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About the document:

This report presents the documentation of 'Legal Clinics', an initiative of Working Group for Women and Land Ownership (WGWLO) to institutionalize, extend expert guidance and support to women to claim their land rights. WGWLO is a formal, unregistered network of 18 NGOs, 19 CBOs and four activists/individuals across 17 districts in the state of Gujarat, collectively addressing the importance and working towards women's land ownership from the perspective of women rights, gender equality, empowerment and livelihood-life security.

The network, present in 17 districts through NGOs and CBOs, has active SwaBhoomi Kendras, hosted and initiated by the organization, anchored by two trained Para-legal workers, working on Land rights and Promotion of Organic Farming amongst women farmers. Land ownership, being a sensitive issue and women's ownership, a new paradigm brings in a lot of challenges at Social and Legal level, which led to the evolution of Legal Clinics in 15 districts. Legal Clinics, evolved as institutional support and a mechanism by bringing in professional lawyers with a gender perspective, periodically to the SwaBhoomi Kendras.

Initiated in January 2019, this report documents the learning's, struggles and complexities in land ownership for women, coming out through Legal Clinic. The document includes:

- Land related legal framework and vulnerabilities, perspectives and status of women
- Genesis and Journey of WGWLO
- Nature of complexities and cases that came in Legal Clinics of each SwaBhoomi Kendras
- Detailed chronicles or stories of complicated cases identified and classified as different prototypes
- Observations, learning based on the stories, processes and challenges
- Recommendation and Advocacy issues at SwaBhoomi Kendra, district level and for the network as broader strategies

The documentation is carried out based on detail discussions with Paralegal Workers on each SwaBhoomi Kendras. Although the plan was to visit each Kendra, owing to current Pandemic situation due to Covid, eventually visited only 3 Kendras, rest are detailed out through long calls with each Paralegal worker, facilitated by WGWLO Network. The focus is on the complexities of the cases, institutional process and limitations; contextual challenges and challenges faced by the Paralegal worker, thereby strategizing further in enhancing and advance Women's land rights by WGWLO.



Abstract: Background to women and land rights

Patriarchy has made women the most vulnerable and marginalized since centuries. The natural ability to reproduce, has led to formation of distinct gender roles as women being nurturers and men being providers. This perspective has manifested itself in social, legal, political and economic organization of our society, structuring men and women in defined positions and roles. This strong practice of gender roles, has given women a subordinate or a secondary status, making them mere shadows of men by making them largely dependent on men. However an equal and just Society can only be envisioned and formed when based on Interdependence.

This sphere of discrete gender roles is more evident in rural areas, wherein the discretion in Urban areas has started to dilute with women venturing out to explore and claim their identity, through work, education, art, travel, etc. However the dilution is largely insignificant in context with the long journey of the gender equality in every sphere.

The Global Gender Inequality report released by UNDP (United Nations Development Programme) in 2018, revealed that India ranked 122 in Gender Inequality Index¹, out of 189 countries polled. The Global Gender Gap report 2020 published by World Economic Forum, revealed India's ranking on 112 in Gender Gap Index², out of 153 countries polled. These numbers demonstrate the social status of our women in our society, manifesting itself through skewed sex ratio, higher girl child marriages, higher school dropouts of girls after primary school, surfacing violence against women, unequal pay, etc.

Rural India largely being an agrarian society, land becomes the prime source of livelihood, security, housing. One can say, Right to Land becomes a fundamental right in case of agrarian societies, implying equally for both women and men, without any biases. 70% of women are employed in agricultural and allied activities and are primarily responsible for producing almost two thirds of all agricultural produce and about three-fourths of dairy products. In addition, climate change phenomena, water woes, unequal investment in livelihood generation and skewed perspective as well as development of rural areas, are leading to higher Rural-Urban Migration, where largely men move to the cities for employment and agriculture is entirely managed by women. This current phenomena and shift is commonly understood as 'Feminization of Agriculture'. However, this does not change the socio-economic status of the women. Their share in ownership of agricultural land continues to be extremely meagre and their identity has not transitioned from labourers/helpers to women farmers, from subordinate to authority. This leads to important realization of equal access to land by both men and women.

