are constantly under the threat of being displaced by the formal sector.

Good Practices

1. Using latest drone technology to map *gaathan* areas of Maharashtra villages. The initiative focuses on creating records in areas which have not been mapped yet. In the absence of a pre-existing record of right, the surveying exercise records the person in possession as the land holder, and thus enabling greater tenure security for the rural population. These *gaathan* areas may expand into cities over the next one or two decades, and having a documented record of right may help their transition into more organised urban settlements.

Recommendations

1. Attempts to clarify land titles must be accompanied by regulatory mechanisms which prevent gentrification in cities, and marginalization of urban poor.
2. Status of property records in urban areas must reflect the on-ground situation.
3. Land titling may create several issues if not implemented well, but it is important to at least get a record of right in place.
4. Need to bring down the costs of the formal system, by structuring it better.
5. It is important to build systems which create and maintain a better-quality urban property record that is updated on a real time basis.

Session panel 22: Meeting SDG Targets around Land Rights: Global Initiatives & Experiences

Cadasta, Global Land Alliance, ILC, NRMCLG, FAOR



It would take 1,000 years to document land in India at the current rate. [@amycoughenour](#) [@CadastaOrg](#) shows how their technology can close the data and gaps and provide land titles with community engagement

Organizer:

CADASTA
Your Rights, Your Future



CARITAS BANGLADESH

Prindex
INTERNATIONAL
LAND
COALITION

Panellists

Amy Coughenour Betancourt, Chief Executive Officer at Cadasta Foundation

Global overview of digital mapping options creating and updating land records and ensuring tenure security

Malcolm Childress, Executive Director, Global Land Alliance
Prindex Experiences and Learning for India



[@PrindexGlobal](#) shares data on property insecurity and vulnerability around renting property in India [@MalcolmChildress](#)



"Most vulnerable groups in getting land rights are the indigenous communities and within them especially are the women and the poor" [@Apurbo Mrong](#)

Chair/Moderator:

Amy Coughenour Betancourt, Chief Executive Officer at Cadasta Foundation

Yonas Mekonen & Dharm Raj Joshi, International Land Coalition
Monitoring SDG indicators and ILC dashboard experiences

Apurbo Raphael Mrong, Regional Director; Caritas
Maymensingh, Caritas-Bangladesh
Indigenous Peoples and Protection of their Land
Rights through Community Empowerment:
Challenges, Opportunities and Dreams

Key Takeaways

Issues/Trends

1. Slightly less than one in five adults in India (18%) feel tenure insecure versus a 33-country average of 24%. Reasons for insecurity: threat of eviction, followed by family disagreements and inability to pay for land
2. Across all countries, 50% of respondents had formal documentation establishing their right to use any property, while 43% had no documentation; in India, 75% had formal documentation
3. In India, 81% of owners had documentation but only 36% of renters did. On average renters are 25% more insecure than owners, globally
4. Globally (and in India) no difference was found between levels of tenure insecurity among men and women- but women tend to be far more worried about being forced out from their homes in the event of divorce or spousal death
5. 11% of respondents in India had experienced losing property in India
6. Community-led data collection brings transparency, clarity and knowledge, empowerment
7. Development of Landex- A tool to promote common indicators and to contribute and go beyond the SDGs and VGGT

Challenges

1. How do we measure the Sustainability in SDGs? Several SDG indicators do not directly link to sustainability
2. How do we support and ensure that the community-level data is reflected in national SDG reporting?
3. SDG indicators do not do an adequate job of capturing perception of tenure security for different types of tenure
4. It is difficult to ensure that data is capturing the most vulnerable communities (i.e. home/landless, pastoralists, indigenous, etc.)
5. No clarity on how the government is collecting and reporting on SDG data
6. Government does not accept data which is not generated through its own processes
7. Only 20 countries are ready to report SDG

