

Gender and Economic Policy Discussion Forum

'Women Farmer's Entitlement Bill 2011: Understanding the Changing Needs of Agriculture Economy'¹

FORUM III | 23 July 2012

BRIEFING NOTE 3

HIGHLIGHTS/ KEY POINTS

There is a need to

- Ensuring women's legal right to land and in case of joint titles, the property should be made legally partitionable, inalienable and non-transferable.
- Enforcement of equal remuneration for women and men in agriculture, as provided by law.
- Provision of training and education to upgrade technical knowledge and skills of women in agriculture. Equipping women with knowledge on laws and their rights particularly related to work in the informal sector.
- Regular and systematic gender sensitization workshops for government officials at all levels.
- Further research on neglected areas of research such as work of women in agriculture and research on nutritional aspects, in addition to that on productivity. Research is needed to contribute to context specific changes required for improvement in women's condition and status of agriculture as a whole.
- Convergence of related programmes at the delivery point to increase efficiency and have a better impact on the lives of women and families.
- A second set of policies for the farmers belonging to discriminated group such as the SCs and STs so as to provide safeguards against discrimination.

Women Farmers and Agricultural Economy in India: a brief overview

With a contribution as high as 16% to the Indian GDP, agriculture becomes a major and crucial production sector in India. It has recently been recognized that this sector is increasingly becoming a female activity, a phenomenon known as the feminization of agriculture. The Table 1 below clearly shows the declining contribution of rural males in the primary sector, comprising mainly of agriculture and allied activities. The table displays that the work participation of rural females has also been declining but the decline is less compared to that of rural males. By 2010, the work participation of rural females in the primary sector is higher by 10 percentage points to that of rural males, presenting an increasing gender gap. The decline in the rural male workers has largely been a result of their shifting to more lucrative non- agricultural work, while women mainly stayed back in agriculture. In terms of percentage, "53 per cent of all male workers, 75 per cent of all female workers, and 85 per cent of all rural female workers, are in agriculture."²

Someone who owns land and writes farming as his profession is defined as a farmer.³ According to the Mahila Kisan Sashaktikaran Pariyojana (MKSP) document, while 84-86% women actively participate in agriculture, less

Table 1: Distribution of male and female rural employment by sector of the economy

NSS Round	Rural Males			Rural Females		
	Primary	Secondary	Tertiary	Primary	Secondary	Tertiary
32 (July'77-June'78)	80.6	8.5	10.5	88.1	6.7	5.1
38 (Jan-Dec' 83)	77.5	10	12.2	87.5	7.4	4.8
43 (July'87-June'88)	74.5	12.1	13.4	84.7	10	5.3
50 (July'93-June-94)	74.1	11.2	14.7	86.2	8.3	5.5
55 (July'99-Jun'00)	71.4	12.6	16	85.4	8.9	5.7
61 (July'04-June'05)	66.5	15.5	18	83.3	10.2	6.6
64 (July'07-Jun'08)	66.5	16.2	17.3	83.5	9.7	6.8
66 (July'09-June'10)	62.8	19.3	17.8	79.3	13	7.6

Source: Himanshu (2011) table 6, cited in Binswanger (2012) Box 3 p21

than 9% women own land.⁴ 'After the 1950s the agricultural policy was framed as land to the tiller, and women were not tilling so there was no land for them. But it has been proved now that women are doing most of the work in agriculture but they don't have the ownership rights.'⁵ Without land ownership, women mainly work as laborers on lands owned by male members of the family, or on land owned by others as casual wage earners. Thus, feminization of agriculture is more specifically feminization of agricultural labor.

"The gendered wage disparity is also very high, women get 60 to 70 % of the male wage for

agricultural work with the exception of NREGA."⁶ The difference between the wages earned by men and women are simply based on unquestioned discriminatory notions on capabilities of women and men. Table 2 briefly presents the daily wages earned by women as a proportion of men's wages. Besides the wage differentials that do not value women's work adequately, women also have "a negligible influence on household decisions which results in a weak claim over resources and incomes. Furthermore, even the incomes they control are impinged upon in various ways. Overall we find that this 'gender based resource divide' impinges on women's status severely."⁷

Table 2 Rural casual workers: women's daily money wages as a proportion of men's wages in India (in percentage)

	1993-94	1999-2000
Agriculture	68.3	69.39
Non-Agriculture	58.36	62.17

Source: NSS Rounds of 1993-94 and 1999-2000 for India, cited in Kelkar (2007) p 6

As a result of such deep seated inequalities such as, lack of title to land and/or control of land, lower wages, nonexistent or little inheritance rights in practice and little influence over family owned resources and incomes, women in agriculture also face limited access to extension services and products like credit, water supply, seeds, etc. Additionally, as women are not expected to take leadership roles or participate in decision making, accessing knowledge, information and technical training

is not considered important for them. On the whole, women face a disparaging situation, their contribution to agriculture is indispensable but at the same time they face extremely adverse conditions that negatively affect their economic agency and productivity.

