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## **ALIGNING LAND USE POLICIES TO COMMUNITY VISION IN REGULATING LAND BEYOND URBAN: AN INITIATIVE IN ODISHA, INDIA**

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## **Abstract**

The paper brings in the need for a community vision-led landuse policy that governs land beyond urban. As per Census of India 2011, 68.84 percent of India is rural. Except for few states, land in rural areas is not governed through spatial tools and policies. The state of Odisha, located in the south-eastern part of India being 83.32 percent rural (Census 2011), lacks a landuse policy and spatial regulation tool for all rural areas and many of its urban areas. Due to absence or inadequacy of a comprehensive policy for landuse development, investments are not guided to villages and small or medium towns. To make the denied areas thrive as productive and livable territories, it becomes essential to distribute land development benefits equitably over space. The paper examines how formulation of a state specific land use policy for Odisha, can integrate the aspirations of local communities for better decision-making.

**Key Words:** community, landuse, participation, planning, policy



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## 1. Land and Community

Land as the base for all activities, serves as one of the primary natural resources that induces growth and sustenance of a society. With the advent of industrialization and urbanization, India has been experiencing higher demands for conversion of land from agricultural to non-agricultural uses. With increasing pressure of population over land and its commodification, the carrying capacity of land is being consistently impacted, threatening food security, soil quality, environment, biodiversity and community rights.

India is a country with high rural-urban disparities in living conditions. From policy perspective, spatial disparities are one of the main reasons for rising social inequalities, leading to lopsided development which bypasses city peripheries, small and medium towns, and villages. Simultaneously, the definitions of urban also become insufficient in identifying settlement agglomerations, where urban characteristics are increasingly extending to rural areas fading away the lines of differentiation between territories. Strong urban growth in the past decade has given rise to a new type of urbanism that seems to be neither rural nor urban, shaped by a shift of employment from tertiary to secondary sector and fast growing population with a high density. Former rural areas are transformed into undefined areas in form of settlement agglomerations around large cities or as subaltern towns. While these areas become more urban in terms of economic and housing characteristics, its governance structure and basic services are not being adapted to the pace of their economic growth and tends to remain rural.

This skewed incidence of rural-urban poverty ratio is also reflected in The World Bank (2015) statistics, stating 26 percent of poverty in rural areas as against 14 percent in urban areas. According to Mearns R. (1999), this shortage of access to land can be rightly correlated with growing poverty in rural areas. While urban areas have developed fast in the past twenty to thirty years with high investments on land and infrastructure, small towns and villages have been bypassed. The economic reforms related to liberalization, globalization and privatization in 1992 in India, had opened up debates regarding capital accumulation in large cities resulting in a lopsided development. Though free market economy has led to creation of globally competitive cities and high economic growth, there has been a lot of agitation on the resultant income inequalities. The reforms in deregulation of markets, greater foreign investments and so on brought a boom in rural-urban migration post 1990s, building pressure on land's carrying capacity. Other associated changes were noticed in rapid transformation of economic workforce in small towns and villages without associated socio-cultural changes, higher influx of floating working population and commuters in big cities with issues of informal housing, lack of employment and so on. While land controls in big cities have been moderated by city governments through formal spatial planning tools, the nature and extent of market controls in rural areas and small towns have been left



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mostly unattended in the absence of a comprehensive land use policy enacted by state governments. Considering the fact that around seventy per cent of India is still rural, development of lucrative cities only cater to a few sections of the larger society, neglecting the majority. Many among this majority section are the scheduled casts, scheduled tribes, and other economically backward or vulnerable population of the society, who are by far the worst affected in terms of life and livelihood losses. These areas, if not addressed with land governance tools and left alone to free market controls, will inflate lopsided growth sustaining the rich & influential to become richer and the poor to become poorer.

To put forward and promote growth of these denied areas and communities, it is necessary that the public sector guides and regulates the market forces, directing investment patterns within a regional policy framework in consultation with the community. Identification of hierarchy of settlement growth nodes through a guiding policy document at state level, can promote these areas as lucrative centers of investments as well. Strengthening market linkages of these newly promoted areas with existing big city networks will spread benefits of free market capital accumulation more evenly over space.

