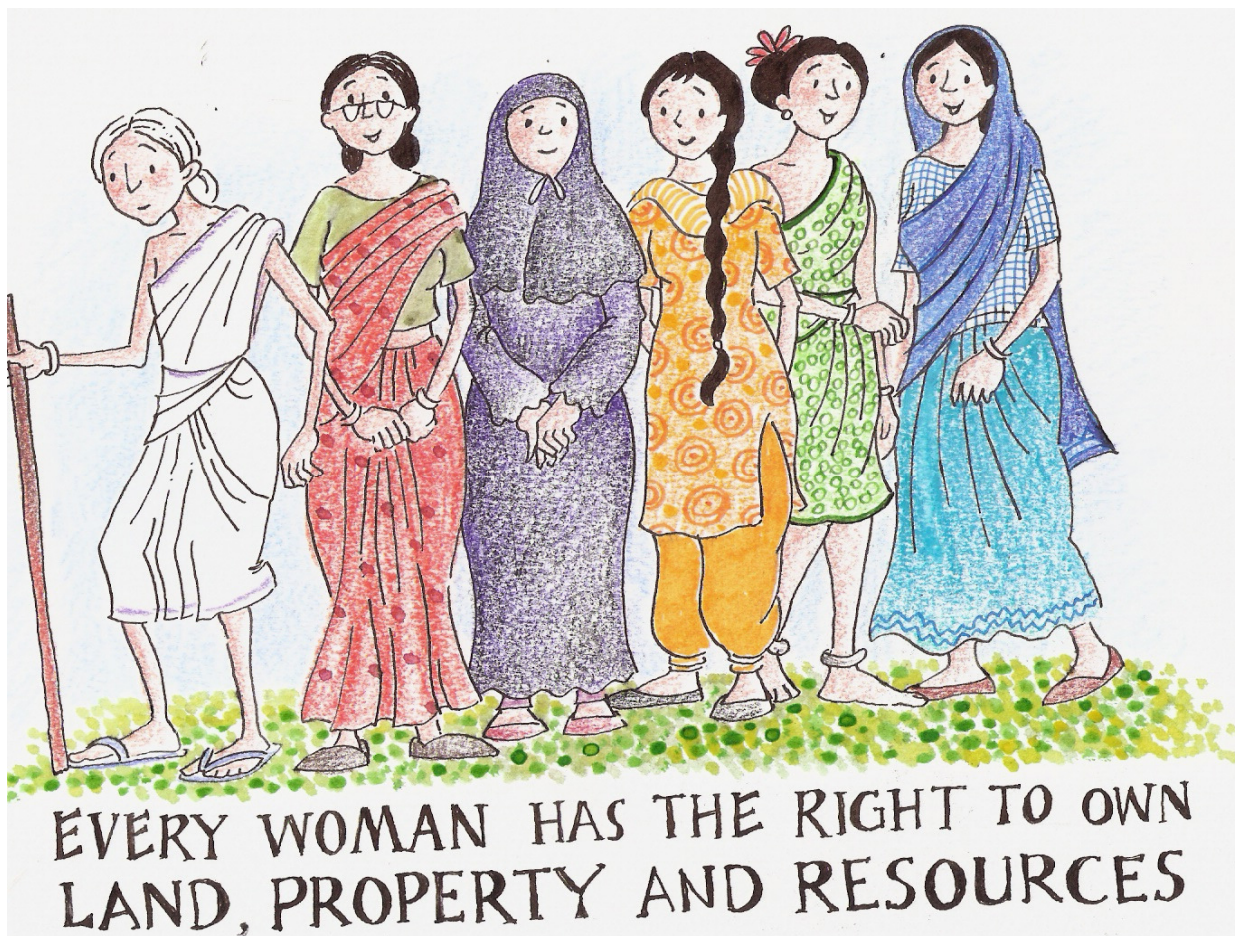


IGSSS Study on Status of women land and housing rights work in M P



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Executive Summary

This is a status report on work done on women housing and land rights in the state of Madhya Pradesh to ascertain actors and suggest a way forward to increase the resource base of women in the state. Indo Global Social Service Society (IGSSS) had assigned Samvad and Sathi all for Partnerships to draft this report. This assignment comes at a very crucial time in the relationship IGSSS has had with the two organizations. It marks a completion of an era for a campaign that seeks organizations to include this agenda in their state level planning and individuals to include this task in their individual lives. Sathi congratulates IGSSS to take this issue on with the seriousness it deserves.

This study is strategic in terms of (i) Documenting what land and housing rights movement exist in the state and their readiness to take on this agenda ahead (ii) what work has happened in the state to make women friendly policies / laws and (iii) to build a perspective, knowledge base and capacity to further shape policy legislative and programmatic interventions.

While IGSSS has long terms plans to work on this development initiative strategic intervention lines need to be determined. Two of them have a critical bearing on this work: (i) Activities aimed at increasing access and control on means and services that are crucial for achieving a sustainable livelihood: education, health

care, food & food security, water and sanitation, natural resources, protection, safety, etc. (ii) Activities aimed at institutionalizing rights, particularly woman rights and gender equity, as well as reinforcing the processes and structures within society with(in) which of these rights can be claimed by the poor and other vulnerable groups. These are extremely interesting and strategic to improve safety and protection environment for women in India and elsewhere.

Samvad has worked on agriculture and land issues in MP. Mr. Jayant Verma from Samvad thus provides details that only an organization based in the state could provide. The member of Sathi drafting team engaged different actors in the state for a dialogue on the issue. They visited Government officials, Ekta Parishad, IWID, Taal, Action Aid, Women Right Resource Centre, members of civil society in Bhopal like Ms Nirmala Butch and met local IGSSS partners, women and NGOs. Most material drafters could access was secondary data. There is acknowledgement at all quarters that this is an unexplored area for organizations in the state even though actors within the state have participated in national and international level perspective building activities some organized in the state as well. The reasons provided for not taking on action range from having no resources (time, human and financial) for this aspect of work to unwillingness of communities and administration to deal with issues around increasing resources for women alone.

The need to develop a list of contacts of possible actors to take forward an agreed agenda in the state is one outcome this study proposes to capture. Therefore a draft of this study was circulated to key actors in the state for their input and involvement in a way forward that this document suggests. A woman needs a designated place to reach help and use a helpline as well as a mechanism supported by the state to increase her resource base. This building of mechanism will not happen by itself. It needs to be created as well as supported and sustained.

Some local groups have taken on this task as part of their ongoing work and advocated for individual ownership of women and joint ownership of men and

women on land and housing while others have developed training programmes to orient key actors on the issue. In our search we found the woman resource groups to have begun the tasks on individual and group ownership by women in local areas that are federated to district level. NGO have worked on women shelter and women's movement has included land rights language in the previous woman policy. Thus this is a right time to design a strategy to develop alternatives to systems to patriarchal control of resource model in the state. At the IGSSS MP consultation on women and land rights the offer of a strategy called Woman Resource Right Agenda through the example of a programme called "sansadhini" was accepted by groups to develop their local and district level proposals such that claims to increase women and resources could be made to state government and corporate sector.

Introduction

Indo-Global Social Service Society (IGSSS) is a development support organization striving to make the difference in the lives of the vulnerable and the backward through the establishment of meaningful partnerships with grassroot NGOs and communities. IGSSS western Region covers MP, Gujarat, Goa and Maharashtra.

IGSSS, as a national level agency with its priority on women's empowerment and gender rights, has initiated a campaign on the issue of women and land rights to strengthen the work done so far. This will streamline some of the issues for lobbying and advocacy that would be presented at a National Advocacy Event in October 2008.

Sathi all for Partnerships

Recognizing that vulnerable groups need support to articulate their rights and needs Sathi all for partnerships promotes collaborative ventures to develop action agenda for specific groups of people through partnership programmes. It has two program areas women and land rights and disabling mental illness. Sathi initiated the Consult for Women and Land Rights to generate action on basis of consultations with women and those who could support them in their quest to gain resources.

Consult for Women and Land Rights

IGSSS is a member of and has supported the establishment of the Consult for Women and Land Rights (CWLR) since its inception. The support came in 2003 in the form of production of a brochure. This was the first publication of IGSSS and CWLR on the issue of women and land brought out to publicize the issue in India as well as a campaign material for discussions prior to Beijing +ten conference. This brochure called "understanding rural women's right to land housing and livelihood" was extremely well received. This also had an insert that proposed the establishment of "Mahilavadi" or a women owned space in every village. The

academics and policy research personnel did not accept this idea and there were strong critique against it. This idea however was picked up by women working in cadres of some land right movements as well as NGOs. It is phenomenal to see eyes of women in villages and slums light up on the idea of the Mahila vadi. Government and movement leaders hear this out with keen ears but have refused a second audience to discuss this issue any further. Ever since the idea of establishing a mechanism to increase resources in the name of women has been taken to different people. This idea has got support from women in the unorganized sector movement as well as positive women in India. These two groups are now clarifying how their right to resources will be realized. Sathi and CWLR have worked to evolve ideas on how women want to realize their right to resource. Government and Civil society are asked to publicly declare a woman resource right agenda formally in their planning and budget allocation process and initiate pilots that can be monitored by women all over the world to place intent of creating gender equality into practice.

Methodology of the study

This study involved a learning experience of enquiry and placement of an action agenda to create willingness within staff of different organizations to agree to a plan and take it forward. This two month process included research on the net as well as in libraries, interviews, field trips and participatory discussions to arrive at an analysis of learning for the study. The study is a part of the contractual agreement between IGSSS and Sathi all for partnerships rooted in the genuine desire to reflect and learn from the study undertaken.

Three consultants were contracted to undertake the study on behalf of IGSSS. Mr Jayant Verma from Samvad, Ms Anita Tagore an academic researcher on women and land and Ms Shivani Bhardwaj a gender and child rights resource person with core competence in lobby and advocacy mechanisms. Ms Sweta Mohan, Intern, Sathi all for partnership from EDI Ahmedabad provided core support in collation of

material and field Ms Anjali Londhe from IGSSS were part of coordinating this joint work. The background and experience of the Drafters Team (DT) made it possible to understand the context of the issue and therefore most information was processed in a way that the DT could discuss and provide a feedback on initial analysis based on information gathered by each interview, secondary data and field visit. The availability of staff members during for discussions during field trip was a facilitative factor to understand the context of the state.

Midway the DT found that Lal Bhadur Shastri National Academy had already commissioned a study on 12 states of India including Madhya Pradesh on women and land rights in 2005. This study therefore did not research on the aspects covered by that study but documented more on civil society process and suggest mechanisms to increase the resource base of women in the state. The draft report was shared at a consultation in Bhopal in March and a presentation of the findings were shared at a regional consultation in Pune in April. Sharing the findings of the study was helpful to gain insight into public acceptance of solutions to increase resources in women's control.

The Study objective

The objective of the assignment was to conduct a study on the socio-eco-legal framework promoting and hindering downwards the status of land and housing rights of women in Madhya Pradesh.

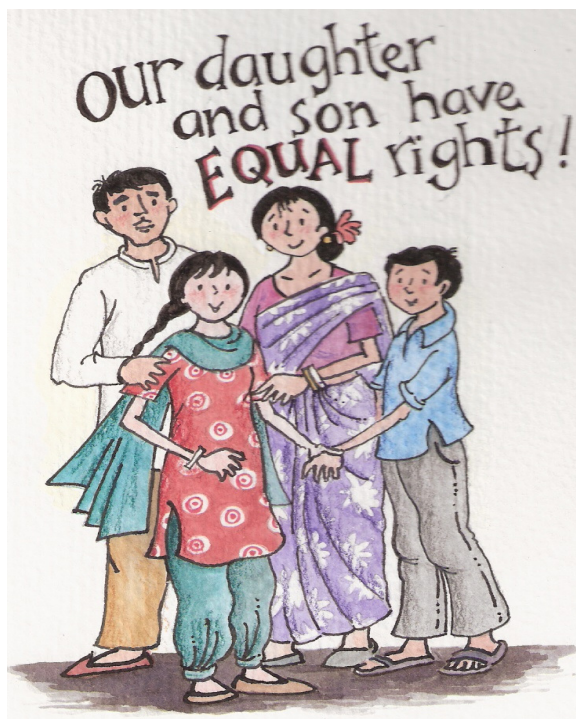
An attempt has been made to evaluate land related problems and aspirations in Madhya Pradesh. It is essential that these arguments be presented to policy makers at all levels of authority so that a political will is built to improve the situating.

Land, housing and related resource ownership has the source of power for a person in an economic set up. It provides the economic backup to social, cultural, and political positioning of an individual in a community. Traditional patterns of land and resource transfer act as barrier in equalizing power relations in family and work sphere. Women rarely own land, housing and resources in India. Like most developing world women depend on the social and human capital they nurture and produce.

Why land, housing and resource rights for women?

The case for rights over productive resources for women can be built on several arguments like welfare (security against poverty), efficiency (access to financial institutions), equality and empowerment (enabling challenges to male oppression). Access to productive resources such as land ensures reduction in women's risk to poverty. **Landlessness is invariably connected with inequality and poverty. The World Bank Report says that there are about sixty eight percent of landless labourers below the poverty line, compared to 51% of the Scheduled Caste and Scheduled Tribe members and 45% of the completely illiterate household.**

Control over resources would enhance the effectiveness of resource use and production. As observed in the field notes land, housing and resource ownership would also stabilize women's position in the family. Finally, land rights for women would enable women to challenge existing layers of subordination and oppression. It is important to note that the demand for land housing and resource rights for women has to be negotiated through complex structures of power relations, historical and cultural processes.



Despite the Hindu Succession Act (1956 and Amendment 2005) having entitled women with equal inheritance rights to sons and daughters, women as daughters have seldom claimed their rights. The reason is that customs enforce daughters to believe that they are temporary members of the family. Thus daughters do not demand rights in natal family when dowry has been paid during their marriage. Often women themselves do not want to claim their rights in the fear that they would break their natal ties and security. Such is the socialization of the daughters that they accept their exclusion readily. A mere change of attitude to accept daughters as part of

family even if they married away can bring about a change. This change can happen here and now. All it requires is a earnest attempt to talk with families to understand why the change of resources is needed and what good it can bring about. A simple chit chat reversed selective feticide against girls in district Taran Taran in Punjab and helped tribal men to register their homes in their wives names in district Raigarh in Maharashtra. During the course of our research we found examples of such discussion in Madhya Pradesh as well. So the good news is that we are at a brink of a change and a small group of people have now got in touch with each other to build the resource base of women in the state.

