

STRENGTHENING WOMEN'S LAND RIGHTS

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ABSTRACT

In a country like India, land is of paramount importance in every aspect of life. Institutional biases towards males, over the years, have deprived women of independent rights over land in spite of them being a major workforce on land. Landlessness has, thus, led to eventual subjugation and kept women away from the opportunity of decision-making in policy making or their own rights. The most important way of land ownership by the women are the inheritance laws which were until quite recently very biased, however, recent reforms, amendments and judicial decisions have shown some progress towards the much coveted gender equality in land rights as a means of empowerment and as the final empowerment in itself.

This paper delves into the background of societal norms and laws prevalent regarding ownership of land, how the inheritance laws, which are governed by the personal laws and religious scriptures, have been shaped over years keeping a sight on gender equality and the current legal provisions regarding the same. It also emphasizes on how much of the policies have remained on paper and much needs to be done to bridge the gap between these policies on paper and what happens in reality. The paper also attempts to throw light on some probable measures to rectify the situation.

INTRODUCTION

Land being a source of food and livelihood, defines social relations, yields political power and

social capital and so the ownership of land becomes exceedingly significant in the path of strengthening women's rights. Ownership of land structures social hierarchies and defines political power in the grassroot levels. In the history of earning land rights, women have struggled and acquired fairly well, but much remains on paper and has not translated to our real lives yet. Worldwide, women make less than 20 percent of the landholders whereas they form 43 percent of the agriculture force;ⁱ the stark inequality in spite of having legal recognition in many places reaffirms that social recognition of impartial women's land rights remains a distant dream.

Years of oppression and subjugation of women have made them unaware of their rights and so independent land rights remain elusive even with the current legal structures. The most affected are the women from rural backgrounds where in spite of toiling hard on land does not get the title to that and is left without any safety net. Participation in any decision-making or having a say in policies that directly or indirectly affect them also remain elusive to them. This has taken a toll on gender equality and women empowerment which forms the backbone of a progressive society. The Constitution of India directly prohibits among others, discrimination based on sex but gender equality in acquiring land is far from reached.

HISTORICAL BACKGROUND

The removal of gender discrimination in laws presiding over access and control of land and its proprietorship is currently very much recognized to be pivotal for the monetary and social strengthening of women. Nonetheless, contemporary India shows an inquisitive maze of land possession examples and land rights for women coinciding in different states. The current scenario underlines this reality. This isn't anything new as contrasts between areas, inside districts, between communities and different caste groups, high or low, have without a doubt existed truly. The British mediation solidified certain select traditions furthermore, legitimate regulations which went into figuring lawful practice in the colonial period. In this formulation, customs, real practice and Shastric solutions (Mitakshara and Dayabhaga legal doctrines tracing all the way back to the 12th century) and Muslim personal law (Shariat) joined in certain networks and areas and veered in others, all acting inside the ambit of a western thought of

jurisprudence. Together these acted to guarantee, by what's more, huge, the current patrilineal and male centric hold over land, thereby seriously victimizing ladies. As land was a state subject under the British, such oppressive examples were solidified and acquired legitimate use and acknowledgment.

All states have taken significant measures with respect to agricultural work, tenants and other farmers, land ceilings, allocation of surplus lands, dispersion of pattas (official archives expressing land title and the terms on which land is held) and other land reforms at the same time, but, none have obliged ladies as per legitimate expectation.

The ancient Indian social society held an honorable and deferential view about women in the general public. There were references in the ancient literature that they had offered guidance to men in their societal sphere. To worship women as Goddesses by saying that "YatraNaryastuPujyantaRamanteTatraDevatha (i.e.) where ladies are held in regard, there stays the goddess (Satisfaction and Happiness. They held this view since they considered women as the custodian of their culture and sensible beings in life.

