

Deprivation, Disempowerment, and Struggle:

A Study of the Status of Dalits and Other Landless Sections in Marathwada and their Movement for Land Rights

Abridged Report
(Based on Original Study Report)

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Foreword

This is the story of one of the most deprived and disadvantaged sections of the Indian Society, suffering in a backward economy and feudal society. The 'dalits' (erstwhile untouchables), from Marathwada, one of the most backward areas of south-central India, represent the plight of a large number of social groups who suffer from multi-faceted deprivation and multi-dimensional disempowerment. This report does not end in describing their deprivation and disempowerment. It also highlights the heroic efforts of these people to break out of the vicious cycle of deprivation and disempowerment in which they are trapped for centuries. The report also attempts to envisage the future direction of their struggle, with the understanding of the challenges that they would face in the future.

The most important and distinguishing aspect of this report is that it is based on an ambitious research project conducted by a coalition of organizations involved in the struggle for the rights of the dalits. The research involved a fairly large team of grassroots level activists who worked as investigators. These activists are very close to these valiant communities and many of them, are themselves dalits.

With due apologies to adherents of the conventional practice, the report does not follow the normal sequence, beginning with details of the study, the sample, and methodology. This is mainly because it wants to focus the attention of the reader on the plight of dalits in Marathwada and their struggle, and not on the study process. The relevant information regarding these aspects (study process, sample, and methodology) is provided in the annexure to the main report.

We hope that the reader will find this report highlighting the plight of the dalits in Marathwada and their heroic struggle for land informative and motivating. This is with the intention that this motivation will lead to greater and concrete support to the struggle of the dalits and will also mobilize the opinion of the civil society in favor of justice for the dalits and land-less. It is also hoped that this will lead to concrete steps by the government to unburden the dalits of their suffering and empower them to lead a life of security and dignity.

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Section 1

The Plight of Dalits in Marathwada –I

Multi-Faceted Deprivation

1.1 The Marathwada Region

The Marathwada region of the Maharashtra State comprises of eight districts, namely, Aurangabad, Beed, Hingoli, Jalna, Latur, Osmanabad, Nanded, and Parbhani (see Figure 1). The region accounts for sixteen percent of the State population. Three fourths of the population of the region resides in rural areas (refer Table 1). Hence, the degree of urbanization is very less in the region as compared to rest of the state. One fifth of rural population comprise of dalits and one-third of the population in the region lives below the official poverty line defined by the government of the India. (HDR, GoM, 2002).

Table 1: Demographic Indicators - Maharashtra and Marathwada

Item	Maharashtra	Marathwada
Total Population	9,67,52,245	1,55,89,223
Percentage of Maharashtra		16
Total Rural Population	5,57,32,513	1,17,57,503
Percentage of Maharashtra		21
Percentage of Rural Population	58	75
Population Density (persons per Sq. Km.)	314	238

The economy of the region is predominantly agrarian. This is reflected in the fact that about one fourth of the state's net sown area is in Marathwada. As the data in Table 2 shows the percentage of net sown area to the total geographic area of the region is much more than the state. Further, the extent of forestland in Marathwada is very small as compared to other regions in the state. Hence, forest-based livelihood options are very few in the region.

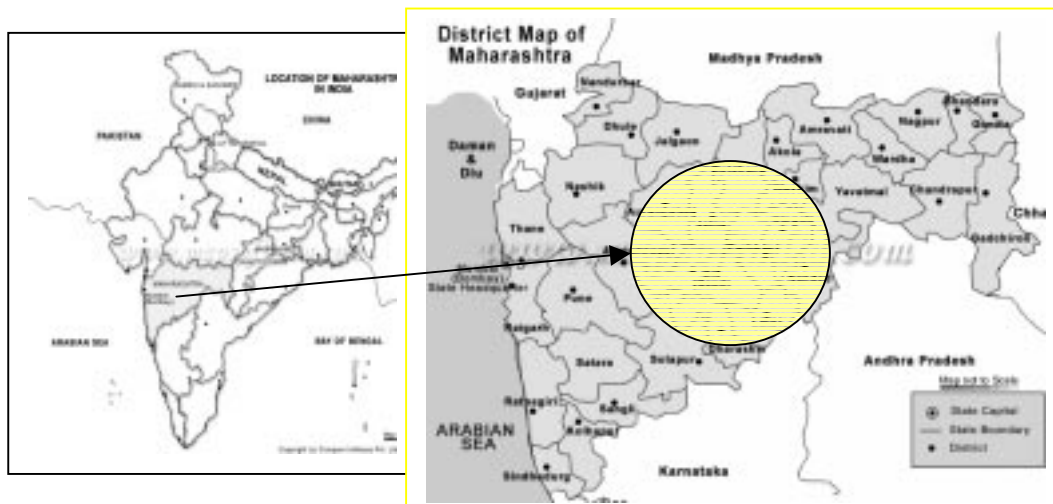


Figure 1 - Map of India and Maharashtra the Showing Location of Marathwada Region

Cultivation of land is the main source of livelihoods in the rural areas in the Marathwada region. Grazing lands are found in abundance in the region as compared to the state. The region is drought-prone and has dry climatic conditions. The average annual rainfall recorded is in the range of fifty to hundred centimeters. Agriculture is the primary occupation of rural people in the region. Around eighty percent of the population depend on land for their subsistence. Agriculture is rain-fed, and highly dependent on the monsoon. The extent of irrigation is very low, as compared to the state. Irregular rainfall and recurring drought-like situation consistently affect the agricultural output in an adverse manner.

Table 2: Geographic Indicators - Maharashtra and Marathwada

Item	Maharashtra	Marathwada
Total Geographic Area (in Sq. Kms.)	3,07,577	64,813
Percentage of Total Area of Maharashtra		21
Net Sown Area (in Sq. Kms.)	17731600	4662100
Percentage of Total State Area	57.65	
Percentage of Region's Total Geographic Area		72.35
Percentage of Total Net Sown Area in Maharashtra		26
Forest Land Area (in Sq. Kms.)	5365500	226100
Percentage of Total State Area	17.44	
Percentage of Total Forest Land in Maharashtra		4
Percentage of Region's Total Geographic Area		3.51
Grazing Land Area (in Sq. Kms.)	1340500	231300
Percentage of Total State Area	4.36	
Percentage of Total Grazing Land in Maharashtra		17
Percentage of Region's Total Geographic Area		3.59

The main crops grown in the region are sorghum, pearl millets, pulses, cotton, groundnut, and sunflower along with horticultural crops like mango and citrus fruits. There is a large livestock population in the region, however, due to low availability of feed and fodder, most of the animals cannot be adequately fed.

The distribution of land holdings in the region remains highly skewed. Small number of landlords, legally or illegally holds control over large tracts of lands. While there are a large number of farmers who have small land holdings, there are also many land-less people, who mainly work as agricultural workers. Thus, social fabric of the region is characterized by feudal social and economic order.

The evolution of this feudal order has a long history. For centuries the warrior castes in Maharashtra, the Marathas, have been given control and ownership to land by the ruling kings and monarchs. They have therefore developed into a predominantly agrarian community. The other upper castes, especially those belonging to the *Brahmin* and *Vaishya* sections were not that agriculturally inclined, as they had other means of livelihoods besides farming. Within this Maratha caste, a few dynasties enjoyed feudal powers, as the local lords of the kings and monarchs and they dominated over the rural communities. Some sections of this Maratha community, who were and continue to be rich landowners, used the dalits for providing cheap

and often bonded labor to work in their agricultural lands. This also implied that apart from the Marathas, only the dalits had agricultural skills. As awareness among the dalits grew, and their exploitation by the Marathas increased, they started aspiring to own lands, and become cultivators themselves. They saw this as a means of breaking the bondage in which they were trapped. Since agriculture is the primary source of work and income in the rural areas, land is a critical resource. However, their attempts to become cultivators were and continue to be stiffly resisted by the Marathas. Since agriculture is the primary source of work and income in the rural areas, land is a critical resource, which is mainly owned by the Marathas, and has been denied to the dalits.

1.2 The Dalits in Marathwada Region

One-fifth of the population in Marathwada comprises of dalits. It is estimated that over eighty five percent of the dalits are working in the agricultural sector as wage labourers. They are regarded as the 'lowest' in the social strata in a caste-ridden society. Earlier they were treated as untouchables. Even to this day, caste and class stratifications doubly jeopardize them, and thus they are the marginalized, both socially and economically. Their status of this section on major indicators of development, such as per capita income, literacy, food security, morbidity, mortality, and political participation is very less compared to other communities in the same region. Incidences of violence against dalits are commonplace. Thus, the strong feudal socio-economic structure existing in Marathwada, virtually denies all opportunities for development to the dalits. For ages, they have been dependent on, or rather bonded to the upper caste landlords for their livelihoods.

The focus of the research project, on which this report is based are the dalits in Marathwada. The main theme of the research is to understand and analyze the social and economic marginalization of the dalits and their efforts to overcome it. Hence, the data collection efforts undertaken as part of the project aimed at understanding the current nature and degree of the social and economic marginalization of the dalits. Hence, in the survey of families conducted as part of the research project, a fairly large sample of the dalit families were selected. The family survey attempted to enlist all landless households in selected sample villages. Hence, the sample consisted of 11,090 families from 270 villages. This implies that the sample consists of 5.4 percent of the total rural families, from 4.3 percent of the villages in Marathwada region. The

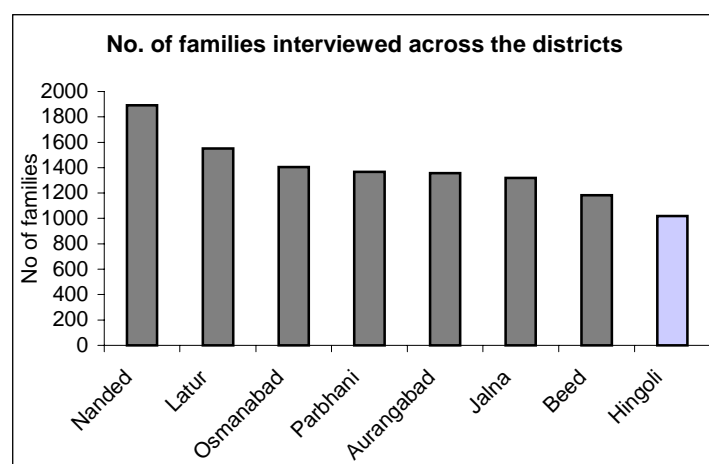


Figure 2: Graph Showing Distribution of Sample Families Across District

sample covered twelve percent of the total families in the selected sample villages and 90 percent of the landless families in the selected sample villages. The distribution of the sample families across the district was fairly even. The maximum number of families was from Nanded district and the minimum from Hingoli district (see figure 2).

Most of the families in the sample belonged to the dalits communities. Only around nine percent of the sample families belonged to upper castes, the rest were from scheduled castes, nomadic tribes and other backward castes. Majority of the respondents were men in the 26-45 years age group. Since the response to the survey was provided predominantly by the middle aged it is possible that the responses of the youth and the aged has been neglected. Also, since most of the respondents were not women, their perceptions and responses have also not been included. Only seven percent of the respondents were women, the remaining were all men. The survey focused on the two most important aspects of the marginalization of the dalits, namely their deprivation and disempowerment. This section focuses on the former aspect, whereas the discussion in the next section focuses on the latter aspect.

Deprivation refers to lacking what is needed for well-being. Its dimensions are physical, social, economic, political, and psychological / spiritual (Chamber, 1995). In the case of the dalits in Marathwada, and specifically in case of the sample studied in the research project, the data shows that deprivation of the dalits has many facets. Economic deprivation, arising from lack of adequate income is the main type of deprivation. This translates into non-satisfaction of basic livelihood needs, such as food and shelter. Further, they are also deprived of access to basic amenities such as safe and durable housing, and basic civic amenities such as drinking water, sanitation and electricity. Deprivation in terms of access to quality basic services such as health care and primary education is also evident in the case of these sections. In the following discussion a vivid picture of the type and extent of the multi-faceted deprivation suffered by the dalits in Marathwada is presented.

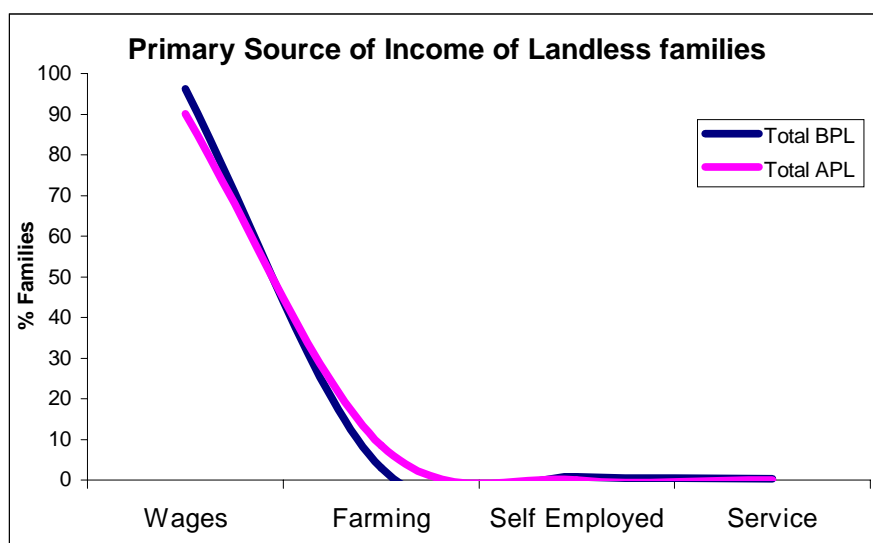


Figure 3: Graph Showing Source of Income of Sample Families

1.3 Economic Deprivation of the Dalits in Marathwada

Economic deprivation is one of the most important and critical facets of the multi-faceted deprivation of the dalits. The extent of economic deprivation of the sample families is directly evident in their abysmally low levels of income. Most of the families (98 percent) have only one source of income (see figure 3). The average annual income of the sample, from their sole and primary source of incomes is Rs. 10860. Only two percent of the families have a secondary source of income, the average income from which is only Rs. 553. The number of families in which a member has a secure employment is negligible. This shows that the reservations in Government jobs for dalits have not helped these families to a large extent. Based on these levels of income, the minimum level of poverty occurs in Jalna district, and the maximum is in Osmanabad district as per the survey data. The official poverty line of the Government is an income level of about Rs. 20,000 per annum per family. When the survey data is compared with the Government data of the extent of poverty in these districts, (source HDR, GoM, 2002) there is a wide gap. This wide difference between the income levels reported in the study survey and those officially accounted for in the below the poverty line (BPL) category by the government shows that government census of the families for identifying the BPL households, exclude a large number of the really poor and needy. The Government data shows that poverty is minimum in the Osmanabad district (which ironically accounts for the maximum poverty as per the survey data), and maximum in Parbhani district. The disempowerment of the land-less and dalits appears to be the one of main factor underlying their exclusion from the government enumeration process (refer Table 3).

Table 3 - Income Data and Comparison with BPL Data

Item	Survey Data	Official Data
Average Annual Income	10,860	20,000 (Below Poverty Line)
Minimum Number of Families Below Poverty Line (Percentage / District)	89 Jalana	22 Osmanabad
Maximum Number of Families Below Poverty Line (Percentage / District)	96 Osmanabad	31 Parbhani

The data of the sample families shows that there is not much difference in income across castes. Income is lowest in case of tribal families, who are most deprived in terms of access to resources, and highest in case of Muslims, who also engage in trading. The average income of the tribal families is 82 percent of the average income of Muslim families (refer Table 4). When inquired about their perception of their financial status, the data revealed that a majority of the families feel that it is not satisfactory. The respondents were asked to rate their perception on a three-point scale, which is as follows: 1 - extremely difficult, 2 - difficult but possible, and 3 -okay. The data shows that 33 percent feel their situation is extremely difficult, 53 per cent felt it is difficult but possible to manage a living, and 14 percent feel their situation is okay. The rest of the respondents drew a blank. Though in reality the financial situation of the land-less and land-holders (encroachers or gairan holders) is not very different, it varies only marginally. Those having land say that since wages are never enough to buy grains, home

grown millets and cereals save on food expenses. Having homegrown grains gives them a feeling of security, which enhances their confidence (refer Table 5).

Table 4 - Income by Caste Category

Caste Category	Average Annual Income in INR
Scheduled Tribes (ST)	9647
Other Backward Classes (OBC)	10000
Disabled	10267
Other (upper) Castes	10563
Scheduled Tribes (SC) (dalits)	11626
Muslims	11819

Table 5- Self Perception About Financial Status Across Land Holding Classes
(Percentage of Total Sample Number of Families)

Land Holding Class	Extremely difficult	Difficult But Possible	Okay	Grand Total
Land Holder	4	8	4	16
Encroacher	13	21	6	40
Landless	16	24	4	44
Grand Total	33	53	14	100

1.4 Other Facets of Deprivation: Access to Basic Amenities and Services

Besides economic deprivation, the dalits also suffer from other types of deprivations. The other facets of their deprivation are lack of access to safe and durable housing, lack of access to basic amenities such as drinking water and electricity, and basic services such as health, and education. This is evident from the data obtained from the sample survey (refer Table 6). The findings from the survey regarding each of this type of deprivation are discussed below.

