“Please go and ask the Sarkar [govt.] why when it distributes land we don’t get a title? Are we not peasants? If my husband throws me out, what is my security?” Peasant women to the West Bengal Govt. at its seminar on ‘Women and Development’ in January 1979 (Vina Mazumdar, 1992).

Statement of the Problem

Gender relations refer to the relations of power between women and men which are revealed in a range of practices, ideas and representations, including the division of labour, roles and resources and ascribing to them of different abilities, attitudes, desires, personality traits, behavioural patterns, and so on (Patel, 2007). Gender relations are both constituted by and help constitute these practices and ideologies in interaction with other structures of social hierarchy such as class, caste and race. They are neither uniform across societies nor historically static.

The issue of women’s rights in housing and land has been largely neglected in both research and policy. In almost all developing countries, large-scale surveys and agricultural census collect property-related information only by households, without disaggregating it by gender. In most of South Asia, including India, dependency upon small-scale surveys and village studies to assess women’s access to land cannot be undermined. These sources reveal that typically few women own arable land and even fewer have any effective control over them. Women belonging to scheduled castes are more deprived of the ownership and control of land owing to their caste and gender. Further, they work mainly as agriculture labourers and wage earners in exploitative conditions and are often looked down upon as performing menial work. At times they become victims of several forms of violence at the hands of upper caste men and also of discrimination by their own men. In the Indian context, female workforce participation rates, rather than property rights, are widely used as the main indicator of women’s economic status (Agarwal, 1995). Their caste and class situations are also often not taken into account.

The present research has made an attempt to study land ownership rights among the rural scheduled caste women in R.S Pura block of Jammu district in the state of Jammu and Kashmir (J&K). This study has examined the contexts in which the state laws and policies give women the right to own land. The study has explored the reasons as to why Scheduled Caste (SC) women’s land rights are not fully realized
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in rural areas. It has also examined the ways in which land rights for women are bestowed and practiced at the local level and what difference having or not having land makes to their position in rural society. The study has also shown how society and culture affect the entire policies of the country and the state in terms of women’s land rights, and the ways in which culture shapes the practices of people in understanding land rights.

Scheduled Caste women have unequal access to services, employment opportunities, and justice mechanisms as compared to scheduled caste men in India. For example, according to Census 2011 the literacy rate of SC’s in persons was 54.7 percent (Males-75.2 percent and Females- 56.5 percent). SC women are allotted some of the most menial and arduous tasks and experience greater discrimination in the payment of wages than SC men. The number of SC women in decision making positions is also very low. Benefits of various development programs for SC’s, such as distribution of land and other productive assets, have essentially gone to SC males and have failed to improve the status of SC women (Paswan, 2011)\(^3\). In this way SC women face problems not only owing to their ‘gender’ but also due to their ‘caste’.

Again economic situation has important bearing on the life of rural scheduled caste women. However, it is to be found that whether rural scheduled caste or rural non-scheduled caste, women have similar or dissimilar experience to access and utilization of village resources. Though there may be some commonalities, there is likely to be some major differences in experiences and perceptions of scheduled caste and non-scheduled caste women. The latter group is likely to enjoy more privileges and status (Sharma and Sharma, 2006:194)\(^4\). Owing to illiteracy and poverty among SCs, as an economic necessity, women belonging to these communities have to seek work outside their poverty stricken household, whereas higher caste women are rarely seen working outside. The reasons are caste system, poverty, landlessness, decay of traditional occupation and ignorance due to lack of education.

The bulk of scheduled caste female workers are engaged in agriculture labour and cultivation in rural areas, and miscellaneous services, domestic labour, work in factory and household industry in the urban areas. The financial position of Scheduled Caste women is adverse. They are estimated to contribute 80 percent of social labour to strengthen the Indian economy but hardly own and control any property or land
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(Paswan and Jaideva, 2002)\(^5\). Most of the women who often do not even own the land toil all their lives. Women comprise barely 11 percent of landholders in the country. Yet, they constitute almost a third of the agricultural labour force and about 72 percent of employed women are in the agricultural sector. The low proportion of land ownership among women assumes significance in light of the close link established between landlessness and rural poverty (Sharma and Sharma, 2006)\(^6\).

