Land Politics in Nepal: An Ethnographic Study of Makar VDC in Nawalparasi District

The Thesis submitted to the Faculty of Humanities and Social Science in Partial Fulfillment of the Requirement for the Degree of Master in Anthropology

By Dilli Ram Timilsina

Tribhuvan University

Central Department of Sociology/Anthropology

Kirtipur, Kathmandu

2008

Faculties of Humanities and Social Science Central Department of Sociology/Anthropology

Recommendation Letter

This dissertation entitled "Land Politics in Nepal: An Ethnographic Study of Makar VDC in Nawalparasi District" prepared by Dilli Ram Timilsina under the supervision and guidance for the partial fulfillment of Master Degree in Anthropology. The study is original and carries useful information in the field of land. Therefore, I recommend it for the evaluation to the dissertation committee.

Dr. Saubhagya Shah Associate Professor Central Department of Sociology/Anthropology T.U. Kritipur

Tribhuvan University

Faculties of Humanities and Social Science Central Department of Sociology/Anthropology

This thesis titled "Land Politics in Nepal: An Ethnographic Study of Makar VDC in Nawalparasi District" submitted to the Central Department of Sociology/Anthropology Tribhuvan University by Dilli Ram Timilsina has been approved by the undersigned members of the Research Committee.

Members of the Research Committee:	
	Internal Examiner
	Dr. Saubhagya Shah
	External Examiner
	Head
	Dr. Om Gurung
	Central Department of
	Sociology/Anthropology
	T.U. Kirtipur
Date:	

ACKNOWLEDGEMENTS

Researching and writing this dissertation has been much like a journey for me. And like many journeys it is one in which numerous people have helped me along the way. My greatest debt is to the people of Makar VDC whose voices and responses resound within the research. This thesis would not have been possible without their co-operation and support. I am grateful to family of Tul Bahadur Rana, Anju Acharya, Tara Bhandari, Maheswor Panthi, Krishan Prasad Poudel, Dab Bahadur Garbuja, Dharma Bdr. Magar, Ganga Chaudhari and Khem Raj Paudel for their patient help in my research. I would like to express my gratitude to *Gramin Awas Company*, Dibya Jyoti Campus and Chisapani Community Forestry of Nawalparasi district.

As my dissertation advisor Dr. Saubhagya Shah sensitively and wisely helped to navigate me through the intricacies of the field work process. I benefited a great deal from his skill and experience as an ethnographer. He provided critical feedback and encouragement during both the field work and writing of the dissertation. Similarly, I would like to express my deep appreciation to Dr. Om Prasad Gurung the head of the department for his kind acceptance in carrying out this research. I would like to acknowledge gratitude to Prof. Chaitanya Mishra, Dr. Padma Lal Devkota, Dr. Ram Bahadur Chhetri, Dr. Krishna Bahadur Bhattachan, Phadindra Poudel, Dr. Tulsi Ram Pandey, Bhanu Timilsina, Binod Pokharel, Yub Raj Luitel, Shyamu Thapa, Sambhu Kattel, Nabin Rawal, and all the respected gurus of the department who helped me in many ways during the research period.

Also, I owe a great deal of gratitude to Lynn Bennett for her support and

inspiration. I am equally thankful to Christa Oppriessnig (*Didi*) for her continual support through out my master's degree. I am equally thankful to my friends and colleagues in and around Tribhuvan University for their delightful company and generous help. Badri Prasad Acharya, Puskar Kafle, Sunil Regmi, Tek Bahadur K.C., Sushma Singh, Mina Pandey, Janak Bahadur Shahi, Madhu Giri, Reena Maharjan, Pol Gurung, Jyoti Khanal, Ramita Nakarmi, Subhadra Tamang, and Kalpana Baral (Subedi) Who constantly encouraged me and offered their help.

Last but not the least, I would be remiss if I did not mention my parents (Bhanu Bhakta Timilsina and Aku Maya Timilsina), brother (Bishnu), sisters (Dilmaya, Yamuna, Ganga and Guma) and other relatives who have supported me by whatever means was available to them. I offer my special thanks to Mrs. Bishnu Poudel of Creative Computer Centre, Kirtipur, Kathmandu for typing, setting and printing the thesis.

