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South Asia Agriculture and Rural Growth Discussion Note Series

## Strategies to Increase Poor Farmers' Access to Land and Related Benefits in India

# BUILD FARMERS' LAND RIGHTS AWARENESS AND LAST-MILE ACCESS TO LEGAL AID

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## **BUILD FARMERS' LAND RIGHTS AWARENESS AND LAST-MILE ACCESS TO LEGAL AID**



Photo credit: Charuben Koli Patel – BMVS/WGWLO

*This discussion note profiles approaches for building poor farmers' legal awareness and access to legal support to resolve land disputes.*

## **1. OVERVIEW**

### **Context**

- Landlessness is a key driver of poverty in rural India, especially among vulnerable farmers, such as members of Scheduled Castes (SC), Scheduled Tribes (ST), and women.
- A significant percentage of vulnerable farmers are either landless or have insecure rights to land, leading to complex land disputes.
- As eligibility for government agricultural entitlements is increasingly linked to formal land records, helping vulnerable farmers resolve land disputes and secure land access with updated land records is critical for their ability to fully contribute to India's agricultural transformation.

### **Interventions**

- Build legal awareness among poor and marginalized farmers (especially women, SC, and ST), particularly on land rights and agricultural entitlements.
- Help women farmers claim inheritance through (i) increasing their awareness of inheritance rights and related legal provisions and (ii) supporting them to negotiate with family to obtain legal heir rights.
- Support vulnerable (especially SC/ST) farmers to resolve land disputes and secure possession of lands legally allocated to them through government land allocation programs.

### **Impact**

- Secured title and possession of land.
- Reduced time and cost of securing land.
- Increased access to agricultural entitlements, including subsidized credit, extension services, and marketing support.
- Women were recognized by their communities as 'farmers', providing them a greater sense of empowerment and ability to advocate for their rights.

### **Lessons Learned**

- A multi-tiered, multi-competency institutional architecture with grassroots paralegals and para-surveyors as its core can enable poor farmers, women farmers, and SC/ST farmers to understand relevant land laws, negotiate inheritance rights, resolve land disputes, and access related land services.
- The efficacy of the initiative is increased when the State Rural Livelihood Missions (SRLMs) lead the initiative with technical support from credible non-profits that have expertise on land issues and law universities.
- Building local capacity and a cadre of community (preferably women) trainers or service providers (for example, paralegals) is critical to sensitively and effectively deliver essential land services at scale to vulnerable farmers.
- The involvement of local-level government officials in the studied programs enhanced their understanding and sensitivity about women's land rights.

## **2. CONTEXT**

Landlessness is a key driver of poverty and vulnerability in rural India, especially among

members of SC, ST, and women. As eligibility for government agricultural entitlements is increasingly linked to formal land records, it is imperative to help vulnerable farmers access farmland with documented land rights. In the long term, this

will enable them to fully contribute to India's agricultural transformation. Legal reforms – such as formalizing agricultural land leasing<sup>1</sup> – remain a key instrument for addressing access barriers for vulnerable farmers. To complement top-down legal reforms, this note focuses on an important bottom-up strategy to increase vulnerable farmers' access to land and related benefits: raising land rights awareness and mobilizing last-mile legal aid to resolve land disputes and inheritance claims.

A significant percentage of vulnerable farmers are either landless or have insecure rights to land. Consequently, they are often trapped in complex land disputes. Insecure land rights mean that farmers lack at least one of the three essential ingredients of legal tenure security: possession of land, community recognition of their land rights, and possession of a formal land record in their name.

Three key underlying constraints for vulnerable farmers to secure land rights are: (i) limited legal awareness, (ii) absence of legal aid, and (iii) inaccessible land administration systems. To address these constraints, several government and civil society initiatives over the past three decades have worked to:

- Build farmers' awareness on legal provisions related to land rights, land laws, inheritance rights, and agricultural entitlements;
- Provide support and skills to help women negotiate with family to obtain legal heir rights; and
- Provide legal aid to help vulnerable (especially SC/ST) farmers resolve land disputes and secure possession of lands legally allotted to them by the government.