In order to judiciously use entire expanse of land under territorial jurisdiction of the state (as land is a state subject in India), a comprehensive land use policy becomes an essential fiscal and spatial tool for the policy makers. Such a policy also enables implementers as well as peoples' representatives to effectively decide land use allocation and investment patterns on land.

## **2. Democracy in Land Management**

To address the land related concerns of larger society, this paper brings in the need and dimensions of a community vision-led land use policy that guides land development beyond big cities. A community vision translated to a policy, targets to regulate the interplay of market forces from people's perspectives and societal needs. It also enables and empowers the community to use and manage their local territories which are otherwise denied areas of investments, as competitive, productive and livable spaces.

The intricate dependency of humankind on land has been evident since the beginning of human civilization. India has witnessed an evolution of land use practices through dynamic land management systems, shaped by demographic, socio-economic, cultural, administrative and political factors. The shift in purpose of land utilization primarily from exercising collective community rights, to the process of commodification for trade, has narrowed down the scope of land utilization as a common property resource. Also, the different land use management systems since the Pre-British and British period (Zamindari, Mahalwari and Ryotwari systems) in India, have clearly established perpetual rights of the powerful in possession of land ownership, over the powerless and landless. It is only with the



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implementation of five year plans in independent India (after 1947) that the importance of community rights was realized and entrusted with the common people.

In contemporary India, it becomes interesting to note that there exists the practice of discrete regulatory mechanisms and differences in the extent of community participation, between urban and rural land management. Most of the states in India limit their regulatory mechanisms to urban areas. These mechanisms include spatial plans (Master Plans or Comprehensive Development Plans) and Development Control Regulations (DCRs), which though invite community participation, but at the end of the planning processes. Although in select states there are legal provisions for spatially regulating land in rural and peri-urban territories with public engagement from the beginning of planning phase, the remaining urban and rural territories are left to organic growth and haphazard development.

In the absence of stringent land control mechanisms and regulatory tools in small towns and rural areas, land matters are left to sole discretion of an individual and shaped by market forces. This results in a generic trend of more agricultural lands to get converted into non-agricultural land uses, or alternatively are left to degrade without adequate water or irrigation facilities. Besides, lack of land compensation for landless labourers, small and marginal farmers due to absentee land ownership, land tenure conflicts, absence of agro-market linkages, timely credit facilities, natural disaster related losses, and other such factors constantly threatens the livelihood of the vulnerable sections in the rural areas. In the process, economic structure of the villages changes rapidly from primary to tertiary, without associated socio-cultural transformations. To sustain a balanced development in socio-economic aspects over space, it is extremely important to plan spatial allocation of land uses backed by policy led controls, even in rural areas.

The Seventy-Third and Seventy-Fourth Constitution Amendment Act of India, 1992, empowers the third (lowermost) tier of local governments (Village Panchayats and Urban Local Bodies) to plan their areas of administrative jurisdiction in order to make effective decision on land use management and spatial allocation of resources over land. But the Act has not been effectively implemented in the states except for Kerala and Goa (located in the southern part of India). Though the Government of India at the national level has recognized and delegated decision-making power to the community level, the same has not been realized on ground. Land being a state subject, therefore necessitates the intervention of state, district and local governments to enforce the national mandates through an overarching policy guideline and binding regulations. This shall enable judicious utilization of all land resources in the state through extensive community participation led decision making.



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### 3. The Land Use Planning and Management Project in India

The necessity for a bottom-up approach in land use planning and decision making stems from close observations and experiences drawn from a current initiative in the state of Odisha. The Government of Odisha in bilateral partnership with the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH is in the process of formulating a state land use policy and technical guidelines of district spatial planning for all its territory, under the Land Use Planning and Management project. The project is being implemented with Indo-German Technical Cooperation in the two states of Odisha and Tamil Nadu in India. The Department of Land Resources, Ministry of Rural Development, Government of India, is the national partner of GIZ for the project. Key project partners within the two states are the state government departments which are administrating and developing land, and which have the mandate to introduce spatial planning instruments backed up by appropriate land use policy. In Odisha, the Housing and Urban Development (H&UD) Department and the Revenue and Disaster Management (R&DM) Department are the project partners. The Revenue and Disaster Management Department is mainly concerned with land property rights and has a high stake in land development. While the mandate of the Housing and Urban Development Department is limited to urban areas, it has the vastest experience and most suitable capacity for spatial planning. Both of the Departments are leading the Land Use Planning and Management project in the State of Odisha. Under the H&UD Department, the Directorate of Town Planning (DTP), Odisha has been established as the project nodal agency. The Directorate is entrusted with all urban planning related activities in the state and is majorly mandated with the preparation of urban and Rurban area masterplans along with building plan approvals.