While 11.90 percent of the females in India are engaged in gainful activities, the corresponding figure for scheduled caste females is 17.4 percent. The work participation rates for scheduled caste females were high both in rural and urban areas. About 18 percent of the scheduled caste females are recorded as workers in rural areas, but only 12.6 percent in urban areas (Jain, et.al 1997)\(^7\). Though there are less restrictions on SC women on going out to work, the kind of tasks they perform carry negative connotation. They are free to perform jobs which are normally kept off from upper caste women i.e. menial, filthy and unwelcome. SC’s are poor and live below the poverty line and to feed her family the SC woman has to go out and work. But her sphere of work is very limited, done mostly out of compulsion and in adverse conditions. Though she does hard work, she does not earn much (Paswan and Jaideva, 2002)\(^8\).

Land is the most coveted asset globally as it gives prestige, dignity and social security to people. Access to land is therefore a critical factor in how wealth, power and status are distributed within society. On the other hand, landlessness erodes social status and makes people economically vulnerable and insecure. An estimated 45 percent of the world’s population still makes a living from land. Approximately 500 million people are absolute landless. Inequitable and unjust distribution of land is widespread in less developed countries and is the key to increasing poverty, economic stagnation and violence (Chowdhry, 2009:196)\(^9\).

Land ownership rights for women are crucial issues that can change women’s economic status for a better livelihood and development in general. In rural areas scheduled caste women are closely identified with their caste status and social disabilities. Therefore, these women suffer all deprivations which their caste group as a whole suffers. Besides, they have to undergo additional hardships because of their gender. Both caste and patriarchy hence work to determine scheduled caste women’s
condition. In rural areas, the two factors operate in tandem more forcefully (Sharma and Sharma 2006: 194)\textsuperscript{10}.

Rights (in any form of property) are defined here as claims that are legally and socially recognized and enforceable by an external legitimized authority, be it a village-level institution or some higher level body of the state. Land rights can stem from inheritance, transfers from the State, tenancy arrangements, land purchase, and so on. They can be in the form of ownership or usufruct (right to use), and can encompass differing degrees of freedom to lease out, mortgage, bequeath or sell (Agarwal, 1988:19\textsuperscript{11}). Land ownership rights for women are crucial issues that can change their economic status for a better livelihood and development in general.

The right to land is a necessary precondition for the women’s empowerment. Apart from the material benefits, for the rural women, land rights have tremendous social, cultural and economic implications. It can be a security against abject poverty, a means to access credit, technology and other services, the capacity to challenge male oppression and domestic violence or even a symbolic sense of identity. Land ownership and its control by women is the important issue (Chowdhary, 2009: 196)\textsuperscript{12}.

In relation to women and land, the contestation is at all these three levels: to establish the need for women’s right in land, to define the parameters of that need, and to translate that need into actual practice. Therefore, in order to understand women’s access to land as a resource, it is essential to conceptualize it within the framework of the social relations that determine gender relations and which in turn affect property relations (Patel, 2007)\textsuperscript{13}. The relationship between gender, property and land can be explored from several angles- gender relations and a household and women’s property status, the distinction between ownership and control of property, the distinctiveness of land as property, meaning of land rights and the prospects of non-land based livelihoods (Agarwal, 1994: 11)\textsuperscript{14}.

Agarwal (2003)\textsuperscript{15} in her study about gender and land rights in India revealed that there are social and administrative biases which discriminate women in land ownership among the Hindu communities in Northern India. In these communities especially those which were traditionally patrilineal (i.e. where inheritance was through the male line) there was strong male resistance to endowing daughters with land.
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While rural women are contributing more through their labour in order to provide for their families, they do this under a number of difficulties due to the lack of control of resources. As it gets harder to provide for one’s family, many find themselves in poverty and the level of poverty increases in the rural areas especially on the side of women and the children. Income in the hands of mothers has greater positive effects on family health than the same income in the hands of fathers (Ellis, 2000). The cash income in the hands of women is utilized primarily for the family purposes than the cash income in the hands of men who use it for personal consumption in some cases.

Agarwal (1994), has come out strongly for property rights especially land rights qualified by effective control as crucial for women’s empowerment and quest for equality in gender relations. She identified three broad categories of advantages for women having independent land rights:

(a) **Welfare effects**: Giving women economic resources independently is likely to reduce poverty and destitution of households. That is, women tend to spend proportionately more resources on family sustenance and hence women’s earnings will have a positive effect on household nutrition, mortality and morbidity.

(b) **Efficiency effect**: Giving women direct ownership can increase their access to credit and technological help, and this will ensure better returns because women tend to be better at paying back loans and at environmental preservations.