Good Practices

1. Landex- will launch in March, 2019 and design to track progress towards land-related SDGs according to their commitments on people-centered land governance to expand and add substance to the SDG indicators
2. VGGT offer finer details about how to implement SDGs

Recommendations

1. Need to find alternative solutions (i.e. occupancy certificates) aside from documents issued by the government
2. Need to be more flexible about alternative forms of advancing tenure security

Session panel 23: Land Rights and Governance: reflections on policy and practice

NCAER & NRMCLG



NSSO survey shows that 52% of farmers in India have an average debt of Rs.47000.00 @ Mahitha Kasireddi



Good governance in the country can result in substantial gap between targeted and actual titling. @Gabriel L. Suchodolski



On the pretext of economic development, the State is undermining the rights of the local governments which were guaranteed by the 74th Constitutional Amendment Act. @Triveni Prasad Nanda

Organizer:



Panellists:

Gabriel L. Suchodolski, PhD Scholar, University of California, Los Angeles (UCLA) Rural Land Titling in Brazil: explaining land titling divergence across settlement projects in the Amazon

Chair/Moderator:

Prerana Prabhakar, NCAER

Triveni Prasad Nanda, Assistant Professor & **Aparna Soni**, RICS School of Business
Speculating Governance: The New Normal?

Kasireddy Mahita, M.Sc Scholar, TISS-Hyderabad
Study on Women Farmers' Access to land in Adilabad: Agrarian Relations in Contemporary India: A District Level Analysis

Key Takeaways

Issues/Challenges

1. Institutional failures in land administration is seen not only in India but also in other developing countries like Brazil. This institutional paralysis can be attributed to technical issues, fast rotation of the officials, to list a few. This has resulted in substantial gap between targeted and actual titling.
2. Unregulated real estate development in urban areas is leading to huge debts. Urban land supply experiments like SEZs, IT parks, integrated townships etc, are driven by real estate groups, rather than the governments in the absence of adequate institutional framework. This pro capitalist approach leads to speculation with regard to land prices in the adjoining areas, possibly forming a price bubble. As these establishments do not have any government-driven management, sustainability of such experiments often remains a question.
3. Ignorance towards land rights of women and forest dwellers imposes a huge cost on the economy
4. In the absence of having their name in the land records, women get excluded from agricultural markets and also are unable to reap benefits of a number of government policies for agricultural credit in Adilabad in Telengana. When their husbands migrate to cities, they spend considerable amount of their time on the farms, without access to agricultural inputs like fertilizers.

Good Practices

1. Mapping technology to identify gaps in defining forest boundaries in Odisha by Vasundhara has resulted in resolution of conflict between communities over boundary demarcation.

Recommendations

1. Reorient the policy and focus should be towards strengthening land institutions.

Session panel 24: Transforming Slums to Liveable Habitat: Odisha Model

Govt. of Odisha, Jaga Mission and Tata Trusts



Slums in every city contribute to formal economy, but they continue to be in wretched conditions. They deserve more coordinated, catalyzed attention & innovations: legal, institutional & technological. @ Secretaryy Mathi Vathanan of [@HUDDepartment](https://twitter.com/HUDDepartment)



While settling land, each human being living on the piece of land is most important than settlement process. Thus opinion of each individual should be taken care of. @ Shishir Ranjan Dash



The extension of land distribution for habitat programme in rural areas have been little limited as compared to urban areas in India. We need enthusiast leadership from govt., & private in these areas @Sanjoy Pattnaik

Organizer:



TATA TRUSTS

Panellists

Shri G. Mathi Vathanan, Principal Secretary, Housing & Urban Development Department, Government of Odisha

Chair/Moderator:

Pranab R Choudhury, CLG-NRMC

Shishir Ranjan Dash, Lead- Urban Habitat, Tata Trusts

Key Takeaways

Issues/ Challenges

1. State Government alone through Housing and Urban Development Department has limited capacity to implement the slum dwellers land rights programme.
2. Procurement process in government leads to time escalation and to limited opportunity to induct best technology and service options for the implementation of the project.
3. The existing rule/ act of Revenue Department does not confer with legal provisions to land parcels in favour of slum dwellers.
4. Settling land rights to the slum dwellers located on land which belongs industrial units or lands with non-convertible category such as forest, defence, railway etc. is a major challenge. It is also difficult to identify settle able land at other places and relocate them.

