

**REPORT ON**

# **Homestead Land in Gaya, Bihar**

## **A Model of Community Based Approach**



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# Homestead Land in Gaya, Bihar

## A Model of Community Based Approach

### Coverage and Impact

Block	Gram Panchayat	Villages	CBOs	Households (SC)	Applications Submitted	Parcha/Parwana delivered to women heads of Households
4	54	480	539	44,717	11,426	10,125



### Message



The Department of Revenue & Land Reforms, Government of Bihar, acknowledges the proactive initiative developed by Deshkal Society and its network partners in developing an innovative approach for facilitating delivery of parcha and parwana to women-headed households in selected blocks of Gaya district, Bihar. With support of the Poorest Areas Civil Society (A DFID Programme), the initiative reached out to Scheduled Castes communities spread over 480 villages in 4 blocks of the district. Over a period of four years, beginning 2012, a total of 11,426 applications from eligible households were initiated of which 10,125 women-headed households received entitlement documents for homestead lands with active association and support from district and block-level administrations of Gaya district, Bihar.

Notable in the initiative is the **community-based approach** for mobilising the community, which brought them together as cohesive groups and build their capacity to act as an effective pressure group. In the process, Deshkal Society and partner organisation established and strengthened 480 village level community based organisations (CBOs), 54 panchayat level CBOs, four block level CBOs and one district level CBO. The Department of Revenue & Land Reforms, Government of Bihar, puts on record the success of this unique state – non-state collaboration in reaching out to the landless poor, especially Scheduled Castes, and helping them secure their legitimate rights from right-based perspective.

Deshkal Society and its partner organisations, with support of the Poorest Areas Civil Society (PACS) Programmes, joined hands in 2012 through a four year project to work with the Dalit communities in 480 villages spread over four blocks of the Gaya district. This project aims to improve the uptake of entitlements pertaining to land rights among the Dalits, particularly women in order to enable them to live with dignity. Deshkal Society has partnered with three organisations, viz., **Gram Nirman Kendra, Lok Shakti Shikshan Kendra, and Prakhand Gram Swaraj Sabha** to implement this project.

A project on the same theme was completed in 2007–08 in 74 villages spread over three blocks, consisting of 6,800 Dalit households, in which Deshkal Society and its partner organisations had succeed in delivering 100 per cent entitlement to homestead land to Dalit communities in the first phase of the pilot project.

Shri Vyas Ji, *Principal Secretary*  
Dept. of Revenue and Land Reforms  
Government of Bihar

**DESHKAL SOCIETY**  
[www.deshkalindia.com](http://www.deshkalindia.com)

We have realised our collective power and efforts through the formation and successful functioning of the Community Based Organisation (CBO) in our village. The members of the CBO initiated community mobilisation for entitlements to homestead land, collected data on those who do not have legal entitlement, assisted in filling up of applications and their submission at the block level.

—Ms. Ruby Devi, President, Community Based Organisation, Gaya



## Banking on the Power of Collective: A Community based Approach

Community based approaches to development translate into mobilising the community, bringing them together as cohesive groups and building

their capacity to act as an effective pressure group. Deshkal Society has tried to establish and strengthened **480 village level community based organisations (CBOs), 54 panchayat level CBOs, four block level CBOs and one district level CBO.**

Deshkal Society and its partner organisations focuses on capacity

building of these rural community groups through training and awareness generation programmes on laws, policies and provisions, that enable the groups to take up issues affecting the local community. We also provide handholding support to these community groups for effectively using tools such as RTI and Public Hearing, in

### Box 1: Strategy for the Community Based Approach

Mobilisation of groups for capacity building programmes on laws, policies and provisions on homestead land rights and antitlements.

Formation of Community Based Organisations (CBOs)

Strengthening and enhancing knowledge and skills of CBOs to take up leadership roles in collectively raising their voice and influence decision making.