Under the Land Use Planning and Management project, GIZ is providing technical assistance towards the formulation of state land use policies, development of spatial planning instruments/tools/framework and guiding documents, capacity development, organizational and institutional development for the two states. GIZ is also demonstrating the application of the land use policies by translating the policy directions and guidelines to preparation of regional land use plans and vertically integrating it to local level land use plans.

The objectives of this collaboration is to strengthen overall culture of a democratic and integrative spatial land use planning at all levels by enhancing the capacities of State planning institutions in applying standard land use planning and management instruments in selected areas within the two pilot states of Odisha and Tamil Nadu.

The policy represents a concise version of document that directs judicious utilization of land uses taking into consideration all sectors in the state. The policy document is being detailed out to arrive at norms of district spatial planning. In Odisha, application of both the policy and norms are being demonstrated



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through two spatial plan preparations- i. District Spatial Land Use Plan for Ganjam district at a regional level, and ii. Development Plan for Hinjlicut peri-urban area within the same district of Ganjam. While the former plan is fuzzy guiding a decision maker on investment locations and prioritization of different land areas in line with state vision and local needs. The latter is more detailed at cadastral level and focuses on micro planning in alignment with the district regional plan and community vision.

The ultimate purpose of both the demonstration plans is to feed into each other for effective implementation at ground level through inter-sectoral cooperation and public participation. The outcomes of community involvement and public participation undertaken as part of these demonstration plans get reflected in the State Land Use Policy document, thereby connecting community vision to the state vision. The Government of Odisha supports complete involvement and feedback from all range of stakeholders in various land use matters at the state, district and local levels for the project. Stakeholder working groups have also been institutionalized in the government to innovate new ideas and solutions desired, and agree upon best decisions.

#### **4. Participatory Planning Approach: The Case of Odisha**

From a land use policy perspective, there are a multitude of entry points for community-led decision-making focusing on the rural areas in Odisha, that comprise more than eighty percent of the state. This participatory process of policy planning introduces all together new dimensions of governance and decision making. Odisha like many other states in India, does not currently have a state land use policy and spatial regulation tool for its rural areas. The public participation process examines how formulation of a state specific land use policy can integrate the livelihood visions and aspirations of social communities in fourteen pilot villages around Hinjlicut municipality of Ganjam district to reduce spatial inequalities. Participation-led development is induced by drawing results from village participation tools tested in the pilot areas to align community perspectives for formulation of the state land use policy.

Located in the south-eastern corner of India, Odisha is one of the least urbanizing states in India. As close to 80 per cent of Odisha is still rural, it becomes essentially important to regulate the uses of these lands along with urban areas equitably. Though the state annual plans have set up broad economic targets of industrialization, strengthening rural areas, promoting of rural livelihood and others along with launch of related schemes, there has been a wider gap in realizing new ground realities in the rural areas. As for example, extensive stakeholder consultations undertaken as part of the project show that, even if huge chunks of land banks have been earmarked for setting up industries in different areas of the state, investors are hard to locate. Public consultations for policy preparation revealed insightful information of socio-economic land use dynamics in rural areas: Due to decreasing land productivity



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coupled by inadequate irrigation techniques and lack of value addition to agricultural productivity, there is very high tendency of out-migration of workers to other cities and states for lucrative job opportunities. Further, non-productive agricultural lands mainly in the urban peripheries are sold out at higher prices threatening food security, and so on. The above examples make it obvious that sectoral policies let alone do not always resolve actual issues on ground, unless closely monitored to address the gaps. To plug the missing links, it is important that community is involved from the inception of policy preparation, rather than only at the implementation stage. The top-down policy decisions, therefore needs to be aligned with bottom-up feedback from local people, to effectively trickle down policy and scheme benefits to its target population, the community. Only such a truly participatory and democratic process of planning and decision making can promote development equitably over space.