Good Practices

1. Odisha Land Rights to Slum Dwellers Act, 2017 is designed to provide the benefit at the door step of the beneficiaries and people need not visit government offices as then the harassment process starts for the marginalized. The Tata Trusts has been assisting the state government for the implementation of this program. Capacity building of about 2700 stakeholders has been undertaken and Tata Trusts is extending support to the government officials in the implementation. This Mission was designed to be a change from the construction and handing over of houses pattern., This mission will let people make their own houses, it focuses on a beneficiary-led construction model
2. This is a unique program that the Odisha government has initiated where slums would be transformed into liveable habitats. Slum dwellers are given rights to their land; their habitats will not be taken away from them.
3. To convert the slum into Liveable Habitat, discussions are carried out with the community to understand their requirements and vision of their slum. NGOs, government officials and community will work together to realize the vision and provide basic amenities in the slums.
4. All the data is accessible to every person, not just about their slum but about other slums as well, this ensures transparency. Under this Act, nobody will be evicted. Technology plays an important role; slum mapping is done using drone technology. The mapping is done using latest technology which provides information about not only the area and boundary of the slum but also each household.
5. The Revenue Department was included in this process of land ownership transfer as they are the keepers of Record of Rights and helped in assessing the tenability and unitability status of land.
6. This is a welfare act, not an enforcement act. The law was intentionally designed to be simple. The state will provide land rights and the beneficiary can construct their house. Changing the face of slums and giving the dwellers a dignified life is a long process, this is just the first step.

Recommendations

1. Replicate the best fit models for increasing outreach rather than going behind the best practice model.
2. Integrate UN basic principles and guidelines for development-induced resettlement and eviction in the state policy and acts for slum dwellers.
3. Integrate of new and updated slum maps with the existing revenue maps of the ULB.
4. Opening up scopes for mortgaging the land beyond government sponsored housing loan to make it a productive asset.
5. Eliminate caste-based name tagging of slums.

Political Forum

Ekta Parishad



There needs to be a change in the compensation rules for land acquisition. It has to be uniform and unbiased with reference to caste, communities and land use. @Fagga Singh Kulaste

Organizers:



Large scale acquisition of Devasthan and Benami bhumi from the farmers, tenants and land lords resulted in the Nasik-Mumbai protest march to safeguard land rights. @Vijoo Krishnan

Chair/Moderator:

Ramesh Sharma, Ekta Parishad



Demand for land reform /rights in the system of electoral politics should be region specific and not uniform @Nitin Sethi

Panellists:

Shri. Fagga Singh Kulaste (BJP), Union Minister of State for Steel

Shri. Vijoo Krishnan, Joint Secretary of All-India Kisan Sabha (AIKS)

Shri. Nitin Sethi, Senior Associate Editor at Business Standard

Key Takeaways

Issues / Challenges

Increasing Land Conflicts

1. Land-related conflicts in India affect more than 3.2 million people and impact investments worth over Rs 12 trillion
2. Increasing large scale protests and unrests among farmers in recent years' viz. Nashik- Mumbai march, protest against the Supreme Court's eviction of tribal from forest land etc.