December 2008

Dilli Ram Timilsina

Abstract

The present research is an ethnographic study on land politics in Makar VDC of Nawalparasi district. The main issues included in this research are land right, land ownership, land institution, dual ownership of land, fragmentation of holdings, nature of land encroachment and landlessness among the rural households. It is needless to say that land is the socio-cultural entity where co-existence of two or more legal system as well as specific rules and regulations are attached to it. Such plural legal processes have created complexity and confusion to the government and the concerned people. The study examines issue of landlessness, squatters (sukumbasi), and peasants, who played major role in the land development of Makar VDC. As the land value rose along with social change, they are unable to sustain land right due to local power politics and the land resource ultimately goes in the hands of the local elites. Similarly, the communal land is used in the name local institutions like schools, campuses, temples, monasteries and so on. The institutions played a means of land transformation in the study area. When land is transformed though local innovative rules and regulation, controversial and arbitrary legal systems are created. The process provided a fertile land to the local elites to germinate power and authority in social sphere. The dichotomy between local and central and peoples' perception on different social phenomenon has created dilemma that has relatively influenced the governmental land policy as well as local land development. Different commissions have been formed and their emblematic notion of 'land to the tillers' as well as rural political volatility has generated a new power politics over land. Adequate legislative and administrative machinery have not been provided to meet the ever increasing problems which have arisen in the implementation because statutory provisions have been pyramided. The burden of tenure insecurity that is better understood as an effect of social relations and their dynamics, many more land has became merely a political discourse even in the 'so-called' democratic society.

Abbreviations

CDO Civil District Officer

CF Community Forestry

CIAA Commission for the Investigation of Abuse of Authority

CPNML Communist Party of Nepal United Marxist and Leninist

CPNUML Communist Party of Nepal United Marxist and Leninist

DFO District Forest Officer

GAC Gramin Awas Company (Rural Housing Company)

IRDP Rapti Valley Integrated Development Project

JMM Jana Mukti Morcha

MPs Members of the Parliament

NC Nepali Congress

NPC National Planning Commission

NRC Nepal Resettlement Committee

RPP Rastriya Prajatantra Party (National Democratic Party)

SP Superintended Police

SPN Sadbhawana Party of Nepal

VDC Village Development Committee

CONTENTS

CONTENTS

	Page
Recommendation Letter	i
Approval Sheet	ii
Acknowledgement	iii
Abbreviation	v
Table of Contents	vi
List of Illustration	viii
Abstract	
CHAPTER- I: INTRODUCTION	1-22
1.1 Conceptual Tool: Anthropology of Legal Pluralism	2
1.2 Statement of the Problem	4
1.3 Objectives of the Study	8
1.4 Literature Review	8
1.5 Methodology	15
1.6 Rationale of the Study	19
1.7 Limitations of the Study	21
1.8 Chapter Organization	22
CHAPTER-II: THE SETTING: THE PLACE, PEOPLE AND	
THE ISSUES	23-34
2.1 Introduction of the Study Area	30
CHAPTER- III: LAND HISTORY	35-43
3.1 Land Allotment Program in Nawalparasi	35
3.2 Land Development in Makar	40
CHAPTER-IV: LAND OWNERSHIP	44-58

4.1 Dual Land Ownership: From <i>Ukhada</i> Land Tenure to	Э
Gramin Awas Company	44
4.2 "We Lost Our Religious Land"	49
4.3 Local elites Turned Communal Land as Individual	
Property	52
4.4 From Land Use Right to Land Development Right	54
CHAPTER-V: LAND STATUS	59-67
5.1 Profit Seeking Settlers Neither Proletariats nor	
Peasants	59
5.2 Land Encroachment in Makar Area	61
5.3 Where have the Darai People Gone?	64
5.4 Changes in Land Use Pattern	66
CHAPTER-VI: LAND INSTITUTION	68-73
6.1 Local Land Politics in Land Allocation	68
6.2 Squatter Commission whose Agenda?	71
CHAPTER-VII: SUMMARY AND CONCLUSION	74-79
BIBLIOGRAPHY	80-84

Illustration

Caste and ethnic composition	
Location map of Makar VDC	32
Origin place of in migration flow of Makar VDC	41
The holy land of Budhabaraju	48
Settlement area managed by local school and campus	54