

Women and Land Rights

A study of campaigns led by SWISSAID India partners:
YUVA rural, Sakav and RDC



Study done by

**Society for Promoting Participative Eco
System Management
(SOPPECOM)**

Supported by

SWISSAID India

August 2012

Acknowledgement

We would like to thank SWISSAID India for giving us this opportunity to do a study on women and land rights issue. We are thankful to Arun Shivkar from Sakav, Jyoti Nagarkar from YUVA rural and Eknath Awad from RDC for sharing their experiences with us. We would also like to extend our gratitude to the other staff members of the organisation. Without their help, dialogue with the people would not have been possible. Manjula Patil from Sakav, Suresh Lule from YUVA rural and Tukaram Shinde from RDC need special mention. We also express our thanks to Kshitija Gosavi for extending back end support at SOPPECOM.

Finally and most importantly we are grateful to all the women and men from the study areas who shared their experiences and insights with us. The study would not have been possible without them. Doing this study has been an enriching experience and we are happy to present the findings.

Seema Kulkarni

Sneha Bhat

Ravi Pomane

List of tables

Table 1: District wise distribution of women land holding

Table 2: Caste wise distribution of women land holding

Table 3: Caste wise nature of ownership

Table 4: Irrigation

Table 5: Details on Land regularization process

List of annexures

Annexure 1 GR- Laxmi Mukti

Annexure 2 GR- Issuing government lands in the name of both husband and wife

Annexure 3 GR- Transfer of land among family relation

Annexure 4 GR - Ghar doghanche

Contents

Section one: Introduction	4
1.1 Land reform in Maharashtra	4
1.2 Women’s access to land.....	5
1.3 Legal spaces	6
Section Two: Objectives, scope and methodology.....	10
2.1 Objectives and scope	10
2.2 Methodology.....	10
Section Three: Findings from the field.....	13
3.1 Youth for Voluntary Action (YUVA) Rural	13
3.2 Sakav	25
3.3 Rural Development Centre (RDC), Beed	34
Section Four: Mainstreaming women and land rights: way forward.....	42
4.1 Organisational analysis	42
4.2 Legal spaces used	43
4.3 Strategies	44
4.4 Impacts on women.....	44
4.5 Constraints	45
4.6 Recommendations	46
References.....	49

Section one: Introduction

Despite the various Articles within the Indian constitution that uphold the rights of women and guarantee equality of women before the law, we see little difference in the overall condition of women in India. Right over property, dignified existence, violence free life are still distant dreams for most women in India.

As far as land rights are concerned, the figures in India are as dismal as they would be in the South Asian region. According to the 2005-06 Agricultural Census, women account for 11.7 percent of all holders. There has been a marginal increase in this figure since the previous census of 2000-01 which had 10.9 percent women. Various factors have been documented with regard to the constraints that women face in getting land in their name. In cases where women have been able to overcome the social and legal constraints to get a plot of their own, they have not been able to exercise effective control over their lands, being unable to cultivate it themselves, lease out, or mortgage or sell the property.

Since the 1950s **land reform programmes** have been undertaken by most states to redistribute land in excess of ceilings to landless households and smallholders, abolish the hierarchy of interests that existed between the State and the actual cultivator, consolidate fragmented land holdings and regulate tenancy contracts. The degree of implementation of the reforms varies widely from state to the state and according to the type of reform implemented. However from the 1960's onwards land reforms were almost completely wiped out from India's development agenda. With the food crisis of the 1960's the entire focus of the nation was on the green revolution package. From then on the land reform movements have only picked up in certain areas, but it has been largely abandoned by the Government from its rural development agenda.

Although women's role was prominent in these movements, there are few documented cases of any concrete benefits to them. It was only much later under the leadership of the *Chatra Yuva Sangharsh Vahini* active in the 70's that we see a keen interest in women and land rights. The Bodhgaya struggle in Bihar is the only struggle at a scale which articulated the concerns of women's ownership to land. We do not see many examples of this kind following the success of this struggle.

The present report which takes stock of women and land reform work among SWISSAID partners is organized into five sections as follows -Section 1 gives an introduction, section 2 discusses the land reform in Maharashtra, section 3 discusses the objectives, scope and the methodology of the study section four discusses the main findings from the field and finally section five presents an analysis and the way forward

1.1 History of land reform in Maharashtra

At the national level efforts have also been made to bring in policy level changes for ensuring land rights for women. The different commitments made in the five year plans bear some evidence to this. The sixth five year plan (1980-85) provided for joint titles to spouses; however, this policy was not confirmed

in the Seventh Five Year Plan (1985-90). In the Eighth Plan (1992-97), 40% of forfeited land was allocated to women, and the remaining land to both spouses through joint titles. The ninth Plan (1997-02) for the first time had a women's land rights section and provided for land titles mainly distributed to women through women's groups or individually. The tenth plan (2002-07) emphasised on the effective implementation of ceiling lands so that surplus lands can then be distributed in the name of women. The ongoing eleventh plan (2007-12) focuses on women in agriculture and aims at ensuring effective and independent land rights for women and strengthening women's agricultural capacities through trainings. However there is no strategy to implement these commitments and so far no reviews done by the Planning commission are available in the public domain.

Maharashtra has a long social and cultural history of critical movements against exploitation of lower castes and women. In Maharashtra there have been revolts by the *adivasis* around land rights notably in Khandesh comprising of Northern districts of Maharashtra in an area where the *Shramik Sanghatana*, in Shahada was actively fighting against the land consolidation efforts of the *Gujjar* community in Dhule district. The other area is Thane district of Maharashtra under the able leadership of *Shoshit Jan Andolan* and earlier struggle led by Dadasaheb Gaikwad for land rights of the *dalits* which we discuss a little in detail with reference to one of the organisations reviewed. Many of the organisations working in the tribal belts of Thane and Raigad districts of Maharashtra together formed a *Jabran Jot Andolan Kriti Samiti* in 1978-79. As a result of this pressure, the government of Maharashtra in 1978 issued an order to the effect that all the lands encroached as on 31st march 1978 are regularized. This was a major victory of the *Andolan*.

In 1986 the *Jabran Jot Samiti* and the *Bhumihin Shetkari Andolan* in Marathawada merged to form the *Maharashtra Kasthakari Andolan Samiti* in a historic meeting in Mumbai. From then on there were a series of meetings across Maharashtra to work on the issue of land rights for *adivasis*, *dalits*, nomads etc. This *Samiti* was later, in 1986, named as the *Shoshit Jan Andolan* to include all the people from the toiling classes. The *Andolan* is still known by the same name and is a large network of various organizations largely working in the *adivasi* belt of North Konkan in Maharashtra.

The other important struggles around displacement were of course led by the now historic *Narmada Bachao Andolan* of which there is sufficient documentation.

Land rights movements and women's access to land

As far as efforts that look into the question of women's access to land, Maharashtra can only name a few of them. In 1989 the "*Laxmi mukti*" campaign, developed within the *Shetkari Sanghatana* grew out of an initiative of women in the village of Vitner in the then Dhule district. The Vitner men and women of the *Sanghatana* took the important step of putting half the family land in the name of the women of the family. The movement was then taken up as a campaign of the *Sanghatana* as a whole and named "*Laxmi mukti*" (meaning – emancipation of wealth for women)

The other notable effort in Maharashtra has been the one led by Vaishali Patil of the *Adivasi Hakk Suraksha Sanghatana* in Raigad district. Long struggle by the *sanghatana* has made it possible to get

homestead lands in the name of *adivasi* women (Pandharpatte and Patil 2004). They used the GR dated 29 May 2000 of the Revenue and Forest department which was based on the 17B clause of the Bombay Tenancy and Agricultural lands Act of 1948.

At another level the movement of the nomadic and denotified tribes under the leadership of Mr Balkrishna Renke has been demanding a home of their own and also small plots of at least 10 cents in their name with access to water and credit. There are also examples of women's movements fighting for the rights of single women, deserted and widowed who have been demanding housing and agricultural lands for women and also for legal aid for widows to stake claim on their husbands' property. Prominent among them is the *Stree Mukti Sangharsh Chalwal* in western Maharashtra where single and deserted women from five villages have gained rights over 1500 sq ft of housing land each.

Subsequent to these efforts, more recently there have been NGOs and women's organisations that have tried to implement some of the GRs issued by the Government of Maharashtra. The *Ghar doghance* GR of 2003 made it mandatory for the *Gram sevak* to enlist all the houses in the name of both the husband and the wife. MASUM working in Pune district, Sakav in Raigad district and several other organisations used these GRs to bring women into the fold of property rights.

Thus the experience on the ground does allow for a positive space for the women and land rights movement to be grounded. However the strategies and agendas will have to differ with changing contexts.

1.2 Legal spaces

Under international human rights law, women have a right to own and administer property without discrimination¹, and to an "equal treatment in land and agrarian reform"². Within the family, both spouses have equal rights in the "ownership, acquisition, management, administration, enjoyment and disposition of property".³

Soft-law instruments have been adopted by the human rights bodies of the United Nations. For instance, Resolution 15 (1998) of the Sub-Commission on the Promotion and Protection of Human Rights (entitled "Women and the Right to Land, Property and Adequate Housing") stated that discrimination against women with respect to acquiring and securing land constitutes a violation of human rights law, and urged governments to amend and/or repeal discriminatory laws and policies and to encourage the transformation of discriminatory customs and traditions (paras. 1 and 3). India has been a signatory to all these conventions.

¹ UDHR; arts. 2 and 17, CEDAW, art. 15

² CEDAW, art. 14(2)(g)

³ CEDAW, art. 16

Laws in India

Indian constitution has considered men and women as equal citizens and has given them equal rights. However the fact still remains that these rights are continuously denied in practice. In the following section we look at the legal spaces available for women's right to property.

Laws related to succession/inheritance

Rights of Hindu women: Hindu Succession Act (HSA)

HSA was passed in 1956 and state of Maharashtra included an Amendment in 1994 to make it more gender inclusive. Further in 2005 a national level amendment to the HSA was made. . Though the Act gave right to the woman in her marital family's property, there was nothing in the Act about right of a daughter in her father's property. The Amendment resolved this by declaring that the daughter will also have the same share in father's property as the son. Further it provides the married daughter right to residence in an inherited parental home, and she can also initiate separation of property without a male veto.

The limitation of the Hindu Succession Act is that section 30 allows any Hindu to dispose off his property including his share in the Joint Family Property by will. Again this has in fact allowed many women to be disinherited of their share in the joint property easily. The widow is entitled to as much of a share as her children. The argument of some groups has been that the widow should have a greater share than the sons and daughters.

Rights of Muslim women

After the Shariat Act of 1937 Muslims in India came to be governed in their personal matters, including property rights, by Muslim personal law. Unlike under the HSA certain groups or sub-groups (which in practice generally constitute of women) cannot be arbitrarily excluded nor can the same be done through the provision of the absolute right to will.

The main principles of Islamic inheritance law which mark an advance vis-à-vis the pre-Islamic law of inheritance, which have significant bearing on the property rights of women, are:

1. The husband or wife was made an heir
2. Females and cognates were made competent to inherit
3. Parents and ascendants were given the right to inherit even when there were male descendants and
4. As a general rule, a female was given one half the share of a male.

Rights of Christian and Parsi women

The laws of succession for Christians and Parsis are laid down in the Indian Succession Act, 1925 (ISA). Sections 31 to 49 deal with Christian succession and Sections 50 to 56 deals with succession for Parsis.

Prima facie the property rights of the Parsis are quite gender just. Basically, a Parsi widow and all her children, both sons and daughters, irrespective of their marital status, get equal shares in the property of the intestate while each parent, both father and mother, get half of the share of each child. However, on a closer look there are inherent discriminations: for example, a widow of a predeceased son who died issueless does not get any share at all.

The right of widows from amongst Indian Christians is not an exclusive right and gets curtailed as the other heirs step in. Only if the intestate has left none who are of kindred to him, the whole of his property would belong to his widow. Where the intestate has left a widow and any lineal descendants, one third of his property devolves to his widow and the remaining two thirds go to his lineal descendants. If he has left no lineal descendants but has left persons who are kindred to him, one half of his property devolves to his widow and the remaining half goes to those who are of kindred to him. Another anomaly is a peculiar feature that the widow of a predeceased son gets no share, but the children whether born or in the womb at the time of the death would be entitled to equal shares.

Although on the one hand we do see that the legal framework does create a space for women to gain legal rights over land several socio-cultural constraints actually prevent women from getting this access.

There are several socio-legal issues in the contexts of how far the laws can ensure women, control over property.

Land related laws

As per Article 246 of the Constitution, the state has the exclusive power to make laws for its territory. The autonomy of the states has translated into a significant degree of variation across states and over time both in terms of the number and type of land laws and regulations enacted.

Land laws broadly are around regulations of tenancy contracts, laws that abolish intermediaries like *zamindars* etc, laws that legislate ceiling on holdings so that excess lands can be redistributed, and laws related to land consolidation and fragmentation.