(c) **Equality and empowerment criteria**: Recognizing women as equal heirs has symbolic value, and this is likely to affect women’s participation in the political and social arena. Arguing along the same line of thought, feminists too have come out strongly in favour of women’s ownership of property as it has a positive effect on women’s well-being in addition to its immediate economic benefit. Property ownership i.e. ownership of productive source like land could influence areas such as nutrition, fertility, household decision making and resistance to violence (Basu, 2005).
All these three criteria have been used in the study to understand rural scheduled caste women’s rights on land in the villages of R.S Pura block, Jammu District.

The Report of the ‘National Commission on Self Employed Women and Women in the Informal Sector’ (1988)\(^1\) says that a vast majority of rural women in the unorganized sector are landless; they work in the fields, they look after the animals, they are actively involved in food production, food processing, forestry and rural industry. They also participate in the construction work, labour in the factories, work in the mines and engage in trade and vending. In addition, they have the burden of bearing and rearing children, collecting and fetching water, gathering fire-wood, cooking and cleaning activities, which consume much time and energy. Deforestation, famine, drought and other calamities affect women much more adversely than men. The quantitative contribution of poor females to their family income is totally outside the sphere of the market economy and is not given an economic value. It is seen as part of a female’s immutable sex role and her duty as a woman which does not give her any credit.

‘The Economic and Social Commission for Asia and Pacific’ has defined equality as access to resources and power and the right to participate effectively in the efforts on the allocation of resources and other decision making processes at all levels of society. The position of women in India is anomalous from this point of view. In theory, they have been assured equality and freedom, like every other citizens of the country, but in practice their lot is far from enviable. Their position in society is still of subordination and they have hardly any say in the decision making processes at any level of social life (Sethi, 1982)\(^2\).

Thus we can say that women in general and scheduled caste women in particular are considered out of the mainstream of society. Being ‘SC’ and ‘Women’ are two things and different accounts of the life conditions of SC women suggest their suppression, humiliation, sufferings, dilemmas and exploitation. SC women’s sufferings are twofold: they have their own share of universal features of subordination as women and additionally, they are victims of variety of exploitation like: social, religious, economic, and cultural as SC women (Anand, 2005)\(^3\).
Women grow half of the world’s food but own hardly any land and have been overlooked by agriculture advisers and projects. Women were one-third of the world’s official labour force, but were concentrated in the lowest paid occupations. Ninety percent of the countries had organizations promoting the advancement of women, but were under represented in the decision making bodies of their countries. Agarwal echoes this in arguing for the recognition of the dialectical link between the material context and the gender ideology in conceptualizing gender and access to property (Agarwal, 1995). She believes that establishing gendered access to resources requires contestation over matters which are simultaneously material and ideological, acting with and reinforcing one another, where gender ideologies can obstruct women from obtaining property rights. Ideas about gender underlie practices such as female seclusion, which erodes women’s personal autonomy through the control of women’s mobility and sexual freedom (Dyson and Moore, 1983). These ideologies and associated practices restrict both women’s ability to exercise their existing property rights and to successfully challenge persisting gender inequalities in law, public policy and practice in relation to their claims (Agarwal 1994; Dyson and Moore, 1983).

In much of Hindu societies, property is inherited by male heirs and transmitted through them. Traditionally, daughters had only the right to maintenance and to a marriage in keeping with the status of their natal families. From the tenth century onwards, the Dayabhaga and Mitakshara became the chief source of Hindu law. Under Mitakshara, school of law, on birth, the son acquires a right and interest in the family property. According to this school, a son, grandson and a great-grandson constitute a class of coparceners, based on birth in the family. No female is a member of coparcenary in this law. From the joint family property women were only entitled to maintenance as incoming wives (including as widows) and as unmarried daughters (Agarwal, 1998: 86-87).

The Dayabhaga system was different from Mitakshara in some important respects. A man was deemed absolute owner of all his property and could dispose of it as he wished. The son did not acquire an automatic interest by birth in the father’s ancestral property, nor was there any rule of survivorship: each heir took a definite and non-fluctuating share (Ibid: 88). According to the law of 1956 daughters were still not coparceners but along with sons were entitled to a portion of the father’s
share of ancestral property as inheritors. More often than not, however, a daughter’s
dowry and the expenses on her wedding have been viewed as a substitute for her
share in her father’s property. In fact the same logic is applied to a daughter’s share in
her father’s individually acquired property as well (Dube, 1997:38). The Hindu
Succession (Amendment) Act, 2005 is a landmark as it covers inequalities on several
fronts: agricultural land; Mitakshara joint family property; parental dwelling house
and certain widow rights. The 2005 Act brings all agricultural land on par with other
property and makes Hindu women’s inheritance rights in land legally equal to men’s
across states, overriding any inconsistent State laws. This can benefit millions of
women dependent on agriculture for survival (The Hindu-Sunday, September 25,
2005).