Having a durable and safe house, with clear legal entitlement, plays a critical role in providing security and stability to livelihoods—both social status and economic well-being. Especially in the case of the dalits who mainly reside in the periphery of the village settlements they are unable to either access local materials or afford to purchase building materials them from the market for constructing a durable house. The data from the sample survey of the

households shows that only about one fourth of the families own a *Kuccha* house. These houses require repairs every season or every year. Approximately about two thirds of the families reside in *semi-pucca* houses and only twelve percent families have *pucca* houses. This shows that dalits are deprived of safe and durable housing. Lack of a safe durable house also affects the overall livelihoods situation in many ways and also helps in increasing the perception about being deprived and disempowered (refer Table 6).

Apart from low levels of income these communities are also deprived of access to basic services. This deprivation stems from both, their economic marginalization, as well as their social and political disempowerment. Data from the survey of the sample families shows that only 27 percent of the families had access to electricity of which less than ten percent had legitimate electrical connections. For accessing drinking water, in case of more than ninety percent families the members had to walk half to two kilometers to access water in summers. Only nine percent of the families had access to tap water supply. Only 43 percent of the families accessed government health services. Data regarding access to basic services obtained from the survey of sample villages as part of the 'village profile' survey (total sample of 270 villages), shows that on an average around one-fourth of the villages had no bus connection and no access through all weather road. A small number of villages (4.4 percent) had not access to electricity at all.

Economic deprivation and social alienation is also further manifests in educational backwardness. The study of the sample households revealed that the average literacy rate of sample families is much less than literacy rate for the entire rural population of Marathwada. The difference of is around nine percent. The districts in which this difference is much more stark are Parbhani, Osmanabad, and Beed districts.

Table 6 - Other Facets of Economic Deprivation - Data of the Sample Survey

Housing		
Percentage of Families of the total sample having Kuccha House		23
Percentage of Families of the total sample having Semi-Pucca House		65
Percentage of Families of the total sample having Pucca House		12
Access to Basic Amenities and Services		
Percentage of Families of the total sample having Access to Electricity		27
Percentage of Families of the total sample having Legitimate Electric Connection		10
Percentage of Families of the total sample having Access to Tap Drinking Water		9
Percentage of Families of the total sample having Access to Government Health Services		43
Percentage of the total sample Villages not having Bus Connection		26
Percentage of the total sample Villages not having all Weather Roads		24
Percentage of the total sample Villages not having Electricity		4.4
Literacy and Educational Levels		
Percentage of Literacy for Sample Families		48
Percentage of Literacy for Entire Rural Population of Marathwada (Source HDR 2002)		57
Districts Having High Difference in Literacy Rate - Sample and Rural Population of Marathwada		
Parbhani - 35.43	Osmanabad - 24.83	Beed - 21.68

Comparison of the levels of literacy and primary education across land holding classes reveals that land holding does make a difference in literacy and educational status of the dalits. Illiteracy among the landholders is 3.39 percentage points less than the land-less, and primary education is 1.39 percentage points more than the land-less.

Conclusion

The data from the sample survey, as well its comparison with the official government data clearly shows the extent of deprivation of the dalits in Marathwada. Economic deprivation is accompanied by other forms of deprivation, which includes lack of safe and durable housing and access to basic services and amenities. This deprivation in material terms is rooted in the various forms of disempowerment, which these communities suffer. This disempowerment too has multi dimensions, economic, social, and political. The next section discusses these aspects in detail and with reference to the sample families and villages studied in this research project.



Section II

The Plight of Dalits in Marathwada – II

Multi-Dimensional Disempowerment

Disempowerment refers to lack of rights and opportunities. Disempowerment, as in the case of deprivation, also has many dimensions, mainly economic, social, and political. Rights consist of various types, such as access, control, legal ownership, customary rights, and entitlements of various kinds. In the case of dalits in Marathwada it is seen that their land-lessness is a basic form of disempowerment. Further, disempowerment also manifests in the form of adequate, secure and dignified opportunities for earning a livelihood. In the case of dalits in Marathwada it is observed that lack of adequate work / job opportunities in the region contributes to this dimension of their disempowerment. Apart, from various types of economic disempowerment arising from lack of access and control to resources, and lack of economically viable opportunities for earning income, the dalits also suffer from social and political disempowerment. The social disempowerment is reflected in their social exclusion from the main village community and its social process, mainly based on caste segregation. Exclusion from the political process of governance, especially in the local self-government systems at village and district levels is the political dimension of their disempowerment. In this section these various dimensions of disempowerment are discussed, with special reference to the data obtained from the sample study conducted as part of the research project.

2.1 Economic Dimension of Disempowerment

Lack of Rights to Productive Resources

Lack of rights and access to productive natural resources, especially land, in a predominantly agrarian society is a major form of disempowerment. Not possessing land compels the land-less to become dependent on the landowners not only for wage labor, but also for other usufructs. The data from the survey shows that about half of the families in the sample are completely land-less. They do not have access to any type of land, including encroached land. A little more than one third of the families in the sample have encroached gairans, but do not have any legal rights. Only twelve percent of the families have independent land titles and 7.6 percent have joint land titles (shared with either the government or other private landholders). Among these 19.6 percent having titles, only 0.25 percent of the families have lands, which are not distributed gairans, (vatan lands, and other type of ancestral lands or purchased lands). This data clearly shows that around 81 percent of the families in the sample do not have legally held lands. This implies that a vast majority of the sample, and therefore, the dalits and other backward castes and tribes in Marathwada are land-less to a large extent (refer Table 7 and Figure 4).

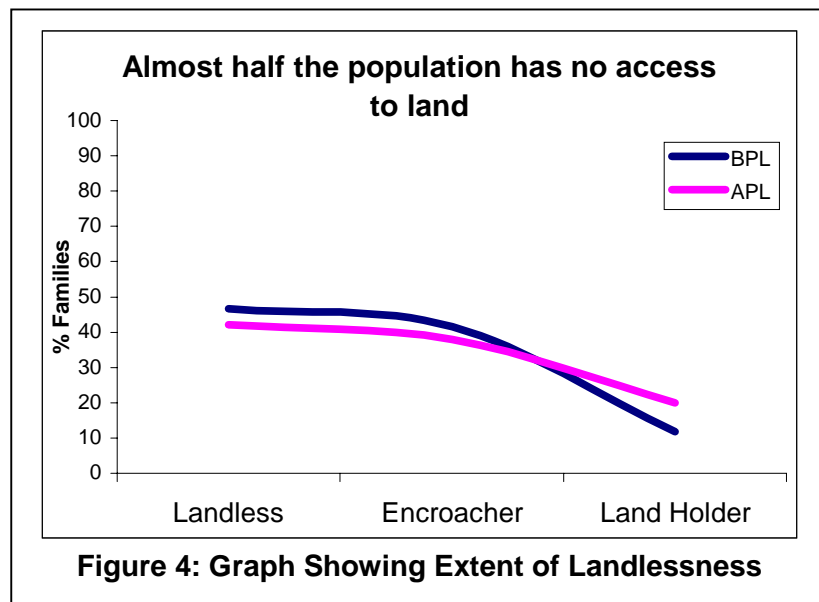
Table 7 - Extent of Landlessness - Data From Sample Survey

Item	Figure
Percentage of families in the sample not having access to any type of land	46
Percentage of the families in the sample having encroached gairans (but do not have any legal rights)	35
Percentage of the families having independent land titles	12
Percentage having joint land titles (shared with either the government or other private landholders)	7.6

The data from the survey further shows that in case of the sample families' access and rights to land does lead to increased incomes. The average annual income of the families

having independent land title is 40 percent more than the land-encroachers. However, when compared with families, which do not have land titles (the encroachers), the landless are better off. This is because the encroachers get tied down to cultivating the lands, even if it is not that productive, and in doing so they do forego more lucrative opportunities of wage labor. Further, they cannot make any investments in the land to increase its productivity since they do not possess security of tenure. However, wage labor, even though more remunerative is socially more demeaning and economically more insecure and risky. Therefore, the dalits and landless engage in a struggle for owning land in a rightful manner.

Thus, it could be inferred that the high levels of income poverty of the dalits mainly arise from lack of productive assets to engage in economically viable activities. Being located in a predominantly agrarian social and economic order, cultivable land is the primary resource which could ensure food and income security. However, traditionally, through the ages, the dalits have been denied rights and access to land, though they have served the landholders as



agricultural laborers and possess considerable agricultural skills. The sample survey of the land-less families undertaken in the study reveals astonishing levels of landless-ness among the sample households. Being land-less not only deprives these communities of an

opportunity to cultivate and be self reliant, but being land-less also disempowers them to access other economic resources and also gain social and political status. This is the stark dimension of their economic deprivation.

Possession of Livestock

In case of many rural communities, which do not possess land, livestock rearing is a major livelihood occupation. This is often the case with pastoral communities. Dalits being landless could have resorted to animal husbandry as a livelihood option. However, in case of the dalits of Marathwada, since their traditional occupations involved serving the farmer community, they are not nomadic in their living and also do not engage in pastoral activities. For rearing livestock within the agrarian system, ownership of land is a major factor. Land provides fodder for the animals and also cattle are required to plough the lands. Animal husbandry is also major source of income for the farming communities, other than income obtained from land cultivation. However those who do not possess land are rarely able to tend cattle. In the case of the dalits in Marathwada the livestock holding is very poor. Data from the sample survey conducted in the study among the land-less families shows that a little less than two thirds of the families do not possess any animals. Only 22 percent of the families have large animals (refer Table 8). These animals together form 52 percent of the total animal population among the sample families. A small section (1.5 percent of families) possesses other small animals (poultry birds, pigs and donkeys).

Table 8 - Livestock Possession Among Sample Households

63 percent of the families do not possess any animals.
22 percent of the families have large animals - Of which
7 percent of the families have bulls
7 percent of the families own buffaloes
8 percent of the families own cows. and
14 percent of the families have small ruminants, mainly goats.

Possessing cattle (bulls and cows) is very important for land cultivation. Bulls are required for ploughing and cows and bull provide farmyard manure, which is required to nourish the soil. However, since dalits families do not possess many animals they are forced to depend on the upper castes to lend them bulls for ploughing. If they happen to plough the gairan lands with these bulls, then often the upper caste farmers refuse them the bulls. Also non-availability of farmyard manure is a major hindrance in the pursuit of adopting sustainable land husbandry practices for increasing the productivity of the lands. In case of the sample households, livestock distribution across land holding classes (land holder, land-encroachers, and land-less), shows that the land-less own comparatively more number of goats, and cows, and less number of bulls as compared to the landholders.

In case of the all the categories the milch animals are not a source of cash income and none of the families are members of the cooperative dairy. In spite of a many government schemes to give domestic animals to families below the poverty line for rearing them, and earning income, the families in the sample survey, do not seem to have benefited much from these schemes. This is mainly due to their disempowerment to access government schemes.

The above discussion amply illustrates that the dalits in Marathwada are disempowered due to lack of crucial livelihood resources such as land, livestock and housing, the pre-requisites for earning secure and sustainable livelihoods in a pre-dominantly agrarian social and economic milieu. One of the mechanisms to overcome this resource disempowerment could be to access external resources such as credit or credit and subsidies through government schemes, especially those, which target the poor families. However, the data from the sample survey shows that the land-less families are alienated from the formal and institutional sources of credit. Only 4.48 percent families are SHG members and 26.68 percent have availed of loans. Most of the loans are for purchase of livestock and petty business. Further, they are also unable to access government schemes to various barriers (see section 3.2 for more on this aspect).

Lack of Just and Remunerative Wage / Employment Opportunities

Lack of rights or access to basic resources for agriculture or animal husbandry for engaging in productive self-employment (farm or non-farm), compels the dalits to engage in an unjust system of wage labor for sustenance. The data from the sample survey of the land-less families shows that in case of 93 percent of the sample families, manual wage labor is their primary source of income. Subsistence land cultivation, or animal rearing, is their secondary source of income. In wage labor work, on average men get wage work for 180 days in a year, and women are able to get around 200 to 220 days of work in a year. Very few of them get the minimum wages stipulated by the government.

Even wage work is not available within the village in which they reside, in a secure and uniform manner throughout the year. Wage labor work, in agriculture, is highly seasonal which tends to either depress the wage rates or inflate them artificially for a short period. Due of non-availability of work locally the land-less families (and even some of the land holding families) are forced to migrate for wage work in the post-monsoon seasons. This migration though apparently voluntary is thrust on these families due to their harsh economic and social realities. This migration is mainly to earn enough for fulfillment of basic needs and not for better prospects. Migration is either to the big cities or nearby towns for working as manual labor. However, a major section of the land-less communities migrate to other, more prosperous and well-endowed rural areas, especially those having irrigation. There is large-scale seasonal migration from Marathwada to many parts of western Maharashtra, other parts of Maharashtra and Karnataka for working as farm laborers for sugarcane harvesting. The data from the sample survey shows that migration is maximum among land-less, followed by encroachers, and lastly by landholders (refer Table 9). This implies that land holding does play a major role in preventing the marginalization of land-less in their choice of livelihood activities.

Table 9 - Extent of Migration among Sample Families

Land Holding Status	Both Migrate	Only Male Migrate	Only Female Migrate	Grand Total
Land Holder	13	1	0	15
Encroacher	36	2	1	38
Landless	40	2	1	42
Grand Total	88	5	2	95

2.2 Aggravation of Economic Disempowerment Due to Macro Factors

The economic disempowerment of the dalits in Marathwada primarily arises from the lack of rights and access to productive resources, as well as opportunities for employment. As the above discussion shows, neither do the dalits and land-less have land for self-cultivation, nor can they avail of employment opportunities in their own villages. Hence, they are forced to migrate. Only about five percent of the families in the sample do not migrate. This disempowerment is further compounded by the lack of industrial development in the region, which implies that the dalits and land-less are compelled to be confined to the economic boundaries of the agrarian economy, a economy that grows very slowly, almost negatively. Even within this economy they are only at the margins. In spite a conscious policy to promote industrialization in the region, industrialization and urbanization has not expanded in the region as planned (see Box I).

In the post liberalization era (i.e., post 1990s) Indian agriculture was sucked into a economic crisis which continues to aggravate. This developing agrarian crisis has been restricting the work and other economic opportunities available for the marginalized sections within the rural-agrarian system. Since many years large sections of the dalits and other land-less, and even marginal farmers have been migrating to various parts of Maharashtra and Karnataka, to work as agricultural laborers in harvesting of sugar cane. Sugarcane is grown on

a large scale in many parts of these two states, which have access to perennial irrigation provided by large dams. However, over the years the opportunities available in this source of work, is reducing due to an economic crisis in the sugar industry, and also the exploitation of the migrating workers has increased. In the post liberalization era the

Box I - Industrial Backwardness of Marathwada

The Per Capita Net District Domestic Product (PCNDDP) both at current and constant prices is a good indicator of the overall economic situation of the district. If all the 40 districts of Maharashtra are ranked on this indicator, it is seen that six of the eight district of the region fall in bottom 10 districts in the state (Source HDR 2002, GoM). There are only two districts in the entire state in which the percentage change in PCNDDP is negative, are both districts from the Marathawada region, Aurangabad, and Beed. Among the five administrative divisions in the State of Maharashtra, Marathwada ranks last on this indicator (PCNDDP), and this is around 40 percent less than the state average (refer Table 17). These indicators clearly indicate the extent of overall economic backwardness of the region, as compared to other regions in the state of Maharashtra.

opportunities for migration to large cities, such as Mumbai and Pune, have also been severe restricted due to the changing nature of the urban economies, and especially the role of informal sector in this economy. The demand for manual labor has reduced even in sectors such a construction (which was a large employer of manual labor migrating from rural areas) due to mechanization, and other factors. Hence, the land-less communities are desperately looking for secure and stable avenues of earning livelihoods within the rural agrarian system. However to survive and prosper in this system the basic resource of land is required. However, the dalits and land less have been, and continue to be denied access, control, and rights to land.