Panchayat level interface meetings to sensitise government officials

Public campaigns and advocacy led by networks of CBOs

Improved dialogue, effective interface and networking of CBOs with the government

Advocacy and policy engagement between the government and CBOs through meetings and workshops

Information Bulletins in Hindi for dissemination

Process documentations and media meets to share the developments, experiences and lessons from the project implementation



order to make service providers more responsive and accountable. Sustained capacity building and handholding have enabled CBOs to evolve as vibrant pressure groups that proactively engage with the government, service providers and other key stakeholders. Since all CBOs leaders are from the socially excluded groups, they serve as case studies of bring the leadership of the socially excluded groups to the forefront.

## Closing the Gaps

Deshkal Society and its partner organisations have carved its own niche in the civil society space through its focused interventions on Homestead Land. While there are many stories of change and evidences, which demonstrate that impact we have created on the ground, we have also engaged progressively with the Government and policy makers to advocate for the rights of socially excluded, particularly Dalits. The success of our efforts is particularly due to PACS which facilitated in building our perspective to work with the socially excluded communities through collaborations and critical engagements with the community and the government.

Through our efforts, **10426 applications** for settlement of homestead land and distribution of surplus government land has been filed. **8129 among these have received their legal entitlements** in terms of *Parcha* and *Parwana*.

Deshkal Society and its partner organisations understand what excites community and therefore we experiment with new and innovative ideas and tools to raise awareness on critical issues.

**10 folk artists trained** for this purpose have done over **54 performances** illustrating key components of various acts and schemes in **54 Gram Panchayats (GP) under intervention**.

**State level public hearing on land rights** held in December, 2013 sensitized key Govt. officials for

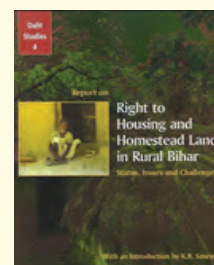
making them more supportive and accessible to the socially excluded community.

A Quarterly news bulletin *Waas Bhumi* has brought wider sharing of key learnings and policy updates. A book on *Bihar Me Vasthumi aur Awaas ka Adhikar* by Sanjay Kumar and P. D. Singh with a foreword by K. B. Saxena and published by Deshkal Publication has been widely appreciated by various stakeholders, including the Government of Bihar, which ensured its distribution to all blocks in the state.

## Actions

- Formation and strengthening of CBOs among SC community.
- Visioning and building the capacity of CBOs for improved dialogue, effective interface and networking.
- Enhancing their knowledge and skills particularly of women to take up leadership roles, raise their collective voice, influence decision making processes in local governance institutions and more importantly act as pressure groups.
- Advocacy and policy engagement with the government at the district, state and national levels through interactive meetings, workshops and sharing recommendations of core committees on thematic issues.

### Box 2 Broadening the perspective and approach through knowledge and information tools



### Box 3

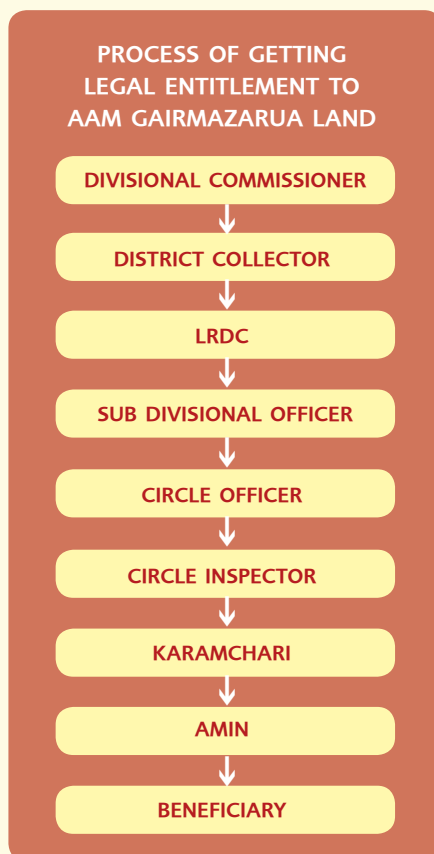
## Making it Happen: Entitlements to Aam Gairmazarua Land

A large section of the population in Kandha village in Wazirganj block in Gaya district of Bihar belongs to the Dalit communities: Rajvanshis, Musahars, Chowdhrys, Dhobis and Ravidas are chief among them.

