

OWNERSHIP, CONTROL AND USE OF LAND BY WIDOWS

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ABSTRACT

In Indian society it is the man who is the head of the family and the person in-charge of the family exchequer. All the monetary / transactions are made in his name and he is the owner of the property. In village community significance of land is very much higher as it is the main factor of production, property, indicator of social status main source of livelihood and because of lesser opportunities available for employment outside the agriculture. In case of nuclear families with young children widowed land owners face problems of planning and managing the land. The present study was conducted on 44 widows owning land in village Saharwa of Hisar district of Haryana. Half of these widows were in the age group of 46-65 years. Family members of the respondents had control on cultivation of land in half of the cases. But overwhelming majority of the respondents had control on selling and transaction of land. Only one-tenth of the widows were taking separate share for their maintenance.

Keywords: Widow Women, Land, Control and Ownership

INTRODUCTION:

Land is a vital asset to individuals and communities around the world. But in many countries, laws and social norms put women and girls at a disadvantage when it comes to land inheritance, ownership, and control. Land ownership patterns in India are largely imbalanced and inequitable, as land is concentrated in the hands of a few. Women may have rights to use land, but in many contexts, these rights hinge on their relationship to a man: a husband, father, brother, or other male relative. If that man dies or becomes estranged, women may be forced off their land and out of their homes, with little or no recourse. Widows face such problems well beyond Zimbabwe. According to a recent World Bank, "In 35 of the

173 economies covered by, female surviving spouses do not have the same inheritance rights as their male counterparts.”

In village community significance of land is very much higher as it is the main factor of production, property, indicator of social status main source of livelihood and because of lesser opportunities available for employment outside the agriculture. In Indian society generally it is the man who is the head of the family and the person in-charge of the family exchequer. All the monetary transactions are made in his name and he is the owner of the property.

In order to women have the ability to able to make use of their right to equality and an appropriate way of life, land and other productive resources ought to be accessible to, used by, and under their control. These tools make it possible for women to take care of their basic needs as well as fulfill the demands of their families and to tackle some of life's most challenging difficulties. Discussions on global food security, sustainable economic development, the urgent fight against the HIV epidemic, and the prevention and responses to gender-based violence are all directly connected to women's access to land and other productive resources.

Widows were given right to land in the beginning of this century but this was only in the absence of male issues. Town sand (1913) in his “Customary laws of Hisar district” regarding the rules of inheritance has indicated that if there be a son or sons or their male decedents through males, they inherit on the death of father. If a man dies without male issue, inheritance dissolves on his widows in their absence on their agnates. But Hindu Succession Act, 1956 provided equal share to widow, mother, son and daughter. This act made women an absolute owner of the property and a limited owner.

But in practice the situation was not so. It was reported by Maria Mies (1987) that women had to do most of the work on the land but had no control over main mean of production i.e. land and also had no control over other means of production necessary for agriculture operations like wells, plough and drought animals, harrows, carts etc. the only tools and implements in the possession of women were sickles, baskets and winnowing fans. It was indicated that where family possessed land, it was in the name of the male head of the households not in name of the women. Only some widows had land.

In case of nuclear families with young children widow land owners faced problems of ploughing and managing the land as reported by Sharma (1980) and Das Gupta and Maiti (1986). Ataboof ploughing against women was also reported. A critical review of the studies reveals that in north-eastern part of the country women are not allowed to inherit property but widows get a portion of land to cultivate throughout the life time. But they have no control on that land for sale, mortgage of alienate in practice. The present study was an attempt to know the ownership, control and use of land by widows in Haryana.

METHOLOGY:

The study was conducted to village Saharwa of Hisar district. A sample of 44 widows owning land was taken with sample random sampling procedures. Data was collected by interview method and for the collection of data, pre tested respondent schedule was used.

RESULTS AND DISCUSSION:

Results with discussion of the present study have been presented under following sections.

1. Background information of the respondents.
2. Cultivation, control and use of land by respondents.

Background information of the respondents:

Findings pertaining to this section enfolded in Table-1 indicate that 50 percent of the widows were in the age group from 46-65 years followed by above 65 years (38.63%). Majority of the respondents (70.44%) had no exposure to radio followed by moderate exposures (20.48%). As far as 65.90% of the respondents were from the families where female literacy percentage was nil.