Land Acquisition, displacements

3. Land acquisition ordinance 2015, set a challenge for any possibility of securing land rights to the poor landless through the window for land acquisition, land pooling, land transfer, land bank etc.
4. A big amount of revenue being generated (viz. Mineral fund and CAMPA fund) in mining rich areas. Initially, displacing communities from forest and tribal area for mining, industrial and economic corridors; however, these funds have hardly benefitted them. The conflicts between an 'institution-centric CAMPA/ NFP' and a 'community-centric FRA' ultimately resulted in denial over claimed land under the Forest Rights Act
5. Idea of 'land bank' is adopted, promoted and popularized for attracting investments with lack of transparency; often ground realities and consent of local people not taken into account. A vast amount of land (bank) transferred to mega-infrastructure ventures has led to 'jobless' ventures

Tardy execution of Forest Rights Act

6. Slow execution of the Forest Rights Act and high level of rejections. During 2014 and 2018, execution of the Forest Rights Act has been the slowest since its inception; Authorities have rejected more than 43 per cent of the claims filed by forest dwellers across India.
7. Forestlands are again being increasingly diverted for the non-forestry purposes. Rate of clearances of projects on forestland is around 99.98 % now.

Continued exclusion of landless, women, pastoralists

8. Of the 170.92 million rural households across the country, 100.08 million (or 56 per cent) do not own any agricultural land.
9. Nearly 70% agricultural operations carried by women, having 'no right' over a piece of land nor recognized as a 'farmer'.
10. Nearly 11% nomadic, de-notified, pastoral and semi-pastoral communities are living without any security over 'land and/or livelihood' tenure.

Unmet goals of Urban housing

11. Under the ambit of the Pradhan Mantri Awas Yojna (PMAY), the government has decided to provide 'Housing for All' by including even the Middle Income Group (MIG) by 2022.
12. However, until March 2018, PMAY Urban hardly met 8 per cent of its target of constructing one crore new houses by March 31, 2019. Only 21 per cent of the total funds allocated under PMAY have been used over last four years.

Absence of National Land Use Policy

13. Absence of a national land use policy, allows rampant acquisition/ grabbing/ pooling/ transfers of agricultural land and commons for other purposes.

Good practices

1. Rythu Bandhu scheme (a farmers' investment support scheme) in Telangana brought about a massive change in the political discourse.
2. The Forest Rights Act as a top priority in political manifesto in Chhattisgarh could draw attention to change the government in the state Vidhan Sabha elections of 2018.
3. In Kerala during last two years, more than 1.05 Lakh people have got land right certificates.

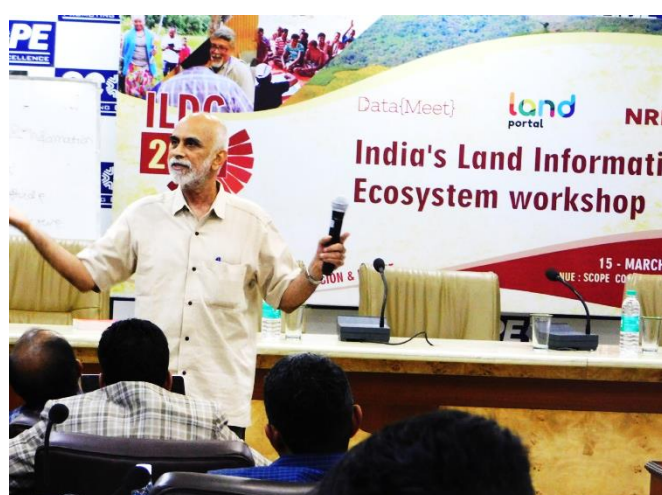
4. Under the life mission in Kerala, affordable and quality housing experiments are being taken up to provide home to homeless
5. Tripura sets an example for providing best forest rights to its people.