There is a sense of triumph amongst the people of Kandha. After many decades of pleas and struggles, they have acquired legal ownership of their homes. In legal terminology the ownership deed is called Parwana. They were granted Parwana in 2013. Deshkal Society and its partner organisations had begun its endeavours to help them acquire Parwanas in the beginning of 2012. In its first visit to the village, Deshkal Society began with organising a meeting of village men and women. Through this the team could identify how many of them have Parwanas for the lands their houses are built on and how many don't. Be it noted, the Bihar Privileged Persons Homestead Tenancy Act, 1947 granted the landless, and the Dalit or Adivasi communities, in 1948, the right to ownership over the land they have been living on. However, Deshkal team made a list of such people in the village. Within a week, applications were made and status of concerned lands was classified with help from the local Amin. Along with a brief description of applications, the team then submitted them at Wazirganj Block Headquarter. After physical verification and inspection, the block's Karamchhari and Circle Inspector identified the lands as belonging to Gairmazarua category. After endorsement, they sent the applications to the Anumandal Land Revenue Deputy Collector (LRDC) and Sub-Divisional Officer (SDO). The LRDC and SDO too endorsed them and forwarded to the District Collector for further

action. From there it reached the Divisional Commissioner. Given the complexity of this process, Deshkal team followed up at each stage of the process. The team knew well that without meticulous follow up, the applications would remain stuck in bureaucratic red-tapism. The team was also aware that though the poor and landless can be granted Parchas and Parwanas for Raiyyati and Gairmazarua land at the District and Block levels but, according to laws, power to grant Parwanas lies with the Divisional Commissioner. The Deshkal team has built consistent pressure on the Divisional Commissioner to process the submitted applications for Gairmazarua land. Finally, the team succeeded

**The Parwana will ever remain an instrument in their hands for homestead against displacement and suffering.**



in getting the approval on 51 applications from the Divisional Commissioner, Magadha division for providing legal entitlements to homestead land. The order of the Divisional Commissioner was sent to Wazirganj block with instructions for providing right to home stead land to SC communities soon.

Deshkal team evolved a strategy whereby it was ensured that each applicant from Kandha receives a copy of the Parwana. It was also ensured that the applicants, i.e., those who were to be given habitat land, receive Malguzari receipt. To this end, each such applicant deposited Rs 10 with the Karamchhari. Thereafter, Deshkal team set up camp in Kandha and in August, 2013 helped grant land to Dalits and landless families. The elder of Kandha, Sh Kameshwar Manjhi, 60, narrated how his father and he struggled for the land several times; but was never granted the land. It was a series of failures all the way. He does not forget to inform how 40 years ago when they lived on 'dih' (a plot of 27 bighas), the powerful of the village had removed them from the land. At that time, too, he and others had appealed to the Panchayat Mukhiya and Block officials to safeguard their right to habitat under the Law. 'No one paid heed. We were uprooted from lands where our grandparents and great grandparents were born and where they lived and died'. With the granting of Parwana, one can read the eventual happiness in the old and tired eyes of Sh Kameshwar. May be, in such happiness, we can see the confidence that unlike his elders his descendants will not be removed or uprooted from their land. The Parwana will ever remain an instrument in their hands for homestead against displacement and suffering.



The Parwana is not only a legalised document on our homestead land but also a procedural document that provides us the right to get the benefits of Indira Awas Yojana scheme and enables us to open accounts in the Bank of our choice.