To address the specific needs of women and to improve the condition of women in agriculture, in 2007 the Government of India initiated the "Mahila Kisan Sashaktikaran Pariyojana"

(MKSP), as a sub component of the National Rural Livelihood Mission (NRLM). The programme envisages investments guided with the objective of increasing, control over assets, access to essential services and products, and productivity of women in agriculture. MKSP is undertaken by the central government in partnership with the state government. It had a budgetary support of Rs 100 crore for the period 2010-11.⁸

The MKSP has strongly contributed to the official recognition of women's significant role in agriculture and the indispensable need to improve their conditions. Women's control and ownerships rights in agriculture have also been highlighted in documents and studies published by international organizations, viz. ILO economic security, 2004, FAO report on women in agriculture and security 2010-11, and the World bank report of 2011-12.⁹ Women have also been asserting their right to control and own lands and questioning the discriminatory treatment meted out to them, through the different people's rights movements, such as the Bodhgaya movement, the dalit movement, or agricultural mass meetings where women are involved.¹⁰ For instance in 1987 in the Bodhgaya movement, when women were given 10 % land they expressed their desire for owning land in the following words, "we had tongues but we could not speak, we had feet but we could not walk, now that we have land we have the strength to speak and walk."¹¹

Women Farmer's Entitlement Bill, 2011

The Women's Farmer's Entitlement Bill, 2011, tabled by Prof MS Swaminathan in the Rajya Sabha aims to confer legal entitlement to women farmers, to enable national food security, and to make possible sustainable livelihood opportunities for women in agriculture. The Bill recognizes that while women farmers are extremely hard working and are also conversant with sustainable agriculture practices, they suffer from several handicaps such as title to land, and access to credit, inputs, insurance, technology and market.

The major demands of the bill are outlined below:

1. Certification of Woman Farmer through the Gram Panchayat after the approval of the gram sabha to work as a proof of declaring a person as a woman farmer.
2. Women's equal ownership and inheritance rights over her husband's self acquired agricultural land, or his share of family property, even if it is not mentioned in any of the relevant documents.
3. Provision of equal right over water, as enjoyed by male farmers, to all water rights connected with the agricultural land to which she is the owner, shareholder, possessor or uses for farming activity and shall have access to water resources for irrigation purposes.
4. Entitlement to Kisan Credit Card to facilitate access to credit and financial support to women farmers in her individual capacity or as a group.
5. Setting up of a Central Agricultural Development Fund for Women Farmers (CADFWF) under the Act, to oversee development of women farmer friendly technologies, provision of training and capacity building, creation of market facilities, organization of crèches and day care centers, social security for women farmers, old age pensions and other related products and services.
6. Implementation and monitoring responsibilities to be shared between the Central and the State Governments.
7. Setting up of a Women Farmers' Entitlement Board at the State level having representation from women farmers, for ensuring transparency in functioning of this Act and accountability of the functionaries. Additionally, every State Government shall set up a District Vigilance Committee in every district.
8. Penalties and Procedures for whosoever fails to comply with the provisions of this Act.

The demands listed above sum up the gaps and important needs that are to be fulfilled to empower women to increase their economic agency and productivity.