In the state of Jammu and Kashmir (J&K), The Jammu and Kashmir Hindu
Succession Act was passed on 6th Nov. 1956 and was published in the Government
Gadget on 28th December 1956. It removes inequalities between men and women
with respect to rights in property and evolves a list of heirs to succeed on intestacy
based on natural love and affection rather than on religious efficacy. Most important
feature of the Act is that the right of a Hindu female to inherit property including land
has been fully recognized and it has been established that whatever property has been
or shall be inherited by a Hindu female will or shall be her absolute property. The Act
has given an important place to Hindu females in the classification of heirs. Prior to
this Act the Hindus were governed by the customary law of the land. Customarily, in
Jammu district (R.S Pura, Block), the equal inheritance proclaimed by the Act is only
notional. The passing of the Hindu Succession Act has remained a non-event in the
lives of most Hindu, especially scheduled caste women in the State of J&K. The
Hindu Succession (Amendment) Act 2005 is not implemented to the state of J&K and
therefore women are still discriminated upon.

The issue of women’s land rights is not only important today, it is likely to
become increasingly so over time. In particular, India’s agrarian transition has been
slow, uneven and highly gendered. There are also serious gender inequalities in intra-
household allocations from resources controlled by men, and a notable potential for
production inefficiencies with gender unequal land distribution. Agrarian transitions,
among other things, typically involve a shift of labour from agriculture to non-
agriculture. But there need to be no uniformity by gender. In India, the percentage of
all rural workers in agriculture declined from 84 in 1972-73 to 76 in 1999-2000. However, this decline was due largely to male workers moving to non-agriculture, while women remained substantially in agriculture; indeed their dependence has increased in recent years, and the gender gap is growing. Today, 53 percent of all male workers, 75 percent of all female workers, and 85 percent of all rural female workers, are in agriculture. And, for women, this percentage has declined less than four points since 1972-73 (Government of India, 2001)\textsuperscript{31}.

In rural societies, a large part of households’ endowment of physical capital is in the form of land, a key asset that serves not only as a source of livelihood but also a source of old-age support and status. Restrictions on women’s land rights and tenure security will not only affect their bargaining power but have also been shown to lead a significant productivity losses. In many customary systems, inheritance, which often constitutes the main avenue for accessing land, remains heavily biased against females (World Bank, 2001)\textsuperscript{32}.

As outlined by Agarwal (1994)\textsuperscript{33}, land rights can make a notable difference to women’s bargaining power within the home and community, enhance their confidence and sense of self-worth, enable them to negotiate better deals in the wage labour market, increase the respect they command within the community, facilitate their participation in village decision-making bodies, and so on. Empowerment in one or more of these forms has emerged wherever social movements or Non-Governmental Organizations (NGOs) have helped women gain access to land. In the Bodhgaya movement in Bihar, when women received land in two villages, they graphically contrasted their earlier voicelessness to their situation at present, ‘now that we have the land we have the strength to speak and walk’ (Manimala 1983)\textsuperscript{34}. Similarly, after purchasing land with the help of DDS, poor dalit women in Andhra Pradesh could say: ‘Now even the government is following us. Not because they love women [but because] they know that loans for land are safer with women. Having land in women’s name has made an enormous difference- learning to take on land means taking on more power and wisdom. Once we got land, our eyes opened’ (Narsamma, Kalbaman village, cited in Hall 1999)\textsuperscript{35}.

A village in Midnapur district studied by Gupta (1993)\textsuperscript{36} indicates that: 98 percent of the 107 khas holdings distributed there went to men. In nine out of the ten
female-headed households, the land went to women’s sons: and only eight of the 18 single women received land. None of the married women received joint titles. It is notable that in its 1991 election manifesto, the CPI (M), under whose aegis \textit{Operation Barga} was undertaken, was the only political party that had promised to ensure women’s equal rights in landed property. This promise remained unfulfilled.

\textit{Martha A. Chen’s} study among landless and landed poor women among three villages in Andhra Pradesh had observed that, with very few exceptions, women did not own land which is the primary means of production. Even when women owned land, the control often rested with men. This was particularly true in areas where traditions ruled and in an environment of social and economic backwardness. Women seldom controlled or had ownership of means of production such as tools, animals, capital, transport, market and other resources necessary for the production and distribution of agricultural tools (Devi, 1994\textsuperscript{37}; Mies, 1986\textsuperscript{38}).