The problem with state autonomy in land related legislation is that some of the positive aspects of the personal laws vis a vis the property rights for women are superseded by these land related laws. Women thus lose out despite the provisions in their favor in the Succession Act. One such example would be **The Bombay Prevention of Fragmentation and Consolidation of Holdings Act 1947**. This act prohibits any fragmentation of land beyond a certain limit which would be determined by stated authorities (see Section 5 of the act). So property shares will have to abide by this act. The social implication for women of this Act is that often they are forced to write away their share in the property for the welfare of their brothers. Often they are not even compensated in cash terms for the share that they lose out on. Maharashtra is however one of the states that did make the relevant changes in its land laws.

Apart from these laws there are certain spaces which facilitate the process of including women in land ownership. These have been used by the organisations studied.

Government Resolutions (GRs)

1. “*Laxmi mukti*” – Registering women’s right in the property along with men on 7/12 record (property ownership document) See Annexure 1
This GR has been issued by the Revenue and forest department on 15th September 1992 and is still in force. The GR which is based on the suggestions of the social organisations, for ensuring women’s rights, issues an order to the relevant officials that if a man requests that his legally wedded wife should be mentioned as co-owner of his property on 7/12 record, then the changes in the record could be done, according to the Maharashtra Revenue Act of 1966.
2. Issuing government lands in the name of both husband and wife (Annexure 2)
This GR was issued by Revenue and forest department on 10th August 1994 and continues to be in force. The GR states that all houses, lands etc provided by the government would be listed jointly in the name of husband and wife. If the beneficiary is single at the time of receiving, after marriage, his wife would automatically become co-beneficiary or vice versa. This GR would thus apply to forest lands, *gairan* lands and other government lands which are being redistributed to the landless or to single women.
3. Transfer of land among family relations by paying nominal stamp duty (Annexure 3)
This is an amendment in the Bombay Stamp Act of 1958 done in 1997. As a result of this amendment, land can be transferred among blood relations by paying a nominal stamp duty /fees of Rupees Hundred. There is a GR issued in the same year by Revenue and Forest Department mainly to popularise this amendment through the Government machinery so that people could avail of this low stamp duty to transfer lands within blood relations of A B and C categories⁴.
4. *Ghar Doghanche*- Registering rural households in the names of both husband and wife (Annexure 4)
This GR has been issued by the rural development and water conservation department on 20 November 2003 and is still in effect. The GR says that it is important that the houses are registered in the name of both husband and wife. It gives instruction to all the *gram panchayats* (GPs) that from 2003 onwards GPs should register house in the joint name on the 8 A form (one kind of revenue record which details out the ownership of property). The GPs are to ask for suggestions and objections and after which has to pass a resolution about it. The process has to be completed and the certificates have to be delivered to all the households by the end of December 2003.

There is thus a need for serious stock taking in terms of where we have reached vis a vis women’s access to land. The present review looks at some experiences in Maharashtra in three different regions.

⁴ A-wife/husband, son, daughter and mother; B- Father, brother and sister and C-Rest of the relations

The report is organized in four main sections. The first is the Introduction which gives an overview of the land rights movements and those that specifically looked at the women's land rights. The second discusses the objectives, scope and methodology of the review. The third gives us the details of the study findings and the fourth discusses the potential for mainstreaming and way forward.

Section Two: Objectives, scope and methodology

2.1 Objectives and scope

The present study has been undertaken at the behest of SWISSAID India to take a review of the work of the SWISSAID partners from Maharashtra around women and land rights. The three partners identified by SWISSAID for this review are YUVA rural from the Vidarbha region, Sakav based in Pen *taluka* of Raigad district and Rural Development Centre (RDC) based in Beed district of Marathwada. All the three organisations have in their own ways been working on the question of women's access to agricultural land and housing property.

It was within the scope of this study to take stock of their respective campaigns, achievements, and constraints in meeting the goals while charting the course for future actions.

Broadly speaking the review was planned at three levels a) appraisal of the partner organisation with respect to the women and land rights campaign; b) assessing the impact of the programme on women c) assessing the potential to mainstream the programme

To assess the three areas, we developed different checklists and guides for our meetings, interviews and focus group discussions which we shall discuss in the next section. The study was a short duration one thereby presenting limits that any such study would.

2.2 Methodology

The study involved the use of both field based primary data collection methods as well as secondary data in the form of reports, films, government documents etc.

Primary data collection

We spoke to the staff members of all the three organizations, men and women in the villages through individual interviews as well as focus group discussions, most of which were informal in nature. As a method we had prepared three sets of checklists a) for staff of organizations b) for individual interviews with women c) for group interviews with men and women

For each of the organizations, we planned a 2-3 day visit wherein we held meetings with the staff and later visited several villages and met several men and women with whom we interacted and gathered the information that we are presenting in this report.

As discussed earlier one of the levels of assessment was around the capacities of the staff in carrying out the programme. Extensive discussions were thus held with the key staff members and other staff

involved in the direct implementation of the programme. Before focusing on the land rights programme we also discussed with each of the organizations their overall programme, their main activities, the vision and mission of the organization to see and understand where the women and land rights programme fits in their broader scheme of work. After that we visited the different villages where the organization had done some specific work around women and land rights.

During these visits discussions with groups of women were organised. In these discussions women not only talked about the housing/land right campaigns but also about other things like their SHG activities, problems in their village, their political participation, their involvement in the struggles etc. With these women we had lively discussions about their perceptions regarding women and land rights, whether women should have right in marital as well as natal family properties, what are the pros and cons of struggling for that right and what it means to have that kind of property in self name. We also talked with some women individually which allowed us to pursue the issues that came up in the group discussions more deeply. These were the women who have got some land in their name and have been actively involved in cultivation. Detailed discussion about how they came to acquire the land, what problems they faced, what was the attitude of their family members, what they have been doing with the land, whether it has meant any change for them, what they think about getting share in the parental property and giving it to their daughters etc were the different issues discussed.

We tried to ensure that the relationship was not that of reviewer vs the reviewed. Most importantly the tone of the discussion was not suggestive of a review; it was suggestive of keen learning on this subject. Also instances where we wanted to understand women's opinions on claiming land from the natal family, we prompted the discussion using our own lives examples- what would I do, I too would have some uncertainty so using the self as both a subject and object of the review.

We felt that this methodology helped open up a lot of women and the discussions were thus mostly free flowing ones. Having two people in the team helped tremendously. One person took down notes and the other did the talking. This facilitated free flowing discussions.

Secondary data

We largely used the data provided by the organization which was in the form of reports, films, government resolutions etc. Apart from that we have also referred to the conceptual as well as empirical literature on land rights movements especially in the context of women.

Sample of the study

As mentioned earlier the study sample involved three partner organizations of SWISSAID namely YUVA rural, Sakav, Pen Konkan and RDC, Beed.

The villages that we visited during our field trips were: YUVA Rural- Kanheri, Titwan (Akola district), Nimbha, Bhatkuli, Kanfodi (Amravati district), Bhivri and Aurangpur (Washim district); In Sakav's area, we visited Kasu, Jambhoshi, Amtem (Pen *taluka* Raigad district), Finally in the RDC area, we visited Purushottampuri and Sangam (Beed district). Wherever possible we also visited the fields of some of the innovative women farmers to see how they were going about their farming. This was done in the YUVA

field area as well as in the Sakav area. This gave us a view into the women's initiative, the quality of land acquired by them etc. We also made it a point to have the meetings in someone's house so that we could assess the power relations among household members.

Framework for analysis

In most short duration reviews of this kind it is very difficult to assess the impacts of a programme and the capabilities of the implementing organization in a very nuanced and comprehensive manner. Years of effort in the designing and planning of a programme cannot be captured in a month's time. Thus at the very outset we would like to state that the analysis presented in the report is preliminary in nature and more indicative rather than conclusive.

For organizational analysis we have applied very broad parameters like vision of the organization, leadership, democratic planning, legal knowledge, social and communication skills, collaborative work in the region and outside, plans for the future and most importantly the mass base they have been able to create in their area of work. Needless to add, all of this is within the context of the discussions held around women and land rights.

We are aware of the several gender analytical frameworks that are routinely used to assess the impacts of any programme on women and relations between men and women at different levels such as the household, community etc. These analytical frameworks are useful in terms of understanding how far have the strategic and practical gender needs been met, what the interface of the strategic and the practical is and importantly whether the power relations between genders is changing for the better. Using these frameworks requires intensive field work and participant observations and ethnographic studies. However knowing our own limitations in terms of time and resources we decided to look at very simple visible and the not so visible aspects related to impacts. The visible ones are the actual numbers of women who got land or houses in their names, do they have records to prove that, have they benefited materially from this right in terms of more schemes in their name for example. The not so visible impacts are usually difficult to assess even if considerable time is spent with women. These impacts can be described as whether the woman is empowered, does she have more bargaining power, is she able to take a more proactive role in decision making within the household or at least with reference to her land and whether she can proactively carry forward this idea to a larger number of women. We tried to assess these impacts mainly through our discussions with women wherein we used different methods, discussed earlier, to make sure that the women spoke up their minds.

Finally on the third aspect of potential for mainstreaming we use our own understandings based on the above two aspects, the legal and social environment in the state of Maharashtra and the specific regions where these partners work and our own experiences of having worked on the question of resources and livelihoods.

Section Three: Findings from the field

In this section, we share some of our findings on women's rights over land in the field areas of YUVA, Sakav and RDC falling in the Vidarbha, Konkan and Marathwada regions of the state. The section discusses the key work areas of each of the organization, the land rights programmes initiated by them, the overall achievements and those specific to women and the impacts of the land rights programme on women- assessed on the basis of our own understanding gained through the detailed interactions with the staff and the men and women in the villages we visited.

3.1 Youth for Voluntary Action (YUVA) Rural

Context of the region

YUVA rural has its operations in the Vidarbha region of the state. Vidarbha lies in the eastern part of the state and includes 11 districts. It occupies 31.6% of total area and holds 21.3% of total population of Maharashtra. Vidarbha region is rich in both mineral and forest resources. Historically it has been ruled by different kingdoms and Nizam of Hyderabad also held control in some parts. Vidarbha region had the *zamindari* where concentration of large lands was in the hands of few. We see some of the remnants of this system in the land holding sizes in the present day as well.

It is predominantly rainfed with a low area under cultivation. Rainfall is between 700 to 1500mm and the area has moderate to high soil erosion despite the good forest cover. Vidarbha is one area where both ground and surface water development has not been very high. *Jowar* was being cultivated, but recently cotton and now increasingly soya bean are the major crops of the region. The region is however characterised by underdevelopment and has a great political and economic disadvantage. It is one of the regions where the economic backlog issue has become a burning issue for the state politics. The leadership of that region has been complaining of diversion of resources primarily to western Maharashtra primarily. It is argued that this diversion has contributed to poor economic development of the region. Calls for a separate state of Vidarbha are thus gaining ground.

Of late, Vidarbha has been in the news for the large number of farmer suicides in the cotton growing belt. This has now awakened the national leadership which has announced economic packages for the benefit of the cotton growing farmers. Many of these schemes and programmes should have been implemented at least a decade ago. However there is still little thought given to the changing agricultural economy, where traditional crops and cropping practices are increasingly being replaced by the market controlled crops and practices.

About the organisation

YUVA's work in the urban areas dates back to the mid eighties when some young social activists with support from a social work college in Mumbai initiated activities with youth in the suburb of Jogeshwari. Ever since then it has engaged with the issues of urban housing and civic amenities, education etc. From Jogeshwari its work expanded not just to other areas of Mumbai but also to other cities like Nagpur, Sangli and most of the cities of Maharashtra.

YUVA Rural is the rural counterpart of what is now referred to as YUVA urban. So in a sense it gains from the experience of its mother organization. Although YUVA rural was formally registered as an organization in Madhya Pradesh in 2002, it started its operations in the Vidarbha region of Maharashtra way back in 1996. It currently works in two districts of Gujarat, four districts of Madhya Pradesh and nine districts in the Vidarbha region of Maharashtra with its main office in Nagpur. It is primarily committed to work on the issues of land, water and rural livelihoods. Its focal constituency has been farmers and women.

It has a wide network spread across the region with field offices at the district level and support staff at the *taluka* and village level. It works in five districts of western Vidarbha i.e. Akola, Amravati, Wardha, Washim and Buldhana and four districts of eastern Vidarbha i.e. Nagpur, Bhandara, Chandrapur and Gondia. The organization is supported by able staff at all the levels with support from a cadre of voluntary workers at the village level, some who have now risen to be their staff. The staff composition did seem to have a good gender balance.

Key areas of work

Broadly speaking the two main areas of the organization's work revolves around agriculture and women's issues. Although it is not within the scope of this report to discuss the entire body of the organization's work, it would be useful to understand the key areas of their work that contributed to the women and land rights programme, the main focus of our study.