Pro-poor land laws, administrative capacity, and judicial infrastructure form a vital foundation for securing the land rights of the most vulnerable farmers. However, experience suggests that these supply-side policies and state investments are often insufficient on their own to enable vulnerable farmers to access benefits. Farmers

<sup>1</sup> See the related discussion note: [Agricultural Land Leasing Reform in India](#)



Photo credit: WGWLO

often lack awareness of their legal land rights, land-related procedures, and eligibility for government programs that aim to support poor farmers. In such a scenario, complementary community-based initiatives to raise legal awareness and provide last-mile legal aid are required. Experience from several states suggests that such initiatives can effectively support vulnerable farmers to access administrative benefits and help them seek legal recourse to secure their land rights.

This note specifically weaves together the experiences of the [West Bengal State Rural Livelihoods Mission \(WBSRLM\)](#) and [Landesa, Working Group of Women for Land Ownership \(WGWLO\)](#) in Gujarat, [IKP-Bhoomi](#) program of [Society for Elimination of Rural Poverty \(SERP\)](#) in Andhra Pradesh, and the [Odisha Tribal Empowerment Livelihood Project \(OTELP\)](#). The note describes a best practice approach for building awareness and facilitating access to legal aid for vulnerable farmers in the country.

### 3. INTERVENTIONS

A successful community-based legal aid approach builds on the premise that the poor and women farmers require comprehensive support to be aware of their land rights and, subsequently, to exercise them. Several cross-cutting design principles underpin the successful examples, as analyzed below:



- a) **Strategic partnerships** involving Non-Governmental Organizations (NGOs), *gram panchayats*, and educational institutions are key to leveraging technical knowledge and support (see Box 1).

### Box 1: Institutions Involved in Addressing Land Rights Issues

A community-based legal empowerment approach would minimally include each of the three key actors: (i) state agencies like State Rural Livelihoods Missions (SRLMs), (ii) community institutions, and (iii) knowledge agencies. It is also important to leverage the respective sectoral roles and programs of the Departments of Land Revenue and Agriculture to disseminate relevant information on welfare programs, entitlements, and institutional processes and to provide grievance redressal platforms.

#### State Rural Livelihoods Mission/Lead NGO/State Project

- Mobilize farmer beneficiaries requiring support on land-related issues
- Select a knowledge agency (NGO/law college) at the state level to be lead partner
- Support a knowledge agency to host Legal Assistance Centers (LACs)
- Finance costs of knowledge agency and LAC for 3-5 years

#### Community Institutions

- Select Community Resource Persons (CRPs) as paralegals/para-surveyors to receive training and provide frontline legal/technical support to community members on land issues
- Monitor para-workers' performance and ensure timely payments
- Finalize the inventory of community members' land-related issues and specific member-wise areas that require support
- Prioritize support wherever required

#### Knowledge Agencies (NGOs/Law College)

- Develop training curriculum and elect master trainers to train para-workers with support of law graduates and retired revenue officials
- Host LACs with master trainers
- Position staff to host and manage paralegal centers at the block level for the poor to access legal aid services
- Organize regular legal clinics/camps to provide free legal consultation on complex land disputes
- Finance a panel of lawyers to represent the poor in their court cases
- Provide regular and periodic training for land administration officials and judges

- b) **Community-level awareness and capacity building on key themes** (see Box 2) delivered through credible, strong, existing community-based organizations, such as women's Self-Help Groups (SHGs).

### Box 2: Key Training Themes for Creating Awareness on Land Rights

- Different uses of land and how these are linked to ownership rights
- Legal provisions governing land rights in general and women's land rights, including under Hindu, Muslim and Christian Personal Laws and other laws promoting women's land rights, such as equal inheritance and joint titling
- Various forms of land records: for example, sale deed, *patta* (land ownership record), *khatiyani* (land record), rent receipts, and their variations
- Legal procedures for land transactions (sale and purchase), inheritance, government land settlements, and the mutation process (change of land record following transfer of ownership)
- Digital options for viewing and lodging applications for updating land records using mobile apps and the e-platform of the state land administration
- Eligibility for various land-related schemes

- c) **Multi-level Legal Assistance Centers (LACs) with qualified human resources** (see Box 3) aligned with the Department of Land Revenue hierarchy (at state, district, block, and village levels) that provide technical and legal assistance to address the complex land issues facing vulnerable farmers.