Robin Jeffery (cited in Basu, 2005), has brought out the importance of women having property ownership. According to him women who had received even minimal land for housing during the land reforms in Kerala, enjoyed much security than those who were left with nothing. Similarly, widows who had minimal property were treated with more care and respect in their families than those without property (Basu, 2005)\textsuperscript{39}. But the reality is that, only a few women in India inherit land and even fewer control it. Even women from propertied households do not own property. The limited access to land and other productive resources due to the traditional patrilineal transmission of property have served to exclude women from institutional credits. In what way such exclusions or lack of access to resources are hindering economic productivity of women has been shown in the present study.

Land rights of women are very restricted in Indian context. In order to analyze the value of land rights for women, it is important to understand it in terms of family and kinship structure. Srimati Basu (2005) in her work \textit{Dowry and Inheritance: Issues in Contemporary Indian Feminism} describes that among Hindu communities in North India, women are packed off with dowry at the time of marriage, thus serving that natal connection with no further claim on share in inheritance. This practice has made these women forgo their claim on land despite being legally entitled to do so. There are instances where women do make a claim on property, and this has often been
viewed as being ‘modern’ and as a gesture of greed, selfishness, lack of empathy and love for the natal family and a desire to cause family conflicts. "Wo aye hak lene" (there she comes to claim her rights!), is the reaction of families towards those women who attempt to break cultural taboos in order to gain their rights (Basu, 2005)\(^{40}\)

**Madhu Kishwar** (1988)\(^{41}\) in her work *Rethinking Dowry Boycott* revealed that it is not that the discrimination of women is part of North Indian culture and that women belonging to other regions do have their rights in property through inheritance. Across the country, the patriarchal structure has been so predominant that even conventionally matrilineal communities in the South and North- East are becoming patrilineal. With no foothold in the natal home, no economic base to call their own, most women have little choice but to see that their marital homes as the only place where they must try to belong and to see their status deriving from their husbands. According to her it is important to engage women in interrogating and resisting the intersection of gender and class oppression. Disinheritance of women is one of the patriarchal expressions which deny women’s access as well as control over productive resources such as land. Transaction of economic wealth in the form of dowry has been the principal factor for disinheriting women.

**Carol B. Upadhayay** (1990)\(^{42}\) found that in rural Andhra Pradesh, among poor families, the dowry usually consisted of agricultural land, (except among landless), though this practice meant that the owners of the small holdings had to alienate a portion of their land. This was essential to attract good matches and also to enhance the social status. Among some castes, the practice of giving a share to the daughters was also a means of achieving social mobility. This land which was given as dowry remained in the name of woman and also the revenue received from this land was meant to be spent only for the woman and not for the members of the household into which she was married. It was customary to divide the property among the sons, wife and the daughters, although the shares were not equal. The female property was passed on in the female line through dowry. The mother’s property was inherited by daughters after the death of the mother. This means that a daughter inherit twice, first through dowry and later through her mother’s share.

**Ursula Sharma’s** (1980)\(^{43}\) book *Women, Work and Property in North- West India* an ethnographic study of two villages examines women’s access to property in
the context of agricultural and domestic labour, marriage and dowry and social relations with other men and women. A heart of women’s dependence and vulnerability is in male control of productive resources; assertions of ideology or custom being responsible for the current distribution of assets are screens veiling that control. For instance, alleged alternative pathways for women to acquire property, such as rewards for eldercare and shares for daughters in sonless families, were seen to be modes which constructed women as surrogate and temporary owners in the place of male heirs, and affirmed fundamental male entitlements to property.

Land reforms have been major instrument of social transformation in a post colonial and backward economy based on feudal and semi feudal productive relationships. The main objective of the programme has been to increase agricultural production and build an egalitarian social order as envisaged in the Constitution of India. Several scholars, policy makers and activists feel that land reforms need to restore to its prime position in the political agenda of the country (Shah, 2005)44.

In the agrarian societies, land is a highly valuable resource which is also linked to the women’s agency and social change. But the issue of land is not at all a priority in the agendas of political process and land reform programmes. Redistribution of land and land legislations are the process through which women can challenge structural domination of patriarchy in the production process. Land reforms leave a gender gap in the land ownership and control by women (Tagore, 2010)45.

Jammu and Kashmir is the first state in India to abolish Jagirdari system and absentee landlordism in 1949. By virtue of this revolutionary reform 14,648 hectare of land was transferred to the tillers without any compensation by the year 1954-55. This early reform, allowed the retention of 90 hectares of land per landlord or Jagirdar. However, the land reform Act of 1972 completely abolished all forms of absentee land ownership. This Reform has ensured more rational utilization of land, which is a scarce resource in this state (Saxena, 2009)46.