2.3 Social Dimension of Disempowerment

The economic disempowerment of the dalits and land-less is compounded by another dimension of disempowerment, namely their social disempowerment. The roots of the contemporary low social status of the dalits can be traced to as far back as the *Vedic* period. The 'downtrodden' status ascribed to dalits is influenced by the manner in which the fourth *Varna* or '*shudra*' was conceptualized in the Vedic social system. Shudras were the 'service providers', mainly to the agrarian community in the rural social and economic system. Further, within the category of Shudras, four castes, *Mahar, Mang, Dhor, and Chambar* were classified as *ati-shudras* or the most downtrodden among the shudras. These castes are referred to as the dalits. They had occupations, such as cleaning the precincts of the village, cleaning animal hides, preparing leather goods, disposing dead animals, collecting night soil, etc. None of these occupations were land based. In fact their occupations were supportive to the mainstream occupations of agriculture and therefore they were considered lower in the occupational hierarchy. The practice of untouchability reflects how underprivileged they were in social hierarchy. Much has been researched, documented and written in literature of how this deprivation has affected the psychology of dalits. However, it is less known that they were systematically kept away from the land in later period as well. The sample survey of land-less families conducted in this study throws light on many aspects of the social and political disempowerment of the dalits in Marathwada.

Table 10 - Caste Composition of Families in Sample Survey

76 percent of the sample families belonged to the Scheduled Castes (SC) (dalits)
19.5 percent families belonged to other marginalized sections, of which
4 percent families belonged to the Scheduled Tribes (ST)
8 percent families belonged to the category of Nomadic Tribes (NT)
4 percent of the families belonged to Other Backward Classes (OBC)
3.5 percent of the families were Muslims, and only
4.5 percent of the families belonged to the upper castes, mainly Marathas, but yet land-less.

In the sample survey of the land-less families, more than three fourths of the sample families belonged to the scheduled castes. Thus, the sample mainly consisted of dalit families. Of the rest, about 19.5 percent families belonged to other marginalized sections, i.e. lower castes, tribes, and Muslims. Only 4.5 percent of the families belonged to the upper castes, mainly Marathas. All most of all these upper caste families too were land-less families (refer Table 10).

Most of these families resided outside the main village. Since, the location of the house in a village is a very good indicator of social assimilation (because most village habitats are formed along caste lines) an inquiry was made in the survey regarding the location of the house of the sample families. The sample survey revealed that two thirds of the sample families reside outside the main village, and one fourth of the families reside in the peripheral areas adjoining the village. Only nine percent of the families reside in the central village location. Therefore and even otherwise the interaction of the dalit families with upper castes is minimal (see figure 5)

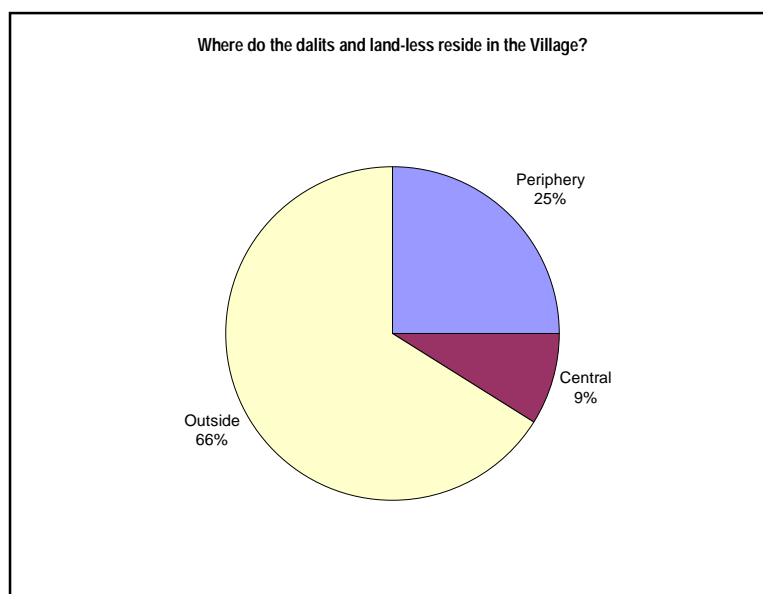


Figure 5: Chart Showing Location of Residence of Sample Families

2.4 Political Dimension of Disempowerment

Economic disempowerment arising from lack of resources and opportunities for work is compounded by social disempowerment arising from caste stratification. The combination of these dimensions of disempowerment leads to further process of exclusion from participation in the political process of social decision-making and governance. This results in their political disempowerment, thus each dimension of disempowerment abetting and reinforcing each other. In the case of the families in the sample studied, they were inquired regarding their own perception regarding their social status, on a three-point scale, influential, ordinary, and lower. These categories are reflection of their own perception regarding their degree of social assimilation with the mainstream (upper caste) village community and

participation in, and ability to influence, decision-making. Only a very small percent of the families reported that they feel that they are influential. More than two thirds of the families felt that their social status was ordinary, and around one third of the families felt that it was low (refer Table 11).

Table 11 - Self Perception about Social Status of Families in Sample Survey

1.17	Percentage of the families reported that they feel that they are influential
67.14	Percentage of the families, which felt that their social status was ordinary
31.18	Percentage of the families, which felt that their social status is low
0.50	Percentage of the families, which did not respond

When compared across land holding types, the data shows that more landholders report themselves as most influential as

compared to the encroachers and land-less (by a margin of 0.97 and 1.21 percentage points). The differences in the responses in the other categories also shows that landholding does have a positive influence on the self-perception regarding social status.

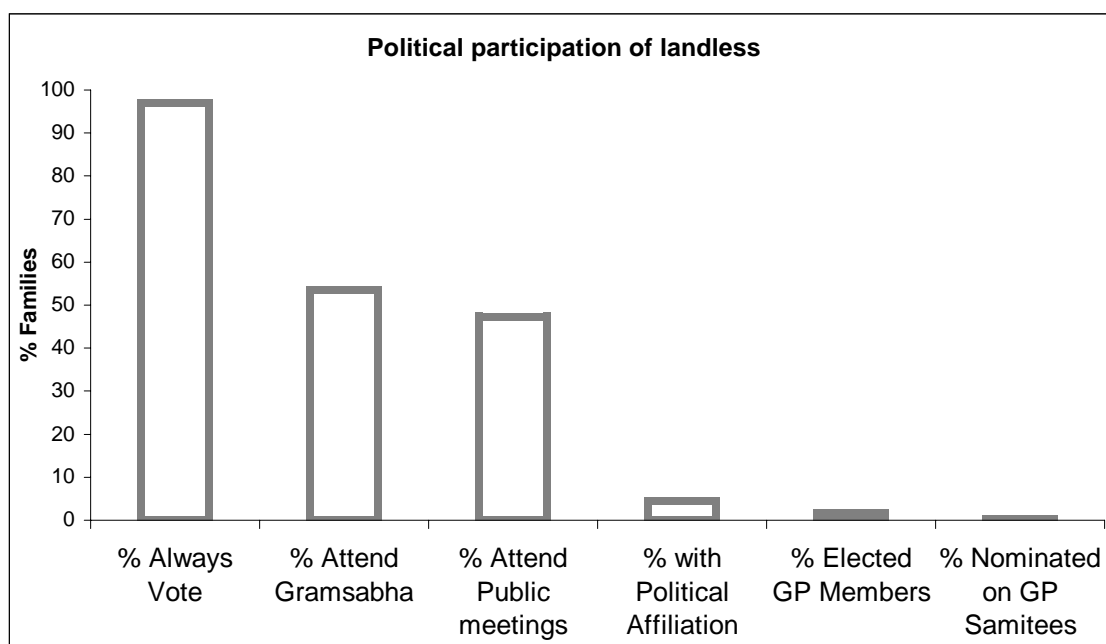


Figure 6: Chart Showing Extent of Political Participation of Sample Families

Another manifestation of the disempowerment of the dalits, arising from caste discrimination and economic deprivation, is their abysmally low participation in the process of governance. Their participation in the political process is limited to voting, which, however is quite high (98 percent of the families). Around half of the families reported that their members participated in public meetings and only two to three percent of the families reported that they had affiliation with political parties. As regards participation in the process of governance, 55 percent of the families reported that they attended the village meetings (Gramsabha). However, this attendance is superficial and their actual participation in the process of decision-making in the village affairs is almost nil. The percentage of members of

the families from the survey sample who have been elected to the village councils (Gram Panchyats) is negligible (see figure 6).

2.5 Gender Aspects of Disempowerment

One of the most neglected dimensions of the dalit assertion is the question of dalit women. The influence of patriarchal systems is visible in gender relations within the outside the community, in the case of dalits also. Even in the sample survey conducted as part of this study, since only 7.2 percent of the respondents to the family survey were women, women's perceptions may have been overlooked. Also the number of women investigators was also marginal. In spite of these limitations the survey did attempt to investigate various aspects and gender inequity and resulting disempowerment of women, and its impact on the question of land and livelihoods of the dalits. The following are some of the important findings obtained from the sample survey.

Table 12 - Declining Sex Ratio

Item	Maharashtra	Marathwada
All figures in 'Females per 1000 Males'		
Sex Ratio	922	937
Rural area Sex Ratio	959	942
Sex Ratio Adult		950
Sex Ratio Child		810
Average sex ratio of 270 villages in 8 districts		924
Government Data for rural areas of Marathawada		942

Declining Sex Ratio

The data on family size shows that the average family size is declining in the community. In a span of a decade it has reduced by one-fifth. It is alarming that this reduction is mostly in the female population. Compared to the total population in Marathwada and State, the sex ratio among the adults is better, but among those persons, who are less than 18 years of age, it is far below the State and regional averages. In just one generation almost 140 girls per 1000 boys are less. Sex ratio among children has been identified as a litmus test to understand the overall social and economic status of a community, since this ratio indicates the survival chances of young girls, the weakest of all sections. Unfortunately this ratio is declining in the sample population. The sex ratio among the total population in the sample villages studied (as part of the village profile exercise) shows that the average sex ratio in the sample villages studied is much less than the official figure for rural areas of Marathawada. This indicates the gender inequity in demographic terms is more in the sample villages, which was selected on the basis of occurrence of gairan lands (refer Table 12). The infant mortality is much more than State average and maternal mortality is same as state average. Women reported that anemia, early marriage and pregnancy, and bad obstetric care are their major areas of health related problems/concerns.

Illiteracy among Women

As compared to the men the educational backwardness of women is evident from the data of the sample families (refer Table 13). The difference in the literacy rates of women and men is around fourteen percentage points. There difference in primary and secondary education is only one percentage point, which is abysmally low in both cases (male and female). This indicates that the lower status of women, in the ability to access the 'written' world, i.e. in accessing information through written communication.

Table 13-Educational Status of Women and Men

Education	Women	Men
	(Percentage of total sample)	
Illiterate	82	68
Literate	13	24
Primary	3	4
Secondary School and above	1	2

Women's participation in agriculture work is reported to be three percentage points higher than men. Many women work for wages and contribute substantially to the family income. This does not include work on their own-farms or encroached gairans.

These indicators clearly show the extent of disempowerment of women mainly arising from inequitable gender relations. This disempowerment has various dimensions, mainly economic, social, and political. While on the one hand, women contribute more to the family in terms of work (both domestic and farm labor), they are yet deprived of access to basic amenities, mainly education, which is one of the important avenues for their empowerment. The overall neglect of women, and lack of preference for girl child, is reflected in the declining sex ratio in the population. Thus, dalits women are victims of a complex situation arising from a vicious combination of deprivation and disempowerment embedded in the unjust system of caste compounded by the system of patriarchy.



Section 3

Deprivation and Disempowerment

The Vicious Cycle and Barriers in Overcoming It

3.1 The Vicious Cycle of Deprivation and Disempowerment

The data and inferences presented in section one amply illustrate the nature and extent of the multi faceted deprivation of the dalit communities in Marathwada. This deprivation is seen both in the extremely low levels of income and low level of access to basic amenities and services, required for leading a secure and dignified life. This results in non-satisfaction of basic livelihood needs such as food clothing shelter and access to basic services such health and education. The roots of this deprivation can be traced in the multi-dimensional disempowerment, discussed in section two. One of the critical dimensions of the disempowerment of the dalits in Marathwada is their economic disempowerment. This is the key factor underlying the deprivation. This economic disempowerment is mainly of the following two types, (a) lack of access, control, rights, and entitlements to adequate productive resources, especially land and/or livestock, and (b) lack of adequate, just, secure, and remunerative work (wage labor/job) opportunities. The various facets of their deprivation and its interlinkages with their economic disempowerment gives rise to a complex feeling of insecurity and helplessness, which further advances their social and political disempowerment.

Lack of rights and access to, and control over, productive resources is the basic disempowerment, which causes economic deprivation. Social ostracism due the caste, and inequitable gender relations due to patriarchy brings in an added dimension of disempowerment, which aggravates the economic disempowerment. Further, the mainstream political systems are constructed in such a manner that economic and social disempowerment translates into political disempowerment. This mainly occurs through exclusion of the dalits from the political process of governance.

Hence, a vicious cycle of deprivation and disempowerment, each reinforcing the other, is set in motion, breaking away from which appears an impossible project. This disempowerment becomes a barrier in overcoming their deprivation, because of their inability to influence the dominant social and political systems to gain ownership and access to productive economic resources. Also, the various kinds of deprivation do cause material hardships, but also close down material ways to counter social and political disempowerment.

Barriers in Breaking the Vicious Cycle

The land-less and dalits have been making various efforts to break this vicious cycle. However, they encounter various barriers. There are two basic types of barriers, which the dalits and land-less come across. The first is the inability to access the assistance provided by

the government to help them to overcome poverty, and second and most fundamental barrier is their inability to break the nexus of vested interests in the local political economy, which is further embedded in a larger social and economic context and subject to the conditions imposed by it. In this section a brief overview of these barriers is presented, which sets the context for the further discussion, in the next section, regarding the struggle of the dalits for land.

3.2 Inadequacy of Government Efforts

The Government has two primary measures for poverty alleviation. The first and the more fundamental are the land reforms, in which the State attempts to make land holding more equitable and provide land to the land-less. However, there are serious shortcomings in the land reforms process undertaken in India and Maharashtra. In states where it has been comparatively successful (such as Kerala and West Bengal), the dalits and marginalized sections have been able to break the cycle of deprivation and disempowerment to a large extent. See annexure 2 for a brief report on the overview of the land reform process in India, and case study of the states of Madhya Pradesh and Kerala. This report was prepared as a sub-study in the research project and to obtain learnings for the land rights movement in Marathwada. Nonetheless, in the case of the dalits of Marathwada the benefits obtained from the land reforms process is very negligible.

The second measure of the government for poverty alleviation, besides land reforms is provision of various welfare schemes, aimed at providing other useful assets, resources, and skills to the marginalized sections to help them to overcome their poverty, caused due the vicious cycle of deprivation and disempowerment. Nonetheless, the results of the efforts to provide assistance through these have not been very encouraging. The land-less and dalits face various barriers in accessing and meaningfully utilizing these welfare schemes mainly due to their disempowerment. Data from the sample survey of the land-less families shows that only 11.77 percent families accessed a government scheme. The possibility of double counting of a family in the above data, i.e. accessing more than one scheme is not ruled out. Of these 11.77 percent of the families in the sample who have accessed government schemes, 9.21 percent of the families accessed different schemes for housing including rehabilitation schemes for earthquake affected, and 2.56 percent families accessed schemes for agricultural development (mainly digging wells) and schemes for developing non-farm activities, mainly purchase of livestock. When compared across land-holding classes the ability of land-holders to access loans through the formal banking system is higher than those of the encroachers and the land-less. This data clearly shows that government schemes have been very ineffective in reaching out to these sections, and helping them to overcome their deprivation and disempowerment. The respondents to the family survey have cited many reasons for their inability to access government schemes. These responses throw light on different dimensions of their disempowerment (see Box 2).

3.3 Barriers Imposed by the Social Context

The inability of the dalits and land-less to access government schemes, to help themselves, is rooted in a more fundamental barrier. This is barrier of economic domination, social discrimination, and political exclusion imposed on these sections by the locally rich and

**Box 2: Why We are Not Able to Access Government Schemes -
Response from Interviews**

- most of the schemes are for landholders, land-less are ruled out
- we do not get timely information regarding making applications for the schemes
- unless one knows somebody in the government office you cannot get your work done, and avail of the schemes
- government officers (mostly from upper castes) are biased against the dalits, and discriminate against them
- the bribes ('cuts') which need to be given to the government officers makes its unviable to access the benefits the schemes offer
- not having the caste certificate, income certificate, BPL card, or other documents is a major hindrance in accessing government schemes
- the time required for following up the applications with the concerned officers is very long
- money is required for travel to the government offices (located in the towns), and engaging in this travel, means loosing a days wages, which the poor cannot afford.

powerful. The rich and powerful sections of the rural community, are not only landowners and therefore economically superior, but also politically powerful because they control the various local institutions of governance. These powerful sections, not only deny the dalits of the basic resources such as land and housing, but even attempts by the dalit families to access credit from the formal sources are often suppressed by the powerful in the village since they view this a threat to their entrenched power positions. These sections suppress the attempt to access government schemes, which is a rightful avenue to access external resources to overcome resource deprivation. By exercising their social influence and political dominance and resorting to various corrupt practices the powerful sections corner most of the benefits that the government schemes provide. The nexus between the locally powerful sections and local government bureaucracy is a major barrier for the dalits and land-less to access resources, whatever be its source.