HISTORICAL (SOCIAL, CULTURAL AND ECONOMIC) PERSPECTIVE ON THE SITUATION OF WOMEN & LAND RIGHTS IN THE STATE

Madhya Pradesh is located in the geographic heart of India. It is the second largest state in size with an area of 308,000sq.km. Geographically, it occupies pivotal position in the country. The state straddles the Narmada River, which runs east and west between the Vindhya and Satpura ranges; these ranges and the Narmada are the traditional boundary between the north and south of India. The state is bordered on the west by Gujarat, on the northwest by Rajasthan, on the northeast by Uttar Pradesh, on the east by Chhattisgarh, and on the south by Maharashtra. The Narmada dam movement has made the state known in the world. The leadership of women in the movement has been visible, yet this leadership did not raise the issue of woman and land ownership publically. Internal dialogue was not entertained by Big land owners of Nimar who wanted to stick to patriarchal control of agricultural property. Dr. Suhas has observed that participation of women in the movement has altered gender relations that now allows greater degrees of freedoms in decision taking in marriage and family discussions on inheritance and property.



Territorial Extent of Madhya Pradesh

Madhya Pradesh comprises several linguistically and culturally distinct regions. They can be classified as -

- Malwa is the plateau region in the northwest of the state, north of the Vindhya Range, with its distinct language and culture. Indore is the major city of the region, while Bhopal lies on the edge of Bundelkhand region. Ujjain is a town of historical importance.
- Nimar (Nemar) is the western portion of the Narmada River valley, lying south of the Vindhyas in the southwest portion of the state.
- Bundelkhand is the region of rolling hills and fertile valleys in the northern part of the state, which slopes down toward the Indo-Gangetic plain to the north. Gwalior is an historic center of the region.
- Chambal is the north-western region. A mountainous region rich in red, soft, and fragile sandstone. The climate is harsh, and the area is known for murderous pirates who were active in hundreds in the late 1900s.
- Baghelkhand is a hilly region in the northeast of the state, which includes the eastern end of the Vindhya Range.
- Madhya Pradesh was created in 1956 from the former British Central Provinces and Berar and the princely states of Makrai and Chhattisgarh, with Nagpur as the capital of the state. The new states of Madhya Bharat, Vindhya Pradesh, and Bhopal were formed out of the Central India Agency. In 1956, the states of Madhya Bharat, Vindhya Pradesh, and Bhopal were merged into Madhya Pradesh, and the Marathi-speaking southern region Vidarbha, which included Nagpur, was ceded to Bombay state. Bhopal became the new capital of the state. In November 2000, as part of the Madhya Pradesh Reorganization Act, the southeastern portion of the state split off to form the new state of Chhattisgarh. The population of Madhya Pradesh according to the 2001 census was reported to be 60.3 million of which 31.4 million were men and 28.9 million women. The sex ratio of Madhya Pradesh is 919 females per 1000 males. Among the women 50.3% were reported to be literate and among men 76.1%. Therefore, the total literacy rate of the state is 63.7%. Mahakoshal (Mahakaushal) is the southeastern portion of the state, which includes the eastern end of the Narmada river valley and the eastern Satpuras.

Madhya Pradesh now consists of nine divisions, sixty one districts, three hundred and fifty four tehsils, four hundred and fifty nine community development blocks, five hundred and thirty town/ cities and seventy six thousand two hundred and twenty villages with thirty one thousand and one hundred and thirty eight Gram Panchayats. In 1999-2000 there were forty five Mandal Panchayats, four hundred and fifty nine Janpad Panchayats, eighteen

Municipal Corporations and one hundred and twenty three Municipal Committees.

Resource rich State with extreme poverty :

Population density of Madhya Pradesh is 196 as compared to the population density of India which is 324 persons per sq. km. Per capita income of Madhya Pradesh is Rs. 15647/- in comparison to the national average of Rs. 25716/-. It is indicative of the fact that Madhya Pradesh is resource rich state with abundance of poverty.

33% of States geographical area is covered under forest. 20% of State population belonging to tribal people used to depend on forest produce traditionally. Colonial mindset of the ruling class in India after independence continued with the timber centric management of forest in accordance with the India Forest Act 1927. This has destroyed the biodiversity of forest resulting in deprivation and marginalization of tribal communities in the State. The Forest Act does not recognise land right of people living within the forest areas. Forest Conservation Act does not allow non forestry activities on forest land. This phenomena has forced most of the tribal families to migrate to nearby towns to work as daily wage earners and survive under sub human living conditions.

Agriculture is the mainstay of the state's economy as 74.73 percent of the people are rural. As much as 49 percent of the land area is cultivable. The net sown area during 2005-2006 was estimated at about 11.82 m.ha. The foodgrain production was 14.27m. metric tonnes.

77% population excluded from development :

Recent high growth rate of Indian Economy has not touched 93 percent of total workforce of the country, belonging to unorganized sector who are living in conditions of miserable poverty. The economic and social policy of exclusion has resulted in keeping 77% of Indian population in very poor and vulnerable condition surviving with per capita daily consumption of up to Rs. 20.

National commission for enterprises in the unorganized sector (necus.nic.in) headed by Dr. Arjun Sengupta has submitted its report to the prime minister of India on 6.8.07. It contains a detailed analysis of the various dimensions of the challenges confronting the informal and unorganized workers in the country. It reveals that the number of persons belonging to "poor & vulnerable" category has increased from 811 million in 1999-00 to 836 million in 2004-05. They work as so called self employed or wage workers, some times located in their houses but mostly outside. Some are lucky to have some kind of regular work but majority of wage workers are employed as casual workers. Most get wages that are too low to enable them to come out of their poverty, not to speak of overcoming their vulnerability. The report says that discrimination is the norm when it comes to women, children, bonded or marginal workers. Such positions of disadvantage are often reinforced by ones social diversity, rural location and above all low or no education.

The situation calls for immediate steps to ensure minimum conditions of work for the unorganized workers as well as measures of livelihoods promotion. The commission has proposed two comprehensive bills for unorganized agricultural and

non-agricultural workers to ensure minimum conditions of work as well as minimum level of social security. It has also proposed a number of measures to improve the livelihoods of unorganized sector workers.

Land Movements in Madhya Pradesh: A historical background

Madhya Pradesh is not only a ground of rich resources but also a state which has a historical trajectory of land movements. **Land movements indeed provide the platform for assuming that the population of the region is conscious of the significance of land as a resource for livelihood, financial security, empowerment and social status. In this section, we try to critically bring forward the key issues raised by the land movements in the region. This also indicates the politics behind mobilization and enables us to analyse the role of women in these movements. The purpose is to situate the contemporary study on land rights in Madhya Pradesh with a historical background.**

Land as a resource was managed by women rulers but all the leaders managed resources within a patriarchal framework. The land movements and state reorganization and land rights within has never been seen within a gender equity framework. When the state came into being in 1956, it had one single property and revenue code. In the colonial period, there were multiple systems of actual agrarian relations. In particular, the tenurial relationships had a great impact on the nature of peasant protests and land movements in the state. Historically, one can find traces of struggle for land in this area. However, as Dunu Roy¹ points out these popular protests were essentially not mobilization to 'struggle over property rights to land' but the 'overall struggle for survival'. Survival was the foremost concern as it depended on their right to all resources. Here it is significant to understand that land not only implies property but also a larger gamut of cultural and social relations. Survival issues need another level of gender justice that has yet to be introduced in most wards. The research during our writing showed that this work has begun in the state.

To contextualize the issue, it is necessary to understand the importance of land in the lives of men, women and children. Land is a very important resource for all. Infact the intrinsic value of land as a livelihood option, emotional and economic security and as the pivot of power relations have made land struggles not only intense but also policy provoking. The present inquiry is prompted by the need to address the questions relating to 'marginalisation of women within power and resource systems that govern agriculture, forestry and allied sectors and the technologies and sciences associated with the development of these linkages'.

The struggle for ownership and control over land has emerged as a powerful fulcrum of politics in India.. The structure of power in agrarian societies reflects the lack of distribution of land and thus this scarcity has enhanced this importance in lives of men. The urban areas have their own dynamism and interplay with land and global markets. The issue of corporate social responsibility as well as responsibility of religious and political leaders need to be within their newer roles of promoting gender justice.

Now to explore the dynamics of land politics one has to essentially locate the regional variants of the disparate popular land movements in Madhya Pradesh. In the colonial period, the discomfort with the revenue administration led to series of

opposition and protests. Of these, many focused on the issue of rights to ownership of land too. Hence, we find that the Mawasi tribes of Pipariya under Raja Bhoobhat Singh rebelled against the British imperialists' policy of control over forests². There were similar revolts in Panchmarhi by the Korkus. The Gonds revolted in Garha Mandla³ while the women of Banjari Dhal used sickle to oppose the colonial policy of acquiring their grazing land.

In contemporary times, **Hoshangabad** has emerged as an important seat of political fervor and activity. There are a number of organizations critically active in this area. These include Kisan Mazdoor Sangathan, the Samata Sangathan and the Kisan Adivasi Sangathan. They have pursued issues that are development-related like water, irrigation and displacement, as well as governance- related like corruption, communalism, caste oppression and timber smuggling⁴. In 1974, an educational project called Kishore Bharati was started in this area. Kisan Mazdoor Sangathan had been given hundred acres of land for cultivation and was promised that the legal title would be transferred to the people when Kishore Bharati withdrew from the area. Another thirty acres of land was distributed and used as a joint holding by Kishore Bharati and the Kisan Mazdoor Sangathan for social forestry. The management of the land was the sole responsibility of the Sangathan for the purpose of community use. However, the closing of Kishore Bharati in 1990 led to violence over the issue of land ownership.

Another important issue that emerged in this area was the question of displacement and the subsequent rehabilitation after coal mines were opened in **Betul and Chhindwara**. Under the leadership of Communists and trade union members like Haldurkar, Ruikar and Thakur, the local population organized themselves to demand for employment, minimum wages, fixed hours of work and job security. However, mining had an adverse impact on the natural resource base like deteriorating water table, rapid rate of exhaustion of underground mines and the subsequent land subsidence etc. In the recent times, organizations like the Sarpura Kisan Evam Mazdoor Kalyan Samiti and the Adivasi Vikas Parishad have raised their voice against the displacement of the tribals in the name of management of the coal mines. The government has evicted a large tribal population from forest areas, which had been earmarked for coal exploitation⁵. There has been great concern of the issue of the government's policy of rehabilitation of the displaced, who have been accused of encroachment of government land. A lawyer activist Mr Anil Garg has traced records of gram sabha and village commons converted into forest land or revenue land in Betul. He has documentation of how state with little consultation from local populations has alienated land from the time even before the pre British area. Claims have been recorded by groups and land rights activists to reclaim land in the name of settlers but these claims need political will to get sanctions. He has not publically spoken on a plan for increase of resources in women's name and would rather leave it to women activist to specify what is articulated. Many such activist and thinkers will wait for a specific way forward that applied to their work as well.

In the **Malwa Plateau** region, the entire tribal belt of Jhabua, has retained some forest cover and also has been engaged in primitive agriculture. Historically this

area had witnessed an anti-Jagirdari movement led by the socialists in the pre-independence period. Again, there was a tribal movement led by Mama Baleshwar Dayal demanded the regularization of encroachment of forest lands. In the decade of 1990s, the issue of rights to common grazing lands came to the forefront. In fact there is a consensus among scholars that this area is largely dependent on the forest and its products to meet its need for survival. The forest department has therefore played a prominent role in their day to day lives. The uneducated and ignorant adivasis have been often vulnerable to the exploitation of the forest officials. The Khedut Mazdoor Chetna Sangathan has been active in this locality and also has been instrumental in creating awareness among the tribals about their legal rights. This organization has also led the development of constructive work programmes such as



prevention of soil erosion, tree plantation and establishment of grain banking organizations. This organization had worked tenaciously on implementation of PESA – a revolutionary act that devolved financial and planning control in the local governance structure. This Act was passed at the behest of strong leadership of Sri BD Sharma and others in a manner that not many within the administration understood its real implications. When the tribals were organized and they developed their own health, education and revenue systems the babus in the administration alleged that a parallel government was being run and this was illegal. The police attacked the village and killed four tribal leaders and they retaliated in return. A long drawn case was fought in the court. Currently the high court has acquitted the members of Khedut Mazdoor Chetna Sangh and held the officials at fault. Even organization such as these did not raise the issue of tribal women's land rights while they understood land right work in its entirety. In an interview with Rahul Bannerjee who had worked with Khedut Mazdoor Chetna Sangathan it was found that women and men equally participated to reclaim lost territories and led struggles as well.

An incident of violence took place in **Kiti village of Alirajpur** between the forest department and the tribal population on the question of common grazing land. It has been documented that forest guards fired on villagers engaged in peaceful dharana. This was considered to be a planned move as on the previous day, Khedut Mazdoor Chetna Sangathan members and activists who were participating in the agitation had been arrested. Women and men fight equally in tribal societies, however when gains come if any patriarchy is at play. Tribal leaders have not articulated the need to vocalize tribal women's need and rights on land, housing and commons.

The **Mandala district of Madhya Pradesh** has also witnessed spurts of the pulse of land movements. In this district, the Baiga adivasis were engaged in

‘bewar’ cultivation in the pre-independence period. However even after independence and abolition of the zamindari system, they were not entitled to patta for their land. This was indeed a matter of concern for these poor tribals. In 1994 when the government decided to launch a forest land development programme, the Baiga adivasis were displaced from their land. This expropriation of the adivasis was done forcefully. When they tried to resume their efforts to cultivate their land, the forest officials inflicted physical force to dislodge them.

The historical trajectory of land movements in Madhya Pradesh elucidate the fact that the region has witnessed popular protests with regard to land rights. It becomes evident that people of this region are aware and conscious about the importance of land as a resource. Further, they also have the experience of political mobilization. However, it is interesting to note that despite women actively participating in such struggles, their role has been ignored in meta-narratives.

Madhya Pradesh Land Revenue Code 1959

To explore the issue of land as a resource it is important to look into the Madhya Pradesh Land Revenue Code 1959. This revenue code brought about an uniformity in the revenue system by formulating a common code of revenue system. It came into force on 2 October 1959. The M.P. Land Revenue Code 1959 provides for only one class of tenure holders of land from the state called “bhumiswami”. A bhumiswami has the right of transfer and also right to mortgage his land. The code also protects the rights of the sub-tenants who are given the status of occupancy tenants. The right to the intermediary’s estates were vested in the government. Apart from the land, such transfer included tanks, ponds, water channels, wastelands, community land, village forest, mines and minerals etc.

If we analyse the Madhya Pradesh Revenue Code from a gendered perspective, we find that it is not gender-neutral in terms of the language used to define the clauses of the document. Like any other land law in India, masculine bias becomes prominent. The inherent presumption about the owners of land is that they are male. Meeta and Rajiv Lochan observe, “In the 264 sections and 3 schedules of the Madhya Pradesh Land Revenue Code, which have been amended 48 times till 2002, never was any effort made to make the text gender neutral, even when there were significant examples of women, especially from the Nawabi family of Bhopal, owning land.”

This male bias language is visible in the recent landmark judgment on the Omkareshwar Dam. Even though land right activists have struggled and succeeded at the reversal of government practice to give cash compensation in this case they failed to impress upon the judge that land for land should be given 50 % equally in the name of women and men as equal grantees. If this was too revolutionary at least the judge could have heard statements during the hearing that women too are entitled to land and Bhumiswami could be both a male and a female. Thus the wording or the order should use gender neutral words. The judgment refers to “his land” as a rule.