A depiction of status, position and education of women of ancient India is fragmented without making any reference to Manu's perspectives. In the expressions of Manu Smiriti (around 200 BC) 'woman is an interminable minor and needs to lead whole life under the guardianship of the father, the spouse or the child'. The advancement of a nation relies on the government assistance and progress of the relative multitude of individuals from its society at a given time, in the society which comprises almost 50% of its individuals who are women. Women perform almost 66% of work hours, get one length of the world's pay and own short of 100% of the world's property.

The position of women in a given society can be seen appropriately with the help of the various traditions which the property rights have perceived and ensured. Succession rights to women have taken them to statures and new cognizance. "Succession" is a transmission by law or by the desire of man to at least one person of the property and the contagious rights and commitments of a deceased individual. The right of women to succeed on any property varies from one religion to another contingent upon the personal laws. Religion plays a significant part in the devolution (the passing of property to another on the death of an individual) of

property on women in the earlier days. Yet, with the coming of the modern government and councils, the majority of the succession laws have been classified and united.

During this period, there were no cases to demonstrate that men dominated over women. Both the genders have been on equivalent footing. At that point, in the later stage, he adopted the craft of hunting creatures and he figured out how to utilize stones and iron devices as weapons. He got inspired by farming and the raising of animals. So the central occupations of men were horticulture and raising of animals. Women helped men and became equivalent accomplices. Hence the men began to enjoy their settled life. This part of settlement cleared path for the making of family, organizations, and the idea of property. To secure their family, organizations, and properties, it was made obligatory to battle with one another as often as possible. Muscle power assumed an unequivocal part in procuring property. Women who were normally feeble were given family works like sustenance of kids, preparation of food, and the maintenance of houses. Hence a simple look over the way of life of man and lady in crude age shows that their correspondence started to give space for a division of work between men and women. This division of work began and was regularized in the crude stage. In this crude stage, women's privilege of possession of property and the management were perceived. Indeed, there were a few clans setup based on the matriarchal framework. The family name was being called and carried on the name of the mother. Assuming any man kicked the bucket, his whole property depended to his mom, spouse, or girl. Hence women were similarly regarded in the public arena. In certain periods, she was given more priority than men.

SIGNIFICANCE OF WOMEN'S LAND RIGHTS

Strong women's rights to land are linked to enhanced status, improved living conditions, better nutrition and food sovereignty, improved health and education outcomes, higher earning and individual savings, and better access to credit, as well as better protection from gender violence.ⁱⁱ

The myriad benefits of women's right to land can be conceptualized in a four-fold manner: gender equality, efficiency, welfare and poverty reduction and empowerment.

Land access can systematically aid in the welfare of the women of the family and more generally reduce poverty and destitution of family. Access to ownership of land by the woman has been positively correlated with the welfare of the child. Indian families, a large part of which has a rural parameter to it, has been exceedingly shown to have intra-household gender inequalities and a biased distribution of family resources against women, which affects not just the welfare of the women but directly the children because men tend to spend a huge portion of it on their own personal needs and less on family welfare.ⁱⁱⁱ Women, being more vulnerable to gender violence as they can be deprived of the safety net when widowed, deserted or widowed. While access to land which can act as a means of livelihood, it can increase their bargaining power within the household and prevent destitution.^{iv}

Equality and empowerment of women are intrinsically related to their access to land rights. Equality can be either a means of empowerment or empowerment in itself. First, it addresses the larger issue of gender inequality which is a colossal hurdle to a just and progressive society, and in itself is an illustration of gender equality. On the other hand land rights is also an indicator of economic empowerment and facilitator to challenge institutional patriarchy, social hierarchy and caste supremacy.