Recommendations

1. Ensure that land compensation is not biased on the basis of caste, community and land use
2. Introduce and execute -National Homestead Land Rights Act and ensure homestead land to every homeless poor
3. Introduce and execute National Land Reforms Policy and ensure agricultural land to every landless poor with special focus to tribal, dalit, nomads, fisher folks, single women and other marginalized communities
4. Introduce and execute Women Farmer Entitlement Act towards recognising women as land owning, right-holder farmer
5. Ensure enforcement of Forest Rights Act 2006 with special focus to community rights over land and forest resources
6. Ensure enforcement of Panchayat (extension in Scheduled Area) Act 1996, in its letter and spirit across Scheduled Areas with special focus to secure land and livelihood rights
7. Introduce and execute Land Tribunals and Fast Track Courts for resolving land disputes and ensure legal services to the marginalized communities
8. Ensure strong enforcement of the 'Consent' and 'Social & Environmental Impact Assessment' provisions of Land Acquisition Act (2013)
9. Introduce and execute National Tribal Policy and ensure constitutional safeguards to the community
10. Evolve land reform policies which are essential to address the growing unemployment in agriculture sector.
11. Land reform demand should be region-specific rather than uniform as land laws and dynamics are different in different states and unions.

Post Conference Events

Land Information Ecosystem



Key insights to leverage the data ecosystem are as follows:

We should no longer consider data provision and sharing to be a responsibility of government alone.

Civil society, academia, think tanks, the private sector and local communities all have valuable perspectives in this important debate. These perspectives might not all be accessible and published in a 'raw data'-format, but might very well be captured in documents or conversations. We all have a role to play to either collect, analyze, manage, publish, repackage or repurpose and use data so that we can collectively benefit from its meaning. Data becomes reliable and valuable when we pull these various perspectives together and come to one common truth.

Responsible sharing of data should become second nature to all data collectors.

Before even starting data collection, inclusive and responsible data sharing should be a primary consideration. Data management plans should include elements of anonymizing, sensitizing and structuring data in a way that makes it impossible to inflict harm on the data subjects once published. Prior and informed consent and appropriate data licensing are essential prerequisites for responsible sharing of data. Involving local stakeholders in data collection and use is critical.

Publishing data should be done in a way that is visible, Searchable and accessible to anyone.

Storing of data before the age of Internet meant that a file needed to be carefully indexed and stored in order for people to be able to find it in the correct folder. While the Internet has changed the way we deal with data in many ways, the need for careful storing and indexing data has not. Following open data principles, including the use of geospatial-standards and controlled vocabularies and ontologies (such as LandVoc ([link is external](#))) to classify the data, are useful tools to ensure that data published on the web can be found through portals and search engines and thus can be accessed and used by everyone.

Data dissemination means opening up a data conversation that includes data subjects and goes beyond our usual networks.

The land governance community is a small global community that struggles to sell its message to others. Launching a data report to our own mailing lists or Twitter followers is not enough. The land sector should make a collective effort to reach out to the media and others outside of the land sector to increase visibility of this important topic. Data subjects should also be included beyond the data collection phase and be included in the conversations. Translating data and data products into various local languages and making them interdisciplinary and connected is essential to ensure the data debate is inclusive and democratic.

We need a better overview of India's Land Data & Information Ecosystem.

In this complicated landscape of land data, there is a need for an overview. A great deal of data is not published or accessible to the general public, stays within particular networks and does not reach wider audiences. Often data is not preserved online, as platforms may disappear or historic data is not kept online forever. There is a need for a tool, a data catalogue that directs users to the various different sources and types of land data.

Many thought-provoking insights were shared and discussed among the participants of the workshop, and many of the important questions raised are not likely to be solved through one day's discussions. There was however a great consensus on the enormous potential the data ecosystem can have for land governance in India. More coordination and sharing and more inclusive discussions lead to more transparency and better decision making. The group committed to the following action points to strengthen India's Land Information Ecosystem to reach this full potential:

Continue mapping the land data ecosystem

The exercise during the day was only a start. We need to deepen our understanding of the vast, complex and cluttered space that is the India Land Information Ecosystem. The mapping tool will remain open for inputs from others and the Land Portal Foundation commits to share experiences from its State of Land Information methodology to uncover the ecosystem to gain an even deeper understanding of the gaps and opportunities.