Land Distribution of government land

Madhya Pradesh is predominantly agrarian state. 70% of the population living in rural areas depends on land as fundamental means of production. Understanding of pattern of ownership and operational holding of land is a pre-requisite to study the women land right in India or any other State of the country.

48th and 59th round (1992 and 2003-04) of the NSSO finds that more than 40% of households in rural India do not own land, as much as 15 million acres is in ownership holdings of more 20 acres, and inequality in ownership has worsened between 1992 and 2003-04.

Table1

Proportion of Households that Do Not Own Land in M.P. (2003-04, in %) :

M.P./India	Official Estimates (households that do not own any land including homestead)	Households that do not own any land other than homestead	Households that neither own any land other than homestead not cultivate on owned homestead land
Madhya Pradesh	12.05	31.81	22.76
India	10.04	41.63	31.12

Table 2

Distribution of Ownership Holdings of Land in M.P. (2003-04, in %) :

M.P./ India	Proportion of Households								Proportion of Area Owned								Gini coefficient
	Landless	Less than 0.4 ha	0.4-1 ha	1-2 ha	2-3 ha	3-5 ha	5-10 ha	>10 ha	Landless	Less than 0.4 ha	0.4 ha	1-2 ha	2-3 ha	3-5 ha	5-10 ha	>10 ha	
M. P.	22.76	16.91	22.17	17.8	7.02	8.05	4.18	1.11	0	0.99	10.47	18.85	12.47	23.24	21.59	12.38	0.6839
India	31.12	29.82	18.97	10.68	4.22	3.06	1.6	0.52	0	5.11	16.89	20.47	13.94	16.59	15.21	11.77	0.7605

Table 3**Breakup of Cultivators and Agriculture work force in M.P. :**

Total Population of Madhya Pradesh (Census 2001)		6,03,48,023
Total number of main and marginal work force	2,57,93,519	(42.74%)
Male	1,61,94,368	(51.50%)
Female	95,99,151	(33.21%)
Cultivators	1,10,37,906	(42.79%)
Male	68,82,776	(26.68%)
Female	41,55,130	(16.11%)
Agriculture Labours	74,00,670	(28.69%)
Male	35,18,368	(13.64%)
Female	38,82,302	(15.05%)

A study conducted by Samvad a few year ago revealed that tribal and other communities of Madhya Pradesh owning around 10 acres of un-irrigated and undulating agriculture lands are compelled by economic necessities to migrate to big cities to work as daily wage earners.

It is abundantly clear from these findings that agriculture does not provide sustainable livelihoods to small and marginal farmers in Madhya Pradesh.

Post globalization phase of Indian Economy has intensified the agrarian crises in the country, as agriculture has become unviable because of increasing cost of inputs and decreasing price of food grains. Condition of farmers in the country is becoming bad to worse and they are forced to commit suicides. This will continue so far the support price for food grains are fixed in such a way that the farmer gets his wage at par with the government employees.

The number of farm suicides is growing and countless thousands of small and marginal farmers are forced to abandon agriculture in distress. According to National Crime Record Bureau (Ministry of Home Affairs, Govt. of India) more than One Lakh Fifty Thousands farmers have committed suicides between 1997 and 2005. The figures of farm suicides from 2001 to 2005 indicate that Maharashtra tops the list of maximum number of suicides followed by Madhya Pradesh.

Table 4**Madhya Pradesh ranks second from top in suicide of farmers :**

Year	Maharashtra	Madhya Pradesh	Karnataka	Andhra Pradesh	Total
2001	3536	2824	2505	1509	10374
2002	3695	2578	2340	1896	10509
2003	3836	2511	2678	1800	10825
2004	4147	3033	1963	2666	11809
2005	3926	2660	1883	2490	10959
Total	19140	13606	11369	10361	54476

Farmers Per capita daily consumption of rupees 9/- :

According to Arjun Sengupta Commission (NCEUS) report average monthly income of a farmer household from all sources is estimated at Rs. 2115 per month while monthly per capita income is as low as Rs. 385/- at all India level. This amounts to average per capita daily income of Rs. 13/- only. Average monthly income ranges from Rs. 1380/- for land size less than 0.01 hectares to Rs. 9667/- for land size of 10 hectares and above. The lowest average income Rs. 1062/- was reported in Orissa followed by Madhya Pradesh Rs. 1430/-. Average per capita monthly income of agriculture household in MP was Rs. 286/- or daily per capita income was Rs. 9.5/- in 2005 (page 119 NCEUS Report).

The commission says that farmers have come to be identified as highly marginalized sections of the population. After the agricultural laborers, small and marginal farmers are identified as the most impoverished section. Recent trend in agriculture growth performance have indicated a declaration in output and stagnancy in employment. Alongwith liberalization the sector has been exposed to the price fluctuations in the global market, which has increased the risks of the farmers. Increased use of the purchased inputs and mechanization has increased the cost of cultivation of the farmers. These along with low prices have reduced the viability of farm operations and stability of farm incomes. Thus there has been an increase in indebtedness of the farmers households to meet the production expenditure and consumption needs. A large majority is marginal and small farmers and their condition is still worse off as they are not in a position to meet the increased risks in production and appear with increased dependency on free market and reduced support from the State. This is leading to increased distress among the farmers, driving then to extreme measure such as suicides, which have been on the increase, particularly in Maharashtra and Madhya Pradesh.

Where land can be found?

The Annual Report of the Union Ministry of Rural Development, 2001-2001, says that in September 2000, only 1.3% of India's cultivated land which accounts for approximately 5.3 million acres had been redistributed to about 4.3% of the total number of rural households (5.5 million households). This shows that land reform implementation has been marginal in India. This is amongst the lowest achievements in land reforms across the world⁶.

Table 5

Estimates of Surplus Land (Lakh ha) in Madhya Pradesh, 1960-91

Year	Area	% of operated land
1960-61	11.38	6.26
1970-71	15.58	7.30
1976-77	11.48	5.29
1980-81	8.04	3.67
1990-91	7.78	3.52

Sources: LBSNAA, 1994 using Sixteenth Round NSS Data for 1960-61 and Agricultural Census Data for 1970-71 to 1980-81; the estimate for 1990-91 using Agricultural Census.

Table 6

Number of beneficiaries and area of surplus land distributed, Madhya Pradesh, Cumulative up to 31 October, 1994.

	No. of Beneficiaries	%	Area Distributed(Ha)	%
Scheduled Castes	21,522	29.85	20,000	26.68
Scheduled Tribes	26,983	37.43	29,762	39.71
Others	23,586	32.72	25,189	33.61
Total	72,091	100.00	74,951	100.00

Source: GOMP, (1996).

Table7**Average Size of Holdings in Agro-climatic Zones of Madhya Pradesh, 1994**

Description	Zone code	Avg size of holding (ha)	M&S as a % of all holdings	Share in total no. of small holdings
Nimar Plateau	11	3.73	41.42	2.65
Vindhyachal Plateau	5	3.56	50.72	7.00
Malwa plateau	10	3.52	47.49	9.83
Central Narmada plateau	6	3.39	51.11	2.53
Bastar plateau	2	3.29	49.18	2.88
Satpura plateau	9	3.15	50.23	3.49
Gird plateau	7	2.67	56.60	9.32
Jhabua plateau	12	2.60	54.24	1.58
Northern hills region	3	2.41	61.44	9.87
Bundelkhand region	8	2.34	61.32	4.79
Keymore plateau	4	2.28	65.89	15.28
Chattisgarh plains		1.84	69.65	30.78
		Area (ha)	% of operated land	
Area declared surplus		139,642	0.63	
Area taken under possession		113,798	0.52	
Area distributed		74,951	0.34	
Area declared surplus but not distributed		61,991	0.28	
Area not available due to		1		
1.litigation		10,473	0.05	

2.researved or transferred	4,096	0.02
3.unfit for cultivation	8181	0.04
4.miscellaneous reasons	7099	0.03
Total not available	29849	0.14
Net area available for distribution	32142	0.15

Table 8: Implementation of land ceiling legislation in Madhya Pradesh; Cumulative up to 1994. Source : GOMP,1996.

The purpose of these tables is to show that there is some potential for distribution of the surplus land taken away by the Madhya Pradesh government after the implementation of land ceiling act throughout the state. This implies that the government can distribute such land to the landless and the marginal farmers. Infact, herein lies the scope for distributing land in the names of women. After all, the role of women in agriculture cannot be underestimated. The conventional land reform logic of ‘land to the tiller’ needs to be reviewed. Whether it is joint patta or independent patta the case for women as landowners stands strong. With the advent of liberalization and the development of growth- centres in the cities, villages have indeed witnessed high levels of migration. Consequently, men have moved on to the cities in search of gainful employment while women have managed the fields. Is this not enough a reason for women agriculturist to claim ownership of the land they cultivate?

In a survey conducted by LBSNAA to understand the patterns of distribution of government land to weaker sections, it was found that the government undertook various schemes and programmes to regularise eligible poor encroachers.

In 1984 the bhumiswami rights on agricultural labourers were granted by the the Madhya Pradesh legislature when it passed the *Krishi Proyojan Ke Liye Upyog Ki Ja Rahi Dakhal Rahit Bhumi Par Bhumiswami Adhikaron Ka Pradan Kiya Jana (Vishesh) Upbandh Adhiniyam* . The revenue book circular-4 defines the procedure and the criteria for the distribution of agricultural land, while the village kotwar falls in the first category for land allotment, the rest of the land can be allotted to

landless persons or cooperative society of such persons of the same village in the following order:

A land less person is of the following classification:

1. scheduled castes and scheduled tribes
2. freedom fighters residing in the same tehsil
3. agricultural labour
4. other rural landless
5. employed agricultural graduate of the same tehsil holding less than 6 hectares of land

B. Cooperative society formed by landless persons of the following classification:

1. scheduled tribes
2. scheduled castes
3. agricultural labourers
4. other rural landless

The Madhya Pradesh government also undertook **Scheduled Castes Forest Displacement (*Van Vyasthapan*) Scheme**. Under this scheme all encroachment of forest land made before 1976 were regularized and the person was given the benefit of other development schemes on a priority basis. The Madhya Pradesh government also initiated the tree patta scheme in which landless agricultural labourers were given pattas to raise trees in government land.

Given the vast inequalities in land ownership and control, it can be argued that there is an urgent need for land reforms to be placed in Madhya Pradesh's governance agenda. The essential thrust may be to ask for a 'redefinition' of the land agenda in Madhya Pradesh. Mihir Shah and P.S. Vijay Shankar suggest that the conventional agenda has to be supplemented with a large-scale programme of land use reform. A new and comprehensive agenda of land reforms can be visualised, encompassing:

- i. Redistribution of surplus land
- ii. Security and fair terms of tenancy
- iii. Land use reform based on watershed approach
- iv. Land-record reform in tribal areas
- v. Common property access reform

All reforms of course need to identify women as major beneficiaries of the schemes. A program like sansadhami thus fits well for an overall agenda.

In the context of liberalization, greater advocacy of panchayats and non-governmental organizations can be encouraged to involve people in decision-making. However, the role of the state cannot be underestimated. The state has a crucial role in constructing safety nets for the welfare of the common people who bear the brunt of development. At the same time, the state must also ensure a sufficiently high level of intervention and investment in areas such as surplus land distribution to women, gainful employment generation, water resource development, rural credit, health, education, environmental conservation and childcare. A state engineered effort to bring women into the agenda will give an impetus to women's right to livelihood and resource.

Plight of Slum Dwellers :

Slums are extension of rural poverty in India. According to 2001 census 25% population (24,17,691) of 43 cities of Madhya Pradesh are living in slums. (Unofficial estimate are far more than this). Housing rights of slum dwellers in the State are negligible. Sword of forced evictions constantly hangs upon their head. Lot of tribal, dalit and OBC population in the State is victim of developmental projects like large dam, mining and expansion of big cities.

There is no provision of resettlement and rehabilitation of the oustees of development projects in Land Acquisition Act of 1894. Most of the people's movement in the State is generated due to eviction of people from forest or revenue lands acquired under this Act. Human rights of such oustees are neglected and there is no intension of any political party to incorporate the provision of rehabilitation in the draconian law of 1894. Most of the oustees of development projects are forced to live under sub human condition in urban slums.

Status of Women in Madhya Pradesh :

Madhya Pradesh is the largest state in India, with a total population of over 60 millions, a large concentration of tribal population, and great regional and cultural

diversity. Less than half of this population is constituted by women (47 percent of population). The proportion of women in the population (sex ratio) is low in the northern and north western districts, but reaches parity and beyond in the southern and southeastern districts.

The literacy level in 2001 for women was 50.3 percent. Within the state, there is much inter-district variation. The highest female literacy levels were found in 2001 in Narsinghpur (69.02 percent) and the lowest in Jhabua (25.5 percent). Women in Madhya Pradesh work mainly in agriculture, forestry, home based production and the urban informal sector.

Neglect of women :

Women contribute more than 70% in agricultural activities but only 6.5% of women have legal ownership on land. Women's contribution in harvesting activities is 65% but merely 28% has control on selling of crop produce. 92% of women are involved in agricultural works year round but their ownership on agricultural implements and equipments is negligible. On an average, 85% women are involved for 3-4 hours daily in agricultural tasks but their participation in extension services is merely 7.6%.

It is evident from these four statistical data tables that there is no mention of women segregated distribution of surplus land. Women seem to be missing on the agenda as an independent category. The purpose of these tables is to show that there is some potential for distribution of the surplus land taken away by the Madhya Pradesh government after the implementation of land ceiling act throughout the state. This implies that the government can distribute such land to the landless and the marginal farmers. Infact, herein lies the scope for distributing land in the names of women. After all, the role of women in agriculture cannot be underestimated. The conventional land reform logic of 'land to the tiller' needs to be reviewed. Whether it is joint patta or independent patta the case for women as landowners stands strong. In contemporary times, arguments about feminization of agriculture also needs to be examined in the regional context of Madhya Pradesh. With the advent of liberalization and the development of growth- centres in the cities, villages have

indeed witnessed high levels of migration. Consequently, men have moved on to the cities in search of gainful employment while women have managed the fields. This is enough a reason for women agriculturist to claim ownership of the land they cultivate.

Iniquitous societal structures needs to be broken and women are to take their rightful place in the political, social and economic life of the nation and of Madhya Pradesh.

Empowerment of Women is an ongoing process of collective struggle against the forces that oppress and subordinate women. It involves process of redistribution of all available resources in society – social, economic, political, intellectual and cultural to ensure women's equal access to them. Recognition of women's productive and reproductive labor, their equal right to work and property, the opportunity for decision making at all levels including the family, the workplace, and the community, equal access to knowledge, the right to life, and equal opportunities for the girl child is necessary to ensure empowerment of women in the society.

