

Land Banking for the Poor and Vulnerable: How Relevant in Nepal?

Raja Ram Chhatkuli, Jagat Deuja, Ganesh Prasad Bhatta (Nepal) and Hellen Ndungu (Kenya)

Key words: Access to land; Security of tenure; Land Bank, Social Tenure Domain Model

SUMMARY

The National Land Policy, 2019 recognized the informal tenure on land for the first time in Nepal, among other reformative actions. Subsequently, necessary land legislations were created in 2020 to provide land rights for the landless and regularization of informal tenure for all. Additionally, in 2019, the Land Use Act introduced the Land Bank concept in the legislation for the first time, though the idea was brought into discussions long ago, to maximize land utilization and improve productivity on land. The Federal Parliament passed the annual plan and programme for the FY 2021-22 and indicated establishment of a Land Banking programme with initial operation in some 300 municipalities.

Land Banking in Nepal is largely discussed with mixed reactions after the concept was incorporated in the report of the High-Level Land Reform Commission in 1994. Land rights activists and civil society organizations have argued that the Land Banking schemes will be utilized by wealthy and affluent to grab land to displace tillers from, and access to land. The Government on the other hand has developed concept to encourage municipalities to allocate land deposited at the land banking scheme by the landowners and vacant land available in their jurisdiction to the poor and vulnerable farmers on mutually agreed terms as recorded at the municipality level. The aim for this is to utilize vacant land and improve production to replace the existing informal system of share-cropping and verbal contracts prevalent in many agrarian communities. The argument is that with the formalization of land banking, the farmers' access to land is documented and access to tenure is secured. With such divergent and contradicting views in place, the scheme is at limbo—more on policy and less in practice.

In this context, an idea of piloting land banking was brought forward to test the validity of divergent arguments existing. With this idea, pilot implementation of land banking in four municipalities of

Land Banking for the Poor and Vulnerable: How Relevant in Nepal? (12571)

Raja Ram Chhatkuli, Jagat Deuja, Ganesh Prasad Bhatta (Nepal) and Hellen Ndungu (Kenya)

FIG Working Week 2024

Your World, Our World: Resilient Environment and Sustainable Resource Management for all
Accra, Ghana, 19–24 May 2024

Dang Valley in western Nepal is currently in progress. The project is in its initial stages, and as such, this paper will discuss the preliminary findings on the leasing land through land banking to poor and vulnerable communities. The paper aims to evaluate the effectiveness and coherence of the methods employed in achieving the stated objectives, while also emphasizing the key findings of the project. The results of the pilot project shall serve to respond to the question, i.e., whether land banking for the poor and vulnerable is relevant in Nepal, while also providing lessons for the future of the scheme in Nepal and learning for other countries in similar situation.

Land Banking for the Poor and Vulnerable: How Relevant in Nepal? (12571)

Raja Ram Chhatkuli, Jagat Deuja, Ganesh Prasad Bhatta (Nepal) and Hellen Ndungu (Kenya)

FIG Working Week 2024

Your World, Our World: Resilient Environment and Sustainable Resource Management for all
Accra, Ghana, 19–24 May 2024