The Critique of the Bill and Other Issues that Need Attention

Although there are several crucial changes that need to be made in the agricultural sector for the betterment of women farmers and workers, the making of new set of laws to accomplish this task is sometimes questioned. 'Demand for new laws for every change that is needed reflects a loss of faith in the administrative system. There are demands for a law to guarantee the change. But what is required is probably a policy change, rather than new set of laws. 'Legalization' of every change that is desirable may result in loss of innovation, which is so vital in a country like India where interventions need to suit the requirement of different localities.'¹²

The women farmer's bill tabled by Prof MS Swaminathan is an important step ahead in articulating the specific changes that are to be brought into the system for the benefit of women farmers. However, some reservations and additions have been expressed with regards to the bill. First, 'creation of new boards and authorities for monitoring the programme may not be the best solution. There are already a number of authorities at different levels to undertake the task of monitoring. New boards and authorities would result in problems of coordination or too much monitoring of the same programme in the same area. What is needed is creation or strengthening of local level institutions, such as the Self Help Groups, that can take up this work with necessary support. The law should restrict itself to giving legal rights to people and not enter into setting up of funds, boards, etc which should be left to rules under the law'¹³

Secondly, some points that need to be added to the bill are, joint title to land with partitionable, inalienable, and non transferable rights, regular and systematic gender sensitization programmes for the government officials, and research in all aspects of agriculture. These and other points have been discussed in some detail under the section - implications for change.

In recent times, there has also been some official recognition of the fact that that asset distribution is superior to income distribution. The ownership of assets, especially land, has a positive incentive effect on the productivity of the farmer.¹⁴ The incentive effect is, "the effect of secure rights in land and control over its produce on the farmer's motivation to put in greater effort and investment in the land."¹⁵ In case of women it is assumed that they are content in a sacrificing role and put in their best efforts for the benefit of the family as a whole. But this assumption is being questioned now, it is being realized that women work harder and with greater interest on land owned and controlled by them. Ownership and control of assets also has an important influence in restructuring adverse gender relations in families and communities.

The administrative system, in general faces the critical issue of inadequacies in good governance coupled with lack of sensitivity to the problems of women particularly at the cutting edge level.¹⁶ The lack of sensitivity in the system is also reflected in inadequate data on women's work, the economic activities they carry out, the socio economic challenges they face and the working conditions they experience. There has been some realization of the existence of this gap in data, but "despite the various efforts for improving the coverage of female workers, several of the activities such as collection of fuel, fodder and water; unpaid work in home based enterprises; and agro processing work are not adequately captured even by NSS surveys."¹⁷ The research and interventions of the Government that targets improvements in agriculture is mainly with the focus of improving production, rather than improving food security and nutrition, latter mainly being a female concern is neglected. Another problem inherent in governmental programmes is that women are primarily seen as mothers and wives and not as individuals. The individual status of women and their economic agency needs to improve, and they need to be treated as individuals and citizens first.¹⁸

Apart from the government's insensitivity to the problems of women in agriculture, Indian

society in general is also highly discriminatory against women, strongly resisting women's right to inherit property especially land, even elder women in the family sometimes oppose endowing their daughters with land.¹⁹ The reason for this resistance mainly from the natal family is the little reciprocal benefit seen in endowing women with land as they move to another family after marriage. Opposition is somewhat less in South and Northeast India.

Under the umbrella category of 'women', those belonging to discriminated groups, particularly those belonging to the SC/ST category may face higher social limitations in terms of owning land, or accessing agricultural inputs and services. According to a study done by the Indian Institute of Dalit Studies (IIDS) in 2010, due to the restricted access to important assets the scheduled caste groups have the highest dependence on leased-in land and significantly lower agricultural productivity.²⁰ Some of the discriminations that excluded groups face in the society, particularly the SC/ ST group, include sale and purchase of land to seller's caste or to individuals belonging to the higher caste, not allowed to buy land close to the land belonging to person of higher caste or close to a source of water supply, refusal by high caste labour to work on land owned by low caste person, low caste members have to mainly depend on consumers belonging to their own caste, and such other similar restrictions.²¹ These social restrictions faced by SCs and STs, point to the need to design policies that can prove instrumental in changing such callous social practices.

Implications for Policy Change

Several fundamental changes are required in the society and governmental policies to bring about sustainable improvements in the lives of millions of women in agriculture. While societal changes are more difficult and gradual, changes at the level of governmental policies mainly require political will. A positive change in governmental policies can be instrumental in speeding up the pace of change in the society. Listed below are some of the important policy changes needed.