Land Ownership and Lineage pattern

Land is the most valued form of property, with its economic, social, political and symbolic significance. In agrarian societies, apart from livelihood sustenance, it is also a metaphor of status, wealth, hierarchy and

¹ The Gender Inequality Index is a composite measure reflecting inequality in achievements between women and men in 3 dimensions: reproductive health, empowerment and labour market. The higher the value, more the inequality.

² The Gender Gap Index is a composite measure of gender based gaps in four key dimensions: Economic Participation and Opportunity, Educational Attainment, Health and Survival, and Political Empowerment. The higher the value, more the gap.

power. It provides a sense of identity, permanence, security and rootedness. However, the ownership and inheritance patterns are patrilineal with merely 13% of women owning the agricultural land in their name. Despite the fact that the Hindu Succession Act of 1956 prescribes the legal recognition of equal distribution of property among all inheritors, irrespective of gender, it is not socially recognized and practiced, with negligible promotion and dialogue on equal right to land. However in rural context, land ownership by women becomes the foundation and first step towards equality and empowerment of women.

Why Women should own land?

Studies have shown that property and asset ownership by mothers or women, lead to better outcomes for the survival, resilience, education and health of children, than owned by men, owing to the nurturing, focus on well-being and holistic perspective of society of women. The value of land to women goes beyond status, power, wealth to security, identity, empowerment, well-being, welfare, livelihood, holistic development of self and community. The women land ownership implies following aspects:

- a) **General Well-being:** Women, with instinctive nurturing capabilities, are better sensed with over-all welfare of family, community and environment. The holistic approach ranges from crop selection, agricultural practices, food security and nutrition, equitable distribution of family resources and incomes.
- b) **Land efficiency and health:** Women have been traditional seed savers and the superior knowledge of good seeds, nutrition and traditional meals are passed on through generations again through women. Research show that productivity and health of soil is enhanced under women ownership. Their exhibit of this superior knowledge comes out where women own their land and have decision making powers.
- c) **Promotion of gender equality:** When women own a land and have decision making powers, they further prevent violation of women's fundamental rights. Since land ownership in societal perspective, gives a sense of power, women will raise their voice against violence, exploitation and destitution of women and further invest in growth and empowerment of girls and women.

Genesis of WGWLO

The seeds of WGWLO were sown at a state-level workshop organised by the Aga Khan Rural Support Programme (AKRSP), India, in Gujarat, in the year 2002. Several NGOs working with natural resource management, women empowerment and legal rights in rural parts, came together to understand 'Connection between Women land rights and rural development, gender equality and sustainability'. Dr. Bina Agarwal, Professor of Economics from the Institute of Economic Growth, New Delhi, and the author of the path-breaking book 'A Field of One's Own' was invited to conduct a workshop on 'Land Ownership as a Livelihood Issue for Women' in July 2002.

While working with a gender perspective in rural Gujarat had been a priority for quite some time, the workshop brought to light the fact that, most NGOs in Gujarat did not realize the importance of land ownership issue and had not focused campaigning it on ground.

The workshop examined the following questions and perspectives

- Why women were denied assets when their work in agriculture is crucial?
- How is and how to link this issue with Women's empowerment? How does Patriarchy impact women's land ownership?
- Understand the linkage between Asset ownership, efficiency and sustainability
- Gaps between legal recognition to Social recognition of women land rights

The workshop also analysed successful examples wherein women had taken land on lease for collective farming, which had resulted in enhancing food security and social status of poor women of marginalised communities.

Realizing the importance of the issue, the Working Group for Women and Land Ownership (WGWLO) Network was formed in 2002 with 13 NGOs coming together to work decisively on this issue. WGWLO is a formal, unregistered network of 18 NGOs and 19 CBOs, 4 individuals across 17 districts in Gujarat State, which works on the issue of women's ownership of agriculture land and access to productive resources from the perspective of women's rights and empowerment, as well as livelihoods security. The network functions as a multi-level, collective platform for sustained action and policy advocacy on the issue of alienation of women from their land rights in patriarchal societies. Various institutional mechanisms and strategies have been promoted through different local institutional structures in the efforts to advance women's land rights and women farmers' identities.