Integrated Natural Sustainable Agriculture Programme (INSAP)

INSAP started in 2002 as a small programme and was implemented in 36 villages and now expanded to 619 villages across 5 districts of western Vidarbha. The main objective of INSAP is promotion of organic and sustainable agriculture. INSAP is an outcome of the key findings of an extensive study launched in 2000 to investigate the major problems of the region. The study brought out some of the key issues affecting farmers and one of them was the rising cost of inputs with no commensurate benefits. However there were also innovative experiments being conducted by the farmers using low external inputs and organic methods. This led to a six month long study of documenting organic practices practiced by different farmers which culminated into what they call as their own model for the region known as Integrated Sustainable Agriculture Model (ISAM).

Another fall out of the INSAP has been the organization of farmers in 2004 into '*Shashvat Sheti Kruti Parishad*' (Sustainable Farming Action forum). This is an informal platform and its main objective is to deal with farmer specific issues related to the farm prices, subsidies, etc. Although it is a separate entity, activities of the organisation intersect with those of the *Parishad*.

One of the successes of this programme as articulated by all its members is the impact it has had on curtailing the suicides in the 200 odd villages where the INSAP programme was diligently pursued by the farmers.

Women's Issues

One of the mainstays of YUVA's work has been its work with women's groups. It has a strong gender focus and a conscious effort is made to bring women's issues to the centre of all the major programmes of YUVA.

Mahila Vikas Parishad (women's development forum) established in 2004 is a network of grassroots women across the field area. Currently it has a strong membership of 50,000 women and works primarily for the social, political and economic development of women through activities like formation of SHGs, income generation activities, counseling centres, trainings etc.

The organization thus seems focused on its area of work and has established credibility in the region. It is also well resourced in terms of its access to other state, national and international level networks. For example it is currently part of the leading networks such as *Jal-Jangal-Jamin Abhiyan* (Water, Forest, land campaign) **We Can** a network to counter violence against women, *Vaada na todo* working on various socio-cultural and economic rights, *Hamara Beej Abhiyaan* working on seed sovereignty issues etc.

Women and land rights

Background

As part of its INSAP work, the organization realized that although women were participating in such large numbers in farming activities and also organizational activities, there was little by way of direct gains to them. However they realized that there were no simple answers to such a complex issue. As part of initiating work on the land rights programme, they undertook a study about situation of women farmers. The study which was conducted in around 2007 was done with in depth interviews of 150 women farmers and the data confirmed the observations that were presented in various meetings.

The study pointed out that most of the agricultural work is done by women, which is unpaid work. Women hardly own land or any other related resources like water, livestock, credit etc. One of the findings of the study was that men do not share any of the crisis related issues with their wives. Women are hardly aware of the debts that they have or the expenses that they have incurred on their farm land. They labour on the field but hardly ever get a chance to discuss or decide on any serious matters. In fact in many cases it was seen that if the concerns were shared perhaps suicide rates would not have been as much. All these reasons prompted the organization to initiate work to involve women in agricultural decision making.. Although YUVA's women and land right work started prior to the study in around 2003, the study strengthened their voices further and helped expand their programme around women.

The programme

As far as land rights is concerned YUVA shared data of 298 women who have benefited from the programme. Some of them have lands transferred in their individual names and others have been registered as joint owners. This will be discussed in greater detail.

Vidarbha region, especially the areas where we visited and the people we met mainly have medium to large land holdings. The organization's base in the area visited by us is among the farming community largely and those who are willing to or have initiated organic farming through the INSAP programme. It is among this base that discussions around women's right to property were initiated. Since women contributed significantly to the agricultural processes through their labour and knowledge, their right over land was seen to be a logical outcome. Thus YUVA took this up amongst its farmer base in the INSAP programme.

The land rights programme was mainly in the nature of transferring agricultural land in the name of the wife as an independent owner or including the wife as a joint owner in the 7/12 records. There are also instances where widows have been able to claim their rights through succession.

Instruments used

For doing this the organization used two instruments. The first instrument whereby land was transferred in the name of the wife was the GR dated 15th May 1999 linked to the Bombay Stamp Act of 1958.

The organization decided to use this GR in favour of women and appealed to their men staff and volunteers to begin with, to make such transfers and also to be the social carriers for extending this message in different villages.

The second instrument used was what is known as the "Laxmi mukti" GR dated 15th September 1992 which is within the jurisdiction of Maharashtra land revenue Act 1966 and which permits the inclusion of the wife as a joint owner on a 7/12 record of her husband.

Through the use of both these instruments and with efforts of staff at various levels in the organization 298 women across five districts of western Vidarbha now have land in their own names. Although the figure appears small, the effort that has gone into changing mindsets has been quite substantial and the organization needs to be lauded for the effort.

In the next section we shall discuss the profiles of the women who through the effort made by YUVA were able to get land titles in their names.

Profiles of the women land owners

Based on the data shared by YUVA, we analyzed the profiles of the 298 women who have received land in their names.

Table 1 below shows us the district wise distribution of women with land titles. We can see that Washim has the highest number of women with land titles in their name followed by Amravati and Akola and Wardha having the least.

Table 1: District wise distribution of women land holding

District	No of women getting access to land
Akola	62
Amravati	63
Buldhana	54
Wardha	49
Washim	70
Total	298

Table 2 below gives a caste wise distribution of land transfers or joint holdings. It shows that a large number of land transfers (46%) were done among the OBCs which are the farming castes. This was followed by 24% among the SC and 12% among the Open castes. According to YUVA staff the large number of land transfers among the OBCs can be attributed to larger land holdings among these castes. It is interesting to also see that the transfers have also been done among SC.

We see that about 55% of the households have transferred between 2.5-5 acres of land in the name of their women family members and a caste wise variation shows us that 73% of the open castes fall in this category followed by 53% of SCs and 59% of OBCs. This needs to be understood further but the possible explanations could lie in the reasons for the transfers lying in qualifying for government schemes applicable to small and marginal land holders. Hence we see that about 93% of the transfers are within 5 acres. There are several aspects in this data that can be followed up in terms of a stronger caste class and gender based analysis.

Table 2: Caste wise distribution of women land holding

Caste	2.5 to 5		Up to 2.5 Acres		More than 5		Total	
	No of women	%	No of women	%	No of women	%	No of women	%
Open	27	73	8	22	2	5	37	12
OBC	82	59	42	30	14	10	138	46
SC	38	53	30	42	4	6	72	24
ST	9	29	22	71	0	0	31	10
DT	1	50	1	50	0	0	2	1
NT	7	47	8	53	0	0	15	5
SBC	0	0	3	100	0	0	3	1
Total	164	55	114	38	20	7	298	100

Table 3 shows us the caste wise type of ownership. The overall picture is that 92% of women have lands in their own name whereas only 8% have registered it in joint names. The reasons as we assess are twofold. One reason as we discussed earlier is that the benefits of government schemes cannot be accessed if the land is more than 5 acres. In such a case, it is more beneficial to fragment the land and transfer the excess land in the name of women. The second and which is perhaps more important and relevant to the region is the overall larger ownership among the people who have done these land

transfers. This is also peculiar to the Vidarbha region which has historically been a *zamindari* region with large land holdings. As a result of this most farmers across castes would not have a very significant constraint in terms of land holdings. Secondly it is also important to remember here that the organization's base is largely amongst the farmers who have medium to large land holdings. Hence, the process of land transfers in the name of women was comparatively smooth here.

Table 3: Caste wise nature of ownership

Caste	Joint		Individual		Total
	No of women	%	No of women	%	
Open	1	3	36	97	37
OBC	13	9	125	91	138
SC	3	4	69	96	72
ST	5	16	26	84	31
DT	0	0	2	100	2
NT	1	7	14	93	15
SBC	0	0	3	100	3
Total	23	8	275	92	298

Table 4: Irrigation

Type of land	No of women getting access to land	Percentage
Irrigated	32	11
Unirrigated	266	89
Grand Total	298	100

The data in table no. 4 above shows that about 89% of the women have unirrigated land in their name and only 11% have irrigated land. Largely speaking irrigation is not so common in the area and people largely depend on the vagaries of monsoons for their agriculture. However some innovative farmers have taken up wells and bore wells and are thus able to irrigate their lands. The data broadly reflects the reality of the region, but also can be said to be indicative of the fact that women often become recipients of the not so productive resources.

Benefits

Our framework for assessing the benefits of a land rights programme would include the changes in her behavior towards her marital family, her relations with them, the changing power equations, changes in her ability to bargain and negotiate effectively for a better deal within the household in a myriad of ways, the level of empowerment that she perceives she has gained / obtained within the household and the community. The assessment will also try to understand whether her participation in the public sphere has increased and whether she able to decide on cropping patterns, water use, seed and fertilizer use (both type and quantity etc) ; as well as whether as a landowner she has been able to make use of the government schemes meant for women farmers and marginal women farmers?

Empowerment

It was interesting to hear views from both men and women on the reasons and the benefits of transferring lands in the name of women. Madhukar Sarap, a farmer from Kanheri village who has transferred land to his wife and purchased new land for his daughter-in-laws said, *“If women get access to family land, they would feel that they also have right on the property and this would increase their participation.”*

Women expressed it in a different way. Generally women responded that they work equally in agriculture and therefore deserve to have a right to land. Most of them expressed satisfaction and happiness now that they have a share in the family property, and this mostly meant security for them. Some women clearly expressed that land ownership provides them a sense of security that now they won't be thrown out of the house. Here are some responses from the women who have got land in their name:

“We work equally with husband, 50% work is done by us. So if we have ownership over the land we also feel good,” says an articulate woman from Titwan village

“It is good that I got land after my husband, otherwise my son wouldn't have let me live in the house,” says a widow from Nimbha village.

“Getting a land of one's own is important than getting gold. Land would remain with us until we are alive and it is a huge support,” says another woman from Titwan.

“It is not just a paper. Now I can work on my own land and earn my own bread and butter. I am proud that I am not dependent on anybody,” tells a confident woman from Kanfodi village

Case of Sindhutai from Bhatkuli is quite different. She was forced to leave her husband's house when she was only twenty years old. She did not get share in either family property. It has been a difficult struggle for her; to support her three sons without any resources. But today after lot of hard work she has bought 4 acres of land and this has definitely given her power. She says that now that she has land she doesn't have any fear for her future. She is a strong leader of the village and has been active in village politics. Her SHG members have leased 20 acres of land and are cultivating it collectively for past two years. They have been cultivating cotton, green lentil and soya beans using organic methods and have been getting profits. Her case is unique in several ways and is an example for many women who are deserted by their husbands. Her story is of grit and determination and most importantly how owning land helped her get to where she is today. She said *“My son is married and my daughter in law behaves well with me simply because she knows that I am an owner of property worth lakhs”* This is the bargaining potential that she expressed- the power to determine relations- whether she misuses it or uses it productively is a matter of discussion, but her sense of power is definitely noteworthy here.

“In a way it feels secure to have land in one's own name. Now no one can say that I don't have a right in this house. It is also a security for my daughter,” Sindhutai Bhagat from Aurangpur said.

Most of the women we spoke to exuded this sense of security and importantly stated that they feel that now they can negotiate and they have better bargaining power.

In this way, women expressed that they have achieved a

sense of security and empowerment after receiving land ownership. It certainly left us with a feeling that they had benefitted in a very significant way from this process and this programme should thus be continued and benefits should reach out to a larger number of women.

Material benefits

There were also some very tangential and immediate benefits for the household from transferring lands in the name of women. Vidarbha region has several schemes brought in for the upliftment of farmers who are indebted and thus compelled to take drastic steps like suicides. Only small and marginal farmers having land holdings of less than five acres qualify for most of these schemes. This was also a reason why some men transferred excess of their lands to the women relatives. Some of these women who acquired the land titles received benefits of government schemes like loans for well; bullocks, saplings for horticulture etc. Many others were yet not aware of such benefits or simply had not felt the need to avail them. In some cases, since the household land was now smaller after the transfer, men farmers could benefit from the schemes meant for small and marginal farmers.

A few women also reported that being an owner of land requires engaging in related transactions like going to bank etc. This provided them exposure they did not have earlier and they got to learn new things.

Decision making

Decision making is a very contentious issue- who decides, are the decisions based on consultations or are they unilateral, it is very difficult to understand the household dynamics in which patriarchy and age play a very important role. We nonetheless asked the women how gaining ownership to land had changed the dynamics of decision making. Some women said that decisions are taken jointly and some said that they are usually taken by their husbands. Issues regarding crops etc are usually discussed in the household but the decisions usually rest with the men.

Arati Yevtikar from Bhivri village of Washim district has received land after her husband took initiative to transfer it. Both of them have been doing different experiments on their land. Apart from their regular crops they have been growing and processing mushrooms, which is a profitable business. They are also cultivating mulberry and have a unit for production of cocoons for silk production. They also run poultry as well as a nursery and are thinking of diversifying into floriculture next year. Aarti has always been involved in all of these activities and feels she is very much part of the decision making process. It was evident that she was taking on the burden of a lot of agricultural work- supervision, planning etc. She did seem to enjoy it and perhaps it was that work that also gave her the space to decide. But yet one needs to explore into the changing nature of women's work with improved skills and whether that has the potential to challenge patriarchal division of labour. Women like Aarti seemed to take on a lot of responsibilities in the home and outside.