### Box 3: Structure of Multi-Level Legal Assistance Centers

VILLAGE LEVEL RESOURCES		
<p><b>Community Resource Person/ Para-surveyor</b></p> <ul style="list-style-type: none"> <li>• 1 local youth per village</li> <li>• Identifies target farmers (women, SC/ST) for legal awareness and aid</li> <li>• Prepares inventory of all land in the village (including parcel map) and lists landless and tenants</li> <li>• Collates list of land problems and disputes of the poor and women</li> <li>• Assists paralegals in resolving the identified problems</li> <li>• Shares the information with land administration officials</li> </ul>	<p><b>Land Sub-Committees</b></p> <ul style="list-style-type: none"> <li>• 3-5 active members in a Village Organization (VO) of a three-tier SHG structure, trained in the basics of land laws, records, and related procedures</li> </ul>	<p><b>Paralegals</b></p> <ul style="list-style-type: none"> <li>• 3-5 youth or women per block identified from the community and trained in alternative dispute resolution mechanisms</li> <li>• Provide legal education and aid services to households that need assistance for securing their land rights</li> <li>• Conduct local enquiry and collect necessary information required for filing petitions/cases before the appropriate authorities</li> <li>• Assist the farmers in filing the petitions/cases in revenue and civil courts; draft legal letters for approaching the revenue officials; follow up on existing cases; and prepare clients for counselling at specialized legal clinics</li> </ul>
BLOCK/TEHSIL LEVEL RESOURCES		
<p><b>Coordinator</b></p> <ul style="list-style-type: none"> <li>• A law graduate</li> <li>• Provides technical support to the paralegals and acts as Master Trainer</li> <li>• Connects village workers with block officials</li> </ul>	<p><b>Land Sub-Committees</b></p> <ul style="list-style-type: none"> <li>• 3-5 active members at Cluster Level Federation (CLF) of a three-tier SHG structure, trained in basics of land laws, records, and related procedures</li> </ul>	<p><b>Legal Assistance Centers</b></p> <ul style="list-style-type: none"> <li>• Dedicated center at the block level to coordinate the work by the para-workers and improve their interface with government (Departments of Land Revenue and Agriculture); managed by two para-workers and one nodal person from the facilitating NGO</li> </ul>
DISTRICT LEVEL RESOURCES		
<p><b>Legal NGO</b></p> <ul style="list-style-type: none"> <li>• Hosts legal clinics to build capacity of paralegals to address technically complicated disputes</li> </ul>	<p><b>Land Manager</b></p> <ul style="list-style-type: none"> <li>• A retired revenue officer</li> <li>• Provides support to the coordinator, especially for government liaison</li> </ul>	<p><b>Panel of Lawyers</b></p> <ul style="list-style-type: none"> <li>• Represents the poor in civil courts on land matters, whenever required</li> </ul>
CENTRAL LEVEL RESOURCES		
<p><b>State Rural Livelihoods Mission/NGO/State Project</b></p> <ul style="list-style-type: none"> <li>• Oversees all activities relating to knowledge production and capacity building of community cadre</li> <li>• Facilitates access to legal support, information, and land records</li> <li>• Provides legal aid</li> <li>• Interfaces with corresponding-level government departments to resolve land cases (Land Revenue Department) and avail relevant land-related agriculture entitlements (Agriculture Department)</li> </ul>		

- d) **Legal clinics with specialized attorneys** can support paralegals to resolve complex land disputes that require higher-level legal expertise.

## Box 4: Impact

### Andhra Pradesh

- Government of Andhra Pradesh issued a government order<sup>2</sup> to constitute land committees at various levels (state, district, divisional, *mandal* or block) and meet as often as needed to resolve the land issues of the poor identified by Indira Kranthi Patham (IKP) land staff
- Title and possession secured to 430,000 households
- No transaction costs (reduced expenditure)
- 43,842 families got on average 1.2 acres each developed under the Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGS)
- 280,000 families accessed credit

### Gujarat

- 8,818 women accessed inheritance rights to land, and 7,551 women claimed agriculture-based public services entitlements from 2013-2019
- Women farmers secured an average of 0.60 acres each, and INR 61 lakh (USD 84,138) worth of public services were mobilized during the period 2017-2019
- 2,575 women farmers (of which two-thirds are tribal) shifted to sustainable agriculture practices from 2017-2019
- Land access cost reduced substantially – 40 percent of the respondents surveyed had accessed land within 3 months and 78 percent within 12 months as per an impact study in 2019
- 80 percent of the women beneficiaries surveyed reported having acquired a new identity of ‘woman farmer’, and 75 percent reported feeling more empowered to make their own decisions within the household according to the 2019 impact study