Women are one of the poorest and under-privileged groups in Madhya Pradesh and development has not always been beneficial to them. Agricultural development and mechanization has, for instance, taken away from women the important role that they traditionally played in the agrarian economy. Improvements in technology have not looked at female specific jobs in agriculture and crop processing, and, industrial recruitment have similarly marginalized women in the name of so called skill disqualification. The majority of women work in the unorganized sector where the rights of women are the most neglected and overlooked. They not only suffer from discriminatory wage but have also to bear the burden of household chores, which mostly goes unnoticed and unacknowledged.

Effective and independent land rights for women are important on at least four counts: welfare, efficiency, equality and empowerment.

Recommendations:

Indian agriculture sustains a large cultivating population on the meager land resource. Land ownership distribution remains highly skewed and the average size of landholding has been steadily declining. An overwhelming majority of farmers are marginal and small cultivators. These farmers use available inputs intensively and, except in some regions, show higher efficiency.

The sector as a whole showed poor performance in the last decade. Agricultural growth rate had declined and food grains production had virtually stagnated. Signs of agrarian distress were visible in some years. The spate of farmer's suicides in many areas is the most disconcerting manifestation of this distress. Marginal and small farmers have borne the brunt of the adverse circumstances in agriculture.

While there were efforts such as those to promote institutional credit to rural areas, improved access to inputs, subsidies on fertilisers and electricity, minimum support price etc. These have not been fully successful in protecting the interest of the farmers in general and marginal/small farmers in particular. The analysis of results from the Farmer's Survey clearly establishes that these farmers have inadequate access to information, to agencies promoting technological change, to co-operative networks and related organizations and are less able to benefit from the plethora of governmental interventions. This is significant since; in any case, these farmers are less well placed to take advantage of the markets.

A focused initiative is clearly required to facilitate the growth of small farm agriculture. It is imperative that the government takes initiatives to expand the network of institutional credit facilities in the rural areas and that the credit needs of the small and marginal farmers are met through earmarking credit for the group. Extension and marketing initiatives need to focus on this segment. At the same time, group initiatives need to be encouraged and awareness among the group has to be increased. The procedural formalities also have to be made less stringent to make the system more user-friendly for the largely illiterate group. Further it is of prime importance that the educational levels and skills development among the farmers are enhanced so that there is increased occupational diversification among

them, as more than forty per cent of the marginal and small farmer households dislike their occupation and would rather give it up. Improved educational levels among them will increase their awareness levels and may also lead to greater cooperation among them. This will make them better organized for collective action and better equipped to anticipate the market trends. This also will increase their exposure to the new techniques of production and other initiatives taken by the government to protect their interest. In view of the poor conditions of the farmers the revised National Policy for Farmers emphasizes the need to improve their well-being rather than concentrating solely on enhancing the production. It needs to be realized that the gains of several initiatives in this context have not been reaching the majority of small and marginal farmers. This issue needs to be appropriately addressed.

A thrust area of the National Commission for Enterprises in the Unorganized Sector (which has been endorsed by the National Policy for Farmers) is on the need to introduce a universal social security system as a support for farmers. It is important to ensure the protective social security of the landless and marginal and small farmers. Given the high risk and low profitability of the farmer's activities such a social security measure that provides for health expenses, life and unemployment insurance and old age pensions is important. Presently, there have hardly been any welfare provisions for farmers. This is of concern as it discourages entrepreneurship among the farmers as also to undertake and adopt new ventures. Given the distress among the farmers, it is important that a safety-net Programme is introduced to ensure a minimum income for the farmers. Also the risk factor has to be mitigated through adequate insurance and credit facilities. At the same time, the outreach and efficiency of the institutional credit sources have to be improved. This is important to protect the small and marginal farmers who still heavily rely on private moneylenders who charge high interest rates and follow unscrupulous means to perpetuate indebtedness. Land reforms particularly related to tenancy laws, land leasing, distribution of ceiling surplus land and providing adequate access to common property is also urgently needed.

Chapter 2

LEGAL AND POLICY FRAMEWORK PROMOTING OR HINDERING WOMEN & LAND RIGHTS

Broader concerns of the Constitution

The Constitution of India, guarantees equal access to women in the process of development as enshrined in articles 14, 15 and 16. These articles guarantee equality before law, equality of opportunity with regard to employment, and empower the state to make any special provision for women and children. Like the fundamental rights, the Directive Principles are also the instruments for attaining national objectives of Justice, Liberty and Equality. The Directive Principles in article 39(a) (d) and (e), and article 42 assert the right to an adequate means of livelihood for men and women equally, equal pay for equal work, protection of the health and strength of workers-men, women and children – and just and humane conditions of work and maternity relief. The Constitution of India provides the framework for the status and development of women.

A recent amendment to the Hindu Succession Act has been hailed as the cornerstone of gender equality in the legal history of the country.

The Hindu Succession (Amendment) Act, 2005 (39 of 2005) is to remove gender discriminatory provisions in the Hindu Succession Act, 1956 and gives the following rights to daughters under Section 6:

- The daughter of a coparcener shall by birth become a coparcener in her own right in the same manner as the son;
- The daughter has the same rights in the coparcenary property as she would have had if she had been a son;
- The daughter shall be subject to the same liability in the said coparcenary property as that of a son;
- And any reference to a Hindu Mitakshara coparceners shall be deemed to include a reference to a daughter of a coparcener;
- The daughter is allotted the same share as is allotted to a son;

After the commencement of the Hindu Succession (Amendment) Act, 2005, no court shall recognize any right to proceed against a son, grandson or great-grandson for the recovery of any debt due from his father, grandfather or great-grandfather solely on the ground of the pious obligation under the Hindu law, of such son, grandson or great-grandson to discharge any such debt.

Empowerment of women to take control of all aspects of their life is fundamental to sustainable development. Despite abundant provisions in the Universal Declaration of Human Rights, International Convention of Civil, Political Rights, International Convention of Economic, Social & Cultural Rights, CEDAW, to which India is one of the signatory; many provisions in the Constitution of India and the subsequent laws, Indian society remains patriarchal; attitude of people also patriarchal and biased towards women; resulting into marginalization of women in the society.

The commitments made by India during the Beijing Conference, Conference on Hunger and Poverty, Earth Summit, the World Food Summit and the Habitat Agenda, as well as under ICESCR (Art. 11), CEDAW (Art. 14, 15 & 16), UNHCR resolution 2003/22 (women's equal ownership of, access to and control over land and quality rights to own property and to adequate housing) need certain proactive policy initiatives on the part of the governments to fulfill its aforesaid obligations.

Constitutional provisions that uphold equality

To make India a truly welfare state it is Constitutional obligation of the legislature to make laws in accordance with Part-IV of the Constitution

Article-38, of the Constitution provides:

State to secure a social order for the promotion of welfare of the people-

- (1) The State shall strive to promote the welfare of the people by securing and protecting as effectively as it may a social order in which justice, social, economic and political, shall inform all the institutions of the national life.
- (2) The State shall, in particular, strive to minimize the inequalities in income, and endeavor to eliminate inequalities in status, facilities and opportunities, not only amongst individuals but also amongst groups of people residing in different areas or engaged in different vocations.

Article-39(a) of the Constitution of India provides that the State shall direct its policy towards securing all citizens, man and women equally, the right to means of livelihood.

Article-39(b) directs the state to secure that the ownership and control of the material resources of the community are so distributed as best to subserve the common good.

It is mandatory for the state to ensure that the operation of the economic system does not result in the concentration of wealth and means of production to the common detriment.

Article-39(e) directs the State to frame its policy towards securing that the health and strength of workers, men and women, and the tender age of children are not

abused and the citizens are not forced by economic necessity to enter evocations unsuited to their age and strength.

Article-39(f) directs the State to secure that the children are given opportunities and facilities to develop in healthy manner and in conditions of freedom and dignity and that childhood and youth are protected against exploitation and against moral and material abandonment. There is also direction to the State to ensure that there is equal pay for equal work for both men & women.

Despite such high ideals enshrined in the directive principles of state policy, the legislature of India has failed to fulfill its Constitutional obligation. Colonial legislations of capturing and controlling material resources of the community have not been repealed. People are forced to survive on meager resources. They are deprived of their basic human right of survival with dignity. Unconstitutional governance of the country has excluded around 77% population and compelled them to continuously remain struggling for existence 57 years after adoption of the Constitution the directions of the Constitution to the State are in existence on papers only. The quality of life of people has deteriorated considerably with each passing day.

72 percent of India's population lives in rural areas where land, water and forest is the major resource and agriculture is the main occupation. However, the agenda of radical land reforms took a back seat in the priority list of all the major political parties. In post independent period, most of the households in the country belong to unorganized small and marginal farming communities or farm labors.

Field Narratives from Madhya Pradesh

The interviews from the field suggest that people are poised for a change but have not quite taken the agenda of increases resources in the name of women. They seem to stand behind one obstacle or the other. A will to change the present is all what is required to create equality of resources between men and women in the state All that is needed to do is to create the will.

On examining and analyzing the narratives from the field it becomes evident that in the contemporary times 'land' encompasses three main ideas in the regional context of Madhya Pradesh – (1) land as common property resource and therefore common ownership of land (2) joint ownership of land between husband and wife(3) single owner ship of women who are federated in groups

- *Land as Common Property Resource-*

Common property resources are an integral aspect of the social and institutional arrangements made to meet the every day requirements of village communities. They are of particular relevance to the landless, agricultural labourer and the rural artisan. The tribal notion of 'land' and land use is centered on two main seasonal activities: cultivation and non-farm activities like gathering of forest produce. These activities form the mainstay of the tribal survival system, which is multi-occupational and semi-sedentary in character. It, became evident from

conversations that among the tribal population the concept of ‘individual property’ is not so popular. Their sense of collective ownership is more prominent. For them common property ownership of land and forests is viewed as a livelihood issue

It thus follows that the dependence on common property resources for subsistence is tremendous. There are many grassroot and civil society organizations which have expressed their concern over women’s ownership of land , particularly among the tribals. Interviewees made it clear that among the adivasis acquisition of land in their own name is not a priority. What is important for them is payment regarding the sale of forest produce. It is estimated most of the women are engaged in picking Mahua and Tendu leaves but the payment for this work goes to the male member of the family. This emerges as a challenge for these women in the unorganized sector. In fact it is for the policymakers to ponder that women get their rights for the work they do. After all, women should be treated as ‘individuals’ in their own capacities.

At the same time there are many who have demanded that the common land of the village which is under village Panchayat be transferred to a group of women in the village so that they can use the land to enhance their livelihood options and become independent and self reliant. Common ownership of land in the name of women is preferred rather than to have it in the name of men, as women are considered to be more responsible when it involved group activities. Furthermore, it also provides social security for these women. In areas where the rate of migration is high, men move on to the cities while women work in the agricultural land, despite the fact that they do not have ownership rights on them. Common ownership of land will also protect land from moving into the hands of non- tribal. It can act as an effective tool to prevent tribal land alienation. Often men’s habit of gambling and alcoholism gives an opportunity to outsiders to grab land of the tribal population.

- ***Ownership of Land***

Joint pattas

There has been a demand for land rights of women in Madhya Pradesh since 2002. Land distribution in the names of women in the form of joint ownership has emerged as an important issue among the adivasis. The government has agreed to issue joint pattas in the names of husband and wife. In the case of Chinkoe dam, a mass movement was led by women and they were given joint entitlement to land. Similarly in the Bundelkhand area such joint entitlement has been given. However, there is a paradoxical situation here. Most of these women are ignorant and illiterate and therefore unaware of their rights over land and fail to control it. This implies that a space for patriarchal operation of power is created. The male members of the family use the land and take decisions of her behalf. She thus turns into a ‘proxy’ owner of the land. Activists think that collective ownership of land is clearly empowering because of the sense of belonging it creates.

Single Pattas

Ms Sarika of Action Aid based in Bhopal emphasized that any strategy for the state must focus on the dalit, tribal and the poor. The 'Hinduisation' of tribals is inflicting more violence against women. The practice of branding women as *toni* or a witch and nailing her on the head was understood by these activists as a derogatory practice. Women from Siddhi women resource centre narrated their experience of organizing mass protest against this practice. This has resulted in long term changes of families in the area buying properties in the name of their wives as well as supporting women who are *ekal* (widowed or single) to buy property in their own name.

The debate of joint pattas versus independent titles finds place in the government discourse on the issue. It therefore becomes essential to evaluate the legal and policy framework which the Madhya Pradesh government has evolved to promote women's resource rights

Pro- women Policy of government of Madhya Pradesh

The government of Madhya Pradesh has brought about a remarkable policy that lasted till from 1995 till 2007. This indeed marks a gender sensitive approach towards resource management. The policy statement that was drafted by members of women's movement was adopted by government displaying that it is sensitive towards the various problems faced by the female population of the state. It identifies lack of access to land rights of women while discussing other problems like low literacy rates and high mortality rates. To mitigate and facilitate empowerment of women the government considers it to be the critical areas for state intervention. It is optimistic that effective enforcement of policies in collaboration with civil society organisations and non-governmental organisations can bring about social change and betterment of the people. The Madhya Pradesh Policy for Women¹⁰ had very positive goals but strange enough that this policy was time bound and is now to be revised. The civil society in MP should hold government accountable to let public know how each goal has been met and if it has not been met reparations in form of project sanction with specific government officials appointed to increase resource base for women must be deputed for a time bound period.

The government had listed goals for which series of legal changes to support the government initiatives must be made. In order to enhance the right to access and control land and common property resources the government would move towards the direction of recognising women-headed households and women who can hold property individually and collectively even when they are part of men headed households. Simultaneously, individual female households need to be identified for being the recipients of benefits of development schemes and programmes of the government. The Government of Madhya Pradesh had offered housing plots to dalit women who had to be rehabilitated from sex work. The registration of houses required the name of a husband which these women were forced to provide (or else form could be invalid). They gave names of some of their clients who were non dalit. This now disqualifies them of house ownership. This is only one example of a program of MP government that did take place in the recent past.

Goals of the Policy on Women (2003-07):

The government of Madhya Pradesh has formulated a policy for women about 12 years ago. Main goal of the Madhya Pradesh Policy for Women was:

1. Ensuring the survival and protection of female life.
2. Ensuring the fullest participation of women in Civil Society, and strengthening their role in decision making.
3. Increasing self-confidence and enhancing the status of Women.
4. Empowerment of women to enable them to take the fullest advantage of developmental efforts in all fields.
5. Affirmative action to ensure women's full participation in economic activity.
6. Ensuring the visibility of women in all walks of life.
7. Bringing about sensitization and attitudinal change in the larger society on the women's question.
8. Prevention of atrocities and acts of violence against women.