Creating a 'data catalogue' to serve as access point to myriad different sources

As a concrete outcome of the mapping exercise mentioned above, the outcomes can be shared in a 'data catalogue', concretely directing users to the different websites and platforms they can find relevant land data and information. Need of building a land-data platform in Indian context was also felt, where different land data available in online and offline could be made to interact with each other, providing scope for aggregation and disaggregation around administrative boundaries and thematic land indicators, locally relevant as well as globally important. This would make data engagements more intimate and useful for policy and practice.

Exploring a topical classification standard for land tenure

The need for standard classification systems was evident from discussions. The group will explore how to build on existing initiatives such as LandVoc - the Linked Land Governance thesaurus and contribute to that, ensuring such a tool is built and enriched from "bottom-up"-perspective, allowing integration of locally relevant concepts into such a global standard.

Targeted Capacity Building for land data and information stakeholders to more effectively share and communicate data and information

Based on the needs and gaps identified through the further mapping of the information ecosystem as well as (possible) challenges to harmonize and connect various databases and dataset while setting up the 'data catalogue', we will conduct targeted capacity building efforts to share data and information more effectively. Capacity building efforts may also focus on the dissemination and communication of data and information.

Connecting to wider networks for more effective and wider dissemination

To address the challenges that were discussed relating to data dissemination and conversation beyond the land sector and to reach a wider audience, other initiatives were mentioned to address these things. During the India Land & Development Conference, thoughts were shared on connecting civil society organizations and the media in workshops to ensure that the media can be leveraged to reach a wider audience, catalyzing our message. Idea of India Land Ecosystem that was launched during ILDC, aims to connect land actors and institutions across sectors, geographies and hierarchies. Similarly, the World Bank works with civil society on embedding codes and data visualizations. We should ensure that land actors are part of such discourses to reach maximum impact.

The fact that data has the possibility to empower, to promote transparency and catalyze change is undisputed. We need data to accomplish the goals we strive towards. India's land data & information ecosystem is a vast and cluttered space. All of us have a role to play to uncover the myriad sources in the data & information landscape, to increase access to and use of data and information and to make the ecosystem more inclusive and democratic. **What is your role?**



Our Land Our Story



This campaign is launched under the umbrella of the India Land and Development Conference platform. The idea is to reinforce and balance the land rights narratives, by showcasing powerful life-stories from the ground, while encouraging intellectual debate, and institutionally connecting actors, in order to change the way conversations around land take place. Through OLOS, ILDC attempts to open up an important window of powerful story telling around land and development and connect the experience from the ground, from India's diverse geo-political contexts, to global land rights enthusiasts.

It further aims at strengthening land discourse by qualitatively complementing the quantitative data, information and deliberation at ILDC with land-stories from the ground to more effectively contribute to the achievement of land rights goals globally (viz. SDGs) and locally.

In the short-term, such land-stories of change will be able to influence and impact public consciousness and perceptions of wider audiences, from students to policy makers, expanding their involvement and contribution towards ensuring land rights for all.

The OLOS campaign aims to:

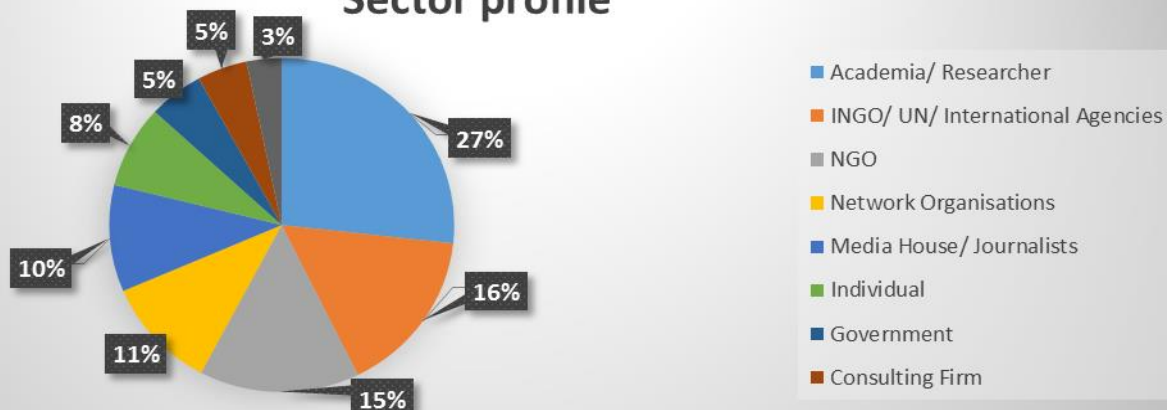
- Advocate and raise awareness on land rights of dependent communities;
- Demonstrate the impact of land rights on families and communities;
- Lend land rights a more personal emotional touch;
- Highlight the works, efforts, processes and achievements of ILDC-partners working on the ground, through real life transformative stories around land tenure security.