Land reform of the fifties along with the ‘Displaced Persons’ Rules 1954 and the Roshni scheme radically affected the socio-economic life of the SC’s and political landscape of the region. So far, J&K was the only state of India where tillers, who invariably belonged to SCs, became owners of the land without any compensation to the owner. Debt relief law passed at the same time exempted them from repaying their
debt if they had paid one and half times the principle. These radical steps made the scheduled castes economically and socially much better off than their counterparts elsewhere in India. Before Independence, cultivable land was mainly owned by Rajput Zamindars and the Mahajans who acted as owner cultivators. The SCs and OBCs acted as tenants (Mazhara) and practiced sharecropping (Galla batai practiced by 80 percent of SC tenants). They had to give ½ of the produce to the owner, but after tenancy reforms they were required to pay 1/4th of the produce. Moreover, earlier they were “tenants-at-will” and were at the mercy of the landlord. But after the ‘Tenancy Act 1980’ they were categorized as “protected tenant” (Mazahana Mafoos) (ibid)\textsuperscript{47}.

The impact of Land Reforms has been considered to be more radical in the area under study i.e., R.S Pura where they have been proved to be successful to the extent of providing land to the members of Scheduled Castes. Nevertheless, the success of land reforms should also mean justice and equality in relation to gender, which seem to be eluded so far. To what extent and in what way have SC women benefitted or not from these land reforms have been dealt with in this study.

**AREA OF STUDY**

The state of Jammu and Kashmir, known as the crown of India is located in the extreme north of the country. The State has three geographical divisions namely; Ladakh, Kashmir and Jammu. These regions are distinct in terms of culture, language and ethnicity. These three divisions are further divided into 22 districts. There are 10 districts in Jammu region, 10 districts in Kashmir and 2 districts in Ladakh. The Scheduled Castes are mainly concentrated in the Jammu region. According to 2011 census, the total population of the J&K state is 12.54 million and the Scheduled Caste (SC) population is 770,155 which form 7.6 percent of the total population of the state. Nearly 83 percent SCs reside in rural areas. District wise distribution of the SC population shows that they have maximum concentration in Jammu with a share of 24.9 percent, followed by Kathua (23.2 percent) and Udhampur (19.1 percent).

The study area of the present research is R.S Pura Block of Jammu district. It is located at 32° 38` N latitude and 74° 44` E longitude/ 32° 63` N latitude and 74° 73` E longitude. It has an average elevation of 270 metres (886 feet). R.S Pura is one of the most developed blocks of Jammu district. As on 2011 census, this block is
spread over an area of 217.65 hectares comprising of 151 revenue villages and 58 panchayats and the population of the block was recorded as 163, 567. Males and females constitute 52 percent and 48 percent of the population respectively and there are 37 percent of scheduled castes and 1.6 percent of scheduled tribes. The main economic activity of this Block is agriculture and dairy farming. Rice (Basmati) and wheat are the major crops. There are total of 164 villages out of which 151 are inhabited and 13 are uninhabited (District Statistical Agency, Jammu, 2008-09).

The total number of people in agricultural sector in this area is 54974. Out of this, 45895 (83.48 percent) males and 9079 (16.51 percent) females are in agricultural sector. The main occupation of the people living in this area is agriculture and its allied activities. An increased agricultural production and the use of new agricultural techniques have tremendously raised the potential of employment in the area. Further implementation of land reforms has resulted in more equitable distribution of land benefitting the SC’s in R.S Pura. Thus this area was considered appropriate and on these parameters selected for conducting the present research.

SIGNIFICANCE OF THE STUDY

This study is significant as it gives insights into the unequal gender power relations in society in the context of land ownership. Sociologically it would help in understanding social relationships in the family, community and society from a gender perspective. This study has generated knowledge about how land ownership for women could be guaranteed and the way the land ownership rights are practiced at the grassroots level. It has focused on the advantages of having land and the problems in not possessing land. The case studies undertaken have brought out the struggle of rural SC women in a patriarchal society. In this sense the research has shown how women are benefitted from land ownership and the way land has been used as an asset for livelihood maintenance as well as for bettering one’s living conditions. Such knowledge may be used by the policy makers and planners to make gender just and equal land laws and programmes of development and land distribution.

Overall, the study is useful for the development studies, land rights, rural studies, Scheduled Castes and Gender studies.
OBJECTIVES OF STUDY

- To study the conditions and forms of agricultural land ownership by women in general and Scheduled Caste women in particular in the rural areas.