Further this deprivation and disempowerment is compounded by the characteristics of the macro socio-economic context of Marathwada in which the dalit communities are situated. The Marathwada region is known as a 'backward' region due to it slows economic growth and development. Industrialization, urbanization, and modernization has had very limited impact in changing the economic and social order of the region. The economy of the region continues to be predominantly agrarian and the social order is still feudal and exploitative in nature, especially in the rural areas. The rural agrarian economy has a slow or even negative growth rate, which fuels the overall 'backwardness' of the region. The dalits are yet bonded to their upper caste landlords for their livelihoods. Hence, lack of adequate economic opportunities on the one hand, coupled with lack of social status and

mobility aggravates the plight of the dalits in the region. As a result they do not have adequate social security, though in recent years their bonded ness has decreased and mobility has increased. But this has only resulted in greater extent of migration for wage labor, and has made little dent in breaking away from the vicious cycle of deprivation and disempowerment.

3.4 The Importance of Land in Breaking the Vicious Cycle

Owning land influences both the social and economic aspects of life. This is well reflected in the responses given by the land-less families, in the sample survey. As was discussed earlier land holding influences income as well as the self-perception regarding the financial status and social status of the family. This implies the land holding helps to overcome both economic deprivations, as well as social and political discrimination and resulting disempowerment. Land is the primary productive resource, which these sections aspire for, and the ownership of which has the potential to help them break the vicious cycle, at least to some extent. However, the feudal economic and social structures pose severe barriers, which prevent these sections from accessing and gaining control over land.

Further Barriers - Low Productivity of Gairan Lands

Some sections of the dalits and land-less have acquired land, or are cultivating encroached lands obtained by struggling against the locally powerful sections. However, other than the issue of gaining proper legal titles and complete rights and access to lands, another major barrier, which remains in their fight against deprivations, is the low productivity of the lands held by them. As part of the research project as study of gairan land in 873 villages was conducted. The survey reveled that of the total gairan lands in these villages, around two thirds of the land had medium cultivable soils, and one fifth had poor soils. Very few amount of land had good cultivable soil. Of the lands in Government custody twenty one percent has back fertile soil. This shows that the lands distributed are not necessarily the fertile lands, and there still exists fertile land, which can be distributed. Only one percent of the grazing lands is actually being used a grazing lands. Most of lands is being cultivated either by the land-less or by the upper castes, or is being used for other purposes. The irrigation facilities are very poor and only seven percent of the lands had perennial irrigation potential. Most of the land is completely rainfed. The major crops cultivated are hybrid and local varieties of Sorghum, Cotton, Pearl Millet, Pulses, Soyabean, Sunflower, Groundnut, and Sesame. Cultivation of tree crops and horticulture crops (fruit trees and vegetables) is marginal.

Apart from poor soil quality and lack of water resources, the other factors which contribute to the low productivity are: (a) low investment in land development due to lack of ownership, (b) no access to credit again due to lack of ownership, (c) no knowledge about best practices and (d) lack of agricultural equipment. The lack of knowledge regarding best practices stems from lack of ownership of land. Since these dalit and land-less sections are not counted as farmers they are excluded from the extension programs and services offered by the

government agricultural department. For the same reason they are also denied benefits of various schemes for farmers.

Table 14 - Status of Gairan Land - Factors Causing Low Productivity

<i>Of the total land area studied</i>	
Soil Type	
Percentage of the lands having black fertile soils	15
<i>Percentage of the lands having medium cultivable soils</i>	<i>65</i>
Percentage of land having poor soils	20
Area Under Cultivation	
Percent of land being cultivated, most of which is in the possession of the encroachers	60
Percentage of land which is not being cultivated and is mostly in possession of government and upper castes	37
<i>Percentage of land actually being used a grazing lands</i>	<i>1</i>
Irrigation Facility	
<i>Percentage of the land was completely rainfed</i>	<i>73</i>
Percentage of the lands had seasonal irrigation	8
Percentage of the lands had bi-seasonal irrigation	12
Percentage of the lands had perennial irrigation potential	7

Conclusion

The above discussion clearly shows that to break the vicious cycle of deprivation and disempowerment land is the most important resource. However, since these sections have been denied land rights, they have no other options but to wage a united struggle with the established and powerful sections to gain rights to land. This is the context in which the movement of the rights to gairan lands of the dalits is located. In the next section the various aspects of this movement is discussed, before presenting the key recommendations emerging from this study for strengthening the struggle for land as well as the livelihood situation of the dalits in Marathwada.



Section 4

The Struggle for Land Rights

Historical Review and Current Status

4.1 Historical Overview of the Struggle of the Dalits for Social Justice

The history of the land rights movement of the dalits is an integral part of the larger movement and awakening among the dalits on the issue of their social and economic rights. The history of the movement of the dalits for their rights in the modern era can be traced to early and late British period. Specific historical conditions gave rise to this early emergence of Dalit movement in Maharashtra. Modernisation and urbanization gave impetus to the new language of rights. The discourse on rights was important and integral part of the articulation of the new paradigm for the emancipation of the dalits. This discourse on rights emerged from new ideology of liberalism. As compared to the two other regions of the British rule in India (Madras and Calcutta Presidency) the Bombay Presidency (of which the contemporary state of Maharashtra is the major part) seems to have given definite historical lead to Dalit movement. This was because of rapid industrialization in Bombay. The textile economy helped in spreading the Dalit movement in the Bombay presidency. The growing urbanization and industrialization (and the modernization of social culture that evolved with this) worked as the pull factor that gave push to the migration of the land-less (especially the Mahars) to the urban centers such as Bombay, Nagpur and Pune. Compared to Mahars the Chambar and the Mangs did not respond to this process of modernisation and they remained back in the villages. Their traditional occupations were still required by the agriculturists. This should explain the relative lag in the political consciousness of these two castes. It is due to this reason the Dalit movement mainly remained confined to the Mahars during the pre-independence. Another characteristic of the Dalit movement was that in the Bombay presidency the movement remained confined to Western Bombay and later it spread to the Vidarbha region. In Vidarbha it spread due to the spread of the railways and development of Nagpur as a textile production center. Establishment of cotton ginning and textile factories created appropriate background for the Dalit movement. The Dalit movement remained weak in Marathwada because of the Nizam rule in that region.

After Independence, the focus of Dalit struggle shifted from the Western Maharashtra to Vidarbha and Marathwada. This was evident when the large number of dalits embraced Buddhism along with Dr. Ambedkar in 1956. One of the important reasons behind shifting the site of Dalit movement was, overall material and agricultural development in Western Maharashtra. The development of sugar co-operative structure resulted in reduction of Dalit militancy in Western Maharashtra. The dalits were absorbed in lower rungs of the opportunity structure created by the development of sugar industries and massive sugarcane farming. One finds total cultural and political silence of dalits as they got almost completely immersed in the hegemonic culture of the new sugar-lords. As against this the regions of Marathwada and

Vidarbha experienced spectacular struggles of Dalit on the question of land in 1959 and 1964 and the prolonged struggle for renaming of Marathwada University in the name of Dr. Ambedkar. The educational institutions established by Dr. Ambedkar at Aurangabad provided necessary the fertile ground for developing leadership among the Dalit youths. These youths played a very active role at the local level in terms of radicalizing the Dalit movement. Another important characteristic of Dalit movement of Marathwada was that the Mangs who were lagging behind the Mahars achieved advancement in terms of autonomy and solidarity of expression. This was due to increasing awareness among them created by new educational opportunities.

The issue that was taken up by the Dalit movement was related to the question of dignity and social respect. Redefining equality and justice played an important part in terms of self of definition of the dalits. Also, the issue of political rights forms and essential part of the Dalit movement.

4.2 Historical Overview of the Dalit Movement for Land Rights

In the pre and also during the British era most parts of the Marathwada region were under the rule of the Nizam of Hyderabad. The rule of Nizam and the rules framed by the British Governance contributed to the generation of the land records and revenue system as it currently stands. Hence, as a part of this research study, a sub-study was undertaken to study and document in brief the history of the land rights struggle of the dalits. Therefore the sub-study on the historical overview of the land rights movement focused on the Nizam and British period. The system of allocating part of the village land, as commons for grazing purposes was also formalized and recorded in this period. The study has also focused on highlighting and contextualizing the less known thoughts of Dr. Ambedkar on the issue of land rights of dalits. Dr. Ambedkar is revered and regarded as the chief ideologue of the dalit movement in India, and it is popularly believed that he mainly advocated urbanization and industrialization as the strategies for economic up-liftment of the dalits.

That the British ruled India in the colonial period based on a policy of 'divide and rule' is well known. The policy of divide and rule was not restricted to dividing the Hindus and Muslims but also dividing the Hindus on the basis of caste. The Nizam of Hyderabad played an important role in supporting the British by adopting these policies in the governance of the Hyderabad State. The division among the Untouchables and the upper caste Hindus increased as a result of the Nizam's policy. No leader of national status, including Dr. Ambedkar was allowed to enter the Hyderabad State. The dalits of the Marathawada region used to do all sorts of low manual labor for the upper caste Hindus. The monetary returns for these jobs were measly and that was also earned along with ill treatment from the upper castes. The situation of the dalits deteriorated under the Nizam rule. They were denied jobs in the government and industries. Their entry in Hindu temples was banned. Drinking water and eating facility for the dalits were segregated. The Nizam also ensured that the dalits remain illiterate and denied them education. The bulk of the officers in the Government were Muslims.

During the beginning of 20th Century, Dalit social workers initiated awakening of the community. The confluence of the influence of western liberal thought and traditional sources of thought and action regarding the emancipation of the dalits gave rise to new ideas for dalit assertion. The anti-Brahmin movement led by many social reformers, in the later eighteenth and early nineteenth century, which confronted the injustice meted out on the so called 'shurda' classes, also provided moral and material support to the dalit movement in India. Dr. Babasaheb Ambedkar is widely regarded as a monumental leader of the dalit movement in India. Dr. Ambedkar belonged to the Mahar community. He initiated a campaign to force the British Government to fix the duties of Mahar *Vatandar*, which was traditionally assigned. The British acceded and 19 duties were fixed for the Mahar *Vatandar*. Dr. Ambedkar always felt that since the Mahar *Vatandar* served the village community on behalf of the Government they should be given the status of government servants and should also be given salary. He was also of the view that the Mahar *Vatandar* should cultivate their land and become agriculturists. He always advocated that the *Mahar Vatans* should be forfeited but not their land.

The first *parishad* of the depressed class was held in March 1920 under the chairmanship of Dr. Ambedkar. Here he pronounced that because trading, service and agriculture have not been open to the Mahars, they had become very poor. As the *Vatani* Land undergoes division in every successive generation, it becomes economically unviable to cultivate small patches of land. Hence, he suggested that the land, which was not cultivated and lying fallow, should be given to the dalits for them to cultivate. Another *parishad* of the depressed class was held in March 1927. In this *Parishad* it was resolved that the forest-lands owned by the government should be given to the depressed class for cultivation. He also advocated setting up of independent colonies of dalits in another *Parishad* held in Solapur District in 1927. The Mahars stay in the periphery of the villages and lead an isolated and wretched life. Hence, he proposed that instead of trying to integrate with the village community, Mahars from different villages should establish their independent colonies on the forestland owned by the government. That would give opportunity to cultivate land and lead a life of security and dignity. Dr. Ambedkar appealed the *Mahar Vatandar* to become honorable farmers. Thus, Dr. Ambedkar did advocate various means and strategies for the dalits to obtain access and entitlements to land, and become agriculturists.

The legacy of Dr. Ambedkar's thought and action regarding rights of dalits to land and their rehabilitation as honorable agriculturists was continued by one of his able followers, Dadasaheb Gaikwad. Dadasaheb Gaikwad is regarded as the pioneer of the movement of the land-less in Maharashtra. He secured land for the untouchables near Nasik and established their colony, as was the dream of Dr. Ambedkar. Dadasaheb corresponded with Dr. Ambedkar, who was then the Law Minister in the Central Government. Since, the condition of the dalits in Marathwada was very precarious, Dr. Ambedkar suggested to Dadasaheb Gaikwad to undertake a movement for the securing the rights of the landless in Marathwada. Dadasaheb Gaikwad shouldered the responsibility and created an atmosphere for a *satyagraha* in Marathwada. Hundreds of *satyagrahis* were jailed. The *satyagraha* was so tumultuous that the prisons proved to be insufficient. The Government tried its best to sabotage the movement.

Initially the government was successful, but when the masses came to know the reality behind the various ploys of the government to divert their attention, the movement was rekindled and the prisons were again full. In this movement Dadasaheb Gaikwad was sentenced four months rigorous imprisonment. In 1958-59, the Republican Party of India organized a nationwide satyagraha to obtain the uncultivated land of the government for the land-less. Dadasaheb Gaikwad charged the atmosphere by his whirlwind tours. More than 35,000 satyagrahis were jailed. Following this the then Chief Minister of Maharashtra, Y. B. Chavan negotiated with Dadasaheb Gaikwad and promised him to consider all the demands whenever possible. In 1958, the Government abolished the *Mahar Vatan* Act. Mahars were appointed as *Kotwals*. They were also allowed to pay the triple of the land value to own the land, which they were cultivating. Dadasaheb Gaikwad organized a march of one-lakh untouchables in Delhi on 20 October 1964. Dadasaheb Gaikwad warned the Government that if the demands of the untouchables were not met, the satyagraha movement would be launched again. The Union Government failed to take the action so the satyagraha was launched on 6th December 1964. Land-less people irrespective of caste and creed participated. Nearly 4 lakh satyagrahis were jailed throughout the country. As a result of this agitation, certain Government resolutions were passed which made provisions to regularize many of the encroachments made by the land-less on the government lands.

4.3 Contemporary Land Rights Movement in Marathwada

Emergence of the Struggle to Encroach and Cultivate Land

In spite of these agitations the struggle of the dalits and land-less was far from over, since not all the law and government resolutions were implemented in their true spirit. The bureaucracy created many hurdles and exploited many loopholes in the enactment's to deny land rights to the land-less. Hence, drawing inspiration from the legacy of Dr. Ambedkar and Dadasaheb Gaikwad many dalits started encroaching government lands and started cultivating them.

In the Marathwada region during 1970s and 1980s a movement for renaming the Marathwada University in the name of Dr. Ambedkar was launched. During this movement the repression of the dalits increased, and they had to face severe backlash from the upper castes. However, this backlash provided a fresh impetus to the dalits to increase their resistance and the period saw a rise in the fervor to encroach and cultivate government lands by the dalits.

As part of the new resistance, many youths started working on the issue of various human rights violations perpetrated on the dalits during this period by the upper castes. In the post 1980s period many youth from the Mang caste also actively joined the dalit movement. In the preceding period mainly leaders who belonged to the Mahar caste had led the dalit movement. The traditional occupation of the Mangs was to manufacture ropes from natural fibers for use by the farmers. The modernization of agriculture requiring the sophisticated implements made the need for ropes made by Mangs irrelevant. Also the industrial manufacture of ropes released the Mangs from the traditional occupation of making ropes. Hence, displaced from their

traditional occupation they had to search for alternative sources of livelihoods. Education seemed to be a useless option for the Mangs who were too late to arrive at the modernization process. Hence they turned their attention to land cultivation. However, being land-less they began by encroaching common lands, and hence, their struggle for land in face of opposition by the upper castes and the Government. Both Mangs and the Mahars are jointly involved in this struggle for land. Thus, Marathwada became a new and vibrant center of Dalit activism on the issue of land rights. However, the rigid social structure of the region did not recognize this new Dalit assertion. On the contrary, the feudal modes try to suppress the democratic assertion of the dalits, but this suppression gave new energy and tenacity to the resistance and struggle of the dalits. In the following paragraphs further elucidation of this struggle and its various facets have been discussed in detail.

The Campaign for Human Rights

Manavi Hakka Abhiyan (Campaign for Human Rights - CHR) is one of the most prominent movements in Marathwada, fighting for Dalit rights since 1980s. Mainly dalit activists founded the CHR in the mid 1980s. This distinguishing character of CHR was that it was formed and led by youth from the Mang community, as against the Mahars who had always been at the forefront of the dalit movement. CHR is a cadre based organization and enjoys considerable popularity among the dalit masses. CHR has over the years, successfully demonstrated how mobilization for justice unites the dalits and non-dalits in retaliating violence. CHRs alliance with progressive groups in Maharashtra helped them to work on various human rights issues such as, child rights, land rights, political rights, and fundamental rights of dalits. CHR ensured that violation of human rights (which included – exclusion of dalits from political processes and land ownership) would not be mutely tolerated. When it came to incidences of extreme violence, such as destruction of crops, bloodshed, rapes and murders, CHR raised voice all over the state. However, CHR could not rest contended with this mobilization, as the deteriorating livelihoods situation of dalits, especially the landless was becoming a matter a serious concern, especially from the 1990s onwards. Around the year 2000, CHR was consolidating its strategy to resolve these problems. Land was observed as the most contentious issue leading to disputes between the dalits and rest of the villagers. The need to work on this issue became a priority for CHR.