Strategies and Measures to implement the policy

Acknowledging the importance of owning land resources as a means to livelihood and economic empowerment, the government of Madhya Pradesh had published the following as reinforcing measures-

1. The Government will seek actively to promote an increase in women's control over land, property and other common resources.
2. Women headed households will be recognised and supported for all purposes, particularly in the planning process and programmes. At the same time, efforts will be made to reach the individual female members of the household to make available the benefits of government schemes and programmes.
3. The government, since it recognizes women as major stake holders in the development of common property resources, will seek to increase the participation of women in decision making for the management of these resources.
4. The Government will take steps to increase employment for women at all levels, particularly in the development and social sectors and to ensure this will introduce job reservations for women.
5. The Government will ensure that Women's visibility is apparent in the data collection and statistical record keeping of the State. This will involve the reorientation of data generation, updation, and presentation systems to incorporate gender-desegregated data. It will also involve reexamination and redefinition of male centered concepts. In this exercise a mechanism may also be evolved to capture the productive labor of the women in household chores.

6. Impact of all developmental investments vis-à-vis women will be studied by an expert group which will be created in the Planning Department.
7. A review mechanism will be set up to oversee sectoral implementation of the Policy on Women by different agencies in the State.
8. Active steps will be taken to arrest and reduce the levels of female mortality in the State. Particular emphasis will be given to the containment of maternal and early childhood female mortality and to the reduction of female malnutrition.
9. An action plan will be drawn up and implemented for the survival, protection and development of the Girl Child.
10. The Government will recognize women as producers, and will seek to cover them fully under its extension programmes.
11. Active support will be given to women in the role of economic producers by the inter linking of activities of women's thrift and credit groups, grass root programmes like DWCRA and GRAMYA, District Supply and Marketing Agencies, State level agencies like the Mahila Arthik Vikas Nigam and National agencies like the Rashtriya Mahila Kosh.
12. Top priority will be accorded to the training and sensitization of all level of government functionaries on Gender Issue. All government institutions will incorporate Gender Sensitization as part of their programmes.
13. The sensitization of elected members of the PRI's and urban local self Government bodies on gender issues, particularly on the issue of violence against women will be undertaken extensively.
14. The government will take care to ensure the equitable flow of credit and institutional finance to women in all sectors including the home based and the informal. To this end, it will devise effective schemes and innovative mechanisms.
15. Representatives of Women's User groups will be incorporated into the SLCC and SLBC to ensure flow of credit to women in all sectors, and a similar provision will be made at lower levels like the DRDA, DLBC, BLBC and other bodies. A similar provision will be made in the case of Regional Rural Banks, Boards and Cooperatives.
16. A minimum representation of Women on all state constituted Advisory Boards and Empowered Groups will be ensured. At least one third of such membership will comprise of women.
17. Steps will be taken to ensure a productive relationship between government agencies, NGOs and the academicians on women's issues.

18. All State laws will be scanned to ensure that women's status and interests are protected. Wherever necessary amendment to these laws will be initiated to secure these interests. At the same time, it will be ensured that laws relating to women are enforced and that all future legislations keep these interests in mind.
19. Measures will be undertaken to ensure the prevention of abuse, exploitation and perpetration of atrocities on women and girls in families, communities and institutions.
20. Special measures will be taken for the protection of vulnerable sections of women like the aged, the destitute, the single, the divorced, the emotionally disturbed, the mentally retarded and the physically handicapped.
21. As widows who are young more vulnerable to desisitude there shall be no age restriction for availing widow pension subject to the widow being more than 18 years of age.
22. The state will also introduce measures to encourage widow remarriage.
23. The Government will make special efforts to take technology to women and support measures to make technology women friendly.
24. The government will take steps to strengthen and upgrade women's technical, entrepreneurial and managerial skills, especially in sectors where large numbers of women are concentrated like the agriculture and allied and urban informal sectors. A similar effort will be extended to women artisans and crafts persons.
25. Recognizing the pre-dominance of women's role in Cottage, Village, Industries and Handicraft, they will be made more viable, profitable and complete.
26. A comprehensive system of credit, raw material, technology, managerial and marketing support to women entrepreneurs and producers will be evolved and implemented.
27. The government will initiate attempts to influence youth and the academia through suitable curricular modification highlighting a positive and independent image of women. The government will also encourage action research in this field by academic institutions and NGO's.
28. Appropriate reservation for women to posts in extension services of government in rural areas will be made to ensure proper and adequate dissemination and extension of government programmes and schemes to women.
29. There shall be reservation of 30% for women in all allotments of commercial and residential plots made by local bodies, Housing Boards, Development authorities etc. in urban areas.

Women and Land :

In Madhya Pradesh, as elsewhere in the country, the single most important economic factor affecting women's position is the gender gap in control over property. Few women own land in their own names and fewer still control it. Since land is the most important collateral in seeking productive loans, this affects women's access to credit as well. To remedy this situation the government has expressed its commitment to the following :

1.Land rights will be extended to women. Steps will be taken to amend the appropriate laws to extend coparcenary rights to women and to enter, in all future mutations, the names of all entitled women members of a family as Bhumiswami in the land records. Similar measures will be adopted in respect of other immovable property also. A RTI should be filed to know how many women availed coparcency rights and how many women have their names registered in joint household property. The land records of specific wards and districts must be revisited to inform public of the current status and state strategy to change the status to extend coparcenary rights to women in the family from 1990. The same should be done for all the intents published in woman policy of 1990.

2.All land distribution and redistribution undertaken by the government will be made in future in the name of women. Wherever possible, preference will be given in such allotments to groups of poor rural women who will have full rights of use and control over the land. In the distribution of land in resettlement areas, unmarried adult daughters will be placed at par with adult sons and treated as separate units.

3.All village common lands will be vested in the joint control of adult resident women of the village. The Panchayats will manage these lands on their behalf with their concurrence and no decision regarding the development or alienation of these lands shall be validated without the approval of this body.

4.The government will promote the use of these common lands by the women for environmental regeneration, meeting of the fuel wood requirement, development of common grazing grounds and for other productive purposes through suitable schemes.

5.In all future recruitment of patwaris, at least 30 percent of the new entrants will be women. According to Ms Nirmala Butch and Ms Sudeepa of IWID only 2% post were filled by women. This under achievement of target should be an officers responsibility who should be given fresh targets to work upon with punitive action or incentive built into achieving the key result area.

6.Special training programmes on a continuous basis will be organized for women, government functionaries, Panchayati Raj Institutions and other local institutions to ensure awareness and full knowledge of the government schemes relating to women's claims in land and agriculture.

Women and Agriculture:

An overwhelming number of women in the State work in the agriculture sector, with 51 percent of all female main workers involved in agriculture, according to the 1991 Census. Taken with the 38 percent working in the agriculture allied sector,

around 88 percent of females main workers are dependent of agriculture and its allied activities (or the farm sectors).

The policy for women provides that the State Government recognizes women as farmers in their own right and it shall ensure the percolation of this recognition and awareness to all levels of government agencies. To achieve this objective, the government will –

1. Reorient extension staff and services to cater to the needs of women farmers.
2. Revamp Agricultural Training Institutes and redesign training courses to make them gender sensitive.
3. Promote action research on the role of women in agriculture and the development of women friendly agricultural technology.
4. Develop innovative technologies in agriculture with specific focus on women intensive areas including agricultural processing, post harvest operations, and create a climate for absorption of these technologies.
5. Encourage women through incentives and scholarships to take up higher education and technical courses in agriculture.
6. Increase the number of women among agricultural extension staff and higher-level technical and managerial staff.
7. Increase women's representation on agricultural marketing bodies (mandi samitis) to at least one third of the total membership in a phased manner.
8. Introduce appropriate legislation to increase women's membership of primary cooperative societies to at least one-third strength.
9. Make sure that Women agricultural workers get the statutory minimum wages at par with men. Steps must be initiated to extend social security benefits including accident compensation and child care facilities to women agricultural wage laborers and the necessary machinery and appellate structure should be set up to enforce this.
10. Norms of equal wages for men and women will be intensively published in rural areas through the government machinery and NGO efforts.

Allied Sectors (Dairy, Animal Husbandry, Sericulture, Pisciculture, Horticulture and Floriculture)

Like agriculture, the State government recognizes the women workers in these sectors as producers (according to the 1991 census, 38 percent of all female main workers are working in the agriculture allied sector). Thus, she is fisher women, a milk producer, a vegetable and fruit grower, sriculturist and floriculturist in her own

right. To ensure that this recognition is adequately reflected in the policies and programmes of the State, the Government of Madhya Pradesh promises to –

1. Reorient extension staff in the relevant sectors to cater to women's needs.
2. Provide training inputs to women in the relevant sectors to be able to function effectively.
3. Revamp training institutes in the relevant sectors to be sensitive to the needs of women in the sector.
4. Give preference to women's groups in the granting of river bed/tank bed pattas for growing seasonal fruits and vegetables.
5. Give priority to women's groups for fishing rights in ponds and tanks (tank pattas).
6. Increase the recruitment of women as fisheries inspectors.
7. Pursue vigorously women's further involvement in sericulture.
8. Increase women's managerial capabilities and provide technical support to equip them to undertake entrepreneurial activities, handle marketing and backward-forward linkages.
9. Promote technological up-gradation particularly in the areas where women are engaged extensively.

Women and Forests:

Madhya Pradesh is State with almost one third of its total area under forest cover. There are about 925 forest villages in the State.

Ten of thousands of women live and earn their livelihood in forest areas, majority of them belonging to scheduled tribes.

The State policy for women provides for the improvement of the conditions of life and work of women in the forestry sector. Therefore the government promises to –

1. Make sure that wages in Tendu leaf collection is handed over to the women of the household. Women and children form in any case the majority of those engaged in collection.
2. Increase women's membership in Minor Forest Produce Cooperative Societies to at least half their total strength.
3. Give greater managerial roles and the necessary training to women engaged in Tendu leaf collection. To this end, at least 20 percent of the posts of 'Phad Munshis' in every range will be filled up by women and this proportion be increased to 50 percent.
4. Provide shades in the Tendu Leaf collection centres where potable drinking water, rest and child care facilities are available for the women engaged in tendu leaf collection.

5. Strengthen and safeguard from exploitation, women's role in the collection, processing and marketing of other minor forest produce by the formation on women's cooperatives and the inner linking of ongoing developmental programmes like DWCRA, Thrift and Credit Societies and the support of the Mahila Arthik Vikas Nigam..
6. Find ways to improve the quality of life inside the forest settlements to reduce on women the burden of household sustenance under exceptionally trying conditions. To this end, institute provisions for better health care, education, sanitation and safe drinking water in the forest settlements.
7. The government will provide access to non-conventional energy sources like solar panels for lighting and the installation of community gohar gas plants for meeting women's domestic energy needs.
8. Women will be recognized as equal partners in the 'Tree Patta' and joint Forest Management Programmes with an assured 50 percent representation. Women's actual presence and decision making in JFM schemes will have to be secured. Women's cooperatives to take up forest protection and nursery raising activities will be promoted.
9. The Government will introduce welfare measures to reduce the occupational hazards of women working in the forestry sector.

The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Right) Act 2006 enacted to fulfill, Common Minimum Programme of UPA Government ensures to provide ownership rights on forest lands to tribal and traditional forest dwellers on the joint name of husband and wife of the family, entitled to get it.

Women and Employment :

The participation of women in the decision making processes and their share in the jobs and government positions is abysmally low. Increased employment opportunities are essential to ensure their visibility and legitimate role in various organs of the government as well as other organizations. It will also lead to their enhanced status and empowerment.

1. Take steps to increase employment for women at all levels, particularly in the development and social sectors. At least 30 percent of jobs will be reserved for women.
2. Terms and conditions of employment and rules and instructions governing them will be reviewed to make them gender sensitive.
3. Working conditions will be improved and re-designed to suit the special needs of women.
4. There will be no age bar for women seeking employment in these sectors.

5. A system of part time employment with flexible timings will be introduced to enable women to take up employment during their spare time.
6. All Women's Colleges in the State will set up counseling cells particularly to provide information and guidance on employment opportunities for the women of the neighborhood.
7. Self-employment opportunities in all relevant sectors will be significantly strengthened.

Women and Credit:

Women's access to credit is extremely important for their economic empowerment. To ensure that there is a manifold increase in credit flows to women, the following measures will be initiated.

1. The government will ensure that formal credit to women is stepped up significantly.
2. The State Government will create an autonomous umbrella organization providing credit and development support to micro financing institutions working with women. This agency will also act as a bridge with the national level Rashtriya Mahila Kosh on behalf of the grass root groups. To be known as Madhya Pradesh Mahila Finance and Development Corporation (MPMFDC), it will replace the existing Mahila Arthik Vikas Nigam and subsume its ongoing activities. This organization will also act as a link between government agencies, NGO's and academicians on women's issues.
3. Targets for 50 percent lending to women beneficiaries under all priority sector programmes including IRDP will be set up and maintained.
4. The recording of land right in women's names will be a long way in ensuring rural women's access to credit. However, urban informal sector women will not directly benefit from this measure and they would need specific soft credit facilities on a priority basis.
5. In the present climate of financial discipline, existing banking institutions may not be able to fulfill this role adequately. To cover this need, the government will give active encouragement to the establishment of women's cooperative banks.
6. The formation of women's thrift and credit groups will be encouraged. These groups will first be established as self help groups, and later as they gain strength, may avail the refinancing facility under the NABARD. These groups will be started on a pilot basis in a selected number of districts and be the forerunners of DWCRA projects. The experiment, if successful, will be extended to all districts of the State.
7. To operationalise the above effort, pilot projects to build up women's thrift and credit movements on models like SEWA will be set up.

8. A wide range of established responsive institutions including credit unions, NGOs and grass root women's groups will be encouraged to participate in the small and micro enterprise financing market serving women, provided they can meet the established standards. The standards will relate to the capacity to meet the credit and savings needs of the lower 50 percent of the economically active population where most women are concentrated. The government will give encouragement to these NGOs through appropriate support and incentives.
9. A differential rate will be prescribed for women below poverty line in respect of state government loans and subsidies. Subsidies will be 5% more and interest rate 1% less than the normal rates.

Migrant Women Workers:

In several parts of the State seasonal out migration of poor people is a chronic problem. Since women are the hardest hit in this situation, the government of Madhya Pradesh is particularly concerned to provide support to them, at the same time advising necessary policy and programmes interventions to discourage the process of migration. To this end, the government will:

1. Continue to strive improve economic opportunities within the state and the migration prone districts to discourage migration which causes undue hardship to women and children.
2. Ensure better linkage between Employment Assurance Schemes (EAS) and self-employment schemes in the migration prone districts.
3. Provide identity cards to the migrant workers so that in times of distress both within and outside the State they can establish their identity to seek the help of the district administration, courts and NGOs
4. Make sure that the social security needs of migrant workers are fully met and that they are entitled to legal protection that are due to any other sector of workers. To oversee this, the Government will establish Tripartite bodies of the representatives of employers, workers and the Labour Department.
5. Conduct legal literacy courses for migrant women workers.
6. Increase the awareness and skill of basic health practices especially of reproductive and child health, so that women during migration are better equipped to take care of their needs during their absence from home. The State Government will equip its own health machinery to organize special camps for this purpose and will encourage NGO's to come forward with concrete action plans in this regard.
7. Institute, through Rajiv Gandhi Shiksha Mission, innovative and flexible programmes for the education of migrant worker's children, and to encourage NGOs to come forward in this endeavor.