Socio-cultural Perspectives, Barriers and Challenges:

Studies on girls and women show how deep rooted patriarchy and gender inequality persists in our society demonstrated through several statistics on selective abortions, female infanticide, education, abuse of women, domestic violence, rapes, unequal pay, etc. Land rights and ownership are no exception to this attitude. Some of the deep-rooted perspectives and mental constructs towards women related to land ownership is stated as below:

Self-denial and low self worth of women: Change starts in one's own mind, with one's own acceptance. For most of the women owning land in their name is something that never got constructed in their psyche, or they never deciphered and questioned the systemic biasness. Being oppressed since centuries through socio-institutional systems, their capability and fundamental right is desensitized and filled with self doubt and less self worth.

Fear and insecurity of women: Living out of oppression, dependence and authoritarian rule, women are fearful of raising their voice against the males in the house, to start with, and this further extends to the fear of authority. Quite often women respond to the land ownership issue saying that 'Why would I need ownership to our land, I have a house to stay, food to eat, family to feed, what else do I want? Why initiate fights with the family, they will throw me out of the house.'

Denial of rights to daughters by family members: A girl child is still not welcomed in many parts of rural areas. Girls are brought up largely as a responsibility, with less investment in her growth and development than boys. They are trained to do the household work and married off, many as a child, to take care and nurture her husband's family. They are largely viewed as nothing more than a property, to be given off. In spite of equal legal rights, the daughters largely do not possess the ownership of their ancestral land. The common perspective goes by 'They are going to get it in their husband's house, as they belong there'.

Status of single/unmarried women: Single/Unmarried women are almost invisible in rural areas. Many women shift to their parents house after divorce, or in some cases the husbands have left them. Already conflicted in identity and belonging, they do not have any other place to go, whereas parents most often do not welcome such women, considering them as a responsibility.

Status of widows: Widows are the most vulnerable, as they have no existing support system once her husband dies. She is often ill-treated, by her brother in laws, even being hit, if she claims land rights. Their land rights are sometimes not recognized as they might remarry and are constantly character assassinated. They are financially vulnerable and left to the in laws mercy. Land in their own name becomes a huge support in their sustenance.

Prevalence of Bigamy: Another practice which is very common in tribal areas is bigamy. The husband marries again for several reasons, if the first wife gives birth to only daughters, illicit affair with another woman and sometimes out of choice. For eg. in the Kodi Patel community in Bavla district, there is a customary law that men can declare divorce by giving 12 INR to the wife. Such laws are still followed faintly, but need to be advocated for abolishment, as there is no value asserted to woman's life. Legally all the wives have a right to their ancestral land. However, most often the first wife struggles to claim their land, she is either deserted or mistreated by children of the second wife. Similar challenge the woman experiences in claiming widow pension.

Nexus with Domestic Violence: The power dynamics linked with land ownership is a very sensitive issue, most often end up dealing with violence. There is a deep rooted nexus of violence with gender equality. Most of the times, if daughters or widows claim their land rights, they are treated violently, in some cases killed.

Land legal literacy

Since the report brings out land conflicts and cases of complex land mutations and ownership issues, it would be important to have a brief overview and understand the land types, land and inheritance related laws. Below are some of the details. Please note, the details are extracted in limitation to the application and relation to the cases, otherwise each sub head can be a detail subject in itself.

Categories of Land

Land is either inherited ancestrally, purchased or provided by the government. There are different categories of land, of which the cases are discussed in detail in the prototype case section. Below is the primary categorization and details of the lands.

- **Revenue land** includes agricultural, non-agricultural land in the state. It is under the governance of Revenue department, consisting of Talati at the village level, Mamlatdar at the Taluka level and Collector at the district level.