The Marathwada Lok Vikas Manch

Around the same time, other voluntary organizations in Marathwada were building alliance through informal meetings and consultations to form a united front to fight for rights of under-privileged. The Marathwada Lok Vikas Manch (MLVM) emerged from this process as a network of like-minded organizations and individuals. It provided a platform for discussing regional issues and preparing strategic plans to address those. While most of the member organizations in MLVM, were working on child rights and the political rights of women, all of them were essentially working with dalit families. Many members of the organizations in the MLVM network were dalits themselves and had high stakes in improving the status of dalits.

During their deliberations to identify key issues, 'landlessness of dalits' emerged as one of the most significant issues at the core of underdeveloped status of dalits. Those who had worked on this issue substantiated the fact that ample 'gairan lands' was available, which needs to be redistributed to the dalits to ease livelihood pressures on landless. They also shared their experience of encroaching and then legalizing possessions of gairans with each other. Thus MLVM became instrumental in focusing the network's attention on this issue of *gairans*.

The Jameen Adhikar Andolan

The Jameen Adhikar Andolan – JAA (Land Rights Movement) JAA is an alliance of movements and organizations working in the Marathwada region of Maharashtra State on the issue of dalits rights. The core issue around which, the struggles of this alliance is located is 'rights of landless to land for cultivation'. The JAA was formed as an alliance of two organizations which, are in the forefront in the land rights movement in Marathwada region, namely the Campaign for Human Rights (CHR) and the Marathwada Lok Vikas Manch (MLVM). JAA was an outcome of a two-year long process of alliance building. The binding factor was, a need to come together in solidarity to enable marginalized to establish their right to land and therefore right to life and livelihood.

4.4 The Gairan Lands: An Introduction

What are the Gairan Lands?

Each village in the country has patches of land reserved for various common purposes, such as grazing lands, burial grounds, temple lands, open spaces for worship, playgrounds etc. These could be classified in generic terms as common property resources (CPRs). The grazing lands provide fodder for the cattle owned by the farmers of the village. In the pre-colonial period, these lands were taken over by the king under his control, and later in the colonial period these lands were brought under the control of the government. This system continues to date. Hence, only the government has the powers to legally give ownership of these lands to the encroachers. Hence, the struggle takes on the form of dalit community versus the government, but since the village community has a stake in these lands, they oppose its conversion into agricultural lands. There are other social and economic reasons to the opposition to the dalits to cultivate these lands by the village elite as well as the government. The upper caste cultivators and land-owners view the transformation of the dalits into self employed cultivators as a threat to their social and economic status. Also when the dalits start cultivating their own lands, they prefer not to work as agricultural laborers in the lands of the large land-holders, which is detrimental to the other cultivators for their survival and prosperity. Thus, apart from the quest for a livelihood, land ownership, is also seen as a means to achieve higher social status. Hence, encroachments by dalits often led to opposition and repression by the upper castes.

Why Encroachment of the Gairan Lands?

As awareness of rights grew amongst the dalits, they began to aspire for a more sustainable and permanent source of livelihood. Innate skills determined that these livelihood options have to be essentially agrarian in nature. Since purchase of arable land was out of question, given their economic conditions, the only option left was encroachment of common village lands, called as gairans.

Encroachment over common lands is not a novel phenomenon (see Box 2). The

encroachment of gairan lands in Marathwada started after the dalit community was inspired by the tribals of Chandrapur district who encroached forest-lands, after being driven out of their own lands, under the auspices *Jabran Jot* movement.

Box 2: The Struggle for Land Begins ...

The affinity of the dalits to their lands, and their readiness to engage in a struggle to protect their rights is evident from the following incident, which is hailed as the first known and recorded struggle of the dalits to lands. In the village Sangavi, in Baramati *thesil* of Pune district, in the year 1927, the then British Government sought to reclaim half the lands, awarded as gift to the Mahars, by the erstwhile kings, on the pretext that since these lands would henceforth be irrigated, their requirement for land would reduce. However, the Mahars opposed this forcible acquisition of their rightful lands and even underwent imprisonment as part of their struggle and resistance.

When encroachment began? What is the legal status of the lands encroached?

As was discussed in the preceding sub-section, the impetus to encroach on the gairan lands mainly came from the movements initiated by Dadasaheb Gaikwad. As the graph in

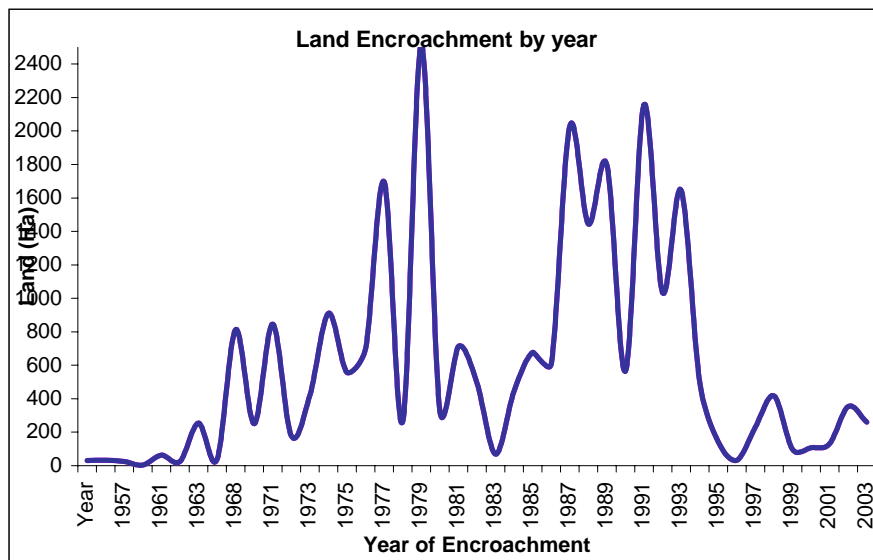


Figure 7: Chart Showing Extent of Encroachment Over the Years

figure 7 indicates the process of encroaching gairans and taking possession of the lands have started as early as 1952. The latest encroachment made in the year 2004 has also been recorded in the sample study on land records conducted as part of this research study. The years in which possessions have increased (1979-80, 1987, 1991-92) correspond with the

years in which the government has announced rules to regularize the encroached lands. In the year 1991 encroachments of gairan land of 23,938 people of whom 19,852 were dalits were regularized and they were given legal titles to the land held by them. In the years in which the government has taken strict action against the encroachers, there have been fewer encroachments. This indicates that if there is a political will to support the dalits, and equally a strong pressure from the grassroots, due to the land rights movements, then the encroachments increase with the corresponding demand to regularize them. The year in which there is least encroachment also corresponds with years of drought. Due to persistent droughts, interest in land cultivation is reduced since it becomes an unviable proposal to cultivate without adequate monsoon.

Each village has its own story of how land was encroached and resisted against the repression of the upper castes. Some of the encroachers are waiting for over 40 years for their possessions to be legalized (see Box 3). Twenty-four detailed case studies (three from each of the eight districts in the region) regarding the conflicts arising from land encroachments and resistance by dalits were documented as part of the research project.

The data regarding encroachments obtained from the sample study in 873 villages conducted as part of this research study shows that in 53 percent of the cases the encroachers¹ have no documents to prove their possession of the lands. In 37 percent cases some records (such as receipts of payments of fines made to the government for illegally occupying the government land) are available. The process of obtaining legal possession is on. Only in 9.72 percent of the cases there is some evidence of their possession and also ownership. Their names have appeared in the official land records. However half of these possessors have never seen these documents themselves. In most cases the land rights activist has more information than the encroacher.

4.5 Present Status of the Gairan Lands: Findings of the Sample Study

Data regarding the position of land holding was collected in 270 sample villages as part of the village profile exercise. This data shows that though majority of the lands are privately held, gairan lands which could be distributed to the land-less for cultivation does exist in abundance. Especially of the total non-private lands around three-fourths of the lands are gairans lands. In the sample villages the amount of gairan land is more than double the average gairan land availability for Marathawada, which is 3.6 percent of the total geographic area of the region.

¹ Activists working in the land rights movement have expressed objection to the use of the term 'encroacher' since, they believe the land rightfully belong to the dalits, and use of the term encroacher portrays the landless occupants as offenders of the law. They prefer to use the term land-possessor, which they feel is more politically correct. However, technically since the lands do belong to the government and its occupation is considered as an encroachment, and hence, in this report the term encroachers is used, though in principle the authors do agree with the basic position of the activists, that the dalits are committing no major crime by occupying these lands.

Box 3: Struggling for Past Forty Years

Bhogaon is a village located at a distance of about fifty kilometers from Parbhani town. This is a big village and most of the inhabitants are economically well. The dalits in this village began the movement for encroachment of the gairan lands in the year 1959, under the leadership and inspiration of Dadasaheb Gaikwad. However, this gairan was also being claimed by the forest department, hence the encroachers were arrested and imprisoned for two months. In spite of this set back in 1978 when the government issued orders for regularizing the encroachments, these dalits once again started cultivating the lands. The forest officers destroyed the crops, but the dalits persisted. At last the revenue department recognized their encroachment and allotted land to seven families, though till date 125 families have encroached the lands. From 1990 onwards most of the encroachers took to farming as full time activity, and started cultivating crops such as Sorghum, Soyabean, and some Pulses. In 1996 once again the forest officials destroyed the crops and the houses on the farms were burnt down. Their crops, grains, and even household items were destroyed. This was a big set back. In retaliation the dalits took out a protest march to the government offices and the government promised them help. Interestingly the villagers of Bhogaon are neither supporting nor opposing the struggle of the dalits. This is because most of the villagers have sufficient land and also labor is not in short supply. So they do not mind some families cultivating gairans. As of now, some encroachers cultivate the lands, and so do not, but none has given up their claim for the lands. The dalits of Bhogaon say that the struggle for gairan lands has taught them of how to lead a dignified life and not fall prey to oppression. The living conditions of those who are cultivating the lands has improved and this is providing inspiration for others to follow this path. Though the dalits of Bhogaon have been waiting for more than forty years for justice, they still have not lost hope.

Further analysis of the data shows that the pressure on private land is more as compared to pressure on gairan lands. This implies that sufficient common lands are available which can be re-distributed to the land-less.

Analysis of the district wise disaggregated data shows that maximum availability of gairan lands occurs in Hingoli district, and minimum availability occurs in Parbhani district. The variation in the availability and distribution of private lands is much less. It is maximum Aurangabad district and minimum in Parbhani district. Overall the pressure on land is more in fertile districts such a Parbhani and less in dry districts such as Aurangabad (refer Table 15).

How much land is available for distribution? How much land has been distributed?

As part of this research project the situation of non-private (common) lands was studied in 873 villages. The total land area studied was 56833 hectares, which has been recorded in 1853 records. This sample is around ten percent of the total grazing land, forestland and other unutilized government lands available in Marathwada. Of the lands studied, most of the land is in the possession of land-less encroachers. However, a large part of this land has not yet been legally distributed. Only a small portion of the land has been legally distributed and titles given to the same. The data shows that on an average 3.69 hectare of land is available per possessor (refer Table 16). Of the land distributed 72 percent is in Nanded district alone. In Aurangabad district not a single land record showed independent private holding of redistributed gairan land.

Table - 15 Current Status of Gairan Land Vis-à-vis Private Lands

Data of 270 sample villages collected as part of the village profile exercise.	Private Lands	Gairan Lands
Percentage land in the village	89	8
Percent of the households, who hold this land	86	6
Percentage of total non-private lands which are gairans	N.A.	72
Maximum availability of lands [In average hectares per family]	4.44 (Aurangabad district)	7.08 (Hingoli district)
Minimum availability of lands [In average hectares per family]	1.07 (Parbhani district)	1.61 (Parbhani district)
Average availability of lands [In average hectares per family]	2.84	4.06

The districts of Jalana, Latur, and Osmanabad have less than five percent and Beed, Hingoli, and Parbhani have less than ten percent each of the total distributed lands. This shows the geographic distribution of lands distributed is uneven, within the region. Of all the records studied only three records had a women's name as the primary holder, of these two were widows of soldiers. Of the lands distributed around two thirds is held by dalits and tribal people. The rest is either jointly by held dalits and non-dalits or by other castes. In around fifteen percent of the cases the caste of the land-holder could not be ascertained. This data shows that most of the lands distributed have been given to the dalits and tribal people, who are the most deserving.

Who has the legal entitlements to these lands?

Data obtained from this sample study also shows that 63 percent of the non-private land is held by the Government. In 25 percent of the lands Government (revenue department) has joint holding with other (private holders as well as other government departments. Many of the lands are being used for non-agricultural and non-grazing purposes such as cemetery, brick making, mining, sugar-factory, housing colonies etc. Hence, the government and local powerful find it convenient to divert these common lands (gairans) to other uses, since there is no mechanism by which the Government can be held accountable for diverting these land to non-grazing and non-agricultural purposes. In case of private lands they would have to undergo a long process of acquiring these lands from the private holders, and in case forest lands, it would require permission from the central government.

Table 16 - Current Status of Gairan Lands Distributed

Land area in Hectares	
Total land area studied	56833
Land in possession of land-less (including those distributed)	53111
Land not yet legally distributed	52822
Number of possessors holding the land	14324
Area of Lands has been legally distributed	4011
Land distributed as percentage of total land studied	7.06
Average land is available per possessor	3.69
Of the land distributed (in percentage)	
Land held by dalits and tribal people	64
Land jointly by dalits and non-dalits	15
Land owned by non-dalits	4.25
Land holders whose caste could not be ascertained	15

What kind of conflicts arises in the process of encroaching and acquiring the lands?

As discussed earlier in the earlier sub-section, the actions by the dalits to encroach upon and cultivate the village common lands is met with stiff opposition by the upper castes and other land-holders and cultivators in the village. The reasons for this opposition are both economic and social in nature. In the sample study, in case of 1853 records studied data was obtained regarding disputes and conflicts arising from the encroachment and cultivation of these lands by the dalits and land-less. This data shows that in case of 71 percent of the land records no disputes were openly reported. When inquired about disputes and conflicts due to illegal land possessions, very few respondents are willing to discuss the real situation. Even on lands on which there are very obvious conflicting interests, these conflicts were not shared during interviews. Subsequently however, many individual cases were sighted and documented through more sensitive probing, in the form of case studies. This effort revealed several hair-raising stories regarding violence and atrocities committed on dalits due to issue of land encroachment. Around nineteen percent of the respondents did not to respond to this question. This reflects the sensitivity of the conflicts. In approximately twenty percent of the cases no disputes have been reported. In approximately 60 percent cases, minor disputes were reported. In approximately 15 percent cases severe disputes were reported. In approximately 3.5 percent cases violent disputes such as destruction of the crop sown by the encroachers by established sections, filing of false police cases, physical abuse and beating, attempts to poison / kill human and animals were reported.

In approximately less than one percent of the cases studies very violent human atrocities such as burning dalits houses / entire colonies, murders of individuals / group murders, use of sharp weapons / guns to attack the encroachers and even rape of women

Box 4: Nature of the Never Ending Conflicts With the Upper Castes

Factors for Lack of Disputes

- Landless / Dalits are in minority, do not dare to encroach
- Landless / Dalits are organized but land is not enough
- Dalits do not feel comfortable to encroach because of civic amenities on the gairans, such as cremation ground, school, social forestry, temple etc.,
- Established people use gairan for Cropping and other commercial purposes and keep the dalits away
- No knowledge of gairan Struggle - do not attempt encroachment

Nature of Minor Disputes

- Disputes with Government: Encroachment not recorded in land records, resistance of revenue officers
- Pressure of established sections of society, intimidation, denial of wages if a family attempts encroachment
- People from other village use gairans
- Police cases / court cases amongst each other
- Local goons use gairans, use of political influence to keep the landless away
- Opposition to encroachment because of economic Interests

Nature of Severe Disputes

- Landless / Dalits get organized because of JAA and are facing severe opposition from the landholders. There are daily fights.
- Social Boycott, dalits not allowed to come in the village functions
- Women are not allowed to fetch water from the common wells
- Infighting within Dalits
- Grazing the cultivated gairans
- Not giving agricultural wage jobs to dalits

have been reported (see Box 4). These percentages are calculated based on reports of the activists (investigators) and is not based on what the landless families have reported.