Our Individual visits to certain households and interviews with men and women gave us a little more insights into the issue. Detailed discussions with some women who have been involved in the decision making of the household along with their husbands informed us about the congenial atmosphere in their household which has made it easier for them to participate. But as said by some of them this has also been possible because the men of the household have been associated with the organization for

a long time and perhaps this has had an effect on the environment at home.

Sindhutai Bhagat from Aurangpur another recipient of land says, *“He (her husband) was always a man of progressive values. Earlier we were doing agriculture in a traditional way and we faced a lot of loss. We were in debt. But later we came to know about organic techniques and now we are doing it that way and are in profit. Atmosphere in our house was always open. So I can’t say it has made much difference in decision making because we always took decisions together.”*

Silence on natal property

The idea of giving property share to wife and even daughter-in-law is gradually gaining ground though with a lot of reluctance. While women were very vocal on marital property and transfers in their name; they became quiet when we discussed the issue of claiming natal property. It was not easy to accept that she can claim her share in the father’s property.. Some of the women had the following to say- *‘sure girls have right but it is better not to ask for it’ to ‘this law is not good, there should not be talk about giving land to daughters’*. Often the discussions were diluted by statements like *“My natal family has only 2 or 3 acres and I have 5 brothers so why would I claim my share”* But sooner or later they would come to the crux of the issue which is discussed here through the quotes of the women themselves.

Most of the women said that if good relations have to be maintained with the natal family then rights over the land have to be written off. In many cases brothers had come to them to get their signatures and asked them to write off their share in the family lands. The greatest fear for her is the loss of a relationship that she nurtures all her life. Our brothers would stop coming to us and we would also not get to visit our parents or in their own words *“the one house that we can call as our own is lost to us”*. *“We get one saree and blouse (sadicholi in Marathi) from our brothers in a year and that too would stop”*

The same logic extends to their daughters as well. So although the law is lauded they don’t think it is practical or rather they don’t think it should be exercised. Of course those who have only daughters there is no question.

In Kanfodi village there has been very interesting discussion about the whole issue. Here are some views expressed by the women:

“My mother’s family had 100 acres land but she gave her right away for her step brother. How can I ask land from my own brother?”

“If I ask for land I wouldn’t be able to go and visit my sick mother. What use is that? It is better to maintain relations.”

“I gave away my right for my brother and he is the one who helps me in the time of my crisis. He helps when there are functions like weddings in my family. If I had got property but my brother and his family would not have been there for my son’s wedding, then what would I have done with all that money? Today I have his support and that is of more worth than that land.”

“I will not give land to my daughter because otherwise later her brothers won’t support her. She would get share in her husband’s property.”

“We are four sisters and one brother. He has been asking us to give up our right on our ancestral property. But we are not doing it for the sake of our mother. What if he doesn’t look after her after that? So we won’t sign the papers until our mother is alive. After that all the land is only his.”

Strategies

Building perspectives

The first strategy adopted by the organization was to shape the perspectives of the people who would carry forward these ideas- i.e. their staff members at various levels. Thus about a year and a half was spent in building perspectives of their own employees around women’s issues. This was done through various training programmes and discussions. Most of these staff members come from rural backgrounds and are also themselves farmers, so they were not previously exposed to these new ideas. Moreover most of their staff particularly the field level workers are male and hence working on women’s issue was not necessarily a priority for them. Subsequently a female field worker with experience in working on gender issues was appointed to bring in the gender perspective. Over a period of time with these intensive trainings and discussions there was some understanding around women’s issues and their rights.

In fact the changed perspective is evident from one of the male staff members’ response to our question on importance for women to have land- Bharat Kumar Sharma said, *“Women would feel a sense of belonging. If we ourselves transferred land to the young daughter-in-law, she would feel that this is my home now. That way family would remain intact.”* Although here the perspective is still within the normative understanding of the family and marriage institutions, it is important to see this change in a person or similar such persons who are completely dominated by patriarchal mindsets which would not permit this kind of an allowance as well.

Setting an example

For furthering the women land right programme, one of the important strategies in the initial stages has been to initiate a dialogue with their own staff members and motivate them to set an example by transferring land in the names of their wives.

Bharat Kumar Sharma, a member of the organization said, *“Since I came in contact with the organization my attitude changed. Now I realize that women should have right to land as well. I have transferred land to all the women in my family. Initially people did not believe in what I was telling but I set an example myself. After that it was easier to convince people. Now many of my relatives have transferred land to women from their family and I am still trying to convince other people of the village.”*

Setting examples by the people related to the organization was an important strategy adopted by the organization. In the villages we heard the similar stories where the farmers associated with the organization have taken efforts to transfer land in the name of their women relatives. Sindhutai Bhagat

from Aurangpur village says, *“My husband was involved in the organic farming experiments with the organisation. So his views were different. So he transferred 5 acres out of our 8 acres land in my name. When he decided to do that his brother and their children tried to convince him against it. But he was firm and transferred the land. Later all our relatives have followed our examples. Now most of the women in our extended family have land in their name.”*

Sunanda Gopale has also been associated with the organisation for a long time and has got 2 acres of land in her name. She has been exposed to the ideas of women’s right on the property and when she became GP member she took initiative for getting housing rights for women and under the GR now all the houses in their village are jointly owned by both husband and wife.

Changing mindsets: Experiences of local staff

Concerted efforts were made to hold meetings in the villages to convince the farmers associated with them to transfer the land in the name of their women relatives and then to convince other farmers in the village. Convincing farmers with traditional mindsets has not been an easy task. So apart from appealing to their gender sensitivities through trainings and discussions, the other appeal has been to transfer land so that they can avail of some government schemes which are applicable to small and marginal farmers with land holding less than 5 acres. This has been one of the important arguments which have gone in favour of women.

In the region, small land holders, i.e. farmers who have land below 5 acres get access to different government schemes. This has been used as a point for persuasion by the organization. Along with developing people’s perspective towards women’s land rights, the organization also informs them that transferring some land to women would also get them benefits from the schemes.

Promoter farmers like Shivaji Bhagat from Aurangpur, himself extremely committed, also a large landholder organized several camps and events to discuss this issue with the farmers. There were two three arguments that he used to convince farmers, 1) women work hard and therefore deserve property rights, 2) she will be stronger and more capable if she is given certain rights, his own wife started going to the bank and doing several things related to the land matters on her own and this is a positive step. 3) farmer suicides are high in this region and one of the arguments used by Bhagat was that if women are given a share of the land they at least remain aware of the developments around it, and are in a position to support the man. In most instances of suicides women were not even aware of the loans taken by the men in the households and after the death of the husband were left to fend for their families without anything in hand and any knowledge of what needs to be done ahead. This argument worked well with many farmers of the area. The other argument he used is that women are very well networked- example he gave is that once he was in some financial crisis and needed about Rs 5000. He did not know where to get the money from, but he shared it with his wife and she through her social networks was able to raise that money. The point is that women should not be underestimated and should be given the space and the opportunity and property rights can be useful for bringing this change.

The actual transfer part has been managed by the people themselves with support from the local field staff and the organization has not been involved in that process. But they have taken efforts to inform farmers about procedures which they should follow to do land transfers. Farmers were informed about the procedure of transferring land to the spouse with a declaration on stamp paper worth Rs 100. They have published booklets which provide easy information about how applications should be done to the government officials.

Constraints

Initially there was some resistance as land ownership is seen as critical and most households would not want to do this readily. It found an audience amongst the larger landholders who also saw this as an opportunity to fragment their lands and qualify as marginal farmers. Thus the larger landholders preferred to transfer the lands rather than have them jointly in the names of their wives and themselves.

With the staff members we discussed the constraints and the bottlenecks in carrying this programme forward beyond the 298 cases.

Patriarchal mindsets

One of the major problems identified by the organisation in the process of getting land rights for women is the very patriarchal mentality. They say that it is not easy to change the mentality of people. They still do not understand that women too have equal rights. Whatever land transfers have been done are mostly in the name of wives and in some cases daughter-in-laws. But there is a lot of reluctance to give land to daughters. It is going to take lot of efforts to change this mentality.

Expenses

One of the issues that the local staff pointed out was the expenses involved in making the transfers. From 2003 until about 2005 or so such transfers could be made on a stamp paper of Rs 100/-. However later on many of the local staff found that this was no longer effective and transfers had to be made through the buying and selling process which involved costs as high as Rs. 7-8 thousand per acre. Those with large landholdings and keen on land transfers still went ahead and did it, but it deterred several others who would have done it but could not afford to do so.

Lack of drive

However the main concern that seemed to be a bottleneck from our observations and discussions is the lack of drive to carry it forward. The cases have not moved beyond the 298 is not because of the lack of capability of the staff or the cost involved, but mainly because this does not seem to be on the top priority of the organizations work at the moment. This can also be explained with an organization as large as YUVA and involved in a large number of activities. There is however need for some stock taking within the team, to reflect on the achievements and chart a way forward.

Although for YUVA, women's rights over land have been an important programme, it never took the form of a very big campaign as we understood from the discussions with the staff and reading of their literature. In the initial phase, the staff and the voluntary workers did take a lot of interest and

explained at the village level the importance of transferring land in the name of women by using different kinds of strategies which we have discussed earlier. However later on it was left to the village level staff and the voluntary workers to carry forward the programme.

Way forward

There is a lot of potential for the women and land rights programme to expand in Vidarbha especially among the large landholders for whom land holding size and land fragmentation are not a constraint. YUVA should take this on as a priority issue.

One of the possible ways forward is to rejuvenate the demand and instill the drive in their staff members and also the local field staff to take this on a campaign mode. See how they can connect themselves with the state and national level networks around women and land. Reflect and think together thematically to begin with, with other SWISSAID partners working on the similar issues.

However before taking this on as a major campaign, it would be important to understand the legal standing of the government resolutions used. For example whether a transfer done on the stamp paper of Rs 100 stamp is a valid one? Would it stand in the court? Can women who have acquired the land titles using these government resolutions get an absolute right over the property including a right to dispose it off?

3.2 Sakav

Context of the region

Sakav is located in Pen *taluka* of Raigad district, which lies in the North Western part of the state. It falls in Northern part of Konkan region.

In this high rainfall area of North Konkan, *Kharif* rice is the only major crop for most of the people. A few farmers with irrigation are able to take the second crop in Rabi. Most of the area is unirrigated and no surface irrigation is available. Generally land holdings are small and there have been different issues regarding landownership.

The district is home to about 12.2% *adivasis* who depend largely on the forest lands. In fact, the land rights has been one of the most burning issues in Raigad district with several organizations working towards claiming rights of the poor *adivasis* of the district. Increasingly with large scale industries and SEZs coming up in the district, the struggle for land and other resources has grown even more severe.

Male out migration is common and in most of the households at least one male person has migrated to Panvel, Alibagh or Mumbai. There they are engaged in unorganized small jobs. So agriculture is mostly handled by women. Lack of male presence in the household also means that women have always been involved in decision making at the household level. Due to this, women have better access to the public sphere, are more articulate compared to some other parts of the state.

About the organisation

Sakav which means a bridge in the local language is a registered nonprofit organization and works as a support group for the nine people's organizations that it has helped found. Its main area of work is in Pen *taluka* of Raigad district of North Konkan region in Maharashtra.

Sakav is a small NGO and works mainly on issues of land and forest rights of the *adivasis*. It combines activism with research and training support to the various people's organization that it has set up in the *taluka* (block). All these nine organizations are an integral part of Sakav's work and in fact are the political and social arms of Sakav. These organizations which focus on specific social issues look for legal and social inputs from Sakav. Their work involves creating awareness among people about their rights as well as facilitating administrative processes related to land. Work of the organisation is spread in 112 villages and 42 hamlets of Pen *taluka* .

The main work of Sakav is around land rights- regularization processes, settling forest land claims under the Forests Rights Act, handling individual cases of land related problems among their member base etc. The member base of Sakav and its linked organizations comprises largely of *kunbis* and *adivasis*. The *adivasis* belong to the *katkari* and *thakar* communities. *Thakars* are usually a little better off with respect to land holding and other socio-economic indicators as well. The *katkaris* are still very much dependent on forests. They have less landholdings and have low education.

A lot of Sakav's work in the recent past is shaped by the policies of the government whereby large scale industrial belts are being sanctioned in the district. Raigad district in fact has the highest number of SEZs in the state. Most of these industries have been displacing the locals and exploiting natural resources like land, water and minerals. Several struggles opposing the industries have thus emerged in the district and Sakav has played a significant role in them.