8. Create a special cell in the Labour Department to monitor the status of migrant women workers, and to seek the assistance of NGO's in getting feedback on the status of migrant women. NGO's working with migrant workers may be specially designated as labour inspectors.
9. Special sensitization programmes will be carried out for Labour Department officials dealing with migrant women workers.

Enforcement of NREGA in all districts of Madhya Pradesh from 01st of April, 2008 will reduce the intensity of migration, provided job cards are made and work given to the needy villagers in conformity with the spirit of the law.

Women and Law:

A major step towards the empowerment of women is to equip her to take the fullest help and advantage of legal provisions to protect herself and her rights as a person, a wife, a mother. It is equally important to make the enforcement machinery and the supportive structures effective to implement the laws. Women's rights must be recognized as Human Rights.

Measures that can be initiated in this regard are :

1. Legal literacy to be provided to women on a large scale in local languages and through a wide variety of means, including 'jagriti shivirs'. Panchayat training, in educational institutions and hostels Government will also encourage and support Women's groups and organizations, which take up and fight for issues of legal protection and justice to women.
2. Institution of Lok Nyayalayas for the speedy disposal of family cases.
3. Amendments to the Guardianship Act to enable the mother to be the guardian of the child. Likewise, the Adoption Act may be amended to make it more gender sensitive.
4. Waiver of court fees for women litigants when their cases relate to violence, property, maintenance and divorce. Free legal aid to be provided to women victims of violence and sexual molestation.
5. Extension of legal aid facilities to all women under trial prisoners and their minor children as also to other needy women.
6. Sensitization of the police force, the jail staff and public prosecutors on women's cases.
7. Increase representation of women in prosecution agencies.
8. Women lawyers to be included in the district panel of lawyers to ensure gender interest. Provisions may be made to associate a women lawyer in cases of prosecution where a woman is a victim and where the prosecution officer is not a woman herself.

9. The Government will request the High Court to ensure a periodic review of crimes against women in the State and a time bound disposal of cases of serious crime against women.

Implementation of the Policy: All departments of the government have been directed to reorient, refocus and reorganize their departmental schemes and programmes to incorporate the measures suggested in the policy. It will be the responsibility of every department to carry out the measures both in letter and spirit. The State department of women and child development will be the nodal department to coordinate the implementation of the policy. The Academy of Administration, in consultation with other training institute has been entrusted with the task of devising appropriate training programmes and to carry them out. The State Commission for women is performing the role of a watch dog and assist and advise the state government in the accomplishment of the goals of the policy for the women.

Implementation in Scheduled Areas :

In accordance with the provision of Article- 244(1) of the Constitution the policy document had been placed before the Madhya Pradesh Tribal Advisory Council and is being implemented in scheduled areas with modifications, suggested by the Council.

Steps taken in regard to land and housing right of women in M.P.

The state government has taken some remarkable decisions to fulfill the objectives of the policy for women in the state. Some salient features of the steps taken with regard to land and housing right of women in the State affecting directly and indirectly on the matter are given as below:

1. The M.P. policy for women has taken some steps which will ensure the extension of coparcenary rights to women in practice. Now on the death of a person, notification regarding the transfer of his land will not only be served to his sons but to his daughters as well. It will stop the deprivation of women by granting them their due rights. All land distribution & redistribution undertaken by the govt. will be made in future in the name of wife too along with her husband's. It will ensure that the husband can't sell or mortgage that piece of land according to his whims & fancies only. The same mechanism has been incorporated in the renewal of pattas to forest dwellers also.
2. Till now, only the sons of the displaced families were deemed as a separate unit and were given separate lands. Now onwards, the adult girls of rehabilitated families shall also be considered as separate units and shall be granted separate lands of their own.
3. In unorganized sector, especially in agricultural activities, there is a rampant discrimination against women. First of all they are always given those jobs which involve hard-toil & drudgery. Secondly less wages are paid to women as compared to men, for the same amount of work. To prevent this deprivation and exploitation of women, the state

government has started close monitoring of all these endeavors in which women's participation is quite significant like agricultural, construction activities. Apart from looking after their households and children, women have to go for outside labor-involving jobs also. Consequently their children are left uncared for either back at homes or at the work-sites of their mothers. It has been decided to open-up crèches at the work-sites where large number of women is employee. Such crèches, will be opened where 10 or more women come to work along with their children of 6 years of age or below, Women & Child Development Department will provide toys & other necessary materials for children to such crèches. The related construction/employment agency shall be responsible for putting up a shed for the crèches, for employing some person to take due care of the children and for giving proper wages to these baby-sitters.

4. Government has now decided to give preference to women groups in granting of river bed/tank bed pattas for growing seasonal fruits and vegetables, thereby enabling them to increase their incomes.
5. 30% posts of the patwaris have been reserved for women. Through this interests of women can be better protected in all the land/property disputes.
6. The presence of officials from the revenue department in the 'Jagriti Shivirs' organized by Women & Child Development Department and in the information camps organized by other departments has been made mandatory, so that people at large can get the full information regarding the beneficial programmes of the government to women, through these officials.
7. It has been decided to ensure the participation of one man, one woman from each family in the forest protection and forest development committee. It will ensure direct participation of women in the forest conservation programmes.
8. The M.P. Minor Minerals Act has been suitably amended to provide for the preferential rights to women applicants on the excavation pattas of minor minerals. Relevant orders to this effect have also been issued.
9. 30% posts in the government jobs are now being filled by women. To this effect, the state government issued the orders on November 1, 1996.
10. Age relaxation of 10 years has been given to women, for getting them into government jobs. Now women upto 43 years of age are able to get government employment.
11. Women generally are habitual of working with each other in groups, but their participation in the co-operative institutions has been rather dismal. Therefore, to enhance the participation of women in the co-operative endeavors government has decided that in these institutions, the number of women would be kept at least a 50% level. For this a vigorous

campaign is being carried out throughout the state. Now onwards, only cooperatives with at least 50% of women members would be registered.

12. To accelerate the distribution of supplies through cooperative consumer stores, govt., has set up women cooperative stores. These stores are membered and organized by women only. 1740 primary women cooperatives have been set up in the state. 13 women co-operative Banks have also been established.
13. The status and work of women remain largely invisible, as the statistics regarding the work of men and women are not collected and presented in a gender – segregated manner. The mechanism of gender - segregated data collection and data-presentation has been implemented by now, so as to make the status and work of women visible.
14. Women are the worst sufferers of the familial disputes and conflicts. To settle such disputes and to give proper advice, family counseling centers have been set up in women police stations of the state. At state level too, a women cell has been constituted at the police head quarters in which a lady IPS officer has been appointed. Efforts are on to increase the number of women in police force. 30 percent of the Dy. SP and Dy. Inspectors posts and 10% posts of the constables shall be filled up by women.
15. Nine courts of additional districts judges have been established to settle family disputes and arrangements are being made so as to make sure that in all these courts, the judges appointed are women.
16. Lakhs of tribal and rural women are occupied in tendu leaf collection during the season. To prevent their exploitation it has been decided that 50% posts of 'Phad Munshis' shall be filled up by women. It has been further decided to include the names of both husband and wife in tendu leaf collection cards and the amongst every two-one wages should be handed over to the women only. Generally, due to the patriarchal system of society, men are considered as the head of the family and therefore till now tendu leaf collection wages were given to men. But now, as per the policy of 'wages to the actual laborers', wage will be paid to women themselves. Apart from this, orders have been issued to make it sure that the 50% membership of the primary forest produce cooperative societies is made up by women only.
17. To cover the risk of working in forests, M.P. minor forest produce consortium has implemented an insurance scheme. Under the scheme any kind of disability caused, is compensated by an amount of Rs. 3,500/- and death compensation amount is Rs. 7,000/-. Similarly in the family welfare scheme of Government of India, disablement is compensated by Rs. 5,000/- and death by Rs. 10,000/-.
18. There has been a discriminatory tendency against women, both in training and employment, till now. To do away with this prevalent

discrimination against women, the state policy for women by recognizing their (women's) contribution has decided to give technical inputs to them. In villages, almost every woman is engaged in the agricultural activities and their contribution is no less substantial. But as they lack in technical knowledge they have to perform the labour-intensive jobs. This in turn, reduces their income too. Therefore, with an objective of giving them a technical training, thereby making them more knowledgeable and self-reliant; state government with an aid from Denmark Government has started a training Programme for women farmers. The project is being implemented in Jabalpur, Narsinghpur, Mandala, Rewa, Shahdole and Raisen.

19. It is assumed that industry is the man's job and agricultural activities along with domestic chores fall in the domain of women only. But it is a well known fact that large number of women work in the non-conventional sector. To enhance women's participation in the organized sector, steps have been taken in the policy for women. Since Aug '96, 30 percent of the seats in the polytechnic and Industrial Training Institutions have been reserved for women in all the subjects, so as to train them in recent techniques. A large number of women are getting benefited through such initiatives. In addition, it has been decided that now onwards ITI's will be opened up exclusively for women. By now there are 15 women ITI's. Apart from these there are 60 mini women polytechnics also in the State.
20. Literacy to women has been kept as the prime objective of literacy campaign. In this respect, it has been decided that now onwards a village will be declared as a literate one only when 85% of its women become literate.
21. Due to their prevalent stereotyped 'weaker-sex' image women have suffered a great loss and as a result they have been unable to realize their inherent potential. State Govt. has decided to replace the prevailing depiction of women in the text books as weak oppressed, frail subjects with capable and strong independent in themselves beings. This will go a long way to present a positive image of women in the minds of students.
22. Not to let liquor gobble up a family, government has taken step of shifting a liquor outlet away from a locality, if 50% of the women registered on the voter's list from that locality demand the closure or transfer of liquor outlet of their locality.
23. Women engaged in small enterprises face the shortage of capital. Because of this, they can not expand their endeavors. Therefore, to make available smooth credit for such enterprising women in every district at least one women's cooperative bank is being opened up. In women banks, staff consists of women only, which cater to financial assistance needs of women only.

24. Financial assistance to rural women is also being made available through IRDP. Target of women beneficiaries has been raised to 50%. Apart from IRDP, financial assistance is also available to women from Mahila Kosh Self-help groups, Women's thrift and credit groups, NABARD, DWACRA programmes etc. also.
25. Police stations and courts are largely alien places for women, yet they do need legal aid in certain situations. The state Govt. has made arrangements to make free legal aid available to all women (without any age bar whatsoever).
26. Arrangements have been made to ensure that the cases related to women oppression are heard by a woman judge herself. Moreover, it has been made compulsory to include women lawyers on the panel of public prosecutors. Representation of women in police prosecutors has been increased. It has also been decided that whenever, a person gets convicted for an offence against women, that case should be publicized widely through media so that such criminal offences against women get curbed in future. Police prosecutors have been made responsible for this.
27. In factories, offices etc, where women are employed generally there is no arrangement which addresses to their daily, small, natural needs. As a consequence they face various problems. Keeping these things in view instructions have been issued to the labour department to ensure that the work places, where women are employed should have separate toilets and eating / lunch rooms for them only.
28. An effective way of empowering women is to give information about and make them aware of the various laws made, different government programmes chalked out, for their betterment. It is also useful to make women aware of the ways to get benefits from such programmes, getting protection from various social evils and to think about their own betterment etc.
29. Persons convicted in the cases of violence against women will not be deemed eligible for Govt. jobs. Where such cases are pending and the charges have been framed by the court, appointment of such persons will remain suspended till their cases are finally dispensed with.
30. It is imperative to sensitive the police, as far as the cases related to women are concerned. It will enable police to handle such cases with due care, restraint, skill and sensitivity in a manner decent to women. The DGP has already issued the necessary instructions to all the police officials, in this regard.
31. Any malfunctioning of PDS affects women worst. Therefore orders regarding the appointment of women in the consumer shops coming under the PDS of the state have already been issued. Provision has been made for inclusion of two

women each on the district and development block level consumer protection and PDS monitoring committees

Steps taken by the government to empower women through various laws and schemes:

1.Enhance female decision making: To translate these goals into practice the government took the first step towards building a greater base for female participation in decision making. This implied that political empowerment would improve the condition of women in the state. Thus, the government amended the Madhya Pradesh Panchayat Raj Adhiniyam (Act), 1993 to incorporate special provisions for recognising the role of women as decision maker. The new legislation called the Madhya Pradesh Panchayat Raj (San shodhan) Adhiniyam of 2001 defined the modalities for involving women and marginalised sections of society in decision-making processes at the grassroots level.

2. Legal equality through amendment in inheritance laws:One land mark measure was the policy of extension of coparcener rights to women. Now, daughters too would get a share in land on the death of the father. The facts remain that women need additional input to see themselves aspiring to take property rights. Not many women come forward to claim their right to property as they are not confident of managing resources that men are eager to control. Government and corporate sector livelihood programmes should thus encourage women and livelihood programmes that have within their planning resource ownership of women top productive assets that they can not pass on to men within the family. The balance of power on control of resources may still be within community or workers groups control. A holistic approach and plan is needed to change age old practice.

3. Progressive land distribution laws: According to notification of the Madhya Pradesh government, all land distribution and redistribution undertaken by the Government of Madhya Pradesh will be made in future in the name of the wife too along with her husband. This has implications for gender relations and equity within the family. It would not only give women a sense of economic independence but also raise the economic status. A government study to ascertain how many husbands took consent from their wives to sell or mortgage land would let us know about the impact of the policy. The experience of Mahila Adhikar Manch Sidhi demonstrates that when women raise the issue men do come forward to name land in the individual name of their wives. Thus of a total of 147 land holding owned by women members of the Morcha 27 were lands bought by the husband in wives names alone for her to run a livelihood activity, 89 women owned land as they were widows and rest had land in their own name through grants they applied for collectively.. The issue related to land disputes however is a difficult one to deal with.

4. Forest use and management laws: The state of Madhya Pradesh encompasses the major part of the highlands of central India including parts of the upper catchment area. It covers 20 percent of the total forest area of the country. Till the mid-1970s the objective of management of forest lands in Madhya Pradesh as well

as in India was to plant non-browsable and market-oriented timber land in order to reduce biotic pressure and increase state revenues. The Chief Minister of Madhya Pradesh in a message for the 1976 forestry souvenir, said, 'Madhya Pradesh has taken great strides in the development of scientific forestry. There is much greater emphasis on man-made forests, designed to meet industrial requirements'. The New Forest Policy announced in 1988 made a radical departure from the past. It accorded greater priority to environmental stability than to earning revenue. Forest department now will involve people in the management of forests by specifying rights of the protecting communities over forests. It exhorts the state forest departments to take full advantage of the expertise of voluntary agencies for building up meaningful people's participation in protection and development of degraded forest lands. The Present Schedule Tribes Forest Rights Act, 2006 as notified, by the Government on 1st January 2008 under Section 3(1) C legalized the community rights on ownership, access to collect and use and dispose of minor forest produce which has been traditionally collected within outside village boundaries. This provides an opportunity for women towards empowerment by making their stakes strong as well as reinstating their lost cultures and livelihood pattern. The National Forest Forum of Forest Workers and Forest People have for long promoted leadership of women in their struggle over forest produce, housing and land rights. They have provided input to a national debates on how women's rights and interest will be ensured in the setting of the new rules of the revised Forest Act. With globalization the opening up of forest produce to global markets and companies places rightful insecurities on communities who do not know their future inspite of positive legal reform in their favor.