There also remains a direct relation between the productive efficiency and women's land rights. A huge section of women perform agriculture or other practices of livelihood on land, however, they do not hold a title to the same. Having titles to land will enhance productivity, increase motivation and open new opportunities of having access to credit, subsidies, and incentives. Women in rural areas have far more knowledge about trees and plants of their natives and 70 percent of employed women work in the agricultural sector, so land rights to women will put their valuable knowledge to use which in turn will increase productivity. Studies also indicate that if women had the same resources of land as men have, agricultural output of countries would increase by 2.5 to 4 percent.^v Tenure security, and especially titles can empower women to assert themselves better with agencies that provide inputs and extension services.^{vi}

WOMEN'S ACCESS TO LAND

Women's access to land can be through three ways: inheritance laws, state transfers or through Market. Inheritance systems are shaped by the interplay of competing, alternative and overlapping legal and cultural norms.^{vii} In a diverse country like that of India with as many religions, caste, tribes and their individual customs and normal's, inheritance laws are usually governed by religious texts (Qur'an or the Shastras) and in recent times, there have been legislative and judicial interventions. State Transfers evasive because of the structural and institutional biases against women. A few of India's Five Year Plans have given some recognition to women's land claims. For instance, the Eighth Five Year Plan (1992–97) directed state governments to allot 40 percent of ceiling surplus land to women alone and the rest jointly to both spouses. (This was land acquired by the government from those owning more than a permissible ceiling.) The Ninth Five Year Plan (1997–2000) went further in terms of policy formulation. Land access through markets can hardly be done to success where financial constraints are present in abundance.

STATE TRANSFERS

The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation, and Resettlement Act (LARR), 2013 came into power on January 2014, supplanting the Land Acquisition Act, 1894. Implied as a reforming piece of public enactment to supplant different laws ashore securing inside India, the Act standardized compensation in cases of land acquisition and made the legitimate commitment of rehabilitation and resettlement.

The preliminary arrangement of the Act expresses that “the cumulative outcome of compulsory acquisition should be that affected persons become partners in development leading to an improvement in their post-acquisition social and economic status and for matters connected therewith or incidental thereto.”^{viii} However, the real arrangements of the LARR 2013, and the ensuing amendment laws and bills altering the Act, demonstrate that this isn't the likely result for most ladies displayed by land acquisition. Normally, 'women' are not a homogenous gathering and not all of these pointers reflect the actual scenario of all Indian women on equal

footing. Nevertheless, the absence of acknowledgment of certain women's real scene makes the possibility to additionally minimize ladies in instances of land procurement, and poses danger to inappropriately prohibit ladies from the advantages and rights that the LARR is intended to present.

The LARR is oblivious to the real factors of most ladies, as the compensation awards and the restoration and resettlement remittances offer the most to singular land owners. This implicitly bars ladies from getting any privilege or advantage during the process of land acquisition because of women's historical and present exclusion from land ownership, specifically in cases of succession. Indeed, even with administrative changes intended to reinforce women's claim and maintenance of property rights, in reality not many women hold property rights. These legitimate certifications of ladies' entitlement to property are frequently not upheld secretly or publically, particularly in instances of succession. Personal, religious and social traditions and practices keep on denying women's ownership rights, restraining the collection of property. It is frequently the situation that ladies don't declare their privileges, or are made to transfer ownership of their lawful rights to land to maintain a strategic distance from family conflict. Accordingly, ladies are excessively avoided from obtaining compensation in instances of land procurement, since the LARR Act stresses remuneration exclusively for the lawful proprietor or inhabitant of the acquired land.

INHERITANCE LAWS

WOMEN'S LAND RIGHTS UNDER HINDU LAW:

The property rights of Hindu women have been profoundly divided based on a few factors separated from those like religion and the geographical area. Property rights of Hindu women likewise change contingent upon the situation with respect to the women in the family and her marital status: regardless of whether the woman is a daughter, hitched or unmarried or abandoned, spouse or widow or mother. It likewise relies upon the sort of property one is taking a gander at: regardless of whether the property is hereditary or ancestral or self-acquired, land

or dwelling house, or marital property.