To demonstrate participatory land use planning in Odisha, District Administration Ganjam has agreed to cooperate with GIZ. A Non-Government Organization (NGO) Ekta, from Koraput district, Ganjam has been assigned to undertake village participatory planning in fourteen pilot villages neighboring Hinjlicut municipality in Ganjam district. These fourteen villages directly come under the urban growth influence of Hinjlicut town and are foreseen to be absorbed in the municipality boundary in near future. This entire jurisdiction of Hinjlicut town and fourteen villages have been identified as the second demonstration area for preparation of a Development Plan under the Land Use Planning and Management project, the first being the district of Ganjam itself. The outcomes of village participation shall be incorporated in preparation of the Development Plan, which shall further be aligned with the State Land Use Policy.

Ekta has followed a ten-step method of public participation in the following order- i. Transect Walk, ii. Goal free discussion, iii. Social map, iv. Resource map, v. Problem tree, vi. Seasonal calendar, vii. Vein diagram, viii. Timeline, ix. Wellbeing analysis, and x. Dream map. Prior to village participation, the NGO has provided a training of trainers identifying trainees from respective villages, who in turn with other trainers, have facilitated village participatory planning within the community. The public participation instruments follow a “goal-free” approach which means that the agenda is set and led by the community from inception of planning. The methods have been applied over a period of five days in each villages to a make the plan relevant, implementable and scalable.

## **5. Community-driven Outcomes for Odisha Land Use Policy Formulation**

The outcomes drawn from extensive community participation in fourteen villages of Ganjam district in Odisha, have been summarized and discussed in this section. The description provided is subjective in nature based on understanding of, and communication with the villagers. The discussion is structured in a manner which first upholds the villager’s perspectives in understanding existing local resources



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and their issues, and then summarizes the ideas collectively suggested by the community for problem solving. To achieve the purpose of integrating community ideas to state land use policy formulation, this section further highlights the relevant targets from different sectoral policies of the state, which are already in alignment with community vision, or need to be streamlined to meet their current and future concerns. The issues reported by villagers can be identified majorly in the aspects of agriculture, irrigation and livestock, followed by other forms of employment, market and credit facility, absentee land ownership and land tenure, disaster management, road infrastructure, sanitation, health and education access.

Though all the villages under pilot survey come under direct influence of a growing town (Hinjlicut municipality), all of them are heavily and primarily dependent on agriculture for their livelihood. The majority of these villages have reported dearth of water for agriculture purposes. Hinjlicut is also known as the 'rice bowl of the state', the cultivation of which is highly water intensive and rain-fed, therefore limited to the rainy season. For the rest of the year, these lands either remain fallow or are used to cultivate one or two vegetables. Annual cultivable lands are available with most of the farmers, but these are lying fallow due to lack of water for all-year round irrigation purpose. There are very few surface water storage structures available in these villages raising the need for more. Canal irrigation and rain water storage structures are seen as collective solutions for optimum utilization of such fertile agriculture lands, as there is excessive monsoon rainfall during the rainy seasons. A better water provision for farmers can increase the intensity of agricultural land use through enabling multi-cropping. Rainwater harvesting and construction of adequate water storage structures are probable sources for additional water to increase agricultural productivity. A better distribution of irrigation water through canals will also enable annual utilization of such fertile agriculture lands. It is worthwhile mentioning here that the Odisha State Agriculture Policy (2013) emphasizes on public investment as against private investment to strengthen agricultural sector, in order to increase the extreme lower levels of Gross State Domestic Product (16 percent) from highest share (70 percent) of its workforce. The policy also talks about focusing more on improving the livelihood of farmers, than focusing only on land productivity. Considering that about 83 percent of the small and marginal farmers in Odisha constitute the farming community, the policy also highlights the need for shift from traditional to profitable forms of agriculture, farm mechanization, technology transfer and so on. The policy acknowledges the current concerns in lack of water for irrigation, and takes into account that there is sufficient rain water for creating water harvesting structures to evenly distribute water for irrigation over space. Besides, the policy also encourages harnessing of ground water potentials for extending irrigation coverage in the state. Out of many strategies proposed in the policy in this regard, one of them is to promote Water Users Association (Pani Panchayats) and Participatory Irrigation Management at



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the local community level. The Land Use Planning and Management project, acknowledges these community participation aligned policy targets of the Agriculture department, for preparation of the Draft State Land Use Policy. The Draft Policy guides on the need for identification of land to be promoted for irrigation on priority through spatial mapping tools.