4.6. Conclusion

The issue of rights to land of the dalits in Marathwada is a vexed and complex issue. It has many dimensions. The overall suppression of the dalits in the social, economic, and political system since the medieval ages, was aggravated by policies of the Nizam king whole ruled over great parts of Marathwada before and during the colonial rule in India. The discriminatory policies of the Nizam further marginalized the dalits. Dr. Ambedkar was one of the pioneering leaders of the dalits who mobilized the dalits and led their struggle against the upper castes.

The most important contribution of Dr. Ambedkar and Dadasaheb Gaikwad with respect of the question of land for the dalits was that they clearly articulated and exposed the fact that in spite of being a part of the rural agrarian community dalits had been historically been denied right to land. They clearly articulated the view that the policy of the land to tiller was not sufficient to provide justice to the land-less and only nationalization of agricultural land

would resolve the issue of land inequity satisfactorily. In other words they demanded abolition of private holding of land in rural areas. Though, this was a very radical political position, the clear articulation of this position and arguments posed to justify this position provided a new impetus to the dalit communities to struggle for land.

Box 5: The Struggle Continues In spite of Setbacks ...

This is the story of the Bhils (tribals) in Ghusur village, in Kannad thesil of Aurangabad District. This village is inaccessible during large parts of the year, especially during the monsoon. The Bhils worked as laborers in the fields of the Marathas. In the same village, the Marathas have settled a nomadic community, the Banjaras, on gairan lands. Having observed the change in the standard of living of the Banjaras and a few other dalits who had received land under the Land Ceiling Act, some of the Bhils were motivated to encroach upon gairan lands. In 1985 they encroached on a 90-acre gairan land. However, at just before the harvest, the Marathas forcibly led their cattle into the gairan lands cultivated by the Bhils and destroyed the crops. There was no chance of resistance on the part of the Bhils as they were outnumbered and afraid of the consequences. Around eighteen years later, a Bhil organizations (*sanghatana*) worker once again motivated the Bhils to occupy the gairan lands. They did so, only to invite the wrath of the Marathas once again. This time the Marathas did file complaints with the police against the Bhils on the charges of cutting trees and stealing wood. The Bhils and their organization retaliated by filing counter charge on the Marathas under the Atrocities Act for burning the house of one the Bhils. The Marathas protested strongly against this in front of the Thesil office, by picketing and fasting. The press covered this issue, and being an election period various parties politicized issue. In the negotiation that pursued the Bhil sanghatana members reached a compromise with the Marathas under great political pressure. The Bhils of Ghusur felt betrayed since they were not involved in the negotiations. Till today they have no lands to cultivate. This is a story of the disempowered Bhils, a story of the powerful bullying the meek and those in minority. Post Script: Only eleven families want land, so even if each of them gets two acres, only 22 acres will be distributed and 68 acres of grazing lands will still be available to the community. But the land-less owning land, cannot be thought of by the rich and powerful.

Dadasaheb Gaikwad, an ardent follower of Dr. Ambedkar, continued the movement initiated by Dr. Ambedkar. The focus of the movements and agitations led by Dadasaheb Gaikwad was on the issue of land rights for dalits. After him many young leaders from the dalit movement pursued the issue land rights and mobilized the dalit communities to struggle for land. In the contemporary period the movement is mainly being led the Campaign for Human Rights and the MLVM network of voluntary organizations in Marathwada. These two organizations have recently formed an alliance to specifically work on the issue of land rights.

The survey of gairan lands undertaken as part of this research project clearly shows that there are still large tracts of land, which could be distributed to the dalits and land-less for them to cultivate. However, their struggle to encroach and cultivate these lands, and also pressurize the government to distribute the land is stiffly resisted by the upper castes and other vested interests. In spite of certain resolutions by the governments to regularize the encroachments made on the gairan lands, very few of the encroachers have obtained legal land titles. This is because the nexus of the local powerful sections (mainly upper caste land

owners) and local government officials create various obstacles in the effective implementation of these resolutions and laws. The local powerful sections have even committed violent atrocities on the dalits on the issue on land encroachment. In spite of these obstacles dalits and land-less are struggling for land.

Thus, the dalits and land-less and their organizations and movements are facing various challenges in their struggle for land. Their struggle for land is rooted in their intense aspiration to break free from the vicious cycle of deprivation and disempowerment. They clearly see that only when they are able to earn secure and sustainable livelihoods from cultivation of land will they be able to break the vicious cycle in which they are trapped for centuries. Hence, the core issue that has to be addressed is how to ensure secure, sustainable, and dignified livelihoods to the dalits and land-less. In this regard the issue of how to strengthen the existing organizations of the dalits and their ongoing struggles for land is also a crucial issue. The report addresses these issues in the next section, which discusses the recommendations for future action, based on the inferences drawn from the discussions in this, and the preceding sections.



Section 5

Conclusion and Recommendations: The Arduous Way Ahead for the Dalit Land Rights Movement

This concluding section presents firstly, the key findings of the study. Secondly, it discusses the recommendations for action in order to ensure justice to the dalits. These recommendations are addressed to key actors within the movement, and also outside the movement. Those outside the land rights movement include the makers of policy, opinion, and decisions in the government and civil society. These recommendations are in the form of broad strategic guidelines. This section also includes the outline of a broad strategy for securing livelihoods and overcoming disempowerment faced by the dalit communities. Further, an elucidation of what kind of action would be required on part of the key actors to realize this goal is also discussed.

5.1 Key Findings of the Study

The Vicious Cycle of Deprivation and Disempowerment

Section one, and section two of the report discusses the various aspects of deprivation and disempowerment of the dalits in Marathwada, respectively. The discussion regarding deprivation shows that economic deprivation is seen as the most crucial facet of the multi-faceted deprivation of the dalits and land-less. This is reflected in abysmally low level of monetary income of the families in the sample. This level of income is almost half of what the government officially regards as the poverty line, but yet only a small section of these communities are officially registered as families living the below poverty line. Other types of deprivation compound the economic deprivation. These other types of deprivation include lack of access to safe and durable housing, health care, and education.

The root of this multi-faceted deprivation can be traced to the multi-dimensional disempowerment. The economic dimension of their disempowerment, which again is the most critical, manifests in the form of lack of access and rights to basic productive resources. Being situated in a pre-dominantly agrarian social and economic milieu, land is the chief resource, which is required for earning secure and sustainable livelihoods. However, the dalits and land-less have been denied rights to land for centuries. The feudal structure of social organization vehemently resists any attempt by these sections to access land. Besides landlessness they also face other difficulties. The dalits and land-less in Marathwada have little scope for taking recourse to livelihood options in the urban-industrial system, due to the very slow progress of industrialization in the region. As a result they are forced to migrate to distant places in order to undertake different types jobs involving mainly manual labor. They end up earning very little and succumb to various types of oppression. Besides this economic dimension, their disempowerment also has a social dimension arising from their low social status in the caste

hierarchy. Further, as a result of the exclusion from the process of governance, compounded by lack of economic power and social status, they suffer from political disempowerment also. Unable to overcome the various forms of disempowerment, they continue to be deprived of adequate and secure livelihoods. This inadequacy and insecurity in the satisfaction of the basic livelihood needs further strengthens their disempowerment and inability to overcome it. Thus, a vicious cycle of deprivation and disempowerment sets in.

The various efforts made by the government, either through land reforms or through welfare and anti-poverty schemes have provided little help in breaking this vicious cycle. In fact, as the study reveals, only a negligible percentage of the interviewed families have been able to access and benefit from the government schemes. The efforts of the government to help these sections is defeated mainly by the adverse local political economy. In this political economy there exists a nexus between the locally rich land-owners who are also politically powerful, and the local government bureaucracy. The members of this nexus work to ensure that the dalits and land-less continue to remain trapped in the vicious cycle of deprivation and disempowerment, so that the disempowered can be used to serve their own economic and political interests.

The Movement of the Dalits for Justice and Rights to Land

As the awakening among the leaders of dalits grew with the influence of the western liberal thought during the colonial period, leaders like Dr. Ambedkar, challenged the caste system and various type of injustice meted out to the dalits. This included denial of land rights and rights to become honorable cultivators. Dr. Ambedkar, and his followers (such as Dadasaheb Gaikwad) mobilized the dalit masses to engage in the struggle for land. As a result of these agitations and protest movements, the government did bow to their pressure and enacted a few legislations to provide land to the land-less. However, effective implementation of these legislations was sabotaged by the same adverse political economy. The struggle continues to this day, and many youth from the dalit community, who have had access to modern education, continue to lead the struggle of the masses for social justice, of which the struggle for rights to land and other productive natural resources is an integral part. This struggle is often responded with violence committed on the dalits. Yet the dalits in Marathawada are protesting and struggling against this violence and injustice through democratic means. These include building mass organizations of the dalits, and developing their social and political consciousness in order to motivate them to engage in the struggle in a united manner.

Organizations such as the CHR and MLVM are the contemporary organizations in the non-party political and voluntary sphere, working on the issue of human rights and land rights of dalits. These organizations have been working for the past two decades on various aspects of the rights of the dalits and other land-less sections. In spite of un-tiring efforts to secure land, the activists of these organizations observed that access to land alone couldn't ensure livelihoods to the dalits and land-less. This observation was validated by the ever-increasing

migration of these sections, and even land holding families from the region to other more prosperous regions of the state to work as agricultural laborers. This is because of very low level of productivity of land. This in turn is because the region is highly drought prone and irrigation is very poorly developed. Hence, along with the issue of land rights, these organizations also began to address the issue of land productivity and capability of the dalits and land-less to engage in productive and sustainable agriculture, so that they could attain adequate, secure, and dignified livelihoods.

5.2 Livelihoods Security and Need for Comprehensive Strategy

Livelihoods Security - The Core Issue of the Dalits and Land-less

These observations of the activists, obtained by working directly with these sections, are corroborated by the findings of this study. As the study clearly shows, the vicious cycle of deprivation and disempowerment of the dalits and land-less in Marathwada can be broken only by ensuring land rights. They will be able to satisfy their basic livelihoods, in an adequate, and secure manner, only through cultivation of land, and allied activities such as animal husbandry.

Thus, at the core of the issue of deprivation and disempowerment, is the issue of security of sustainable livelihoods. Further, the livelihoods, which would be based on natural resources, have to be able to withstand stress and shocks, including those induced due to natural calamities such as recurring droughts.

The Strategy of Combining Rights, Productivity, and Capability Building

To address the issue of security livelihoods of the marginalized sections, such as the dalits and land-less, which has various dimensions a broad strategy, needs to be devised. This broad strategy would address the issues of rights, as well as the issue of productivity of natural resources, and capability of the marginalized sections. Thus, a three-pronged strategy based on a combination of the following three aspects is required, namely, (i) securing and protecting rights to access and control over resources, natural and man-made, (ii) ensuring development, adaptation, and extension of appropriate mechanisms for enhancing the productivity of the local natural resources, and (iii) developing the capabilities of the local marginalized communities to exercise their rights and effect enhancement in productivity of their resources. Only when these three prongs of the strategy are translated into an integrated program would the desired result of livelihoods security be achieved. However, it is well accepted and also demonstrated by the struggle of the dalits for lands, that the issue of rights is primary and fundamental in affecting this strategy. Hence, primacy has to be given to the issue of rights, however, this strategy also emphasis that the fact that only securing rights is not enough. This too is validated by actual experience at the grassroots.

Further, this comprehensive strategy to address the issue of rights, productivity, and capability needs to be adapted to the ground realities of the conditions of the dalits and land-

less. Based on this adapted strategy meaningful action programs can be evolved for direct intervention, both at the level of policy and practice change. The findings obtained from the study show that improving productivity of the existing gairan lands is also a crucial issue. When a section of the land-less are able to demonstrate that they can earn adequate and secured livelihoods by cultivating the encroached gairan lands, it would provide a tremendous boost to the morale of other sections and motivate them to struggle for rights and access to land. Thus, intervention in enhancing productivity will directly contribute to the struggle for rights. Further, for the ultimate success of both these types of interventions capability building of the marginalized sections is an imperative. Capability building could begin with simple efforts for building the awareness and taken on more complex forms, such as political concentration. Similarly, in the area of productivity enhancement, the efforts could result in building capabilities required to adopt the latest sustainable technologies for land and animal husbandry.

Such a comprehensive strategy cannot be put into practice by a single organization. Putting this strategy into practice would be a long-term affair and would require participation of a wide range of stakeholders. The neglect of even any on the stakeholders could jeopardize the well thought out strategy and plan. The government is one of the crucial stakeholders besides the community and organizations involved in the land rights movement in ensuring that this strategy works in practice and the desired goal of livelihoods security of these sections is achieved. Similarly, the larger civil society consisting of the media, intelligentsia, and academia, also has a crucial role to play in creating the right kind social opinion in favor of ensuring justice to the marginalized. In the next sub-section, a few recommendations are presented in the form of possible actions to be undertaken by the various key social actors /stakeholders. Some of these recommendations are generic in nature and draw upon findings from the present study, and therefore apply not only to Marathwada, but also to other communities and regions, which are in situations similar to those of dalits in Marathawada.

5.3 Recommendations for Government and Civil Society Actors

Recommendations for Government Action

- Effective Implementation of Existing Rules and Laws: There is more than adequate evidence to demonstrate that the existing rules and laws, which would enable certain sections of the land-less to gain land rights, especially to gairan lands, are not being properly implemented. Hence, the government must ensure that the existing rules and laws are effectively enforced in a sensitive manner. The government, at all levels of administration, must make efforts to curb corruption and other mal-practices in the implementation of the existing laws that would ensure land rights to the land-less.
- Implementation of a Uniform Policy and Umbrella Law for Land Rights to Land-less: Since, the existing rules and laws are inadequate to ensure land rights to a vast majority of the land-less, and since these rules are only reactive in nature, (i.e., they are enacted to

regularize encroachments), the government must, in a proactive manner, announce a uniform policy and an umbrella law for ensuring land rights to all land-less, across the state.

This uniform policy must go beyond the hereto proclaimed slogan of land reforms, namely 'land to the tiller' and ensure that those who are not tillers (or tenants) but aspire to be honorable cultivators are given at least a minimum amount to cultivable land, and rights and access to other natural resources, which would enable them to earn adequate and secured livelihoods for their families.

In this context, it needs to be noted that the Land Ceiling Act, which was designed to acquire surplus land from land-holders and distribute to the landless has not been effectively implemented. Also, as the study shows, a large amount of non-private lands (including gairan lands) is available which can be effectively distributed to the dalits and other land-less sections. The government must announce its policy position regarding the distribution of these lands, and enact appropriate rules and laws to ensure land rights to the land-less.

- Improving the Productivity of Existing Marginal Lands: The Government of Maharashtra is presently implementing a number of schemes for improving the productivity of agricultural lands. At the core of productivity improvement of marginal lands is soil and water conservation. The GoM is undertaking soil and water conservation activities on a massive scale through schemes such as Employment Guarantee Schemes (EGS). The Government must develop a special scheme (besides the present scheme for micro watershed development), which would enable comprehensive development of the lands of small and marginal land-holders and even common lands, such as gairan lands, through soil and water conservation measures. The local dalits and land-less must be given rights to these lands, and water developed through these conservation measures, and should also be given wage employment on a priority basis in these conservation and development activities.
- Increasing Skills and Capabilities of Marginalized Sections: The study shows that the dalits and land-less are unable to access primary education. Their literacy level is also very low. Hence, efforts should be made to provide them vocational skills, especially in vocations such as land and animal husbandry, and process of natural resources, which would enable them to earn secured and adequate livelihoods. The various training schemes, programs, and institutions of the government, which work towards providing knowledge and skills to the marginalized sections, need to be reoriented, so that they provide livelihood-centered training and not just job or employment-oriented training. The study clearly shows that very few families, even from such a large sample have access to jobs in industries or government. Most of them are working within agrarian economy. Hence, such training and skills needs to be imparted to them, which will help them to survive and prosper in this natural resources based economy. The usual temptation to integrate them into an urban-

industrial economy should be avoided, as the urban-industrial system seems to be offering very few livelihoods options to these sections.

- Access to Credit: The study has shown that lack of access to credit for securing inputs for agriculture is a basic problem, which many land-holders and encroacher-cultivators are facing. In the absence of reliable and affordable source for credit, they are forced to access the exploitative market of money-lenders and middle-men. This further increases their economic disempowerment, accentuating their income deprivation. Appropriate models of credit institutions and land-based credit schemes also need to be evolved to respond to the specific ground realities of cultivators such as the gairan land-holders. The government, in collaboration with NGOs and rural micro-finance organizations, can play a vital role in providing adequate and affordable credit to these sections, and help them in their attempt to break the vicious cycle of deprivation and disempowerment.