- To analyse customary practices operational in relation to women’s land inheritance and the ways in which they are practiced in the study area.

- To examine the impact of land ownership and use rights on gender relations within the family and the community.

- To explore the reasons which prevent SC rural women from claiming land and property rights.

- To examine the status and knowledge of land ownership among rural SC women of different categories (e.g. daughter, wife, widow).

- To examine the existing status of the state laws, legislation and statutes with regard to women’s land rights.

HYPOTHESES

1) More the possession and control of land by rural women; better will be their overall socio-economic status.

2) More occupancy of concrete and secured land rights for women; more will be their freedom of choice and power of decision making.

3) Stronger the patriarchal structures are; more difficult it would be for women to break the barriers of gender inequality and injustice.

4) Less the caste inequalities, specially in rural areas; more are the chances for Scheduled Caste women to improve their condition and reduce the gap between Scheduled Caste and non-Scheduled Caste women.

RESEARCH METHODOLOGY

Gender is seen as a fundamental dimension in the study on power relationships which is usually hierarchical and unequal. It is from this dimension that inequality and ownership of resources emerge. Since gender is a socially constructed relation, the
society as agent based on its cultural beliefs formulates discriminatory norms which
tend to segregate women (Bhavnani et al. 2000). The norms could affect and control
women’s lives in terms of decision making, participation in a particular activity,
division of labour and ownership and control of resources.

The study has been undertaken with the feminist framework. The feminists
concern themselves with recognition of women’s inferior position in society and with
discrimination encountered by them because of their gender. Feminism is a term that
emerged long after women started questioning their subordinate status and demanding
amelioration in their social position. All feminists called for changes in the social,
economic, political or cultural order, to reduce and eventually overcome this
discrimination against women (Freedman, 2002). Scheduled Caste women suffer by
virtue of their caste/class as well as gender. Rege (1988) has made it clear that the
issue of Dalit women has been talked about differently by Dalit as well as mainstream feminist writers. The crux of differences between them rested on their
differential conceptualization of the causes of women’s oppression (Rege, 1998:40).

Though feminism focuses on various dimensions that result in women’s
subordinate position like class (Marxist feminism), status (Liberal feminism), and
patriarchy (Radical feminism); the emphasis of this study will be on ‘feminism’ in
general cutting across class, communities and religious lines focusing exclusively on
women’s perspective. It is based on the premise that though there are considerable
gender- based differences and discrimination both within general and scheduled caste
communities, there are patriarchal elements affecting them equally adversely.
However, in the context of post-modernist trend, the caste (social) and class
(economic) dimensions would remain the areas of concern in this study of land rights
among rural scheduled caste women under the overall framework of feminist
perspective.

Jammu region consists of ten districts. Among these ten districts, Jammu
district has been selected for the present research work. The district has been
administratively divided into four tehsils. For developmental purposes, these tehsils
have been divided into nine blocks. From these nine blocks, R.S Pura block was
selected purposively for the study keeping in mind the highest scheduled caste
population. This can be substantiated by the Table 1.1 given below.
Table 1.1: Block wise Population distribution of Scheduled Castes in Jammu District

<table>
<thead>
<tr>
<th>S.No.</th>
<th>Name of Block</th>
<th>Total SC population of Block</th>
<th>Total SC males</th>
<th>Total SC females</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Khour</td>
<td>16,052</td>
<td>8,335</td>
<td>7,717</td>
</tr>
<tr>
<td>2.</td>
<td>Akhnoor</td>
<td>37,088</td>
<td>19,308</td>
<td>17,780</td>
</tr>
<tr>
<td>3.</td>
<td>Marh</td>
<td>30,532</td>
<td>16,103</td>
<td>14,429</td>
</tr>
<tr>
<td>4.</td>
<td>Balwal</td>
<td>34,796</td>
<td>18,286</td>
<td>16,510</td>
</tr>
<tr>
<td>5.</td>
<td>Dansal</td>
<td>12,545</td>
<td>6,560</td>
<td>5,985</td>
</tr>
<tr>
<td>6.</td>
<td>Purmandal</td>
<td>17,926</td>
<td>9,441</td>
<td>8,485</td>
</tr>
<tr>
<td>7.</td>
<td>Satwari</td>
<td>24,537</td>
<td>12,927</td>
<td>11,610</td>
</tr>
<tr>
<td>8.</td>
<td>R.S Pura</td>
<td><strong>55,656</strong></td>
<td><strong>28,940</strong></td>
<td><strong>26,716</strong></td>
</tr>
<tr>
<td>9.</td>
<td>Bishnah</td>
<td>34,259</td>
<td>17,807</td>
<td>16,452</td>
</tr>
</tbody>
</table>