With regard to the agriculture sector, even though it was observed that the state level policy was already aligned with the community vision in surveyed villages, it was still evident that they were experiencing problems. In this case, implementation of the policy through well informed and enabled community actions is perceived as the major issue. At present, the villages have different committees formed within the Panchayat system, to act on different schemes launched by the government. One of such committee is the Pani Panchayat, which looks after water allocation in different land uses. But, it has been reported by the villagers that Pani Panchayat, like all other committees in the village, functions separately without integrating and coordinating its linkages for development of other sectors. Farmers have realized the potential for higher productivity if the benefits of Pani Panchayat reach to them. But currently, the farmers do not have access to any Pani Panchayat benefits in these villages. The villagers demanded to link the roles and functions of Pani Panchayat to their farming benefits. Hence, along with aligning policy to community vision, it becomes very important for the lowest level of governance to closely steer and monitor the activities empowered and entrusted with the local communities.

Another area of concern reported massively by the farming community is regarding man-animal conflict due to encroachment of monkeys, wild pigs and elephants into agriculture fields. Encroachment of wild life is seen as another major reason for agricultural losses besides lack of water. As there has not been much interventions of the government in resolving this issue, the villagers are incurring huge losses from menace created by wild life. The village community has collectively raised the need for a joint government-community led solution with high priority.

The third major issue reported uniformly by all villagers is the increased utilization of chemical fertilizers and pesticides over time leading to degraded soil quality and decreased productivity. Although the villagers are aware that use of chemical fertilizers is harmful for soil health and production, most of them are not informed enough to collectively decide and opt for better alternatives. To enable an informed decision making, the villagers were explained about the concept and benefits of organic farming during village participation training. The use of organic fertilizers and a shift to organic cultivation have also been promoted in the State Agriculture Policy (2013), for ensuring sustainable livelihood in villages. The villagers welcomed the concept of organic farming but thoughtfully denied its feasibility in the actual scenario. They realized that the main prerequisite for organic fertilizers is the cultivation of livestock, which is reported to be decreasing due to lack of grazing lands, non-promotion



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of fodder cultivation and loss of cattle lives due to disasters related with flood, cyclone or drought. To address the concerns, focus on promoting and protecting animal husbandry in the agriculture policy, can link to sustained practice of organic farming for improved livelihood of farmers. The villagers are looking forward to be informed about any such interventions of the government prior to adoption of organic farming methods. Also, villagers have informed that flood shelters have been built by the government in their villages, but are often not used. There are cases where the shelters are built in low lying areas which get submerged during floods. The villagers have suggested to build new shelters on highlands for protection of human and livestock. Therefore, the need for streamlining organic farming targets with livestock promotion is seen in existing agriculture policy. In furtherance, the village community also needs to be sensitized and well informed about the standard operating procedures mentioned in the Odisha State Disaster Management Plan (2016) for protection of livestock from different types of disasters. Description of the above dimensions of livelihood issues reported by the community, clearly identifies the importance of involving grassroots in addressing missing links and gaps in existing policies. In order to address the concerns under Land Use Planning and Management project, the Draft Policy and Plan formulations shall indicate priority land areas for promotion of livestock and fodder cultivation in the state.

Another issue reported extensively by the village farming community is centered on absentee land ownership, landless laborers and their need for compensation. A major concern in these villages is the weak livelihood of landless or near-landless families. As per survey findings by Ekta, the number of landless families in Odisha is about 4.50 lakh. Of the total holdings, 85 per cent are in marginal and small farm categories of less than 2 hectares, which is relatively higher than the average size of landholdings at 1.4 hectares. The total operational holdings stands at 46.58 individual holdings, 0.07 lakh joint holdings and 0.02 lakhs institutional holdings. The female land holding is estimated to be 1.54 lakh which accounts for 3.29% in the state. The farming communities in the surveyed villages have brought up a social dependency that has been existing between the high shares of individual land holders (mainly absentee landlords) upon the surplus availability of small and marginal farmers, and landless laborers. It has been reported that the influential land holders of large firms out-migrate to other cities mostly in Surat (Gujarat) for better employment and living standards. The landless laborers, small and marginal cultivators operate on their lands to sustain crop productivity. But in case of agricultural losses, it is only the land owners who get compensated, and not the laborers. Therefore the costs of compensation does not reach to appropriate beneficiaries. One of the major areas where important and sustainable interventions can be possible through land use planning and management would be to address challenges faced by small and marginal landholders. However, such an intervention cannot happen only at higher echelons of decision making, but must begin with people and ensure people's