Chapter 3

Way Forward Suggestions and Recommendations

- A programme and intervention strategy

A protective environment for women in Madhya Pradesh is not closely visible in the development horizon. Just having multitude of women's homes and woman shelters may not be the only solution to the problem of families not able to give protective environment. The answer lies in the larger solutions of community empowerment as well as pattas and enterprises that women handle as individual owners.

Women in difficult circumstances especially positive women and women workers require a 24 hr emergency response, development and protection service which invariably is not available at the current service levels and/or the services if available are not responsive to these women. This idea has been inspired from the work of child line that has a well knit emergency service for children through out the country. One of the DT members had the opportunity to study the child line model and has made suggestion for a sansadhini programme on the basis of a successful model of public private partnership that the state owns as part of its obligation to children.



Sansadhini – an evolving programme concept for change in resource allocations in favor of women, particularly the marginalized. The work to increase women's resource base includes development of skills in managing resources as well as opportunity to own resources that can provide them livelihood and protection. Since most of the land is privatized both government and market should be enrolled to gain resources for women in the city, in village areas, in forest and land near water resources. This can be done by inviting their participation in a process called

Sansadhini or a resourced woman. For this local groups need to determine what resources could be asked for a particular service or a production unit women can run on a sustained basis. Women need to be facilitated through a resource mapping process to develop their business proposals for livelihood programmes. This process will be developed and monitored through a Sansadhini centre.

This centre could have a combination of services besides the livelihood training of women workers. It could have an information and resource unit that gives information on opportunities available to generate resources. It could also work as a placement and registration of workers seeking wage labor or contract jobs.



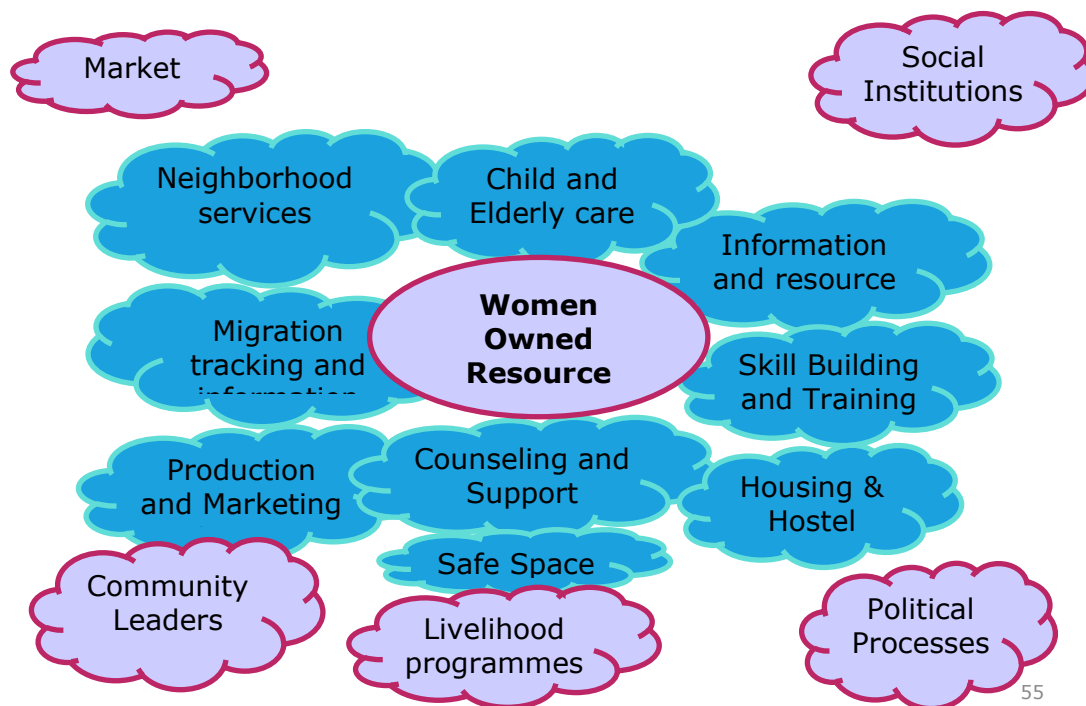
Women unorganized sector workers in Tamilnadu and Kerela have applied sansadhini concept and proposed that such centres could also act as safe migration units that record which labor or worker is traveling from which point for what work on what rate so that the inter state migrant act can be applied in an institutionalized set up. Workers could register at interstate bus terminals, or police or railway stations their movement through a computerized tracking system. If a soft ware can be developed a system could work to give information to placement cells that can provide for the much needed neighborhood care services needed in

urban areas. The safe remittance of money can be done through these centres as well.

Additionally the women's owned cooperatives could run different services at the centre including-

- Training and internship program for entrepreneurship
- Livelihood programmes department
- Migrant peoples hostel
- People in distress shelter
- Half way home and recreation program
- Market bay
- Transport and travel section
- Safe drinking water and sanitation section

Women's ownership at each neighborhood



With the new forest act the women can again go back to the forest freely to collect minor forest produce and look towards cooperative formation and overcome exploitation. This act comes into force after almost one generation has been cut off from the system of livelihood and culture out of forest and thus the whole process of understanding of culture is to be reinstated.

The following areas of work was listed by a group working on forest rights to see sansadhi in their context of work in MP:

1. Legal training of women so that they understand how to run profitable cooperatives.
2. Building a federation of women's organisation towards mobilization for campaign on Forest Right Act.
3. Looking for ware house or go downs on lease in women collectives name for collection, storage and collective marketing of Minor Forest Produces (MFP).
4. Training for converting raw products into value added products for better returns.
5. Raising resources for capacity building of women on marketing skills.
6. Setting up systems of employment regulation for safeguarding workers and women's interest through women resource committees.

Many individual proposals could be submitted locally to district magistrate, municipal councils or local self-government systems to make sansadhini a reality. If every local proposal is linked increasing women's resource base collectively in a neighborhood, this should deserve the sanction of a matching grant from a central ministry as this is a joint obligation of both the state and the central government.

Different proposals could be to ask government authorities to:

1. Commission studies to have statistics on the ownership of housing, land and resources that women own. The gaps you find will suggest concrete steps to fill them and give you further work to propose to the government based on empirical data.
2. Organise workshops to advocate the case for increase of resources in women's name as a state obligation so that you have more human resource to work with.
3. Develop training and awareness programmes on women land and resource rights with district authorities as well as civil society in a district for district action plans.
4. Identify peoples zones on land earmarked for development for local enterprise and apply for lease under ownership of women as a collective. This will help creation of women resources apart from family resources that are control through patriarchal framework.
5. Making business plans for resource increase in favor of women workers in particular neighborhoods and specific workers groups as well as community.
6. Pilot livelihood programmes initiated to fulfill food and water security for unorganised sector workers with focus on their safe migration and placement in cities.
7. Establish information and training centres under ownership of women groups in urban and rural areas to be the hub to develop a women resource zone in each neighborhood.

Who will take responsibility to see that changes are made?

The responsibility for the creation of an effective woman protection climate needs empowerment of women and men as well. In an interview with Amod Khanna a Development consultant based in Bhopal the need for including work with men for developing a climate of protection and development for women as stressed. This includes development and protection for vulnerable groups as well as empowerment of duty bearers. Work on woman rights and related human rights will need to go together. The service and learning from the emergency service throws up indicative factors. These by themselves are not transformative to create the climate of woman protection and development. Though these learning and its documentation has been a step towards the right direction. Mr Khanna said that work to initiate sansadhini could be developed in two districts where his organization is active. Discussions on tracking migration in the village and the district from source to destination area and back made it possible to see where human resource from the village travel's to

while their women and elders stay behind. The options for livelihood and grants for productive resources were discussed to make viable sansadini zones.

Future Direction

- *Using human rights and woman's rights framework*



The policy changes and projects that need to be undertaken will be working in context of the privatization of services and opening up of the state and Indian economy to global markets. The civil society is raising issues of human rights violations to create desired response from the governance structures as well as community. The role of both duty bearers is seemingly getting shrunk due to the prevalent force of the market. The climate of protection for the adults has reduced the protection net for women as well.

The increasing numbers of people that are being trafficked, women in sex trade, increase in prevalence of HIV and women in the street are only one indication of family and community systems not able to retain its protective role within their own socio economic systems. The introduction of TV has exposed people to options and raised aspirations like never before. The government, market and civil society obligations are to create enough resources for all such that neighborhood services promote productivity as well as protect the vulnerable. The work of community asset creation as well as conducting area based development coupled with the human rights realization of different marginalized and vulnerable populations does not fall into the purview of this study but is linked with the root cause of creation of situations of deprivation in social and economic systems.

Each civil society movement has picked up different focus of work and work in isolation as understanding each aspect of violation and posing solutions is an area of work itself. This isolation leads to formulating solutions that are seemingly infringe on rights of different groups that are seen in competition with each other to fulfill realization of their rights. However with the signs of improving economy of India the culture of deprivation can be replaced by culture of plentitude. The mandate of woman's rights can be fulfilled along with the human rights of men and women of the community. The civil society members from the state have participated in events during social forums. They have associated with national and international debates on housing and land rights. The participation in such forum besides asserting the existence of woman rights as an important slice of the human right cake has also introduced women's organizations to other human rights context. Sathi proposes that each administrative unit needs to have a women resource and information centre. Each such centre should be resourced with a document or a web resource for city and district wide information on how women can receive resources from different sources (state programmes, religious and community/family resource and

market) This information needs to document the given and evolving culture of the city and its pull and push factors as well as the changing context of rural, forest and water resource areas. The city and village resource mapping could be service that could be useful for all in the state. Organisation like PRIA have conducted many such mappings It needs to be a service that can let people know where to look for services to fulfill human rights and how to engage state, market and civil society to create the climate of dignity for all.

- *Gaining the right to development and right to land by increase in women's control and ownership of productive assets and resources in Madhya Pradesh*

Women have faced exclusion from the management and control of resources even in the smallest unit of society i.e the family.

The inheritance rights issues can not be dealt in individual lives in favour of women when family and community, state decision taking mechanisms work within a capitalist and patriarchal paradigm.

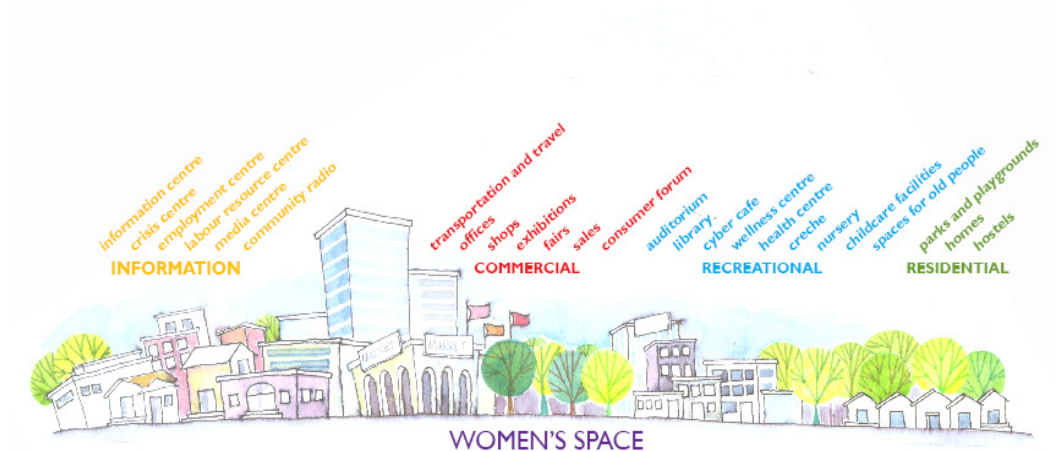
Specific steps to understand distribution and control of resources in a gendered framework can be done through local resource mapping exercise and placing 50 % of resources for ownership, access, control and management of women in groups for realization of their right to development. Policy directives on this and inheritance laws have been passed but their implementation needs to done. In the context of MP this can be seen in relation to tasks that a few leaders may be asked to take on with the representatives of government in the Ministry of urban development, rural Development, Panchayati Raj, Women and Child, Agriculture, and different departments like fisheries, labor as well as industrial development . The continuum of land rights needs to be seen in with water rights as well as right to infrastructure, social security and political representation. The right to decide which food to grow and how to sell it should be with women to be able to bring the order of collaboration and sharing.

- *Right to land and resources in context of right to city and strategies to increase resource for marginalised under the ownership of women.*

The process of urban women's right on land, livelihood and housing rights in MP could involve a housing or a women's right group working closely with the ministry of urban development and state commission for women to seek the space for women in city master plans. This can be an advocacy agenda for civil society to demand spaces for women resource centres which have housing and livelihood programmes that can be owned and managed by women's groups. This project that demands spaces has to be of use to the over all city production as well as different communities and constituencies. If not then the project will not sustain itself or will be taken over by the existing land mafia.

We are aware of housing rights movements demand that housing should be near workplace. The demands for provision for workers housing and space needs have been articulated by the housing rights groups that have understood that migration is

a way of life and city based livelihood needs planning in a way that workforce can be called in when required and they could go back when their labour is needed in place of their origin. Thus each neighborhood in rural and urban areas needs to be linked with constant flow of those who want workers and those who want a placement. Organised information centres, with placements services, training and hostels will assist in safe migration as well as better ways of remitting money of workers from city to rural areas and viceversa.



These centres can be in residential areas where 25% of dwellings should be reserved for EWS that belong to different category of workers whose services are required by that neighbourhood. This 25 % of residential area for the use rights of workers could be given under the management and control of women's groups. Similarly other development projects can be visualised to develop these "new commons" conceived as women owned zones promoted within the city development plan. This could be developed easily in places where new townships or resettlement sites are being planned.

The issues of security of tenure and in-equities in the communal and resettlement areas as well as within the urban and peri-urban zones will need serious deliberations. Especially so as group land rights for urban households has only received limited policy attention so far. Explicit debates questioning the status quo argument do not deal with providing urban security of tenure in terms of housing; social security and retirement benefits that may be mandatory for maintenance of group land rights by women headed households or community use enterprises.