Outcome of OLOS

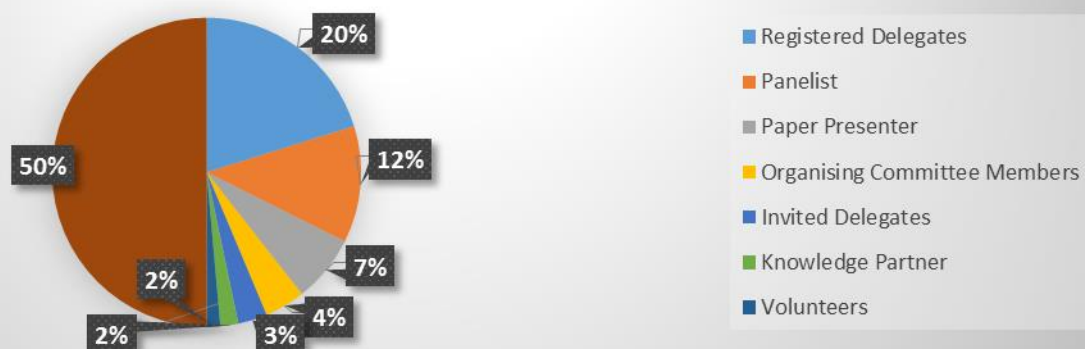
- Popularization of story-telling in land discourses, better appealing to emotion and imagination;
- Expanded attentions and actions by land-stakeholders;
- Launch of OLOS Story Platform (viz. web, e-book etc.) for more regular sharing of land-stories;
- More enriched policy and practice interfaces through land rights cases developed through deeper insights and academic investigations into selected stories.

Delegate Profile

Sector profile



Participation Profile



Geographical Profile



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The contact list of panellists and paper presenters provided in panellist contact are as per registration during conference. The intent is to connect the likeminded scholars, researchers and experts to each other and build networking around this sector. Any change may be informed to the Center for Land Governance at indialandconf@gmail.com

NOTES

NOTES

Media Coverage



Recognise women as farmers with land rights: Mahila Kisan Adhikaar Manch

According to the 10th agricultural Census, 13 per cent of women have landholding rights in the country.

Published: 19th March 2019 08:13 AM | Last Updated: 19th March 2019 08:13 AM



Women farmers take out rally in Sundergarh district on Saturday | Express

By Rina Mitra
Express News Service

NEW DELHI: A nationwide informal forum on Thursday demanded that recognising women engaged in cultivation as farmers should be included in the election manifesto of all political parties.

The Mahila Kisan Adhikaar Manch (MAKAAM) said irrespective of land rights and whether women are cultivating or working as labourers, they must be recognised as farmers.

According to the 10th agricultural Census, 13 per cent of women have landholding rights in the country.