—Ms. Bhagiya Devi, Eru,  
Wazirganj, Gaya



## Results and Impacts

- Increased dialogue and partnership between socially excluded communities, PRIs, block and district level revenue officials for inclusive land rights.
- Existence of sustainable and committed network of key stakeholders for advocating land rights at various levels.
- Enhanced support of revenue officials and PRI representatives for application processing, *Parcha* and *Parwana* delivery and possession of land.
- Increased policy advocacy and visible policy measures demonstrated through government policies and directives.
- Enhanced knowledge, skills, capacity of CBOs and Civil Society Organisation (CSOs) for improved dialogue, effective interface and networking with PRIs and the government.
- Formation of 539 CBOs with 9640 members from socially excluded groups.
- Delivery of 8129 legal entitlements to the households in terms of *Parcha* and *Parwana*.

## Community Based Approach: Moving towards Policy Initiative

Deshkal Society, its partner organisations, and CBOs came up with a much stronger advocacy and policy

engagement pitch to intensify its work on homestead land with community at micro and macro level. In this process, they organised a Consultative Workshop on "Right to Homestead Land and Housing in Gaya, Bihar: Status, Issues and Challenges" on 21st December, 2013 in Gaya. Prof. K. B. Saxena, former Secretary, Gol, Sri Vyasji, Principal Secretary (Dept. of Revenue and Land Reforms, Bihar), Sri Bala Murgun D., District Magistrate, Gaya, Sri Rajpal, National Programme Manager, PACS, DFID, Sri Sanjay Kumar, Secretary, Deshkal Society, Smt. Jyoti Manjhi, MLA, Gaya were the key panellists at the Workshop.

During the deliberations at the workshop, policymakers, civil society organisations, community representatives, and leaders of CBOs collectively identified gaps and constraints in existing rules and provisions for homestead land. Consequently, Sri Vyasji appreciated

the collective spirit and voice, and announced that the Department of Revenue and Land Reforms, Government of Bihar will take prompt initiative on the following to reduce the gaps and constraints in existing rules and provisions for homestead land:

- Deshkal Society and PACS are entrusted to develop a guideline under the guidance from Prof. K B Saxena for simplification of administrative processes and procedures.
- Deshkal Society in support of PACS will develop training modules in association with the Department of Revenue and Land Reforms, Government of Bihar for capacity building of revenue officials at the Panchayat, Block and District levels. In this backdrop, the Department of Revenue and Land Reforms, Government of Bihar will initiate the process of training the Circle





Gram Nirman Kendra, Lok Shakti Shikshan Kendra, Prakhand Gram Swaraj Sabha and Deshkal Society succeeded in developing a collective model that can be replicated at a large scale in all 44, 874 villages and 534 blocks in Bihar.

— Sri Baleshwar Prasad, Secretary, Prakhand Gram Swaraj Sabha, Fatehpur, Gaya

applications for homestead land. The government will have to ensure availability of basic legal and official documents mainly, revenue village maps, land records (*khatian*), application forms, copy of the Act and guidelines of the process of implementation of the Act with the CBOs so as to make the CBOs, as an institution, function effectively and in a time-bound manner.

- The Bihar Right to Homestead Bill, 2014 should inevitably provide for bestowing authority in processing of applications, monitoring and delivery of homestead lands to the Block level government institutions. The community based Approach has taught us the lesson that pairing legal entitlements for homestead land becomes much more difficult for Dalits and oppressed sections of the society with increasing number of administrative steps and stages. It has been shown in Box 2 that the process of getting legal entitlements to Aam Gairmazarua Land (public land) has been very complex, lengthy and times consuming as the current administrative procedures involve the government revenue institutions

Officers in the Blocks, Anumandal Land Revenue Deputy Collector (LRDC), and Additional Revenue Collector of all districts.

- Application forms for homestead land, receipts and maps of revenue villages will be made available in adequate quantity at the block level.
- The book titled *Bihar Me Vasbhumi aur Awaas ka Adhikar: Sthitiya, Mudde aur Chunotiya* will be made available to 534 Blocks in Bihar along with a recommendation letter from the Principal Secretary, Department of Revenue and Land reforms, Government of Bihar.