- **Legal Right to Land:** In 1985 a policy directive recommended the States to confer joint titles to husband and wife over assets such as land and house. However, there is a growing recognition that joint titles also present a problem for women. Joint title to land do not result in women's control or influence over the produce of the land, "or to bequeath the land as they want, or to claim their shares in case of marital conflict. Most of all, joint titles constrain women from exploring alternative farming arrangements collectively with other women."²² Hence, what is required is joint titles to land which are also partitionable, inalienable and non transferable. There is a need for such a regulation which is already in practice in China and in Sindh, a province in Pakistan.²³

"The Twelfth Plan seeks to achieve a 4% or higher agricultural growth."²⁴ Allowing women control over land and other related assets is critical in increasing the overall production in agriculture. Due to the incentive effect that comes about with ownership, women work harder and with greater interest. Women are also capable of using resources more efficiently and can increase the farm yield by 20 to 30%.²⁵ Besides, by using land titles as collateral, women can own Kisan Credit Cards and are also able to access credit for further investments on their land. "Between 2004 and 2006, Reserve Bank of India statistics shows that women received only 6 percent of direct agricultural credit. The absence of land titles as collateral is the main reason for poor access to credit."²⁶

It needs emphasis that access to land is also important to change gender relations and women's living conditions in families. Women experience increase in dignity and respect with ownership of land and other assets, there is also a notable strengthening in women's negotiating powers within families as well as in the wage labour market. The following quote briefly presents the change in power relations within a family due to ownership of land, "If our husbands want us to eat, then we eat, it totally depends on them. If the land were in my name, he would no longer beat me, and he would take care of the children as well."²⁷

- **Equal remuneration:** As noted earlier, women only earn 60-70% of wage that men get for the same amount of work. This discrimination is based on unquestioned assumptions that women are less capable than men. There is a need for the proper implementation of the Equal Remuneration Act of 1976, and to change this unfounded belief that places women in a disadvantageous position.
- **Empowerment of women in the area of food and nutrition:** it is suggested that ration cards be issued in the name of the women and their voice in such initiatives as the mid day meals at school also be strengthened. It has been noted that when mothers take proactive roles in supervising provision of mid day meals in schools, those schools deliver much better food in terms of nutrition and hygiene.²⁸
- **Education and training of women:** Women are often discouraged from upgrading their technical skills. There is a need for government to take the initiative to provide technical training to women in agriculture. At the same time, there is also a need to spread awareness about women's important contribution in agriculture, and legal literacy about rights of women in agriculture.
- **Gender sensitization of government officials:** there is a need to have regular and systematic gender sensitization workshop for government officials at all levels. This is required to bring about greater sensitivity within government systems to women concerns in general and women in agriculture in particular. Such workshops are also needed to unravel issues, and to enact regulations to educate local officials.
- **Research on women in agriculture:** Presently research in agriculture, even if pertaining to women's work, is focused on productivity concerns and does not adequately value food and nutrition issues. Research needs to move beyond concerns relating to productivity and include in its purview everything from productivity to food and nutrition.²⁹ Research is required to understand the changing nature of women's productive work in agriculture, and analyze the productivity implications of gender asset inequality and economic agency of women. Research needs to contribute to understanding the context specific changes required for improvement in condition in agriculture.
- **Convergence of related programmes at the delivery point:** A large number of programmes are available at the local level that are related and complement each other. There is a need to converge these related programmes to increase efficiency and have a better impact on the lives of women and families and to improve status of agriculture as a whole.
- **A second set of policies for the farmers belonging to discriminated group:** It is suggested that there should be a second set of policies for the farmers belonging to discriminated group, such as the SCs and STs so as to provide safe guards against discrimination which they face in accessing agricultural land, inputs and services.³⁰

Endnotes

¹This was the topic of discussion during the third Gender and Economic Policy Discussion (GEPD) Forum, 23rd July 2012, co-organized by Heinrich Boll Stiftung, New Delhi and Institute of Social Studies Trust (ISST), New Delhi. Representatives from the Agriculture development sector, academicians and the government participated, and used the Women Farmer's Bill tabled by Prof. Swaminathan as a backdrop to analyze the challenges that women in agriculture, particularly women farmers, face in India. They highlighted the specific needs for improvement in favor of the large number of women in agriculture. This paper presents the ideas and discussions that took place during the forum, and substantiates these ideas with some relevant data and research available. This paper is not meant to be a comprehensive and exhaustive presentation of the topic. It seeks to contribute to the body of research on the subject by presenting a mix of, academic, private and government experiences. This brief paper is mainly aimed to encourage further dialogue on the subject with a gender sensitive perspective.