Mitakashara school of Hindu law perceives a distinction between ancestral property and self-acquired property. It additionally perceives a substance by the name of "coparcenary". A coparcenary is a lawful establishment comprising three generations of male beneficiaries in the family. Each male member, on birth, within three generations, becomes a member of the coparcenary. This implies that no individual's share in ancestral property can be resolved with certainty. It reduces on the birth of a male member and develops on the demise of a male part. Any coparcener has the privilege to demand partition of the joint family. Once the partition happens, another coparcenary would appear, to be specific the partitioned member and his next two generations of males. Therefore, coparcenary rights don't exist in self-acquired property, which was not tossed into the basic hotchpotch of the joint family.

The Hindu Succession Act instituted in 1956 was the primary law to give a complete and uniform arrangement of inheritance among Hindus and to address sexual orientation disparities in the area of inheritance— it was accordingly an interaction of codification as well as a reform. Before this; the Hindu Women's Rights to Property Act, 1937 was in operation and however this institution was itself revolutionary as it conferred rights and privileges of succession to the Hindu widow for the first time, it additionally offered ascend to lacunae which were subsequently filled by the Hindu Succession Act (HSA). HSA was the main post-freedom authorization of property rights among Hindus – it applies to both the Mitakshara and the Dayabhaga frameworks, as likewise to people in specific pieces of South India recently administered by certain matriarchal frameworks of Hindu Law like the Marumakkatayam, Aliyasantana and Nambudri frameworks.

Under the old Hindu Law just the "streedhan" (properties gifted to her at the hour of marriage by both sides of the family and by family members and companions) was the widow's absolute property and she was qualified for the other inherited properties just as a day to day existence bequest with exceptionally restricted forces of distance, if at all. Considerably under the 1937 Act, the idea of "limited estate" proceeded. Section 14 of the Hindu Succession Act eliminated the disability of a female to acquire and hold property as a sole proprietor, also, and converted the right of a woman in any bequest previously held by her on the date of the beginning of the

Act as a limited owner, into a flat out proprietor. The arrangement is retrospective in that it expanded the limited estate into an absolute one regardless of whether the property was acquired or held by the woman as a limited owner before the Act came into force. The only exception, as a proviso, is for the acquisitions under the details of a gift, will or other instrument or a pronouncement, or request or grant which endorse a limited bequest.

On account of *V. Tulasamma and Ors. v V. Sessa Reddi*^{ix} the Supreme Court of India unmistakably set out the degree and ambit of Sections 14(1) and (2) of the HSA, wherein a fine differentiation was made by the court perceiving the lady's entitlement to property through her pre-existing right to be maintained. The Court applied the exemption just for the situations where an instrument made a free and new title in favour of the women for the first time and precluded it out where the instrument concerned merely confirmed, endorsed, declared or recognized pre-existing rights, like the right to maintenance.

As of late the Central Government has proposed certain amendments in the HSA as The Hindu Succession (Amendment) Bill 2004 that are probably going to be tabled in the Indian Parliament soon. The proposed amendments are on the lines of those completed by the four southern states. Above all, they give autonomous rights by birth to the daughter like the son. Additionally, they intend to get rid of the restriction on the girl when requesting partition. Notwithstanding, these proposed amendments, whenever established, will leave critical sources of gender imbalance unblemished, and furthermore burden specific classifications of women.^x

CHANGES BROUGHT ABOUT BY 2005 AMENDMENT:

The Hindu Succession (Amendment) Bill, 2004 was presented with the idea of getting two significant changes in the existing Hindu Succession Act, 1956. First being, acquire another section in place of the existing Section 6 to give equivalent rights to the daughters as to the son and second being omission of section 23 which disentails the female rights to ask for partition in a residence house occupied by the intestate family with the male beneficiaries processing it. Lastly, in 2005, certain progressions were brought to the Hindu Succession Act, 1956 via this

alteration.

