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National Land Reform Policy- Implications on Gender and Equity

On 24th July, 2013 the Department of Land Resources of the Ministry of Rural Development government of India released the draft National Land Reforms Policy. The policy highlights the need to revisit land reforms in the face of increasing demand for land for industrializations, feminization of agriculture and landlessness of nearly half of the country's rural population, particularly the marginalized. The recently passed Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 also falls under the purview of this draft policy. The act has provisions to provide fair compensation and bring transparency to the process of acquisition to those whose land is taken away to set up factories or buildings, infrastructural projects and assures rehabilitation of those affected.

The draft policy recommends use of Tehsil, District, Region and State level master plans to create a large pool of land to enable its equitable allocation on a priority basis to the marginalized, especially marginalized women. The land pool, to be created by States within a specified timeframe, will comprise of agricultural waste land, unutilized land acquired for industrial or development purposes, land made available with the removal of illegal occupants and correction of land records, and so on. The bill then suggests distribution of the available land to eligible land less poor, particularly the Scheduled Castes, Scheduled Tribes and other marginalized and deprived landless population, in a time bound manner for both agriculture and housing. Further, it states that the allotment of land should be made in the name of women member in the eligible family.

The draft policy gives special emphasis to land rights for women stating that 75% of all female workforce and 85% of all rural female workforce in the country is involved in agriculture. Additionally, rural households are increasingly becoming de-facto female headed households, due to widowhood, desertion, or male out-migration. Thus it recommends that women's claims should be directly recognized in all government land transfers. For instance, it states that land distribution to landless families must only be in women's name rather than joint titles with husbands. And where more than one adult woman (say widows, elderly women etc. is a part of the household) the names of all female adults should be registered. Likewise, it recommends adoption of a "group approach" i.e. granting group titles to women's groups in land cultivation and investment in productive assets.

Although the intention of the draft policy is laudable, its effectiveness is questionable as land is a state subject and issues related to land and land reforms fall in the domain of state governments. In today's forum we shall discuss how the draft policy can be strengthened in order to deliver the intended goal.