### Odisha

- Title and possession were secured for 17,427 tribal households (11 percent farmland and 89 percent homestead land)
- Government of Odisha scaled up the work to 18,000 villages in 118 Tribal Sub Plan blocks across 12 districts in 2012
- The project (which also includes watershed development activities) increased annual household farm production by 140 percent

### West Bengal

- Increased legal awareness and enhanced women farmers’ capacity to access government services related to agricultural land (see Figure 1)
- Increased access to credit, extension, and markets and enabled crop diversification
- Created demand to scale up program to 750,000 members across 106 blocks in 2020-21

#### Figure 1. Impacts of Women’s Land Literacy Training in West Bengal

**32%** women could describe what is meant by the record of rights and what documents constitute it

**36%** women were able to recall which office needs to be approached for obtaining record of rights

**45%** women recalled to which office the application for mutation needs to be submitted

**34%** women could identify which office to visit for obtaining a succession certificate

<sup>2</sup> G.O. No. 1148

## 4. LESSONS LEARNED

### Institutional Support Architecture

- **A multi-tiered, multi-competency institutional architecture is needed to provide last-mile land services at scale to vulnerable farmers.** SRLMs in partnership with credible, technically competent NGOs and law universities are best positioned to finance and manage LACs spanning the state, district, block, and village levels. These LACs bring together all the resources and activities needed to help vulnerable farmers, especially women and SC/ST farmers, resolve land disputes and access secure, documented land rights and related land services. The formation of a land sub-committee within the VO/CLF and identification of SHG leaders as lead trainers can enable community-based training programs to scale effectively through the existing SHG network.
- **Well-trained community paralegals and para-surveyors can provide effective last-**

mile land administration support to help both government authorities and the poor identify and resolve land issues. Training local paralegals and para-surveyors is a low-cost, high-impact solution to secure land rights for vulnerable farmers. For example, the annual cost per paralegal under SERP's IKP-Bhoomi program was approximately INR 100,000 (USD 2,200), which includes salary, travel, training, and management costs<sup>3</sup>.

### Building Capacity

- **Vulnerable farmers require technical capacity in multiple related topics to secure their land rights and fully benefit from their land.** An external agency specialized in land rights and related laws and procedures can help identify the training needs for various actors (farmers, para-workers, Department of Land Revenue officials), develop course modules using adult learning pedagogy, and deliver 'training of the trainers' on these topics.
- **To boost production and marketing outcomes, efforts to strengthen vulnerable farmers'**



Photo credit: Ritayan Mukherjee – The World Bank

<sup>3</sup> Kumar, M. Sunil. 2013. A Systems Approach for Providing Legal Aid for Land. Paper presented at the Annual World Bank Conference on Land and Poverty, Washington, DC, April 8-11, 2013.

**land rights need to be accompanied by support to improve their access to extension services and agricultural entitlements linked to land.** Helping poor farmers obtain updated land records is critical to make them eligible for Department of Agriculture schemes that rely on land records, including direct benefit transfers, like Pradhan Mantri Kisan Samman Nidhi (PM-KISAN), as well as subsidized inputs, credit, and crop insurance. Sharing farmer inventories and facilitating access to databases across the Departments of Agriculture and Revenue is equally important to ensure vulnerable

farmers benefit from existing agricultural support programs.

## Gender Responsiveness

- **Training and sensitizing land revenue officials on gender issues is crucial to improve the gender responsiveness of land administration services.** The training and involvement of local Department of Land Revenue officials (Revenue Inspector, *Amin*, *Tehsildars*) in the studied programs enhanced these officials' understanding of women's land rights. It also improved their ability to consider land issues from the perspective of women.

### ABOUT THE DISCUSSION NOTE SERIES

This note is part of the South Asia Agriculture and Rural Growth Discussion Note Series, which seeks to disseminate operational learnings and implementation experiences from rural, agriculture, and food systems programs in South Asia. It is based on the findings of the ***Land Policy Reform for Agricultural Transformation in India Study*** under the India Agriculture and Rural Development Advisory Services and Analytical Program. The other notes in this series include:

- [Increase Land Access for Land-Poor Women Farmers](#)
- [Help Vulnerable Farmers Access Formal Land Records](#)
- [Informally Register Farmers' Customary Land Rights in Tribal Areas](#)
- [Promising State Initiatives to Increase Poor Farmers' Access to Land and Agricultural Services](#)
- [Agricultural Land Leasing Reform in India](#)

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