Sakav has been working with Agri, Kunbi (both OBCs), Thakar and Katkari (both *adivasis* or STs) communities. It also has a strong base among the fisherfolk community.

The organization has the post of Project coordinator and then there is a women's programme coordinator. Apart from them, there are 15 employees, 6 of whom are women. They have been given different areas and mostly work in the field.

Key areas of work

Land Rights

The main contention of Sakav is that the land records are not updated and hence several farmers are affected by it. So in a nutshell the main work is to get the 7/12 records updated, address issues related to tenancy, land transfers after the death of the main owner etc.

Section 35 of the forest act allows for land ownership of *adivasis* on Forest lands. Sakav has been actively involved in putting together these claims in Pen *taluka*. Several of the community and individual claims they have put forth have now been accepted and certificates have been issued to the *adivasis*.

The other issue in which Sakav has been actively involved is regularizing the lands that *adivasi* tenants had received from the *khots* and *samants*. Many of the lands earlier owned by the *khots* and the *samants* (these are the upper castes that owned large properties in Konkan area) and which were taken away from them under the tenancy act are now again being reclaimed by them. Sakav is involved in the tedious process of collecting all the documents and facilitating the process of now regularizing their lands.

The other area of Sakav's work revolves around regularization of *dali* lands and *eksali* plots which are still not in the name of the *adivasis*. Dali is a method of shifting cultivation done on mountain slopes and is mostly practiced by semi-nomadic tribals who do not have individual land holdings. In 1970, the government declared that Dali lands would be regularised in the names of cultivators but that did not happen.. In the late 80s, the movements working in the area took up this issue. Sakav has also been part of this movement. Though the process of regularising these lands has started, not all the lands have been regularised yet, and the struggle is still going on.

Involvement in the struggles around land and water issues

As mentioned earlier industries have sprung up in the area, many of them are steel industries and they have been using a lot of water and other resources of the area. A lot of struggles have emerged around this issue. One of them is around the lands which became saline as a result of the sea water ingress due to interventions of the Ispat steel company and Johnsons Company in the vicinity which damaged the traditional protection against saline ingress called the *khairbandh*.

Another significant struggle where Sakav was involved was for fisherfolk which was against Nippon Denro Company which set up a huge jetty on the Tamsi port. Heavy traffic started as a result of this, destroying the boats and the nets of the fisherfolks. Through Sakav's support they were able to get compensations worth Rs 1.45 *lakh*/fisherman and about 300 fishermen got this compensation. Here too women were at the forefront of the struggle. Similarly there have been several struggles around drinking water resources in the neighboring villages.

Several such struggles have been launched with successes as well and the organization has managed a strong credibility amongst the people of the area. Women from these communities were always at the forefront of these struggles.

The organization has helped to establish 240 SHGs in their work area. Women SHG members have been provided different trainings and are incentivised to start different income generation activities. Some SHG members have been involved in collectively leasing land and cultivating it.

The organization is currently involved in organic farming experiments, small plot cultivation, setting up shops for selling the produce of the SHG groups etc. In all of this innovative work the women from different people's organization have always been at the forefront.

One of the interesting strategies of the organization is the establishment of the '*samjhota samitis*' in all their villages. These committees are a buffer between the police, court and the people. No conflict goes

out of the village if it can be resolved within the village. The committee comprises of members from each of the caste communities. In fact, they pick on every surname in the village and choose the most respected among them. This informal committee along with the village panchayat members tries to solve land related conflicts and also advises people about land transactions, transfers, matters related to 7/12 record etc. as and when needed.

Nine organizations: Social and political arms of Sakav

As mentioned earlier the organization has helped to build nine different collectives for different target groups like farmers, fishermen, *adivasis*, women etc. All the nine organizations have been federated to form *Jamin Jangal Pani Lokadhikar Andolan*. Different issues of these communities are handled by these collectives. The women's organization is called the '*Kashtakari Mahila Samiti*' which is comprised of representatives of all the SHGs from all the villages in the working area of the organization. Women's collective supports initiatives taken by other collectives. These collectives are not directly related to the organisation. Employee of the organisation is the link between them who attends meetings and does the reporting. The organization does not give any financial support to these collectives and prefers that they retain their social and political nature. They just provide other support and the expenses are borne by the collective itself.

Women and property

Despite the organization's long standing experience in leading land rights struggles which have met with successes, its work with women's right to property started only recently. In all the struggles discussed earlier, women were at the forefront. In fact the role of the *Kashtakari Mahila Samiti* has also been more complementary than independent and it supported all the struggles in a significant way. The question then arises that why women's right to property was never on the agenda for Sakav or the Peoples organizations. If women have been able to claim saline lands, get water for their households and compensation for the fisher folk then why are they not able to claim rights on these resources, if not independently at least jointly?

The organization has of course made conscious efforts to support women's cause in other ways. One example is to compel the male fisher folk to ensure that half of the compensation received from the company should be given to the women. They can either decide to buy gold for themselves or use it the way they think fit.

Women's housing rights

Recently Sakav has initiated a programme on registering houses in the joint names of husband and wife by implementing the GR of government of Maharashtra namely *Ghar Doghanche*. *Ghar doghance* is a GR which makes it mandatory for the village *gramsevak* to include the names of women in the house. This is done on an 8 A record of the village. Each household has an 8A assessment paper which has both the husband and the wife's name on it.

Issues of violence against women are noted to be severe in this area. The organization thought that it would be useful if the GR of the Maharashtra government could be used to ensure shelter for the women. Sakav was committed to take up this campaign in a big way and thus they organized

gramsabhas across their field areas and discussed the issue with people and encouraged them to register their houses in the joint names. They initiated this process with the help of their SHGs and also through nine peoples' organizations. Resolutions were passed in the *gramsabhas* and then applications were given to *gramsevak* to reregister houses in the names of both husband and wife.

Assessing benefits: Housing rights

Through this concerted campaign Sakav has been able to register houses in the joint names among 11,600 households, across 14 Gram *panchayats* of Pen *taluka*. The households have received renewed 8 A records with both husband and wife's names on it. Assessment records also have been renewed.

We visited a few villages and spoke to several women who had benefitted from this programme. Almost all of them spoke out and said that this had provided them a sense of security and expressed that being the co-owner of the house has given them a kind of confidence. They feel that now they have right over the property too. In Kasu village, women said that earlier they did not realize the importance of having property in one's name. *"Initially when tai used to come and tell us about registering the house in both of our names we did not pay much attention. We thought that nobody is going away with the house. But gradually we realized that it is important that we have our right,"* says a woman from the village. Now they proudly say that all the 350 houses of their village are jointly registered.

"Sometimes husband is alcoholic; sometimes he marries someone else and asks his first wife to leave the house. Even son can later asks his old mother to leave the house. In such cases having house in our joint name is very important," says a woman from Jambhoshi village.

Women say that there was no opposition from men of the household for registering the houses in both spouses' names. The organization took initiative to convince men about it and they did not object it.

Strategies: Housing rights

Sakav has largely used the campaign mode for its programme on housing rights. Sakav's strength has been its committed staff, its determination to carry forward a programme and most importantly its mass base in its field area. The nine organizations have also been the social carriers of this message and as a result of which they were able to jointly register names in about 11600 houses across 14 gram *panchayats* and this is considerable achievement. There was little resistance from men or from anybody else as this was more like an implementation of a government approved programme issued through a GR.

Constraints: Housing rights

Sakav has been successfully able to implement this programme using the various strategies described above and have not faced any resistance.

Women and agricultural land

Though few women had received land through succession, most women do not have land in their name as this was never on the agenda of the organization. As we have seen, due to male migration, women

manage their household lands without of course having the land title. We also observed that women have been at the forefront of all the land related struggles initiated by the organization.

One of the cases of saline lands, mentioned earlier is very insightful in this context. Nippon Denro companies came in the now famous Patni Pandapur area of Pen *taluka* and damaged the protective wall against saline water called the *Kharbandh*, damaging about 1300 acres of land which was the only source of livelihood for about 700-800 farmers from 3-4 villages. It was the women who stood up against this act of the company and fought their way through for about three years until the companies were forced to give compensation towards the construction of the *kharbandh*. Men did not participate in the struggle at all and in fact they had discouraged some of the women as well. But the women were determined to save their lands.

“They used to say even we (men) can’t handle this, how you are going to achieve this. But we showed them that we could do this,” say the women from Kasu village proudly.

When the struggle was at its peak, women would walk from village to village, and asked people to join the conference they were organizing. After their efforts, the conference was a huge success. Women narrated how they got officials from the industries and local government to listen to them. “They did not take us seriously. They used to call us for the negotiation meeting but whenever we went there, there would be no senior member present to take the decision. This happened many times. One day we lost our patience. There were around 70 of us and we waited the whole day there for senior officials to return, but they did not. So finally we took the matter in our own hands, closed all the doors and forced those men to wear bangles. We did not let them out of that room for a long time. They had to take us seriously after that. They soon organized the meeting for negotiation after that.” The Patni Pandapur struggle was successful due to the efforts of the women. After this of course lands were revived and now women are cultivating them. And yet land is not in their name.

When we asked them this question they too started thinking and wondering why they did not make this demand within the household. But in fact in the meeting itself they vowed that they would now ask for their rightful share in the household land.

The reason for narrating this episode in such detail is to demonstrate the potential the organization has in terms of its mass base and especially women. Women’s voices from the village are indicating that the time is ripe and they are willing to fully plunge into the struggle. All they need is support and guidance to do this in a manner that challenges patriarchy without breaking the family.

Assessing benefits: Land rights

The organization has been actively pursuing the issue of lands regularized through the government to be in the joint names. For example, the forest rights act makes it mandatory for all claimed lands to be in the name of the husband and wife. Sakav has filed about 600 odd cases and in all they have put the name of the wives as well. Although this clause is already part of the law, Sakav made special efforts to discuss this with the men of the village and convince them to recognize this right of the woman. They organised *gramsabhas* in these villages and talked with people about why it is important that women

also have land rights. Further when the 418 claims were approved they organised a *melawa* to distribute the certificates to both husbands and wives. In the *melawa* a discussion was held on women's role in agriculture and yet how she is still property less.

While the constraints mentioned in an earlier section articulated by the organization are real and need answers one can also not neglect the voices of the village women which are time and again pointing to their willingness to struggle for land rights. When asked what they think about transferring land to their name, after they have been so involved in the land related struggle, women responded positively. Here are some responses from women:

"What you are saying is right. Land is either in the name of husband or son. I should have some land on my name too," agrees a woman from Kasu village.

"I got the land after my husband's death. I have three sons. Who knows about the future? I feel safe that I have land in my name. My sons would not be able to sell it without my permission," says another woman from the same village.

"Earlier we did not understand importance of land. Now that the new industries are coming up and farmers are losing their lands we have understood it. In such situations it is important that women also have land in their name," was the response from another woman from Kasu village.

Innovative women farmers

In several villages from Sakav's operational area, collective farming experiments by women have proved successful. Land was taken on lease with a small rent paid to the owner by a group ranging from 10-15 women. This is usually taken on a seasonal or annual basis and the produce is shared among the women. All of them put in their labour or substitute it by cash if they are unable to join in. Some of the collectives have been successfully going on for more than 3-5 years. In some cases, however the constraint is in renewing these lease agreements. Mostly rice is cultivated and that usually supplements the food grains grown on home farms.

In spite of not being land owners per say, women have been doing innovative experiments in their land. Story of Reshma from Jambhoshi is quite inspiring. Few years back when she came to know about organic farming methods she suggested to her husband that they should try it. He was not in favour of that. *"I told him to cultivate half the land with his method and told him I would cultivate the other half with this new method," she says. "In the first year, production from my field was less, but the taste was so much better. After that he was convinced. Now we have been cultivating our entire farm using organic methods. We have a small piece of land. We cultivate rice and vegetables. And we have some livestock. That is sufficient for us."*

Several such examples abound the area. One woman from Kasu village has been taking care of her family ever since her husband had an accident and could not work. She manages their land and in the remaining time travels through trains selling seasonal fruits. There were many women from that and nearby villages, who were managing survival with multiple economic activities like that.

All these stories tell us the confidence that women from this area exude and their willingness to deal with new challenges and take the state or anyone head on. Thus to reiterate again the organization has a base which has the potential to lead the campaign for land rights for women.

Land from natal family

Land from the natal family is always a sensitive topic. Although women are fully aware of their right to their parent's property few are willing to talk about it. There is a fear and sense of insecurity in their voices when it comes to claiming rights over natal land. Questions like would we be damaging our relationship at the cost of property. Are relations with brother and parents important or a piece of land? Several such questions keep haunting women as if the entire burden of nurturing these relationships is on their shoulders alone. In their own voices-

"We get all the support we need from our natal family. So it is not that easy to ask for land share. It would not be good to spoil the relations for the sake of land."

"My family has one acre of land. And there are so many of us. There are four brothers, two mothers and two sisters. Tell me, how we are going to distribute the land?"