In the current case of *Danamma v. Amar Singh* (Civil Appeal Nos. 188-189 of 2018)^{xi} after the passing of the first coparcener in 2001 and from there on the partition procedures were started in the year 2002. No share was given to the appellants because of the way that their father died before the implementation of the Hindu Succession (Amendment) Act, 2005. The Section 6 of the HSA, 1956 as before the correction specified that if any coparcener passes on leaving any female relative according to Class I of Schedule to the Act, his advantage will dive through intestate progression and not by the method of survivorship.^{xii}

The decision by the Trial Court and High Court was given on the lines of point of reference set down in the most recent landmark judgment of *Prakash v. Phulavati*^{xiii} and in this manner the appellants were not allowed an offer in the coparcenary property. The Apex Court while managing the current case however upheld the decision as propounded by the Supreme Court yet effectively allowed the appellants their share in the property.

WOMEN'S LAND RIGHTS UNDER MUSLIM LAW

The inheritance laws of Muslims are governed by the Muslim Personal Laws according to Section 2 of the Muslim Personal Law (Shariat) Application act, 1937 which has remained in force even in post-colonial India. The two sects of Muslims in India the Sunnis and Shias are governed by the Hanafi school of Sunni Law and IthnaAshari school of Shia law respectively.

Broadly heirs are divided into three types: Sharers or *ashab-ul-faraiz* or *zavilfuraz*, who are entitled to specific shares of the inheritance, Residuaries or *asabat*, who are entitled to take residue after the sharers receive their shares and Distant kindred or those who are neither sharers nor residuaries.^{xiv} A closer reading of the Islamic inheritance scheme, when considered beside other Islamic institutions such as *waqf* and *zakat*, shows that 'the institution of inheritance plays a major role in providing distributive justice.'^{xv}

In specific terms, a daughter who is an only child receives a half share of the deceased parent's estate as a Qur'anic portion and is excluded by no other heir. If there are at least two girls and no children, they together get a 66% offer which is divided equally among them. The presence

of a son who is an agnatic heir, however, converts a daughter's right from that of a Qur'anic heir to an agnatic co-sharer, which means she gets half of what the son gets. The husband receives a one-fourth share of his deceased wife's property if there is a child or a son's descendants, and a half share if there are no such heirs. A widow moreover gets possibly one-eighth or one-fourth of the spouse's estate, contingent upon whether there is a kid or child's relatives. If there is more than one widow, their aggregate offer is one-eighth (or one-fourth), shared similarly among them. Full sisters and affiliated sisters likewise share as Quranic beneficiaries yet can get barred by male agnatic relatives and ascendants, as can uterine sisters under explicit conditions. The Shia law of succession is noted to differ from the Sunni law, especially in the following respect no relative of the deceased male is excluded merely on grounds of his/her sex or on the grounds that s/he is identified with the expired through a female connection. Cognates and agnates are placed on an equal footing. Hence males and females who are linked to the deceased in equal blood or degree inherit together, although female shares continue to be half those of males. For instance, if the deceased leaves a son's son and a daughter's daughter, under the Hanafi school the former as a male agnatic heir excludes the latter. Under the Shia system the daughter's daughter has precedence, being deemed a higher 'class' of descendent. The Shia framework consequently has more certain ramifications for women's inheritance. When all is said in done, however, under all schools of Islamic law Muslim ladies have legacy rights in unfaltering property, albeit inconsistent to those of men.^{xvi} In the case of Allahabad Women Action Group v Union of India, inter alia, other matters, a PIL was filed addressing the issue of gender discrimination in the Islamic law of inheritance claiming the laws be denounced as void on the grounds of infringing the Right to Equality. The Supreme Court, however, held that the personal laws have always governed the Indians, which are under the direct influence of various religious texts so they could co-exist to some extent and any kind of judicial creativity can lead to unfavorable repercussions, that it does not find it fit to intervene in this issue. While referring to an earlier decision in *Maharshi Avadhesh v Union of India*, it laid in clear terms that, “we find that when similar attempts were made, of course by others, on earlier occasions this Court held that the remedy lies somewhere else and not by knocking at the doors of the courts” indicating that it need legislative intervention. The appeals were thus dismissed.