Table 1: Background information of the respondents

Variables	Frequency	Percentage
Age		
Up to 25	00	00.00
26- 25	05	11.37

46-65	22	50.00
Above 65	17	38.63
Exposure to radio		
Nil	31	70.44
Low	04	09.08
Moderate	09	20.48
Female literacy percentage		
Nil	29	65.90
Low	07	14.94
Moderate	08	18.16
Status in village		
Daughter	00	00.00
Daughter in law	44	100.00
Total income of the family		
Up to 15000	11	25.00
15000-30000	24	54.54
Above 30000	09	20.46
Total	44	100

As far as 100% all of the respondents were the daughters-in-law of the village. It was reported that economic status of these respondents was not good as 54.54% of these were from the families with an annual income of Rs. 15000-30000 followed upto Rs. 15000 only (25%). All of the respondents were illiterate and were from agriculture caste.

Cultivation, control and use of land by respondents:

Cultivation, control and use of land by respondents was assessed. Data regarding these aspects is presented in Table-2.

1. Cultivation of land:-

Here ownership of land does not give the real picture of her access to this resources. Exploration about the cultivation of land reveals that 63.63% of the widows were cultivating the land themselves along with their family members. One fourth of the widows rented out the land to outsiders as they were aged and also because of absence of male members in family. Moreover, it was also not socially accepted that a women plough the land. Hence they had to depend on male folk or family members for cultivation. Das Gupta and Maiti (1986) reported that Oraon tribal of Bihar believe "if a women was to plough, there would be no rain calamity would follow." It shows men's control over the agriculture technology which restricts the women to farm independently. Sharma (1980) also reported that in Punjab at the ploughing time no one was ready to plough the field of a widow without being paid. Even those who do it for pay would do it after they had completed their own ploughing.

Table 2: Cultivation, Control and Use of land by the respondents

Variables	Frequency	Percentage
Cultivation of land		
Self-cultivation	03	06.82
Parental family	02	04.54
Self and family members	28	63.64
Rented out to outsiders	11	25.00
Control on cultivation of land		
Herself	21	47.72
Parental family	01	02.27
Her family members	22	50.00

Control on selling/ transaction of land		
No	02	04.55
Yes	42	95.45
Use of land		
No separate share	39	88.64
Taking separate share	05	11.36
Total	44	100

2. Control on cultivation of land:-

Ownership of land and its cultivation status alone do not ensure the control of women on landed property. An attempt was made to enquire about the fact who decide who will cultivate the land of the widows. This factor will indirectly show the control of widows on cultivation of land.

It was found that in 50 percent of the cases family members of the respondents had control on cultivation of land followed by those who had of their own control (47.73%). In only 02.27 percent of cases parental family of the respondents had control on cultivation of land as they required the land as a result of death of father.

3. Control on selling and transaction of land:-

Selling purchase of land is a very important economic decision in a rural house hold. Majority of the respondents (95.45%) had control on selling transaction followed by who had no control (04.55%). Johnson (1979) explained how women's public status among women was predicted upon the importance of the economic role which they performed. Women had the sole responsibility of decision making concerning their economic activities. Women who ever worked the land controlled the wealth it produced. It confirms the finding of present study.

4. Use of land by widows:-

Use of land for the present purpose simply stands for the share she is taking the production of that specific piece of land. It is only to show whether she uses that land for herself or not only about one-tenth of the respondents were taking separate share for their conservation as much as importance was given to maintenance of social relationships. When the widows demand their share they are looked down upon by sons, other members of the family and society.

CONCLUSIONS:

It is concluded that legislation which provide share to widows in landed property has increased their status in society. They have control on that land and if they want can take their share. The children especially the sons respect more when they have share in landed property. The results of this study shows that they were not taking a separate share but they had given that share to their sons either living with the respondents or alone.

SUGGESTIONS:

- ❖ It is suggested that there is need to change age-old practice of not giving separate share to widows in landed property. Widows should also be hold enough to demand their share.
- ❖ Establish counselling centers and provide psychological, and where required, clinical counselling to widows to help them handle their distress and depression.
- ❖ Promote skill-building and education programmes for farm widows. Give training and support by the block and district agriculture office to widows who wish to cultivate their land.
- ❖ Use platforms like anganwadis and ASHAs to eradicate socio-cultural gender discriminatory practices with respect to farm widows. Motivate farm widows to be part of self-help groups/joint liability groups and link them with schemes and programmes of MahilaAarthikVikasMahamandal (MAVIM).
- ❖ Sensitize and activate District Legal Service Authorities (DLSA) in all affected districts to take special measures to assist farm widows in asserting and securing their legal right to land and agricultural yield, and provide free legal counselling and aid to widows.

- ❖ Promote human rights education and awareness, at multiple levels, to challenge patriarchal notions and to remove cultural taboos and social stigmas associated with widowhood.

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