- The most significant and critical lesson that emerged through the community based initiative led by the CBOs for entitlements to homestead land in 480 villages in Gaya is that the rights of the community and CBOs to the Bihar Right to Homestead Bill, 2014 should be as equal partners of the process rather than as recipients. CBOs, as one of the key stakeholders, should be entitled to initiate and facilitate the process of right to homestead land at the village level. The CBO leaders should be given the role and responsibility to initiate and facilitate the process of fulfilling the

## Getting to the Bihar Right to Homestead Bill, 2014

The community based approach has not only brought out the limitations and inadequacies of the Bihar Privileged Persons Homestead Tenancy (BPPHT) Act, 1947 but has also generated a demand for an Act on homestead land from a rights-based perspective. On the basis of the critical learnings and lessons from the experiment at grassroots, we urgently need to make the following recommendations an inevitable part of the Bihar Right to Homestead Bill, 2014.





This success story is the best example of an equal tripartite partnership of the block level government institutions, Civil Society Organisation and Community Based Organisation.

—Ms. Anju Singh, Circle Inspector, Wazirganj, Gaya, Bihar.



from Amin upto the Divisional Commissioner.

- The Bihar Right to Homestead Bill, 2014 will have to ensure a minimum size 10 Decimal of Homestead Land to landless and houseless households instead of 3 Decimal as per current government provisions.

Therefore, we strongly advocate and recommend the Department of Revenue and Land Reforms, Government of Bihar to ensure that these recommendations be made an integral part of the proposed Bihar Right to Homestead Bill, 2014. The community based approach adopted

in Gaya provides a framework, direction and strategy for ensuring the participation and leadership of marginalised communities and effective implementation of the Bihar Right to Homestead Bill, 2014 for entitlements to homestead land. ■

## Bihar: The home of the second largest houseless population in the country

### HOUSELESS IN COUNTRY

In descending order meaning West Bengal has minimum people without houses

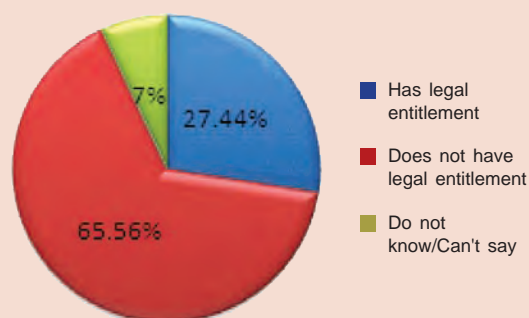
State	Houseless Population
West Bengal	35,07,836
Bihar	34,02,635
Madhya Pradesh	32,34,778
Uttar Pradesh	25,36,909
Odisha	24,90,706
Rajasthan	21,13,319
Tamil Nadu	14,52,537
Chhattisgarh	14,41,604
Maharashtra	12,12,798
Gujarat	8,10,467

Houseless: Those with one and two room dwellings with kuchha roof and walls



Source: Socio-Economic Caste Census, 2013

## Status of Legal Entitlement for Homestead Land in Bihar



Source: Deshkal study supported by Planning Commission, Gol, 2014.



Deshkal Society, since 1995, has initiated and innovated research, advocacy and grassroots interventions to further the inclusion and equity of marginalised communities in a democratised mainstream society. Issues of social exclusion/ inclusion, marginality and diversity in education, land rights and entitlements, and culture and sustainable

livelihoods are the main focus where we continue to develop a conceptual understanding of the mainstream discourse and how it has evolved to limit and marginalise the underprivileged communities. Our knowledge based activism, including publications, consultative seminars and a sustained partnership between marginalised communities and our learning centres has helped us in democratising mainstream knowledge structures and policy development in favour of marginalized groups for their empowerment, social equity, inclusive growth and freedom.



The Poorest Areas Civil Society (PACS) Programme is an initiative of the UK Government's Department for International Development (DFID) aimed at reducing the gap in wellbeing status between socially excluded groups in India and the rest of the population. We work with

civil society organisations to help groups claim their rights and entitlements, by promoting inclusive policies, programmes and institutions at local, district and state levels.

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