WOMEN'S LAND RIGHTS UNDER CHRISTIAN LAWS:

Sections 31 to 49 of the Indian Succession Act, 1925 deal with the laws of succession for Christians. The Indian Christian widow's right is not an exclusive right and gets curtailed as the other heirs step in as per Section 33 of the Indian Succession Act, 1925. Just if the intestate has left none who are of fellow to him, the entire of his property would have a place with his widow. Where the intestate has left a widow and any lineal relatives, 33% of his property declines to his widow and the excess 66% go to his lineal relatives. On the off chance that he has left no lineal relatives except for has left people who are fellow to him, one portion of his property regresses to his widow and the excess half goes to the individuals who are of fellow to him. Another abnormality is an impossible to miss highlight that the widow of a pre-perished child gets no offer, yet the kids whether conceived or in the belly at the hour of the demise would be qualified for equivalent offers. Where there are no lineal relatives, subsequent to having deducted the widow's offer, the leftover property regresses to the dad of the intestate in the main occasion. Just on the off chance that the dad of the intestate is dead however mother and siblings and sisters are alive, they all would share similarly vide Section 43 of the Indian Succession Act. In the event that the intestate's dad has kicked the bucket, yet his mom is living and there are no enduring siblings, sisters, nieces, or nephews, at that point, the whole property would have a place with the mother.

In the landmark judgment of *Mary Roy v State of Kerala*,^{xvii} the Supreme Court, much in juxtaposition of what is had decided in the case of *AWAG v Union of India*, in deciding the constitutionality of the Travancore Succession Act of 1916 which dealt with the succession of Syrian Christians held that, no personal laws can be held above the Constitution of India and therefore if any act even if applicable in an area is ultra vires the provisions of the constitution such provision shall be held void. Therefore it was held that provisions related to succession under the Travancore Succession Act, 1916 being in violation of right to equality guaranteed under Article 14 (as it deprived women of the right to land), and creating discriminatory rights on the basis of sex under Article 15 shall be made void. As a result, the law of succession in Travancore region remains the Indian Succession Act, 1925 and not Travancore Succession Act, 1916.^{xviii}

WOMEN'S LAND RIGHTS IN TRIBAL AREAS:

It is likewise relevant to make reference to here that to the extent property privileges of the tribal women are concerned, they keep on being administered by a considerably more old arrangement of customary law under which they thoroughly need rights of succession or partition. Indeed, the tribal women don't have any rights in agricultural terrains. What is ironic is that change to making the property rights gender just is being opposed for the sake of protection of tribal culture.

In *Madhu Kishwar and others v. Province of Bihar and others*^{xix}, there was a public interest litigation challenging the standard law working in the Bihar State and other portions of the nation barring tribal women from the legacy of land or property having a place with father, spouse, mother, and conferment of right to legacy to the male beneficiaries or lineal relatives being established exclusively on sex is unfair. The contention of the Petitioner was there is no acknowledgment of the way that the tribal women work, share with men similarly the everyday sweat, inconveniences, and hardships in farming tasks and family management. It was affirmed that even usufructuary rights gave on a widow or an unmarried little girl become fanciful because of different pressing factors brought to endure the worst part at the command of lineal relatives or their eradication. Indeed, even wedded or unmarried girls are avoided from a legacy when they are exposed to infidelity by non-tribals; they are stripped of the option to appreciate the property of their dad or perished spouse forever. The widow on remarriage is prevented the acquired property from getting her previous spouse. They expounded further by portraying a few occurrences in which the ladies either had to surrender their life advantages or became targets of ruthless assaults or then again killed. Accordingly the separation dependent on the standard law of legacy was tested as being unlawful, unreasonable, out of line, and illicit.

Appropriately, it was held that the tribal women would prevail to the domain of their parent, brother, husband, as beneficiaries by intestate succession and acquire the property with equivalent offer with male beneficiary with absolute rights according to the overall standards of Hindu Succession Act, 1956, as changed and deciphered by the Court and similarly of the Indian Succession Act to tribal Christian.