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participation at every level or stage of planning. Non-compensation for land also happens in cases of shifting labor contracts practiced by the land owners, and in cases of conversion of agricultural land to non-agricultural uses. Cultivators working on lands that are being converted at the will of the land owners, are at a constant risk of losing their livelihood without getting compensated. The risk of working as a farmer on not owned land therefore makes agriculture an unattractive sector for employment. Also, surplus labor and lack of alternative livelihood leads to outmigration of male inhabitants. Therefore labor-intensive livelihood creation is required to absorb the surplus manpower of small and marginal farmers, and landless labourers operating on small farms, accounting for 44 percent of total lands under cultivation as main sources of agriculture production. A compensation system for these vulnerable farming community is also crucial for making agriculture worth as livelihood in rural areas. The Draft Policy being prepared under the project incorporates this community need and proposes for promotion and strengthening of their livelihood. One of the possible areas of state intervention shall be proposed in establishment of labor-intensive agro-based industries in the rural areas and promotion of market linkages with better credit facilities.

Other problems informed by the community can be related to absence of adequate socio-economic infrastructures for development. These villages lack adequate drinking water supply, housing, education and health infrastructure. At present, the people are dependent on nearby towns for better access to these amenities. Non-availability of proper road linkages and lack of public transport connectivity also hinder timely access to these amenities in nearby towns. Also, none of the villages surveyed have sewage and sanitation systems laid out. There is a huge reluctance among villagers for adopting sanitation management systems due to religious reasons. The villagers in the course of interaction, have strongly declined to lay drainage lines reasoning that the wastewater flow would pollute temple areas and destroy the religious environment in villages. Implementation of the Swachh Bharat Mission of the national government has also not been effective in achieving real outcomes. Even if toilet ownerships have increased, the rate of open defecation seems to remain the same in these villages. To address the above concerns, the project shall propose through its demonstration plans and Draft Policy, for the rural areas to abide by the Rural Area Development Plan Formulation and Implementation (RADPFI) Guidelines formulated by the national government. Incorporation of spatial planning in existing Gram Panchayat Development Plans (Village Development Plans) and their monitoring through village level committees are also recommended. Mass sensitization and community outreach on the importance of sanitation management are also suggested to be conducted on a large scale.

As there is no single land use policy existing for the entire state territory, it becomes essential to assemble different sectoral policy targets catering to demands of local communities, under one policy document. The Land Use Planning and Management project follows the same approach by integrating



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community vision derived from demonstration plans of fourteen villages, and proposes to put forward a Draft State Land Use Policy for consideration of the Government of Odisha. Based on time constraints under the project, public participation could only be demonstrated in few villages under two blocks of one district, and the results have been induced at a state level to feed in to policy preparation. However, the policy document mentions this practice of rural community engagement by respective departments for any land related policy formulations. This initiative shall guide the decision-makers to prioritize, incentivize, guide investments and regulate competing land uses based on actual findings from ground. This shall also support to judiciously resolve any inter-sectoral land use conflicts in favor of the vulnerable sections of the community extending to rural areas.

## 6. Conclusion

Formulation of a Participatory Land Use Policy for the state of Odisha is envisaged to have two-fold outcomes. Firstly, the community is enabled and empowered to participate in policy framing in addition to better understanding of their land patterns. Secondly, the land use policy identifies actual scenarios and gaps from the grassroots level, to address the pressing issues that are not or inadequately dealt by the sectoral policies. The public participation undertaken in fourteen villages of Ganjam district shall make a substantial value addition to the approaches adopted in formulation of the Odisha State Land Use Policy under the project. The project and its initiatives have so far seen an applaudable success with appreciation and sustained cooperation from the state and national partners. Significance of the policy findings is proposed to be realized through enactment of concurrent Acts and Rules in the state, and by making parallel amendments to existing Acts related to different land uses.

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