The charter of demands also states women in rural India should be registered as the gram



HOME NEWS VIDEOS RESOURCES VOICES FRIENDS ABOUT US



ARCHIVE PHOTO: Indigenous people protest against the Indigenous policies of the government of Brazilian President Michel Temer, in front of the national congress in Brasilia, Brazil April 26, 2018. REUTERS/Adriano Machado

'With indigenous communities, the importance of keeping a place sacred is keeping it secret'

By Rina Chandran

NEW DELHI - A push to formalise land claims, map settlements and digitise records is not always in the best interests of vulnerable communities, and may even lead to greater rights abuses, analysts warned on Friday.

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1,400 LAWS GOVERN LAND IN EIGHT STATES

Findings of survey by Centre for Policy Research presented in capital on Tuesday

By Rina Mitra

NEW DELHI

THREE are over 1,400 land laws across eight states in the country, shows an ongoing analysis of the Centre for Policy Research Land Rights Initiative (CPRLI). A significant number of these are amendment laws.

The findings, 'One Thousand Land Laws: Mapping the state of land legislation in India', were presented at the India Land and Development conference on Tuesday.

"The more the number of legislations, the more are the complications for the public to get proper redressal. If there are too many legislations, it is easier to give solutions on land grievances to people. Laws alone are not adequate but the procedural lines of it are more important," said Rina Mitra, national convenor, CPRLI, an organisation engaged in land rights reform.

Historically, there has been no systematic effort to popularise the laws or raise awareness among people to use these laws. This makes the complex nature of land laws inaccessible to people. There is also a lack of synchronisation among parastatal

at legislatures and state legislatures," he added. This contributes to smooth execution of laws.

Another Pradesh, Assam, Bihar, Gujarat, Jharkhand, Madhya Pradesh and Telangana were studied.

The data reveals 1,414 land laws, including state and Central laws. Of these, 1,288 are state laws and 126 are Central laws. Of the state laws, 47 are original laws and 126 are amendments.

The states have been selected based on a number of factors - geographical representation, representation of different types of land, including agricultural land, urban land, plain, hilly areas, forest lands, coastal areas, islands and other special areas.

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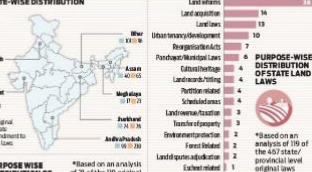
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NEW LAWS AND OLD ONES
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HOME NEWS VIDEOS RESOURCES VOICES FRIENDS ABOUT US

FINANCIALS MARCH 12, 2019 / 12:00 PM / 2 MINUTE READ

As property prices rise, more Indian women claim inheritance

Rina Chandran, Thomson Reuters Foundation

NEW DELHI, March 13 (Thomson Reuters Foundation) - Rising property prices in parts of India have helped achieve what women's rights groups have tried and failed for decades - get more women to claim their inheritance.

A 2005 law gave Hindu women across India equal inheritance rights but few have claimed because they are unaware of the law, or have been forced to give up their inheritance by male family members, according to analysts.

But an increase in property prices near the Indian capital, New Delhi, has pushed

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Drones to undertake India's 'biggest' land survey exercise

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How is ILDC different? It's about partners & partnerships

Established and promoted through a collaborative initiative of local and global land-institutions, the ILDC is a partner-driven platform. It attempts to embody and demonstrate values of democracy, transparency and cooperation in furthering land information and communication. This is demonstrated by:

- Partners organize sessions as per their area of work and interest, by selecting the topics, framing narratives for conversation and selecting panelists. This adds diversity and augments ownership to the platform;
- As a platform, it helps partners showcase and further their work and respective agendas, while adding onto the present comprehensive national land agenda;
- It helps Indian land discourses become more connected, comprehensive, nuanced, as well as diversified, while providing opportunities to amplify these discourses, linking them up with similar global discourses;
- The ILDC is a convergence space for cross-fertilization of experiences, narratives, innovation and challenges around land rights, tenures, administrations, information and technologies;
- It is the only microcosm to learn and experience the pulses of land-initiatives, engagements and innovations such a large and vast country like India, at one place, in just over three days.

Reach Us

SECRETARIAT- ILDC 2019

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