This judgment is likewise noted for its broad dependence on the mandate of global Declarations and Conventions, most remarkably the Convention on Elimination of all Forms of Discrimination against Women (CEDAW)^{xx} and the Universal Declaration of Human Rights that call for gender-just legal systems and equivalent rights for women.

OBSTACLES TO WOMEN'S LAND RIGHTS

Women include on an average 43% of the rural workforce in non-industrial nations, and 50 percent in parts of Africa and Asia. But, across the developing world, women's generous commitment to farming is frequently neglected. Their work traverses a wide scope of exercises, such as producing crops, tending animals, and gathering fuel and water. Critically, women likewise commonly have the essential duty of focusing on their families, including the obligation to feed them. In spite of women's vital jobs in agriculture, household chores, and food creation, just as the critical advantages that gather when women have secure rights to land, ladies remain essentially more uncertain than men to claim land. Moreover, the land they do possess is generally more modest and of less fortunate quality, and their entrance to land is ordinarily more shaky.

The hindrances to women's safe land rights result from an overlapping web of lawful, structural, financial, and social variables. Formal land and property laws, arrangements, and guidelines may plainly oppress women. Indeed, even where they don't, execution and implementation is often problematic. The formal laws may not obviously characterize the rights and privileges of women. Indeed, even where the laws are clear, guidelines that control execution may inadequately mirror the rights guaranteed by law. For instance, even where the law commands joint proprietorship by spouses, firms for registering land may neglect to incorporate a subsequent line to record the two life partners. Besides, land laws might be subverted by different laws like those governing inheritance or marriage.

Where the state has allotted land, the dispersion has for the most part profited just male heads of family. Program authorities will tend to focus on their communications and exercises on men, especially when there is no particular arrangement or exertion to guarantee that women

get land. At last, since women have less admittance to capital and data than men, they are generally less ready to buy land on the open market.

CORRECTIVE STEPS TO ENSURE EQUALITY IN WOMEN'S LAND RIGHTS

The States should set its sight on quality, legality and effective implementation, participation and implementation of land rights for women. The legal structure of these rights should be aimed at women having 'effective' and 'independent' rights in land where effective rights means where it will have a social sanction apart from legal recognition and independent rights mean it will be enjoyed in their own capacity and not in the clutches of men.^{xxi} Expanded enthusiasm for the role of women in the rural economy has prompted the developing familiarity with the need to address the many barriers to women's secure land rights. It is essential not only to address lawful rights, yet additionally to make a move to make those rights genuine for ladies on the ground.

1. *Legal and regulatory framework:* Support gender-sensitive laws and guidelines. Legislators and advisors ought to make progress toward gender-sensitive laws as opposed to just impartial ones that neglect to think about the functional impact of the laws on Women.
2. *Government capacity:* Construct the capacity of government authorities through gender training and different instruments. Guarantee that authorities comprehend the laws that secure women's property rights and have devices to guarantee legitimate execution.
3. *Community level development:* Connect with local leaders and other local level actors. The most grounded protection from women's land rights can frequently be found at the local area level, however zeroing in on that level can help achieve genuine change.
4. *Project Design, Implementation and Monitoring:* To arrive at wanted venture results, a gender-sensitive focus should be incorporated throughout any undertaking.

Ventures that perceive and plan for the various rights, needs, obstructions, inclinations, and openings for women and men from the start are better ready to guarantee that both men and women benefit.

CONCLUSION

Even after 70 years of independence, gender justice both in acquiring land and as the ultimate empowerment of women remain a far-fetched dream in India. Recent developments like that of the Hindu Succession Act, 2005 where the female becomes a coparcener to the property is, however, a positive step forward among all the inequalities. But for complete gender justice for women in acquiring land rights much legislative, judicial interventions need to be done along with collective action of women to ensure and legitimize gender justice in land rights. Whether the same will be successful is for the future to answer.

ENDNOTES

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