These were some responses from the discussion in Kasu village

Another woman from Amtem village had a different story. *"My parents divided land between my brother and I. They said that we would have given to our both children, if they had been sons. But my brother cultivates my land as well. He sends me either grain or cash every year."* But it was not that easy for most of the women. They find themselves torn between desire to claim their right and burden of maintaining relations. This is a sensitive issue and the organization would have to deal with this carefully.

Strategies- Land rights

Since most of Sakav's work is focused on housing we asked some hypothetical questions on strategies that would be needed if women were to have land in their name. The organization felt that the programme would have to be launched in a campaign mode like the housing rights one, but since property in the name of women is a sensitive issue care will have to be taken to convince men. Changing attitudes and mindsets is a long term process and it will have to be done skillfully is what the members said.

"We have to convince family members with care. The issue has to be handled sensitively. Otherwise women can either suffer at home or they would be separated from the organization. We have to take care that neither thing happens," says the women programme coordinator. Encouraging *adivasi* households to give women property rights is easier than convincing male members from other castes since in *adivasi* communities status of women is comparatively better than that in other communities.

They also stated that another good strategy is to start the campaign by setting an example themselves. Staff members would thus have to be encouraged to transfer land in the name of women from their households. This would help convincing other people to follow their example. Arun Shivkar; head of the

organization said, *“These things start at home. We are three brothers and three sisters. After our father passed away we divided the land equally among us and gave our sisters their rightful share.”* A female employee of the organization also shared her recent experience. She was asked by her brothers to give away her share in the family property. She was in a state of dilemma and did not know what to do. She knew that she has an equal share in the property and that she could claim it but on the other hand she did not want to ruin her relationship with her natal family. She discussed her dilemma with her colleagues and they encouraged her to stand up for her right. She tried to tell her brother that she is not giving her share right away. Since then her brother has not yet spoken to her. But she has emerged stronger in the process. These are the examples that would set the tone for the campaign when it is taken up.

The other strategy is the use of collective strength in terms of putting forth claims for joint names or land transfers, pressurizing the local government so that applications are processed without a bribe.

Constraints: Land rights

Land fragmentation

However there are practical problems in translating wishes into realities and this is evident from Arun Shivkar’s statement who says *“Land holdings in this area are already so fragmented and so small that further divisions by granting them to women would become very difficult and it is not legally permissible either. Our main problem in this area is that even the existing 7/12 records are not up dated and hence making transfers or having joint ownership is still difficult”.*

Issues in Raigad are indeed complex because of the size of land holdings and also because of land records which are not updated. This is partly also linked to growing industrialization in the area which has led to apathy on the part of the state to update the records and ensure security of tenure to the poor.

Sakav did initiate work on the joint ownership issue with the help of *“Laxmi mukti”* GR’. However they say that there are many problems in this process. It is difficult to transfer land/house in the name of the woman when the property is jointly owned by other family members.

Also as of now Sakav’s priority seems to be related to putting all the records in order. Their main work is thus to create awareness about renewing 7/12 record, dividing land among the successors, getting them to repay old debts to clear the 7/12 record etc. They feel that once these problems are solved, it would be easier to start a full-fledged campaign for women and land rights which according to them would have to be done in a campaign mode as was done for the housing rights programme.

From discussions with the staff members and with women in the villages, it was thus evident that transferring land in the name of women in would not a be a very simple process in Raigad.

Way forward

Nurturing the women's potential

Apart from dilemmas related to natal family land or fragmenting small landholdings, women were positive about taking up campaign for the land rights. Women of this area are articulate and very active in the public sphere and this is the strength of the organization if it does decide to take this issue on the large scale. Factors like male outmigration, presence of strong local organizations, the tremendous challenges and adversities faced by the local populations in terms of saving their resources have made the women very strong and articulate. It is the women who are locally present to deal with these adversities. Thus a socio-political and cultural context has been important in shaping the struggles of all of these women we met. However this potential needs to be nurtured, guided well Sakav has a necessary capacity to take up this work.

Activating the Kashtakari Mahila Samiti

The other potential is the local organizations promoted by Sakav which can be a useful instrument for taking this campaign forward. The *Kashtakari Mahila Samiti* should now take a more proactive role in designing and planning this campaign and not merely see itself as supporting other struggles. It should see how other local organizations can support the *Mahila Samiti* in this case. It needs to chart out its agenda in broader land rights struggles for women. However it needs to have its own agenda in terms of addressing issues of violence against women, claiming property rights for women. It also needs to connect with other networks and organizations doing similar work on women and land to be better informed and better collectivized on this issue.

Promoting Joint ownership to avoid fragmentation

Finally the question of small holdings and dilemmas of fragmenting these already small plots of lands needs to be discussed and consultations need to be held with the policy makers and legal experts and other such networks at the national level which have countered such issues. Our immediate suggestion would be to explore the possibility of at least joint ownership even though land cannot be transferred in the name of women due to the constraints of land fragmentation law.

3.3 Rural Development Centre (RDC), Beed

Context of the region

Marathwada region, home to almost 20% *dalits* is considered as one of the most backward regions of the state. It falls in the central part of the state and most parts of its eight districts are drought prone. Large scale seasonal and permanent migration is also common to this area. Large numbers of agricultural labourers, particularly *dalits* from Beed district migrate to western Maharashtra for sugarcane cutting.

Dalits are among the most deprived communities of the region with a large percentage of landlessness and unemployment. Most of the *dalits* work as agricultural labourers. The exploitation of *dalits* and their overall condition has triggered several mass movements in the region. Even prior to the struggle for renaming of the Marathwada University by Dr. Ambedkar's name, the region witnessed struggles

around land rights under the able leadership of Dr. Ambedkar himself and later Dadasaheb Gaikwad in the 1960's. This did lead to some changes and the government was forced to issue important GRs which have been discussed earlier, that would guarantee land rights to the landless.

Marathwada has large tracts of *gairan* lands or what are known as common grazing lands and these constitute about 3.6% of the geographical area of the region. Rough estimates put this figure at about 230 ha per village. *Dalits* and other landless have been occupying these lands and the earliest possessions are dated to the early 1950's as per the documentation done by *Paryaya* an organisation based in Osmanabad district of Marathwada. The demand of the *dalit* movements was to regularize these encroachments on *gairans*.

About the organization

Rural Development Centre (RDC) founded in 1985 is a Beed based organisation working primarily on *dalit* rights issues. It was formed prior to the *Manavi Hakk Abhiyan* (Campaign for Human Rights) and *Jamin Adhikar Andolan* – JAA (Campaign for Land Rights). In its early stages it worked on the issues of migrant labour, bonded labour and atrocities against *dalits*.

Like Sakav, RDC is also a support organization for movement against *Dalit* atrocities. It supports two significant movements in the area *Manav Hakk Abhiyan* and JAA. *Manav Hakk Abhiyan* emerged as a mass based *Dalit* movement in 1990s and spread across the entire Marathwada region. Today there are around 5000 villages, where the movement has a strong base. The movement has been working for *dalit* rights since then. *Jamin Adhikar Andolan* is a mass movement spread in the entire Marathwada region, with a specific focus on assuring land rights for *dalits*.

RDC works as a support to these movements mainly by contributing towards honorarium for the people involved, conducting trainings, promoting organic farming methods, implementing schemes etc.

Key areas of work

Dalit rights

Since the beginning major work of the organization has been around caste based discrimination. Initially they found that the situation of *dalits* in the area was very critical, discrimination was at all social, economic and cultural levels. So they started mobilising *dalit* people for the struggle against discrimination in areas like temple entry, use of water etc. A number of village meetings were held and awareness was created among them. Due to their efforts in around 500 villages *dalits* were able to claim their rights on water sources as well as their right to enter into public temples.

Migrant labourers

Beed district has a high number of labourers, migrating seasonally mostly to the western part of Maharashtra for cutting sugarcane. Because of lack of other employment opportunities many people are forced to do this seasonal migration. RDC helped develop cadre committees at the village level and through these committees people have been informed about EGS schemes and were encouraged to participate in EGS work rather than migrating for sugarcane cutting.

Education

Dr. Babasaheb Ambedkar's appeal to 'educate, organize and struggle' is close to heart to any *dalit* rights activist. RDC thus paid special attention to education of *dalit* children especially those of migrant *dalit* households where they found the drop-out rates to be rather high by opening toil shalas (informal education centres).

SHGs

Purpose behind creating a network of SHGs was twofold. First was to fulfill the need for finance. People used to borrow money from money lenders and it led to lot of problems. Through SHGs, getting access to loans became easy. The second purpose was to build women's collective through the SHG activities. There are around 400 SHGs in the district established with the support of the organization.

Organic farming

It often happens that the land received by the *dalit* land holder is not very fertile. Investing in such lands is thus rather expensive as the cost of cultivation become unaffordable to these households. RDC has thus started promoting the use of low cost external input organic methods in agriculture through several demonstrations.

Work on land rights for *dalit* communities

Before we get onto understanding the work of RDC in this area, it is important to understand a little bit of the history of *dalit* land rights in Marathwada region.

History of land rights movement

Despite the early struggles led by Dadasaheb Gaikwad, the progress was slow. The complete failure of the state to implement its GRs and the increasing instances of exploitation of *dalits* before and after the movement for renaming the Marathwada University, led to some serious thinking among the *dalit* groups in the mid eighties onwards. With the formation of *Manavi Hakk Abhiyan* in 1990, *dalit* groups began to rally around each other to revisit the *gairan* land regularisation and redistribution issue, the GRs and its implementation. RDC, Paryay and several other groups under the banner of *Manavi Hakk Abhiyan*, *Marathwada Lok Vikas Manch* once again took up the follow up on regularisation of *gairan* lands.

Some of the early gains of these movements were that by 1991, it forced the state government to regularise encroachments on *gairan* land of 23,938 people of whom 19,852 were *dalits*.

Emergence of *Jamin Adhikar Andolan* (JAA)

Jamin Adhikar Andolan, which is a considerable force to reckon with in Marathawada, emerged in 2000. Several *dalit* activist groups came together to advocate the rights of the landless under the banner of *Jamin Adhikar Andolan*. JAA was an outcome of a two-year long process of alliance building.

Its main objective was to actively pursue the issue of regularisation of *gairan* lands promised by the GRs of 1991 and 1992

Some of the initiatives of JAA in Marathwada include:

- Mobilizing the landless of all castes and religions in this struggle.
- Sensitizing *panchayats* and promoting candidates from backward and minority communities to get elected in local governance.
- Promoting women's ownership over land.
- Sensitizing local governance officials.
- Facilitating the process of land verification by the *talathi* besides filing complains of atrocities.
- Creating a cadre of barefoot activists in districts to provide training and for mobilizing.
- Making use of the GRs of 1991 and 1992 to demand regularization of land titles in the name of the landless. (source *Paryay* study)

JAA has been urging the government to “implement a uniform policy and umbrella law for land rights to the landless that goes beyond the proclaimed land reform slogans such as ‘land to the tiller’, and to ensure that those who are not tillers (or tenants) but who aspire to be honorable cultivators are given at least a minimum amount of cultivable land, and rights and access to other natural resources”.

Moreover their vision is broader than merely possessing a plot of land. Their demands extend to the improvement of that land for better livelihoods. Thus the other demand to the government is to “Improve the productivity of existing marginal lands: A special scheme needs to be developed (besides the present scheme for micro watershed development) for comprehensive development of the lands of small and marginal landholders and common lands such as *gairan* lands through soil and water conservation measures. Local *dalits* and landless must be given rights to these lands and to water, developed through these conservation measures, and also given wage employment on a priority basis in these conservation and development activities.

RDC's role in the broader movement

RDC has been supporting the movement for demanding *gairan* land for *dalits* and it is an active member of the JAA discussed earlier. The organization submitted 29679 applications with legitimate proofs showing that farmers were cultivating the said lands. Affidavits to that effect were submitted in the name of both the husband and wife with an appeal to regularize the land in the name of both the husband and the wife. Out of the total claims submitted, about 6987 have been officially approved and lands are regularized.

Table 5: Details on Land regularization process

S. no	district	Number of villages	Number of claims submitted	Number of claims approved
1	Beed	419	9171	1352
2	Nanded	208	5042	816
3	Latur	112	2252	1174
4	Jalna	214	4744	879
5	Parbhani	213	4129	1126
6	Hingoli	165	3915	1324
7	Washim	41	426	316
Total		1372	29679	6987

The organization believes that not having a right over any resources has been an important factor contributing to discrimination against *dalits*. Without any resources they were forced to work as bonded labourers. So getting access to land for *dalits* has been their main agenda. Currently their work is broadly focussed on three areas:

1. Occupying land (particularly focusing on grazing land, land owned by temple trusts etc) for *dalit* households where they still don't have land ownership
2. Regularizing lands encroached by *dalits*
3. Focusing on land development, where regularization process has been completed

They have been helping farmers in different ways to develop their land further. Small watershed works have been carried out in the fields and other support like bullocks, finance for getting borewell or pipeline etc is provided to these *dalit* farmers.