²Government of India 2001, cited in Agarwal (2003) p192

³Defined by Mr. T Nandakumar at GEPD III

⁴As pointed out by Dr. Kelkar at GEPD III

⁵Ibid

⁶Ibid

⁷Garikipati (2006), p18

⁸Pointed out by Mr. T Nandakumar at GEPD forum III

⁹Kelkar (2012), PPT slide 10

¹⁰Shared by Dr. Kelkar at GEPD forum III

¹¹Kelkar (2012), PPT slide 5

¹²Opined by Mr. T Nandakumar at GEPD forum III

¹³Ibid

¹⁴Explained by Dr. Kelkar at GEPD forum III

¹⁵Agarwal(2003), p 195

¹⁶Pointed out by Mr. T Nandakumar at GEPD forum III

¹⁷Shah (2004) p 3, quoted in Kelkar(2007) p 3- 4

¹⁸Emphasized by Dr. Kelkar at GEPD forum III

¹⁹Pointed out by Mr. Chaudhary at GEPD forum III

²⁰IIDS (2012)

²¹Ibid

²²Agarwal (2003) p201

²³Noted by Dr. Kelkar at GEPD forum III

²⁴Eapen and Mehta (2012), p 43

²⁵Quoted from FAO study in Kelkar (2012), PPT slide 12

²⁶<http://www.nrmcindia.co.in/researchpaper.php>

²⁷ILC and IFAD (2004), cited in Kelkar p 13

²⁸Opined by Mr. T Nandakumar at GEPD forum III

²⁹Ibid

³⁰IIDS (2012)

References

1. Agarwal, B (2003), "Gender and Land Rights Revisited: Exploring New Prospects via the State, Family and Market", *Journal of Agrarian Change*, Vol. 3 Nos. 1 and 2, January and April 2003, pp. 184–224.
2. Binswanger-Mkhize, H P (2012) "India 1960-2010: Structural Change, the Rural Nonfarm Sector, and the Prospects for Agriculture." Berkeley, California: Department of Agricultural and Resource Economics, University of California, Berkeley. Available at <http://are.berkeley.edu/documents/seminar/Binswanger.pdf>
3. Eapen, M & Mehta, A (2012), "Gendering the Twelfth Plan - A Feminist Perspective." *Economic & Political Weekly*, April 28, 2012, volume 47 no 17
4. Garikipati, S (2006), "Feminization of Agricultural Labor and Women's Domestic Status: Evidence from Labour Household in India." *Social Science Research Network (SSRN)*, available at papers.ssrn.com/sol3/papers.cfm?abstract_id=951199
5. Indian Institute of Dalit Studies (2012), "Women Farmer Entitlement Bill, 2011 - Suggestions on Policies for the Safeguard against Discrimination faced by Dalit and Adivasi Farmers in Accessing Inputs from the Market." GEPD forum III, 23rd July 2012, ISST, New Delhi

6. Jiggins, J (1998), "The Feminization of Agriculture." The Brown Journal of WorldAffairs, Volume 5, Issue 2, pp 251-262
7. Kelkar, G (2007), "The Feminization of Agriculture in Asia: Implications for Women's Agency and Productivity." UNIFEM South-Asia Regional Office, New Delhi, India, available at http://en.fftc.org.tw/htmlarea_file/library/20110725164020/eb594.pdf
8. Kelkar, G (2012), "Why is it important for women to have unmediated right to land?" Power Point Presentation at the GEPD forum III, available with ISST, Delhi
9. Ministry of Rural Development, Gol (2010), "Mahila Kisan Sashaktikaran Pariyojana (MKSP)" Available at <http://www.ruraldev.gujarat.gov.in/pdfs/EOI%20for%20Mahila%20Kisan%20Shashaktikaran%20pariyojana.pdf>
10. NR Management Consultants Pvt Ltd (NRMCI), "Smallholder Women Farmers in India: A Research Study." Available at <http://www.nrmcindia.co.in/researchpaper.php>
11. Swaminathan, M. S. "The Women Farmers' Entitlements Bill, 2011" Available with MS Swaminathan Research Foundation <http://www.mssrf.org/> by Mr. T Nandakumar at GEPD forum III

Speakers at the Forum

Keynote speaker

Mr. T Nanda Kumar, Member of National Disaster Management Authority

Panel

Dr Govind Kelkar, Senior Advisor on Women, Land and Productive Assets, Rural Development Institute

Mr. Sangram Chaudhary, Executive Director of National Dairy Development Board

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