Source: Census of India 2011

There are 151 inhabited villages in R.S Pura block and from these, six villages were chosen by applying purposive sampling method. In Purposive sampling, the researcher purposively chooses persons who in his/her judgement about some appropriate characteristic required of the sample members, are thought to be relevant to the research topic and are easily available to him or her (Ahuja, 2001). The reasons for selecting these very villages is the predominance of SC population in them. The names of the selected villages with total SC and SC women population are shown in Table 1.2.

Table 1.2: Selected villages with total SC and SC Women Population

<table>
<thead>
<tr>
<th>S.No</th>
<th>Village</th>
<th>Total Population</th>
<th>Total SC population</th>
<th>No. of SC Women</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Chakroi</td>
<td>4,982</td>
<td>3,970 (79.7%)</td>
<td>1915</td>
</tr>
<tr>
<td>2</td>
<td>Dablehar</td>
<td>3505</td>
<td>1035 (29.52%)</td>
<td>469</td>
</tr>
<tr>
<td>3</td>
<td>Badyal Brahmana</td>
<td>6681</td>
<td>1281 (19.17%)</td>
<td>596</td>
</tr>
<tr>
<td>4</td>
<td>Chak Agra</td>
<td>1901</td>
<td>544 (28.7%)</td>
<td>262</td>
</tr>
<tr>
<td>5</td>
<td>Parlah</td>
<td>2133</td>
<td>1235 (57.89%)</td>
<td>592</td>
</tr>
</tbody>
</table>

Source: Census 2011
The Universe of the study is all the general and scheduled caste women respondents in R.S Pura block, Jammu district of Jammu and Kashmir (J&K) state. Young (2004) argues that the most important consideration in selecting a sample is to see that it is closely representative of the universe. The size of the sample is no necessary insurance of its representativeness. A good sample also must be adequate in size in order to be reliable (Young, 2004)\textsuperscript{52}.

**Sample Size:** For the present research, a total sample of 250 women respondents was selected from these five chosen villages. Besides this, 50 men were also selected to know their perceptions towards ownership of women’s land rights. The census data from the block office was used for the selection of the sample. 50 women respondents and 10 male respondents from each village were selected by using purposive sampling method. Since, the study focused on women’s land rights, both types of women i.e. those who ‘have land’ and those who ‘do not have land’ were selected by using ‘purposive’ sampling method. The information was collected from the records of the tehsil office R.S Pura and the concerned *patwari halqa* of the selected villages.

**Methods and techniques for data collection**

Both primary and secondary data were used during the study. The primary data were collected through fieldwork. The secondary data were compiled from books, newspapers, journals, census reports and other reports from different libraries and offices and related websites. For the collection of primary data, ‘interview-schedule’, ‘observation’, ‘case study’ and ‘focused group discussion’ (FGD) were used. The ‘interview schedule’, was preferred to the use of questionnaire because of incidence of illiteracy in the population. It was used to record the first hand information given by the respondents and consisted of both open and closed-ended questions related to the land rights of women.

Observation method, particularly, participant method was used. ‘Observation’ is a deliberate study through the sight and may be used as one of the methods for scrutinizing collective behaviour and complex social institutions as well as the separate units composing of totality (Young, 2004)\textsuperscript{53}. In this study observation method was regarded as very important to understand the living and working conditions of rural SC women. ‘Focused Group Discussion’(FGD) can be described as the loosely constructed discussion with a group of people brought together for the
purpose of the study, guided by the researcher and addressed as group. Due to the use of interviewing techniques, it is also referred to as ‘focus group interviewing’ and because it addresses the group rather than specific members, it is also known as ‘group discussion’ (Sarantakos, 2005). In the study, FGD with a group of SC women were employed to know their perceptions about their condition particularly vis-a-vis their men and if and how they would like to change it by acquiring property and land rights.

Case study is a method of study of phenomenon through the analysis of an individual case which in this study were some women selected from the total sample. Case studies of those women respondents who claimed their land rights and those who have got land from their parents as daughters are also included in the study.

The data thus collected were tabulated and treated with the help of various statistical techniques for further analysis.
END NOTES

1 Patel, Reena. 2007. *Hindu Women’s Property Rights in Rural India*. Ashgate Publications Pvt Ltd.


27 Ibid.


40 Ibid


53 Ibid.