The main strategy in the whole movement has been mobilizing people against the caste based discrimination and encouraging them to occupy *gairan* lands for their livelihood.

The movement has created strong village level leadership. There is a visible mass base of *dalits* in the different villages that we visited. Most of the local issues are thus handled by the local leadership itself.

Dalit Women's access to land

As per the government rules now all the regularised lands are to be mandatorily registered in the name of both husband and wife. However it is not as simple as it appears on paper and special efforts need to be taken to ensure that this happens. RDC has made special efforts to do this in their area. They have held various meetings with men and women and discussed with them the need to jointly register names on the property and have also built awareness around the need to bring women in decision making around land. With a long involvement with the movement, men are now aware about the rights of their wives as well as daughters.

Assessing benefits to *dalit* women is perhaps a far more complex task than it was in the case of Yuva and Sakav. In a caste ridden society such as ours *dalit* women bear the brunt of two kinds of discrimination- the first which is at the hands of the upper castes and the second at the hands of their own men. In the

anti caste struggle, expressing solidarity with the *dalit* identity therefore becomes a primary concern for them and this is manifest in the *jamin adhikar andolan* as well. However speaking to a large number of men and women who were at the forefront of the *gairan* land regularization struggle we evidence the efforts of RDC in simultaneously initiating the dialogue for including women's names on the 7/12 records. Some of the narratives described below are evidence of this effort.

Assessing benefits

We had dialogue with *dalit* men and women who have been involved with the movement for a long time and have successfully gained land rights. In these dialogues both men and women talked about their earlier lives, what it meant to be a *dalit*, how they faced different types of discriminations, how association with the movement has changed their lives and how now with their own lands they are not only able to sustain themselves but are also living their life with dignity.

Village Purushottampuri is an exemplary case as far as the anti-caste struggle is concerned. The village is famous for its temple of Purushottam and the fair that is organized there, which is attended by people from all over the country. Maratha is the dominant caste of the village and *dalits* had been marginalized for decades, until they came in contact with the movement. One of the villagers says, *"Not long ago it was a very difficult situation for us. We used to work in their farms for the whole year and then plead with them to get some grains for our family. Our parents used to work in their wadas. Even on the day of festivals, our parents went to their houses first in the morning to do all the cleaning and whatever stale food they received in return was our only income. We used to eat dead animals, sometimes had to steal food too. At that time, the struggle was for getting food. Those were the dark days of our lives. But then we came in contact with the movement. We attended various shibirs (workshops) and came to realize our rights. What movement did for us was very important; it created self respect among us."*

RDC's work and later on the work with *Manavi Hakk Abhiyan* and JAA instilled a lot of confidence amongst the *dalits* and the spirit to fight for their rights. As part of their struggle for livelihood, *dalits* decided to take up the question of land rights. They decided to encroach the land belonging to the temple trust. They proudly say that it was probably the first example of its kind, where *dalit* households took hold of such land and it was followed by a, backlash from the upper caste. Upper caste people could not tolerate the empowerment of the *dalits* and hence they unleashed new forms of violence on the *dalits*, like barring them from employment in their fields etc. But the *dalits* backed by the movement did not deter and fought hard for the land and finally managed to encroach it. . Women were as much involved in the struggle as men of the village. These lands have been regularized now and all the *dalit* households are cultivating it as official owners. The lands are jointly owned by husband and wife. *"Men did not oppose the idea of joint ownership because, after working for so long with the movement, their perspective has been developed about men-women equality,"* says a woman from the village. Member of the organisation says, *"It was not easy in the beginning. Men used to fear, that woman would take her share and leave. But we initiated dialogues with them. Made them understand that no woman chooses land over her husband and children. They don't lose the land for the sake of alcohol. Gradually they were convinced."*

Women were very articulate about how getting the land has made a difference to their lives. They do perceive this as a victory of the *dalit* movement and also as a benefit to the household which so far has been denied a right to land. It did not get articulated as a right held by them as women. The *dalit* identity was thus stronger than the identity as a woman “Earlier we did not have a choice, but had to go for labour work on their farms. Now we have a choice.” All the women had a similar experience. “Earlier even after working for the whole week, we were not sure that we will have food to eat. We had to go again and again to their house to ask for the money; in return of the hard work we had done in their field. They paid if they liked, otherwise told us to come later.” “Even the way they used to call us was offensive ‘*tya mangnila bolva!*’ (call that lower caste woman) was the way they used to talk about us. Now they call us ‘*tai (elder sister)*’.”

Women think that getting land has improved their bargaining power in the village. Now they have their own farms, better work opportunities and guaranteed payments. “Earlier we used to go for labour work every day. Now that is not the case. We go only after finishing work in our land. So now they know our value. We have options, but they don’t. So they have to adjust with us. Now the timings are decided; we work from 11 to 5 and there is an hour long break in between for lunch. Women get Rs 100 per day and men get Rs 200 .”

Land rights have now paved the way for struggle against other discriminating practices based on caste as well. One example is the management of the temple festival affairs which *dalits* took on. For several years it was managed by the upper castes and large profits were generated out of this. *Dalits* decided to question this practice and challenged the upper castes by taking on the management of the affairs for one year and they managed it very effectively.

Village Sadola has a similar case. When *dalit* people of the village decided to celebrate the birth anniversary of Dr Babasaheb Ambedkar, they faced severe backlash from the upper caste community. They stopped giving work to them, but *dalits* remained determined and with the support from the organization celebrated the anniversary. Now with *dalits* getting their lands regularized, their bargaining power has improved. A woman leader from the village has organised all the *dalit* women laborers and they negotiate for the work collectively and bargain for reasonable wages.

As owners of land, these households are now exploring possibilities of irrigation and thereby investing in its development. On its part RDC has also initiated some training in land development. Two women from Sangam village who received training through the organization are now doing the experiments on their fields and are involved in selling organic fertilizers and other related products. Women say that being part of SHGs has helped them a lot. Now it is easy to get access to loans and they do not have to depend on money lenders, who used to manipulate them.

Both men and women expressed their willingness to pass on the land to both the son and the daughters as equal shares. In fact some women expressed that they would like to give their land to their daughters.

Strategies

As discussed earlier RDC is an important member of the JAA and the strategies used by them included actions at both macro and micro levels. At the macro level collaborative work with other members of JAA was taken up and this included participating in protests against the government, pressurizing the governments at different levels, campaigns etc. At the micro level the organization was involved in a lot of tedious work related to the collection of documentary evidence regarding the concerned *gairan* lands- for example proof of encroachment, receipts of sale of produce, purchase of inputs etc. Thus the two fold strategy was important in the process of regularization of lands.

The organization also held several meetings in the village to raise awareness and importantly to specifically outline the important role of women in the land regularization struggle. This strategy demonstrates the commitment of the organization towards women's rights over property.

Constraints

The main constraints stated by RDC were related to procedural delays in the process of land regularization. These were largely related to administrative lethargy and resistance on the part of the State to regularize these lands. Thus questions are posed regarding the documentary evidence that is produced and cases are rejected on flimsy grounds. RDC has not reported in specific constraints in registering lands in joint names.

Way forward

These interactions with the men and women show the value that land has for a *dalit* household. Women have been more than equal participants in the struggle for land. Access to land itself has been such a critical issue for *dalit* households that understanding women's empowerment as separate from this would be difficult. Of course this is not to say that women within *dalit* households do not face different forms of patriarchal oppression. But the land rights programme has been able to challenge the upper caste oppression in a significant way and this has emerged from the articulations of both men and women's voices.

In terms of how exactly the organization plans to pursue their work with *dalit* women and their right to land requires some more discussion and clarity among themselves. As of now the organization is focused on ensuring that the land titles are joint and that women actively participate in the struggles. Presently the organization is pre-occupied with ensuring that the pending cases of land regularization are followed up and land is officially made in the name of the applicants. While doing so they are ensuring that the land is jointly in the name of the husband and the wife.

Trainings for women

- While RDC will have to continue with the process of land regularization, they will have to make a very conscious effort to involve women in land development related decisions. Various trainings will have to be taken up for women in farming and related skills. SHGs will have to be linked to agro based activities which are relevant to the area. Goat rearing linked to fodder development on lands can be a lucrative activity for women's groups in Marathawada.

- Apart from this it would also be important to have *dalit* feminists to conduct workshops with male and female activists of RDC. Theoretical discussions on discrimination faced by *dalit* women both by upper castes and within their own castes would broaden perspectives and help in chalking out concrete programmes for *dalit* women.

Section Four: Mainstreaming women and land rights: way forward

In this final section of the report, key findings of the study have been synthesized. Based on this synthesis, a course for possible ways of mainstreaming the work on women and land rights in Maharashtra is provided.

4.1 Organisational analysis

The three organizations that we studied come from different kind of ideological backgrounds which are determined by the leadership, the regional context and the issues that they have to grapple with. YUVA rural, an offshoot of the Mumbai based YUVA working in urban slums comes with a strong project and programme oriented agenda and is focused on agriculture. It is a large organization with a wide network and presence across the Vidarbha region. Sakav on the other hand is a small organization with its activities located in one *taluka* of Raigad district, but with a very interesting structure of local people's organizations through which it works. Its main focus of work is around land rights especially of the most oppressed groups such as the *adivasis*. Sakav is faced with an unending challenge of fighting the existing old industries and upcoming new industries coming up in the area which are dispossessing *adivasis* and other poor in the area. RDC an organization working in Beed district of Marathwada is more a mass based movement, which is its strength. The issue of caste based discrimination that RDC works on is one of the most serious and contentious issues pervading the Indian society. Located in Marathwada which is home to a large number of *dalits* who are exploited both socially and economically, RDC's role becomes very critical.

Of the three organizations, two i.e. Sakav and RDC had been working on land rights issues for more than two decades now. Both the organizations work amongst the most exploited sections of the society i.e. *adivasis* and *dalits*. Having worked on the land rights issues they are very well placed in terms of their legal understanding and are well networked in the region around land rights issues. Sakav for example collaborates with *Shoshit Jan* forum of organizations working on *adivasis* rights in North Konkan. RDC is an integral part of the *Jamin Adhikar Andolan* which is working in the area since 2000 on the question of regularization of *gairan* lands encroached by *dalits* and other poor and exploited caste groups in Marathwada. These regional networks are thus an important base for both these organizations to carry forward the agenda for women's rights to resources. YUVA rural on the other hand has largely worked in a project mode and focused on sustainable agriculture. It has not specifically worked on land rights issues since they were more concerned about the issues related to farming practices, the growing indebtedness, farmer suicides due to rising costs of cultivation etc. The base of the organization was thus among the farmers having medium to large landholding and to some extent also among *dalit* and *adivasi* small farmers. The women and land right programme of YUVA rural thus evolved out of their

work around organic farming when they realized that women constitute a large portion of farm labourers, but have no substantial gains from the labor they put in.

Although we were not able to meet the top leadership in YUVA rural, we learned from the various key staff members that there is a keen interest in promoting women rights and land rights is one of the important areas of intervention. This is of course evident from the concerted effort that the organization made in terms of planning and implementing the programme around women and land rights. Although the scale was small, its potential is tremendous. Sakav and RDC have been committed to land rights issues and both of them do articulate gender concerns in their own specific ways. But although Sakav has a strong woman leader the articulation of women's rights does not come out very sharply despite the tremendous potential at the grassroots level. Perhaps this stems from the fact that the land rights issue itself is extremely tricky in the region given the small and fragmented holdings and the challenge getting even more difficult with industries competing for the already scarce lands that are available there. The leadership in RDC is very committed to the *dalit* cause and has strongly articulated its interest and commitment to land in the name of women.

As far as capacities to pursue the women and land rights question is concerned, all the three organisations have a very committed and capable cadre in terms of understanding the legal spaces in their own contexts. However the three organizations should do some brainstorming and sharing about each other's work in terms of legal spaces, constraints in implementation, usefulness of state level networks, raising joint demands etc.

4.2 Legal spaces used

All the three organizations used the existing legal spaces that were available to transfer property in the name of women. In YUVA rural's case it was the GRs of 1999 linked to the Bombay stamp Act of 1958 and the "*Laxmi mukti*" GR that came in handy while Sakav used the *Ghar doghanche* GR of 2003 to include the wife's name in the ownership documents of the house. RDC which has been fighting for regularization of *gairan* lands used the GR which makes it mandatory to include the wife's name in the 7/12 record. So, in a sense the legal provisions existed and all the three organizations could use these spaces to a lesser or greater extent to the advantage of women. Efforts of YUVA rural however stands apart as far as a specific focus on women and land rights is concerned, since it had to deal with the contentious issue of convincing the men of the household to transfer part of the property in the name of the women and not merely include their names as joint holders. But this was feasible in Vidarbha because the average land holding size with the households where transfers have been made are not very low and also by transferring land, they could get benefits of government schemes which are available for small and marginal farmers.