Recommendations for Action by Civil Society Organizations

- Mobilization and Rights Advocacy: Organizations such as the CHR and MLVM have been involved in grassroots mobilization on the issue of land rights for the past two decades. However, the changing nature of the local political economy is forcing them to adopt new strategies and means to continue their efforts for mobilization and grassroots advocacy. As the section on historical review shows, the context of dalit movement in the 1950s and 1960s was completely different as compared to the contemporary context. Hence, capabilities of the dalits activists and grassroots workers needs to be developed so that they can make their struggle more effective.

In this context, strategies and programs need to be devised to overcome the barriers created by the local political economy. This is to be done by building higher and higher levels of solidarity among the dalits across village and districts. Only then can they effectively resist the oppression at village level. This would involve developing strong mass-based organizations of the dalits and land-less.

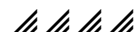
In this context, the existing grassroots organizations (GrOs) such as CHR and MLVM need to be strengthened. The knowledge and skill base of the grassroots activists need to be enhanced so that they can become more effective in the changing circumstances. At the same time, it is necessary to build greater level of solidarity among dalit and non-dalit activists, working on the issues of social justice to be able to exert greater influence on the government and the opinion of the larger civil society.

- Dalit Political Leadership: The section on the historical analysis of the dalit movement shows that, in the contemporary period, very few dalit leaders have been able to exert the kind of influence that leaders such as Dr. Ambedkar and Dadasaheb Gaikwad had on the community. In the absence of effective leadership, even huge movements tend to crumble. The dalit leadership in contemporary period is keen on gaining political power through the

electoral process. This is based on the assumption that gaining political power would enable it to provide justice to the masses. However, the experience of the past three decades shows that this strategy has serious limitations. While participation in the process of governance has benefited some small sections of the dalit community, by and large, this strategy has not provided the political space to the dalit movement to make significant changes in the social and political structures at the grassroots level, especially in the rural areas. As the analysis of the struggle for land rights shows, unless such structural changes are affected in the social, political and economic systems, the issue of rights and justice to the dalits would continue to remain unresolved. Hence, new forms of leadership needs to be developed which would effectively work on such long-term structural issues and provide new direction and impetus to the movement. However, such leadership has to evolve from within the community and existing organizations. Hence, it is recommended that the existing organizations review their organizational structures and processes with a view to promoting new leadership, which would be able to face the new challenges in the era of globalization and liberalization of economies.

- Community Based Action: The study clearly shows that, unless and until the members of the community do not become aware about their own situation—especially about the vicious cycles in which they trapped—they would not be motivated to act for struggle. Hence, increasing awareness of the community is very essential to keep the movement on the forward march. Only through critical analysis of their realities, would they be motivated to participate in the process of struggle and reconstruction. Hence, prolonged and sustained community based action for awareness building need to be undertaken.
- Increasing Skills and Capabilities of the Land-less: Apart from increasing the consciousness of the oppressed to struggle for their rights, it is also necessary to undertake concrete exercise to enhance their capabilities to participate capably and productively in land based economic activities. In the case of gairan land-holders, increasing the productivity of their lands is the most relevant and critical form of empowerment, which will help them to break the vicious cycle of deprivation and disempowerment. Hence, activities for increasing the skills and capabilities of the landless to enhance productivity of lands need to be undertaken. This also includes enabling them to access government schemes, which would help them in this process of productivity improvement of land. Besides these measures they also need to be enabled to access government schemes giving them better access and control over basic amenities and services, such as housing health, and education. This would contribute to the improvement of their livelihoods in the long term.
- Role of Media, Intelligentsia, and Academia - Creating the Favorable Social Opinion: The caste bias is deep rooted in the Indian society. This bias is one of the structural factors, which denies the dalits and land-less their rightful share to resources. Though, the media and intelligentsia have played a crucial role in highlighting the plight of the dalits and developing solutions to their problems, this trend has suffered a setback in the post

liberalization era. In the contemporary period, the media focuses only on sensational issues, and is averse to portraying and highlighting more fundamental issues, such as dalit struggle for land rights. If the comprehensive strategy of rights, productivity, and capability building is to succeed these sections have a critical role—in creating a favorable social opinion—in favor of the rights of dalits to land and other resources, among the middle and upper classes, especially the urbanites. The failure of these sections of society to comprehend the core of the problem and put its might behind these marginalized sections is also evident in the recent years. These social actors have to overcome this limitation. Hence, it is recommended that there needs to be greater interaction and solidarity among the struggling masses and these sections to strengthen the movement of the dalits and other land-less sections.



Annexure 1 - The Study Process and Sample

Background to the Research Project

This report is based on a detailed report of a research project undertaken by Paryay (an NGO working in Marathwada and coordinating the MLVM network), on behalf of the JAA, on the issue of gairan lands. The various Oxfams have been supporting CHR and some NGOs in the MVLN network in their work on the land rights issue. In the year 2000 Intermon Oxfam (IO) played a catalytic role in providing exposure to the leaders of these two lead organizations (CHR and MLVM) to the major land rights movement in Brazil, namely the MST. The purpose of this exposure was to learn from the Brazilian movement and devise strategies for future land struggle of the dalits in Marathwada. Based on the learning's obtained from this exposure visit, as well as intensive consultations within the two organizations, JAA was formed as an alliance to work in a coordinated manner on the issue of land rights of dalits in Marathwada. To operationalize this new coordinated strategy and give a programmatic base to the alliance, JAA, with due inputs and support from Intermon Oxfam, devised a comprehensive program to promote the issue of lands rights and land productivity improvement in Marathwada, with specific focus on dalit communities. This comprehensive program, aimed at strengthening the land based livelihoods of dalits in Marathwada mainly consisted of the following components: (a) research and documentation, aimed at developing a better understanding of the issue and provide inputs to advocacy, (b) grassroots and regional advocacy activities including grassroots mobilization and organizational building, and (c) capacity building of dalit community members to undertake sustainable productivity improvement of land. These three components are being complemented by activities in (a) micro finance for supporting land development works, and (b) activities for increasing gender responsiveness, to reduce gender inequity. The following report is the outcome of a year-long effort to systematically study the issue of dalit encroachments on the common grazing lands of the village, commonly referred to as the 'gairan' in vernacular. This study formed the core of the research and documentation component of the JAA land rights program.

Objectives of the Research Project

The primary objective of the research and documentation component of the JAA program was to fill the information gaps in the existing knowledge base regarding the status of gairan lands, and the encroachment made on them by the dalits. Senior activists working in the movement felt that such an updating of the existing knowledge base was essential to provide impetus to the mobilization and advocacy efforts of the lead organizations in the movement. Further the enhanced understanding of the issue of land rights (especially rights to gairan lands) gained through this research would contribute to developing the future course of action for the JAA alliance. The above broad objectives was further concretized into the following specific objectives:

- To study the various dimensions of deprivation and disempowerment of the dalit communities and explore its inter-linkages with their landlessness
- To understand and highlight the importance of land rights and land productivity improvement in providing secure and sustainable livelihoods to the dalit community.
- To collect and compile government records related to common lands available redistribution, present status of encroachments on these lands, its geographic location, the legal position regarding these land, its current use, quality of the land, availability of water sources, and verify it with ground situation through a large sample study (approximately 1000 sample villages in 8 districts)
- To document, in brief, the history of the dalit movement for lands rights in the pre and postcolonial period, and its inter-linkages with the contemporary movement (past 25 years), along with the current position and perspectives of activists in land rights movement.
- To analyze the government policies and legislation's of the land reforms process (including the land rights struggles) in the states of Kerala and Madhya Pradesh and use the learnings from these studies to inform the process of developing recommendations for the JAA.

The Research Process

This research study was conducted by many researchers. Paryay did the major portion of the study involving field data collection and analysis, The sub-study regarding the historical documentation of the dalit land rights movement was conducted by an independent researcher cum journalist based in Aurangabad. Independent researchers from the respective states conducted the sub-study of the land reforms process in Madhya Pradesh and Kerala. Sampark, a civil society advocacy organization, based in Mumbai conducted the sub-study on the constitution provisions and land rights legislation's in India. The field research conducted by Paryay consisted of the following activities: (a) formation of the field data collection team, and (b) selecting appropriate data collection methods and developing tools for data collection, (c) administration of field data collection, and finally (d) data compilation, validation, and analysis.

Paryay appointed 50 field investigators for primary data collection. Primary data was collected regarding the landless families, as well as regarding the status of gairan lands. Most of the investigators were themselves dalits and landless, with basic school/college education. This factor did help the investigators to establish quick rapport with the respondents, but it could also have led to some bias, though this aspect was adequate addressed by providing in-depth training and orientation to the field investigators. The investigators who conducted the survey were asked to record their own observations with the information provided by the respondent. In 98.5 percent of the cases they have recorded that their observations matched

with the responses given by the respondent. The researchers therefore possess a high level of confidence regarding the validity of data.

Choice of Research Methods and Sample

Regarding the methods for data collection the choice was either to adopt a participatory, empowering, and exploratory research process or conventional positivist methodology. Initially, an open ended, process oriented qualitative research design was conceived. However, it had to be dropped, in view to the time constraints and limited skills of the field investigators. Besides, it was necessary to collect documentary evidence (land records) for strengthening advocacy. Therefore compilation of secondary data regarding land records was chosen against PRA to collect data regarding land status.

In the survey on the social and economic aspects of the landless families data was to be collected from 300 villages by 58 different individuals of varying capacities. Maintaining uniformity in the data collection process in such circumstances was a critical issue. Hence, structured survey was preferred over open-ended interviews. The idea of written questionnaire was rejected due to predominant illiteracy. For estimating production and productivity, soil and water, laboratory tests were preferred to avoid imprecise statements. For illustrating the land rights struggle and the range of experiences and impact on the landless, case studies were planned. For this purpose, external expertise was hired to compliment the research team. The Primary Data covered the following three aspects:

- The context: Village profile of a sample of 270 villages using a 'village profile tool'. Besides this data from secondary sources was collected regarding the region.
- Data about the land: For this data regarding the land records was collected in 899 villages (target 1000), and data regarding land quality and water sources was collected in 144 villages (target 150),
- Data regarding the social and economic conditions of the landless: for this data of 11090 families (target 5000), interviews of 5794 women and 4930 men (target 5000 each), and 24 case studies (3 from each of 8 districts) having significant impact for the land rights movement (refer Table 17).

Table 17 - Details of Data Collection Tools and Sample

Tools of data collection	Planned Sample	Completed Sample
About the context		
Tool 1: Village Profile	300 villages	270 villages
About the land		
Tool 2: Land Records	1000 villages	873 villages
Tool 3: Land Verification	1000 villages	873 villages
Tool 4: Soil, water, crop survey	150 villages	144 villages
About the landless		
Tool 5: Family Survey	5000 landless/ dalit families	11090 landless/ dalit families
Tool 6: Interview	7500 women & 7500 men	5794 women & 4930 men
Tool 7: Case Study	24 Cases	24 Cases

Problems Encountered in Field Data Collection

The field data collection team did encounter certain problems in the process of fieldwork. Some of the key problems/issues were as follows:

- Drought: data collection was conducted during drought period, hence many of the respondents had either migrated or there was a lack of enthusiasm among them to discuss land-related issues,
- Elections: two major elections (central government and state government) and elections to a few local bodies were held during the data collection period. This affected the field data collection process, especially in canvassing and mobility of the investigators.
- Limited Capabilities of Investigators: Since investigators were hired in a large number, and there was very little time to thoroughly train them, they did face certain limitation in terms of skills in the process of field investigation. Also there were an abysmally low number of female members in the team of field investigators, which hindered the task of obtaining gender-related data.
- Fear of Respondents: The issue of gairan lands being sensitive to caste prejudices and conflicts some respondents were hesitant to respond to a survey on this issue. There were being pressurized by the powerful elite of the village to be non-cooperative with the investigator's teams.



Annexure 2 - Overview of Land Reforms in India and Case Study of Land Reforms in the States of Madhya Pradesh and Kerala, and Learning's for the Gairan Land Rights Movement

As part of this research study two sub-studies were commissioned to develop knowledge base which could be helpful to the activists in the gairan land rights struggle. The first study sought to review the status of land reforms in India. In the second sub-study the land reforms process in two states of India, namely Kerala and Madhya Pradesh was studied. While, the land reforms process in the State of Kerala is considered as a successful effort, the process in Madhya Pradesh has not been very encouraging. Hence, it was premised that studying the land reforms in these states would throw light on factors facilitating and obstructing the land reforms. In this annexure the key points that have emerged from these studies have been presented in brief.

Pre-Independence Situation and the Need for Land Reforms

In rural India, because of its pre-dominant agrarian economy, land is the most important resource for livelihood. Land, in the rural areas, is not only a resource, which provides economic opportunities but it is also a source of identity, dignity, and social security. An individual or community owning land is not only economically secure, but also socially and politically powerful whereas those who are land-less are economically insecure, and also socially, and politically powerless. They live in abject poverty wander in search of employment leaving their homes and villages, rendering them vulnerable to oppression and exploitation.

Land being such a vital resource, the need to own and also cultivate land is felt by almost all the sections of the rural population. However, the unequal distribution of land and other natural resources has been historically an intrinsic part of caste and class ridden Indian society. The traditional system of land ownership was by no means a just system. Except for collective community ownership in case of few types of land and communities, by and large land relationship was defined by feudal and monarchic systems of governance. Hence, the social and economic relationship between the land-less and the land owning class was characterized either by patronization of the land-owners by the land-less, or oppression of the land-less by the land owners, or conflict between the two.

During the two centuries of colonial rule in India, the British intensively promoted the institution of private property leading to de-legitimization of community ownership of natural resources to a large extent. The British claimed the forest-lands and introduced and oppressive regime of land tax. Further, they upheld and supported the feudal system of land administration. As a result, the ownership and control of agricultural land became highly concentrated in the hands of a few landlords and intermediaries, mostly from the upper castes, whose main intention was to extract maximum rental from tenants to serve their own interests

and also that of their colonial masters. The British entrepreneurs acquired the common lands rich in natural resources like minerals at cheap prices and the resources were plundered. The *adivasis*, who had been living, cultivating and using forest resources as customary rights, were either driven away from the forests or branded as encroachers and harassed by the forest department. The unjust concentration of land in the hands of few upper caste landlords rendered the majority of *dalits*, *adivasis* and other backward communities either land-less or with very small and marginal land-holdings. They were exploited and oppressed by the landed communities on whom they depended for employment at very low wages or as bonded labor.

Due to these social and economic upheavals land has been the major cause of conflict in the rural India. This ruthless exploitation of the peasants and the land-less laborers by the powerful social sections generated strong discontent among the laboring class. The legacy of struggle for land can be traced back to more than two hundred years. As a result of a number of these struggles for land rights it was widely recognized that the unequal distribution of land and natural resources is the key reason for increasing poverty, economic stagnation, rural - urban migration and escalating violence. Land reform was seen as the solution for enhancing economic activity, bestowing human dignity, providing social status and security, empowering the beneficiaries and ensuring political participation of the land-less. This realization made the national leaders promise the land-less and marginalized farmers that following independence from British rule there would be equal distribution of land and the tiller would get the right to the lands they cultivated.

Mahatma Gandhi, regarded as the father of the Indian nation, said, "In independent India the peasants would take the land they cultivate and no compensation would be paid to the landlords". Endorsing Gandhiji's viewpoint on land reform, the Indian National Congress and the Kisan Sabha passed a joint resolution in 1935, which stated that: "There is only one fundamental method of improving village life..... the introduction of a system of peasant-proprietorship under which the tiller of the soil is himself the owner of it and will lead to an all round improvement in the condition of the rural population". Immediately after Independence, a high power committee set up by the Indian National Congress with Jawaharlal Nehru as its Chairman recommended the following: "All intermediaries between the tiller and the state should be eliminated and all middle men should be replaced by non-profit making agencies such as cooperatives. Land should be held for use as source of employment". The Indian National Congress on the eve of the first general election, emphatically declared - "Land is the base of India's economy. The agrarian system should be so organized that those who toil enjoy the fruits of labor, and land is worked as a source of wealth of the community". So, the demand for land reform was strongly pressed by the people of India and was accepted as the most potent means of poverty alleviation and economic rejuvenation by the national leaders of the Indian independence movement.

Constitutional Provisions and Land Reforms In India

The issue of land reform was embodied in the Constitution in various ways. The Preamble, the Directive Principles, the Fundamental Rights, the Constitutional (Seventy-third amendment) Act 1992, Article 46, the Fifth and Sixth schedules, and the Ninth Schedule all provide a firm base for land reforms aimed at giving land rights to the land-less and protecting land rights of the small and marginal landholders. To expedite the process of land reforms, more than 270 legislations have been enacted in the country and included in the Ninth Schedule of the Constitution. The constitution has been amended 13 times to remove impediments in the land reform process. It was amended first time in early 1951 to incorporate the UP Zamindari Abolition and Land Reforms Act 1950 in the Ninth Schedule. To expedite comprehensive land reforms the right to property conferred by the Constitution was deleted by the 44th amendment with effect from June 20, 1979. The Zamindari system of land administration was progressively abolished in all the states.