Without getting into too much of debate one can argue for the need to create space for women in the urban spatial planning process. Women contribute to the productive process of using spaces. The government and the corporate sector could provide land and infrastructure for zonal development plan process for women owned enterprises that run services like old age homes, crèches, domestic services, hostels, wellness centers and half way homes and livelihood programs in their neighborhood or their zone. The product of the process will be multiple business

and social enterprise that create opportunity for women to experience owning and managing assets and property. There by a processes of realising equity in terms of increasing resource base for women in a city.

The effort is to systematize the issue of women's productivity through promotion of dedicated livelihood and information needs to be linked with women having access and control over resources and thereby develop an ongoing relationship with market needs.

- *Expanding action around land right over forest produce and agrarian reform¹*

The many groups of social actors who are involved in land rights campaigns represent a range of socio-economic categories, organised in different ways and at different levels. Different groups have formulated themselves under separate and distinct banners and come together in coalitions to pressure policy makers for equitable resources. Central to the concern about land rights from social justice actors are livelihood issues, but land struggles have also included demands related to rights of self determination, identity and social cohesion of communities. It was for this reason MP had to contribute its land resource for creation of Chattisgarh. In this sense, the land rights issue is connected to many other concerns that affect people's lives and futures.

Reclaiming land and asking for commons and designated spaces for workers and traditional rights on land for different communities such as nomads, fishworkers, tribals, dalit people, small scale farmers, forest dwellers and unorganised sector workers has been demanded from many platforms. Some groups are more clear about the links between neoliberalism, social change and landlessness, other groups do not necessarily articulate the linkages in a broad political perspective around globalisation. Groups and movements have waged their struggles in isolation from the broader civil society sans a feminist perspective.

The SEZ and market takeover of land is eating away commons as well as land, housing, forest and fishing rights that communities have struggled hard to retain from the state and land mafias. Fearing complete loss of what communities may have control on have control on today asking for this peoples zones in ownership and control of women's group could be the creation of this new commons in context of different unorganised sectors workers rights in rural areas.

Land struggles have generally been met with a great deal of violence either from the state or landowners. Can this demand be made as a matter of right by submitting proposals to state administration and community leaders for Sansadhini? This way we will ask for land from waqf board, state departments, railways , forest department, defense ministry or corporations for safe migration, placement and women resource centres. This is important as movements have delivered credible results and the isolated positives, like RTI, NREGA, Forest Act and other strengths need to be seen together to continue to be outweigh the blocks. Questions about how to engage the state and governments, and what conditions must be in place for

success are also debates where there is a great deal of learning that can be relayed from district to district.

- *Ensuring food and social security by increase in women's resource ownership base and livelihood security.*

Women need to have land and livelihood security within their communities. They could very well be incharge to develop village food zones that provide nutrition input to local population. Process and mechanism for livelihood security and neighborhood care are also needed to fulfill human rights of those who stay in each neighborhood and those who need to migrate out for better prospects. Since women stay within neighborhood to fulfill care functions of the community they need resources to be empowered to increase productivity of neighborhood. Some people need to work to put each well-intentioned recommendation into a reality by submitting proposals of women owning and managing land, housing and infrastructure with facilitative budgets and training. These proposals need to be sanctioned by the religious, community and political leadership to give resources to women in form of individual, joint and collective spaces and budgets for neighborhood management. The women need to make claims for productive resources as they contribute to the Gross National Produce through the reproductive and productive roles they perform.

- *Practical action, strengthening roles of institutions at local and state levels.*

Woman empowerment, development and protection work needs to be understood in a way that different stakeholders engage in creating condition to live in a less violent society. The approach to work needs to be broadened in a way it includes many more people to be a part of this peace building.

Resource mapping for children has been done successfully by Dr Shanta Sinha Chairperson Commission for Child Rights. She maintains that all adults need to get a fair family wage as it is not practical for children to work. Children must study and prepare to contribute as better adults. Till the time this is not possible the state will provide free education and meals to children in villages. It was with this approach that MV Foundation could recall children who had migrated to cities to come back and rejoin school in the village. She stresses the need for the last worker in the government machinery to be empowered with training and budgets to deliver services better. Such resource mapping could be done to deliver gender equity in each ward on distribution of resources. The leadership of vulnerable groups needs to control grants and manage corruption is a prerequisite. Women's agency managing the migration and placement centre will be perhaps a way that can bring a newer socio economic order.

Recommendations

1. Strengthen protection and development of women initiatives in the state

- *Make society conscious of safety and protection for women:* Explore ways to make women development and protection every ones business. An opportunity is to work with NCW, State and Central Ministries, ILO, UNIFEM, UNDP and UN Habitat on this agenda to create a safe and protective environment for women across all income groups.
- *Make Woman Resource Right Agenda and services as a part of a state IGSSS process.* IGSSS along with key state actors should create and opportunity to influence internally and get the State to become accountable and responsible to deliver quality services. Help the State see this through and invest energy to make changes especially at the frontline level workers. Need of course is at all levels.

2. Strengthen Staff capacity to undertake tasks for WRRR and sansadhini or other women rights programming that delivers resources for women to manage

- *Make strategic choices on where to put the energy and make a positive difference particularly when now the external environment is relatively more conducive and enabling⁷.*
- *Need for regular perspective building linking with roles in IGSSS, State and civil society on the following:*
 - *Rights framework* - The basic framework of woman rights and its application needs to be internalised by stakeholders in the first place.
 - *'Inclusion', 'nondiscrimination' and 'justice and equity'* - need to dialogue with organizations/individuals working on special groups of women i.e. women workers, women with disability, HIV/AIDS, that exclusive services are not set up for them as a standard practice.
 - *Accountability and governance* – Duty bearers who have a responsibility need to deliver what they are supposed to deliver. What strategies do we put in place?
 - *Wastage of resources* – this points links with the previous one. Civil society could do exploratory work as a pathfinder but then the duty bearers should scale up and keep refining the processes to deliver quality basic services to people including women and including all the vulnerable and disadvantaged groups.

- WRRRA and Sansadkhini addresses only one part of the woman protection and development gap that could reach to those women that are willing to participate in the process or she project. There is a need to focus on getting the `need` or the `issue` in totality that further research agenda on different implementation mechanisms should clarify. This is no doubt a mammoth energy and time consuming task.
- Basic services should be woman friendly. They should be more responsive to women's needs. Make rules and regulations and protocols people friendly. Improving quality of basic services depend upon different range of people and organizations including the State. Strategies need to be worked out within a time frame for them to take charge and change services for the better.
- Assist first line workers and departments, commissions, to understand their current given role – and perform better to improve basic services
- Use human rights child rights and woman rights framework for policy linkages, programme design and output

Key Actors

- A key actors group should be enrolled in each state to develop this agenda organizationally to impact the state. Each key actor thus should have its own HR policies with signed up contracts for woman development and protection adherence, gender and other value charters agreed as organizational philosophy.
- While one ministry – woman welfare has a responsibility for woman empowerment it has not been responsive to increasing resources in the name of women in the state. This ministry work needs to be interlinked in its functioning intrinsically with other ministries that require inter ministerial networking. The integration of woman help line with services and programmes offered by ministry of health, social welfare and justice, rural and urban development ministries, panchayati raj ministry, law and finance needs to be promoted.
- Key actors team itself has to continuously build its capacity to continue to lobby and advocate the government on needs rights and gaps.
- Create a first and second line of leadership.
- The induction and training of individuals on the issue can be done by an organization like IWID that is based in Bhopal.

To feed the recommendations from the study into IGSSS policy and practice with partners

Capacity building

- Focus not on conducting trainings but to build a band of trainers across different languages and across different cultural zones through an action reflection and improvement process towards strategic choice of implementation of land, housing and infrastructure grants in the name of women groups.
- Creation of and supervision and monitoring role of key actors to see a planned impact on the ground. Tie/review this after each training so that outputs are linked with what changes can be brought about.
- When new concepts are introduced handholding will be necessary in staggered manner at least in the first six to eight months depending on the issue of work and the context.
- Capacity needs to be built to convert women's rights concepts into programming for specific actors including duty bearers through the activities in specific geographical areas.

Chapter 4 LIST OF CIVIL SOCIETY ORGANIZATIONS, INDIVIDUALS AND PEOPLE'S REPRESENTATIVES

<i>Political and Government Leaders</i>		
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Ram Prakash Baghel	Gali No. 3, Arya Nagar Murar, District-Gwalior, M.P.
Rajendra Purohit	Ram Nagar, Manasa District-Neejach, M.P .
Narendra Pratap Singh	Narendra Nagar District - Rewa, M.P.
Chandra Sharan Bhargava	Bhargava Chemist 2/9, Nehru Nagar, Main Road, District-Indore, M.P.
Jagdish Prasad Choudhary	Village Post - Pokharni, Tehsil - Timari, District-Harda, M.P.
Anil Jain	Vasundhar Colony, Near Central School, District-Damoh, M.P.
Ms. Laxmi Nagar	Bhagwandas Ki Gali, opalpura, District-Morena, M.P.
Subhash Dabhi	Near Old Bus Stand, Thandla, District-Zhabua, M.
Kunj Bihari Suryawanshi	Village Post - Sawdi Mohkhed, District-Chhindwara, M.P.
Shriram Sen	Indra Avas Colony, Silwani, District-Raisen, M.P.
Sudhir Yadav	Village Post - Karondha Tehsil Beena, District-Sagar, M.P.
Rajesh Bairagi	Megh Nagar, District-Zhabua, M.P
Ashok Kumar Singh Baghel	Phoof, District-Bhind, M.P.
Kailash Chandra Dangi	District-Devas, M.P.

Amardas Uprariya	Pithampur, District-Dhar, M.P.
Rajkumar Sharma	District-Morena, M.P.
Lakhan Chand Jain	Privithipur, District-Tikamgarh
Ms. Meena Sharma	District-Gwalior
Ranjeet Singh Bhilala	District-Dewas
Madan Agrawal	District-Indore
Vijay Singh Baghel	Sahakari Samitte Adhyaksh, District-Seoni
,Jagdish Yadav, Panchsheel Seva Sansthan	Dabhaura, District-Rewa, M.P.
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Bhor Jyotsna	57, Manav Lok Society, Gupteshwar, Jabalpur, M.P.
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Mahila Jagran Samiti	9, Kundam Road, East Ghamapur, Jabalpur, M.P.
Nav Rachana Samaj Sevi Sansthan	Village Hohla, Post Dhangagawan, Jabalpur, M.P.
Saraswati Mahila Kalyan Samiti	1565, Choubey Bhawan, Ranjhi, Jabalpur, M.P.
Tarun Sanskar	1784, Ranjhi Azad Nagar, Jabalpur, M.P.
Aardh Adivasi Vikas	

Sangh	Village Post - Rangari, Tehsil - Sausar, Chhindwara, M.P.
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Gramothan Sammittee	Kukda, E/54, Shikshak Colony, Kharji, Chhindwara, M.P.
Mahila Sangharsh Samiittee	Near Old Chapakhana, Chhindwara, M.P.
Purva Nehru Mandal	S. Purva, Yog Avam Prakritik Chikitsa, Gulzar Nagar, Chhindwara, M.P.
Gramodyog Sansthan	Maharajpur, Mandla, M.P.
Vikalp	Sizhora, Mandala, M.P.
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End notes/ References:

¹ Roy, Dunu.(2002).Land Reforms, People's Movements and Protests, Sage Publications.

² Sharma Sheeshram.(1983). Paper on Pipariya presented at the Second Workshop on Local History at Anuppur, Eklavya, Bhopal.

³ Bannerji, Rahul and Yogesh Dewan. (1995). *Jangal Mein Dangal*, Gram Swaraj Samiti, Hoshangabad.

⁴ Ibid.

⁵ Dunu Roy has explained this issue with regard to the government's decision to remove encroachment in the Bada Zad Jungle area which has been earmarked for coal exploitation. There has been some suspicion that such a move will lead to the eviction of the population. Now this population is of course the tribal population.

⁶ Ekta Parishad (2007): *Towards A People's Land Policy*, Discussion Paper.

⁷ Kachingwe Nancy Social Movements, land and Agrarian Reform. Issue Paper for Action Aid International, Gender Program

Bibliography

Agarwal, B. (1994): *A Field of One's Own: Gender and Land Rights in South Asia*, Cambridge University Press, Cambridge.

Agarwal, B. (1995): 'Women's Legal Rights in Agricultural Land in India', *Economic and Political Weekly*, Review of Agriculture, March 25.

Agarwal, B. (1994): 'Gender and Command over Property- An Economic analysis of South Asia', *World Development*, Vol. 22.

Agarwal, B. (1998): 'Disinherited Peasants, Disadvantaged Workers: A Gender Perspective on Land and Livelihood', *Economic and Political Weekly*, 33(13), March 26.

Agarwal, B. (1998): 'Widows versus Daughters or Widows as Daughters: Property , Land and Economic Security in Rural India', *Modern Asian Studies*, Vol. 1 (Part 1), pp. 48.

Agnihotri, I. (1996): 'Bringing Land Rights Centre-Stage', *Economic and Political Weekly*, 31(9), March 2.

Alaka and Chetna (1987): 'When Women Get Land- A Report from Bodhgaya', *Manushi*, No.40, pp.25-26.

Agnes, F. (1999): *Law and Gender Inequality: The Politics of Women's Rights in India*, Oxford University Press, Delhi.

Bannerji, Rahul and Yogesh Dewan (1995): *Jangal mein Dangal*, Gram Swaraj Samiti, Hoshangabad

Bhardwaj Shivani and Dhivvya David (2008) *Over view of civil societies engagement with women's control and ownership of productive resources. A scoping study for UNIFEM*

Chaudhury, R.L. (1961): *Hindu Women's Right to Property: Past and Present*, Firma K.L Mukhopadhyay, Calcutta.

Chen, M. (2000): *Perpetual Mourning: Widowhood in Rural India*, Oxford University Press, New Delhi.

Derrett, J.D.M. (1968): *Religion, Law and State in India*, Faber and Faber, London

Ekta Parishad (2007): *Towards A People's Land Policy*, Discussion Paper.

Kachinque, Nancy (2006) :*Social Movements, Land and Agrarian Reform*. Issue Paper, Action Aid nternational, Gender Program.

Kapur, R. and B.Cossman (1996): *Subversive Sites: Feminist Engagements with Law in India*, Sage Publications, New Delhi.

Kishwar, M. (1999): *Off the beaten Track: Rethinking Gender Justice for Indian Women*, Oxford University Press, New Delhi.

Kodoth, P. (2001): 'Gender, Family and Property Rights: Questions from Kerala's Land Reforms', *Indian Journal of Gender Studies*, Vol.8.

M Rajivlochan and Meeta (2005) *Women's Ownership of Land in Madhya Pradesh: A Preliminary Survey* for LalBhadhur Shashtri National Academy

Menon, N. (1999): *Gender and Politics in India*, Oxford University Press, Delhi.

Roy, Dunu (2002): *Land reforms: People's Movements and Protests*, Sage Publishers

Thorner, D. and A. Thorner (1962): *Land and Labour in India*, Asia Publishing House, Bombay