In case of Raigad, when we brought up the issue of agricultural lands, their main concern was the small holdings of a family whereby transfers are not possible. As per the land fragmentation act, fragmentation below a certain area and in this case it is 15 gunthas is not permissible. Apart from that, small pieces of land are shared by several brothers in the family and further partitioning is not possible. This seems to be the reason for Sakav not taking up this issue any further. Moreover being small and

with few resources at the moment they are devoting their time and energy in securing land rights to the *adivasis*.

Although each of these tools has been used as instruments for change, we cannot ignore the limitations of these GRs.

There is a need to take a serious review of the various laws and GRs used by these organizations in terms of the security of tenure which they provide to the women who have received land rights. This is a long standing debate among the various groups working on land rights.

We thus recommend that one meeting is conducted where lawyers and other experts are invited to discuss the issue of security of tenure.

4.3 Strategies

As we have seen, all the three organizations used the existing legal spaces and the policies to implement the women and land rights as well as or housing rights programme. But each organization used different strategies to implement these programme based on their own areas and the context. Strategies to convince the community members also differed with the field level workers who were entrusted with the responsibility. However, the following strategies were used by the three organizations -

1. Setting an example with *karyakartas* taking the lead
2. *Gram sabhas*, village level meetings and workshops to convince the men and the women farmers
3. Using their networks and local peoples organizations to carry the message
4. Discussing the benefits of transferring land rights to women or including them as joint owners.
5. Building perspectives of team members within organisations
6. Collecting all of the documentary evidences
7. Launching campaigns and following on them
8. It appears that no 4, 5, 6 are not the separate strategies but they are the processes which would be adopted in 1, 2, 3. Or even 6 may be a necessary part of 7. So it is necessary to revise 1 to 7.

4.4 Impacts on women

In all the three areas, the programmes have impacted the women in substantial ways. In YUVA rural and RDC, it was the campaign for right to agricultural land and in Sakav area it was a campaign for right to housing land that was taken up. In all these places, women's voices were strong and expressed a sense of power, security and confidence all at the same time. Most of them felt that this plot of land or the house in their name was a lifelong security. For the landless *dalit* women, having that plot of land meant being able to leverage the terms of employment with the upper caste land owners.

Whether this confidence and bargaining has translated into challenging patriarchy within their homes and in the community requires a much more long term interaction with the households and the women using different methodologies. Similarly whether the women participate in decision making related to agriculture is a complex issue to analyze. On the face of it women said that all the agricultural decisions are taken collectively, but from the tone of many of them it was evident that the final word is that of the man's- either her husband or the father-in law. In Konkan however, the women have historically been taking the lead as men migrate for several months or years often leaving the women with small plots of land to fend for their families left behind.

The impacts are also due to the efforts of each of the organization to organize women in several other programmes as well. So their strength and confidence can well be attributed to the SHG programmes or collective farming efforts or in the case of Sakav and RDC, the land rights struggle for which they have been at the forefront. Women's empowerment cannot be understood in the absence of this background. In Sakav, although there has been no specific programme for women's land rights, willingness of the women from the various villages to take it up was commendable and suggestive of the confidence within them.

4.5 Constraints

1. Transfer of land among family relations by paying nominal stamp duty- In the initial stage of the campaign YUVA rural could transfer lands in the name of women using the Rs 100/- stamp paper, however later on there seemed to be resistance from the government officials to do so. The procedure then increasingly became one where land transfers had to be made through the regular buying and selling procedure. The costs of this varied from anything between 2000/acre to 8000/acre or sometimes more. This was one of the major constraints faced by the local workers and the reason why the pace of the programme have slowed down. The programme thus lost the fervor it had been able to generate initially.
2. The second constraint was that organizationally too there seemed to be little serious stock taking and as we learned there were no internal reviews of this programme. This could have contributed to the overall lull in the programme. In the meeting however there seemed to be a lot of enthusiasm to revive the programme and address some of the procedural constraints at least.
3. Changing mindsets a lengthy process: Although overall there was little resistance from men to make the transfers, there were instances where the local workers had to spend considerable time and organize several meetings to ensure that lands are transferred in the name of women. Small landholders and land fragmentation: Smaller land holders of course resisted and did not go in for these transfers. There was little incentive in terms of doing these transfers for them as they were already being included in the government schemes and secondly they did not want to further fragment their land.
For Sakav, implementing the *Ghar doghance* GR hardly met with any resistance. They were able to follow it up in 14 GPs in Pen *taluka*. However, the contentious issue for them was the

transfer of land in the name of their wives. This has not been initiated and one of the main constraints in this regard has been the very small land holdings of the farmers. Land fragmentation act does not allow fragmentation beyond *15 gunthas* of land and in some places $\frac{1}{2}$ acre of land. Unlike in Vidarbha land holdings in Konkan and also western Maharashtra are small and fragmentation or transfers become difficult. Apart from that the mass base of Sakav and its organisations also includes a lot of *adivasis* who still have a lot of *land cases* pending and their 7/12 records are not updated, which makes any land transfers difficult. Updating the land records is in fact one of the main activities in which Sakav is involved in. However, in our discussions there seemed little initiative to discuss other possible options such as joint ownership of women by including their name in the 7/12 record as per the “*Laxmi mukti*” GR. In RDC, the main programme revolves around regularization of *gairan* lands and on including women’s names on land record along with those of men as per the GR. There have been several *administrative delays* and procedural issues in regularization of *gairan* lands. Despite the submission of documentary evidence, time and again people are asked to prove that they have been cultivating their land and provide evidence repeatedly. This has delayed several cases and RDC and the *Jamin Adhikar Andolan* have been pursuing the matter with the government officials at various levels. At the village level, of course, there have been *other constraints* in terms of cultivation of lands. In terms of getting land in the name of women, there has not been too much resistance, partly because the GR makes it mandatory and partly because women had been at the forefront of the struggles in which *dalits* themselves were gaining rights to land for the first time.

4. In all the three places that we visited, there was a lot of *resistance* to talk about claims in the natal property. Despite the legal space, it was evident in the case of natal property that it was the social and cultural constraints that worked the most. Maintaining familial ties with the natal family took precedence over claiming *their* rightful share in the *property*.

4.6 Recommendations

Recommendations that are specific to the organizations have already been discussed in the relevant section. These are broad recommendations which would apply generally to further the land rights programme in the state.

Placing of demands in the wider context of land rights

Transfer of land rights in the name of women takes *place largely* when *the incentive is* in the form of saving surplus lands from the ceiling laws, or *availing* government benefits on marginal lands etc. From the point of view of broader social justice, it will be important for the *organizations* concerned to take a position, and convince land holders to transfer lands that lie outside the purview of surplus lands. Alternatively women should be included as joint owners in the family owned land. The Land ceiling act is a measure whereby the landless could gain *access to a means of* livelihood and this should not be denied to them. In households, where farmers, to evade land ceiling laws transfer land in the name of women. This cannot be hailed by NGOs as a measure towards gender equality in property access.

Need for a wider state level network

Women's access to land cannot be in the absence of a political voice. By political we do not mean party politics but one where politics to challenge patriarchy becomes the guiding vision. Many NGOs or *small non funded* initiatives are working on women's access to land, however these voices are scattered and not guided by a broader vision of addressing women's equality. As a result of which for example some programmes stop at transferring land titles and do not look at how this can become a means to challenge patriarchy. Although it may not be possible to arrive at a consensus on how patriarchy is understood and the forms of resistance to challenge it, a minimum consensus can be evolved around the resource and land rights programme for women whereby the right to material property is intertwined with the right to a dignified existence for women. Formation of a state wide network to decide on the agenda for action would thus become important. It is in such a network that organizations would be able to learn laterally and develop their action agenda. The action agenda will then include the demands to be made before the state, the strategies to facilitate the implementation of the programme, to connect with the national and global networks around women's access to land. A good example of a state level network is that of the Working Group for Women and Land Ownership (WGWLO) in Gujarat.

It has largely been following up cases of succession claims etc. Connecting with these networks would thus be useful for lateral learning processes to take shape.

Grounded Research

In each of the organizations different legal instruments were being used to implement the programme. There is a need for a detailed documentation across the state which would look into the different tools used by different organizations/NGOs to make land in the name of women. It is important to have an ongoing documentation which follows through some of the cases of land transfers in the name of women or including women as joint owners. This would help in understanding legal standing of various GRs. How women use their property? Do they sell their lands or use it differently etc.

A legal assessment of these GRs is also very necessary. Many of the GRs are not presently in effect or a GR like *Ghar doghance* probably cannot stand a legal intervention as it is not compatible with the Hindu succession act. Such an assessment of all the administrative instruments like GRs that are currently being used by different organisations, needs to be thoroughly done.

Each organization narrated its constraints of both the legal and social nature. The context specificity of each area would require a detailed understanding of local practices around land and water resources. For example in Vidarbha land holding did not seem to be a constraint, but the stamp duty was. In Sakav it was the land holding that seemed to be a bottleneck. A wider study which engages with different caste and class groups in the region would thus be useful before we are able to assess the potential of upscaling and deepening the programme of women's access to land.

During our visits to several villages, we saw the efforts of collective farming, enterprising use of land, innovative experiments in organic farming and different ways in which women were asserting their

rights over resources. This potential needs to be understood and linked to the possible legal and social spaces available in the area.

Collective farming as a form of access

In the areas of both, Sakav and YUVA rural, experiments of collective farming by women were going on but not being documented systematically. Particularly, in the area of Sakav, we met several women's groups who narrated excellent examples of collective farming, where work was shared and so was the profit. Land was usually leased in through payment of a small rent and then cultivated either seasonally or annually. In many cases, these land leases continued for a few years and women said that they did at least get some food towards their livelihood and importantly the interactions with other women members provided them space to meet and discuss their own problems. These experiments need to be documented for their cost benefit analysis. Through such a data base, collective farming should be encouraged as a women and land rights programme, particularly in areas where land is a constraint and land transfers cannot be made, or for landless women who would only labour on other people's lands. This practice does open up several opportunities for landless, small and marginalized women farmers to meet a part of their livelihood needs from it.

Linking the resource development schemes to the campaign

Various schemes like the MNREGA or horticulture, watershed development etc should be used for land development. Transferring land titles or regularizing *gairan* lands may not be a sufficient programme, its development through use of irrigation, cultivation etc is thus important. There are various schemes of the state government which could be demanded by the state collectives for development of such lands.

From ownership to access and management

We have looked at the land rights canvas from the national to the state level. We have also seen it specifically in the context of women. Given the larger context of globalization and increasing number of people being deprived of their lands as a result of the new industries or land put to non agricultural uses, it becomes important to look at the approaches that go beyond making a demand for land alone. We have also seen figures indicating increasing landlessness which is up to 40% at the national level and about 38% at the State level. In this kind of a scenario where land ownership itself is rapidly receding, we need to consider a basket of approaches, which range from land redistribution, improving women's individual rights over land to approaches that centre on rights over other resources such as water and access to land through leasing arrangements.

In the tribal context apart from rights over the forestland, what is important also is the right over the produce. In fishing communities' right over water for fishing becomes critical. These are all livelihood resources and improved access to these for men and women becomes a crucial agenda to pursue.

In a similar vein we may also need to consider the use of water rights as an entry point for accessing land for women. We find an example in the work of SOPPECOM in Osmanabad district whereby a water allocation led to the demand for land which was then leased in by a collective of landless women.

Organizations would thus have to come together and look at various options with regard to women's access to land.

Linking with national level networks

At the national level Consult for women and land has been an active network and has made several recommendations that are specific to the different ministries and also to state governments. It would be useful to connect with this network along with others that are working on land rights for women.

Apart from that it is also important to connect with the broader land rights struggles occurring in different parts of the country, since this has to become a part of the larger agenda of different movements to gain the visibility that it deserves.

Recently a private bill has been introduced by MS Swaminathan regarding the recognition of women as farmers. This bill can be used to build a campaign at the state level. It has several important clauses that would facilitate the process of recognizing the role of women in agriculture and as cultivators.

References

1. Pandharpatte D and Patil V. 2004 *"Rahil tyache Ghar"*Kulkaydyatil gharthanabaddal tartudi, Ankur Trust Pen, District Raigad
2. Paryay. 2005. Grazing Lands and Landless Dalits- A study report prepared on behalf of Jamin Adhikar Andolan (land rights movement).
3. Shivkar, A. *Malak va shetkari yaamadhya jamin vikri vyavahaar masuda kasaasaavaa?*
4. SOPPECOM. 2008. Women and land rights in Maharashtra
5. YUVA Rural Nagpur. *Jivnadharachi sadhne, mahilanchi surakshitata aani hakka.*
6. YUVA Rural Nagpur. 2001. *Gramswarajyasathi shasvat sheti.*
7. YUVA Rural Nagpur. 2008. *Aamhi Shetkari? Vidarbha vibhagatil shetkri kutunbatil mahilanchi vastavata- abhyas.*