Land Ceiling Act – The Core of Land Reforms Legislations

The Land Ceiling Act, which put restrictions on, the quantity of land held privately and also provides for redistribution of land, forms one of the core legislation's under the aegis of land reform legislation's. Since land is a state subject, the state governments are expected to make the legislation and implement them. In case of the state of Maharashtra the Maharashtra Agricultural Lands (Ceiling on Holdings) Act was enacted in 1961. This act prescribes a maximum limit on the holding of agricultural land throughout the State with a view to ensuring equitable distribution of agricultural land amongst the peasantry of the State and in particular for providing land-less with land self-cultivation. A ceiling of 18 acres has been laid in regard to lands with an assured supply of water for irrigation and capable of yielding at least two crops in a year. A limit of 36 acres has been laid down with regard to lands irrigated seasonally by flow irrigation from any source with un-assured water supply. For all those lands, which do not fall in the above categories, a limit of 54 acres has been shown. The provision has been made for distribution of 'surplus' among land-less and a significant feature of the Act is that the fifty percent of surplus land shall be reserved for distribution to land-less belonging to the Scheduled Castes, Scheduled Tribes, Vimukta Jatis and Backward classes. However, the Act which commenced in 1962 with all its amendments was sought to be defeated by glaring flaws, faked transfer, partitions and at times by collusive decrees obtained from Civil Courts.

Negligible Achievements of the Land Reforms Legislations

Most of the States deliberately delayed the passing of this Act, enabling the big landholders to manipulate land records and to transfer excess land in fictitious names (also referred to as *benami* transfers). Information on irrigated and double crop lands was concealed to avert the ceiling limit. Not only in Maharashtra, but also throughout the country the Ceiling Acts did not achieve the desired objective. The official statistics of the Ministry of Agriculture,

Government of India show that (refer Table 17) about 63 percent of marginal farmers operate on 15.60 percent of total landholdings almost equivalent to the holdings of 1.33 percent held by big landlords.

Table 17: Distribution of Operational Holdings in India (in percentage)

Category of Landholder	Percentage of Landholders	Percentage of Landholdings
Marginal (> 1 ha)	62.79	15.60
Small (1-2 ha)	17.79	18.70
Semi Medium (2-4 ha)	11.99	24.13
Medium (4-10 ha)	6.10	26.37
Large (10 ha & above)	1.33	15.20

Source: National Sample Survey (1991-92)

This can hardly be called distributive justice. It is interesting to look at the figures of land redistribution of some other countries, which, by resorting to appropriate policies, have consolidated their socio-economic position and recorded remarkable progress in poverty alleviation. In China 40 percent of agricultural land was redistributed among the land-less in Taiwan, South Korea and Japan it was 37 percent 32 percent and 33 percent respectively. However, in India, only 1.25 percent of the operational area has been redistributed to the land-less.

Where the surplus land is distributed among the land-less backward communities, the problem of "entitlements without possession" is widespread. It is often seen that the government acquires surplus land without removing the possession of big landlords, who have money, muscle power and clandestine relations with the local administration. While the government issues land documents to the poor, it does not demarcate allotted land nor does it see whether the beneficiaries get possession or not. So the beneficiaries have land documents in their names but do not even know where the land is. Even if they know who is in possession of their land, they do not protest because they are subjected to threats. If the matters are reported to the police, they do not take any action, stating that land matters are related to revenue courts.

Thus, the vested interests have been successful to a large extent in sabotaging the land reforms process by various means. Firstly, they have ruthlessly exploited the various loopholes in the law, and also resorted to corrupt practices. The collusion of the landlords with the government officers involved in land administration ensured that the land reforms legislations were not effectively implemented.

Case Study of Land Reforms in Madhya Pradesh

The struggle for land reforms has been ongoing in various areas of Madhya Pradesh (MP), but the concentration of this has been in Chattisgarh region due to the movement spearheaded by the Chattisgarh Mukti Morcha. In the last decade, Ekta Parishad too has been actively involved in the land reforms movement in all the regions of MP. The state has 38 districts and about 35 organisations are known to be working on the issue of land rights.

The study of the land reforms in MP was conducted using the methods of case studies, interviews and review of literature and data from secondary sources. Major works of scholars and institutions on this subject was also reviewed. The Study Team consisted of two persons: Mr. Akmal Shareef and Ms. Varsha Chanda. Mr. Nesar Ahmad of Center for Budget Studies, NCAS, has helped in the Policy analysis section of the study. Following are some of key findings of this study.

Status of Land Rights in Madhya Pradesh

In Madhya Pradesh the Narmada Dam, the National Parks (especially under Project Tiger), and the Steel and Coal Industries have played a major role in the displacement of the tribal and the poor from land that has been their livelihood for decades. In the formal economy they are again at a disadvantage with no education or skills. According to the Agricultural Census Report 1990-91, 12.60 percent of dalits own 8.10 percent of land in Madhya Pradesh. For Adivasis this figure is better with 24.70 percent of Adivasis holding 25.20 of land. The report has not mentioned the type of land held by the two classes but this study team's visits confirmed the fact that most of the land that has been distributed by the Government is wasteland and rocky land. The exact status of land holding is as follows:

- About 41 percent of rural households do not own any land. However, the percentage of SC households who are land-less is more than 55. About one third of tribal and about 40 percent of other backward classes (OBC) households are also land-less. This is also evident that as high as 57 percent of the agricultural laborer households are landless. Percentage of SC agricultural laborer households, which are without any land, is as high as 64 percent.
- The agricultural laborer households, with land, own very small pieces of land. The average size of the land own by the agricultural laborer households is 0.18 hectares. This average is just 0.13 hectares for the SC households.
- Around 61.66 percent of total land owning households held less than 1 ha of land. The operational area held by these marginal farmers was just 17 percent, with the average holding per family being just 0.4 hectares. Another 18.7 percent of the farmers were small farmers owning between one to two hectares per family. 80 percent of the farmers are marginal and small farmers owning one to two hectares of land.

- About 1.2 percent of the land-holders (large farmers) control 14.8 percent of operational landholding, having an average of 17.21 hectares of land per household. 6.1 percent of the land-holders (medium farmers), owning four to ten hectares of land control another 25.3 percent of operational holding, having an average of 5.84 hectares per household.

Failure of Land Reforms Process in MP

These figures clearly indicate that the land-reforms process has not been very successful in MP and land holding is still very inequitable. Harsh Mandar, a former bureaucrat with considerable experience of working in the state of MP and also a committed activist and writer working with the tribal and disadvantaged group in the country, has this to say on land reforms in MP: "the issue of land reform is a political issue and is directly related to poverty issues. Any effort to see this issue from different perspective won't serve the purpose. The Madhya Pradesh land Reform Code was one of the most progressive codes of its time but it failed because the mainstream political parties and some official are just not interested in the effort. In the last 20 years the issue has lost its momentum. Neither at the political level nor at the social level the land reform issue is discussed these days. The mainstream civil society organizations are not addressing the land reform issue, as it should have been done. The issue of poverty is a subject of political economy, which we are trying to address through techno-managerial way. The formation of SHG or the IRDP programmes of Government of India are such examples."

On the recent initiative of the Madhya Pradesh government to distribute land titles (*patta*) to the dalits and adivasis, Mr. Mandar has some reservations. According to him the distribution of common property or the revenue land is not going to serve the objective of land reform. If this policy is followed then the village community will not have any common land to collect fuel and fodder. To address the issue of land reforms the land Ceiling Act need to be effectively implemented. The adivasis are another major constituent who are very systematically alienated from their land and uprooted from the ancestral area and in this crime the state policies and the so-called developed projects are playing a major role.

Two scholars, Mihir Shah and P.S.Vijay Shankar, who have researched this issue, argue that the agenda of land reforms must be broadened to include land use and land record reform and to broaden the meaning of land to include common property resources such as water and forest. They state, " When we speak of land reform, we must also work out the institutional arrangements by which access to and control over the other elements of the natural resource base is handed over to the village communities committed to protecting the interests of the poor and the land-less". Hence, the land rights movements in Madhya Pradesh are not confined to demand for land rights alone. The popular slogan is "Jal, Jungle, Jamin ka Adhikar" (rights to water, forests, and land). Hence, in MP the struggle for land rights is part of a larger movement for securing rights to all natural resources (including forest and water

resources) and against involuntary displacement, for just rehabilitation, and against social oppression and indebtedness.

Case Study of Land Reforms in Kerala

Background

The study on land reforms in Kerala undertaken as part of this research project was conducted by Ms. Molly Charles. The study on land reforms in Kerala is important because it is the first State in India to bring about a Bill that focused on the rights of the agrarian population, especially the rights of tenants, tillers, and hutment dwellers. It is the mobilization at the mass level for agrarian reforms and rights of hutment dwellers in Kerala that led to subsequent creation of legislation at the national level with emphasis on land ceiling on land possessed by individual or family. The study on land reforms in Kerala is also important because Kerala is the only State in India where human development indices can be compared to some of the developed countries. There are studies to show that land reforms in Kerala, along with other social reforms gave scope for social mobility and created some level of equity in distribution of resources, leading to social and economic development.

Kerala is the most densely populated State in India. In 1972, the per capita availability of land in Kerala was low as 0.18 hectare and in case of cultivated land it became 0.10 hectare. For the same period the national average was 0.32 for India and this is an indication of the pressure on land (Oommen M.A. 1975). In Kerala the land under tenancy was 34.7 percent of cultivated area in 1961. The national average for the same with regard to pure tenancy was 4.2 percent.

Success of Land Reforms in Kerala

The main achievement of land reforms in Kerala is that the government was able ensure ownership of rights to tenants. This was not achieved in other parts of country because of judicial and political obstacles. By ensuring that government is responsible for conferring property rights on tenants, the land reforms could be implemented successfully to a large extent in Kerala (Eashvaraiah 1993). According to Bureau of Economics and Statistics, Government of Kerala the total number of tenanted holdings was 25 lakhs. By the year 1983 the total number of cases filed including suo motto cases filed by the government was 37.71lakhs. Up to 1977 out of 34,00,000 applications filed nearly two thirds (21,00,000) were conferred ownership rights. On 31st, October 1983 the number of tenant conferred ownership rights exceeded the estimation by 14,676.

Another important achievement through land reforms was purchase of *Kudikidappu* rights or rights to homestead lands. *Kudikidappukars* (hutment dwellers) are mostly laborers and village artisans without any land of their own. They reside in homesteads created by them in others land or live in huts provided by the landowners with or without liability to pay rent. They lived with insecurity and fear of being evicted. When the move towards providing them

place to reside began, there were attempts to evict them. The government was able to prevent this through legislation against such eviction.

Key Learnings from the Kerala Study

The study of land reforms in Kerala indicates that redistribution of wealth through land reforms has created a process of ensuring improvement in the quality of life of people in Kerala. It shows that through committed efforts that occur in a continuous manner social change is very much possible. Mobilization of people along with foresight to sustain the movement by understanding the local reality is important in using people voices as a platform for change (see Box 5). Though land reforms in Kerala had many limitations, it has been able to improve the lives of the poor. For mobilization process to be effective there is a need for economic independence of the oppressed group from the feudal classes or groups and dependence of the feudal powers on the skills of the oppressed groups. In the absence of these factors, there is a need for alternative strategies that can give hope for change.

Mobilization towards implementation of reforms needs to be continued even after legislations are passed for bringing in reforms. Implementation of reforms can be sabotaged by vested interests of

individuals or groups and to confront the same requires people oriented State administration and law enforcement agencies. The Communist Party managed to ensure that while they were in power the

Box 6: Productivity Enhancement Efforts In Kerala Post Land Reforms

The Left Democratic Front government took steps in the period 1987 to 1991 to empower the farmers, mostly former tenants in 25 villages as part of an experimentation, which fell within their broader efforts towards empowerment. These farmers who had received land through land reform were taught how to map local land formation, soil conditions and water channels. They were able to get a broader picture, whereby they moved from viewing productivity only from their individual plot of land to that of knowing the role of geographic and ecological zones as key elements of agricultural success. Because of their participation they viewed themselves as actors bringing about change and not as silent recipients of expert views from an outsider. The government agents digitised the maps produced by the farmers and analysed it with help of computers. The process brought forth models for the most efficient use of land and water resources. The end result of the experiment was a strategy called 'group farming' in which landowners pooled labour to organise better water and land use and at the same time the private ownership of their plots continued. In addition, co-operatives emerged based on pooling resources that the group had received. Thus, productivity enhancement of land and institution building is being pursued as the logical continuity of land reforms in Kerala.

administration and enforcement agencies were sensitized to the concerns of the poor and their party ideology accepted by some of the individuals within the bureaucracy. Thereby, the Communist Party politicized every stage of local governance and created scope for the voices of the people to be heard. Another historic reality that has been advantageous for the people in Kerala is that awareness created by various reformers (individuals or groups) and their mobilization has made people assertive about their rights. It has created a social reality whereby no political party can afford to be in power for long without addressing the concerns of the masses.

Conclusion

The feudal structure of the Indian rural society, has been, and continues to be the primary hurdle in ensuring the effective implementation of the various land reform laws and rules, which have been enacted, by the Government of India, and the various state governments. Though the constitution and the legislations of the state governments provide an effective framework for land reforms, implementation of these legislations has been very weak. However, lack of awareness about rights, and willingness to engage in struggle for rights, among the oppressed masses, is also one of the reasons, why there has been very little political pressure on the law-makers and law enforcers to implement these laws effectively. Further, the nexus between the landlords and big landowners and the government officials, especially at the local level, make corruption possible, which hinder effective implementation of the law. Common caste-class interests among the land-owners and government officers to a large extent generate this nexus. Since, most of the beneficiaries of the land reforms are dependent on the land owners for their livelihoods they find it very difficult to challenge their masters, who provide them their daily livelihood. So in a sense breaking this nexus of the land-owners and government officers involves disturbing the entrenched structures of caste and class. Thus, the vicious cycle of deprivation and disempowerment continues.

In states like Madhya Pradesh where the feudal structures are still strong and there has been no people's movement to challenge these structures the status of land reforms continues to be pathetic even to this day. As compared to this situation, in a state like Kerala, though small in size and population, it has made considerable progress in land reforms. The reason for this is that land reforms became a burning social and political issue. This in turn became possible because there were various vibrant social reform movements, followed by a strong left movement, in the twentieth century in Kerala, which pursued various issues of social justice and created a awareness among the masses and mobilized them to fight for their rights. Hence, the struggle for land rights, (which is part of a larger agenda of land reforms), cannot be viewed in isolation. It is and has to be part of a larger movement to challenge and annihilate the existing inequitable social, economic, and political structures arising from the institutions of caste, class, and patriarchy. Hence, it is very important for land rights activists to locate their struggle in this larger context, highlight issues of the land-less in this context, and make common cause with other progressive elements in the society working for a more equitable social and economic order.



Glossary of Terms

Ati-Shudra - The lowest in the social hierarchy of the caste system, lower even than the *shudras*

APL - Above Poverty Line

Brahmin - The upper most *varna* among the four tier *varna* system of the Hindu society

BPL - Below Poverty Line

Chambar - A dalit caste, cobbler by occupation

Dalits - Referred to the category of lower castes, also untouchables in the Hindu caste hierarchy

Dhor - A dalit caste, occupation - cleaning animal hides

Gairan - Grazing lands

Gram Panchyat - Local Self Government at village level

Gramsabha - The village assembly consisting of all adults (above 18 years of age).

IRDP - Integrated Rural Development Program

Jabran Jot Andolan - Forcible Ploughing Campaign - Initiated by the Tribals in Vidarbha region of Maharashtra

Kotwal - Assistant to the village revenue record keeper

Kuccha House - Un-durable house, built of local materials

Mahar - A dalit caste, occupation - disposing dead animals and cleaning the village

Mang - A dalit caste, occupation - making ropes from natural fibers

Nizam - A Muslim King who ruled over parts of south central India

Parishad - Convention, gathering of people

Pucca House - Long lasting, durable house,

Sanghtana - A voluntary mass based organization of people, unlike a registered charity

Satyagraha - A non-violent method protest, which insists on the truth

Satyagrahis - A protester resorting to Satyagraha

SHG - Self Help Group

Shudra - The fourth and lowest varna in the four tier Hindu varna system of social stratification

Thesil - A section of District, sometimes referred to as block also

Vaishya - The third varna in the four tier Hindu varna system of social stratification - mainly traders

Varna System - The system of social stratification of the Hindu society based on four tiers of stratification based on occupation and birth

Vatan - A title awarded by the king carrying certain privileges with it, especially in the form of land

Vatani Land - Land obtained through the Vatan title

Vatandar - A person who holds the Vatan title

Vedic Period - A period in the history of the Indian civilizations, Before Christ

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