The revenue land also includes Vada ni zameen, with a separate Vada register maintained by the department. Vada ni zameen is primarily a small patch of land outside (simtal) or within the limits of village (gamtal) used for keeping cattle, fodder, farming implements, etc. by Pastoralists. Mostly, these communities occupy the land since 2-3 generations, which they can claim for private ownership with an appeal in Talati's office.

- **Forest Land** comes under the demarcated forest area (protected areas, reserve forests). It is under the governance of Forest Department. Over the years of bureaucratizing control over the forest land, tribals, who are integral part of the forests, have been evicted and affected the most, leading to constitution of a dedicated Tribal department for protection of their rights.
- **Common Land** are those lands that are commonly held by a community, village, trust. These are mainly pasture lands (gauchar zameen), wastelands (kharaba ni zameen), playgrounds, lakes, ponds. These come under the governance of Gram Panchayat (local village governance)

Land related laws, acts and provisions

Land Acquisition Act

This act gives levy to the government to acquire any privately held land for public and development purpose. In case of agricultural land, compensation is provided to the family, either in monetary terms or land at an alternative place. Many such cases have come up where the land has been acquired and retracted from the land dwellers and cultivators, leaving them landless.

Gujarat Agricultural Land Ceiling Act

This act was enacted in the year 1960 primarily to control and acquire surplus holdings of agricultural land by setting certain limits and guidelines of land ownership and giving it them to the most needy, that

includes landless laborers/cultivators, Dalits, Rabari, Maldhari community, other scheduled tribes and castes, de-notified tribes, women, etc in the state. The state then organizes Land distribution meetings at village/taluka level known as Land Kacheri or Land Committee. People in need, need to appeal to government for provision of the land, either individual families or cooperatives. However, the issue with many such allocations are that many of them are allotted on paper and ownership in land records, but the onsite possession is pending. While many are inhabiting the land since 2-3 generations, but the land is still not owned by them in the records.

Santhani Scheme

This is a scheme under the Land Ceiling Act, under which the state government maps and acquires wastelands and distributes the land to the landless Agricultural Laborers, marginal farmers, Ex-Servicemen and registered cooperative societies of backward class. The government wasteland in every village is listed and after setting aside necessary required land for future public purpose, the remaining land is identified for distribution. The land for Santhani once identified are advertised and applications are called for, which are processed and as per the eligibility criteria, the eligible persons are allotted the wasteland. The entire activity is done at the District Magistrate's level.

Gujarat Tenancy and Agricultural Land Act (Ganotdhara)

Tenancy is a system of farming where the landowner engages other people, as tenants, to carry out agricultural activities. A lot of people in village do not possess any land ancestrally and work as agricultural laborers. Secondly, the average size of land holdings have been consistently declining, due to land division, lack of affordability, uncertainty of crops, etc, many enter into the tenancy system. In return, the tenant farmer (ganotiyo) who is the cultivator gives some proportion of the agricultural produce seasonally to the landowner. This act was formulated in order to claim their rights as tenants, as the landowner has the power to exploit, terminate or sell his/her land on their own will, leaving tenant with no source of livelihood and income. A tenant who is residing and cultivating on a land for more than 10 years becomes the permanent tenant of the land. This act gives the tenant the first right and option to purchase the land in case the landowner wants to sell the land.

Juni Sharat and Navi Sharat agricultural land

Juni Sharat (Old Tenure land) includes land which is held by the original landowner, prior to coming of Bombay Tenancy and Agricultural Land Act. This land is free hold, has no restriction on selling, lease, gift deed.

Navi Sharat (New Tenure land): As described above, the land often was given away to the tenants in order to sustain their livelihood rights and growth. In such a transaction when the landowner sells the land to tenant (ganotiya), it is registered under Navi Sharat (New Tenure). The navi sharat land had strict restrictions on sale of the land, in order to avoid any possibilities of exploitation. After a specified period of time, the navi sharat get converted to juni sharat, after which the land becomes a free hold, for further inheritance and mutations.

Sharat Bhang (Breach of Terms): In many cases the agricultural land remains uncultivated for long time which is condition for holding an agricultural land. The land owner need to notify the crop details in land records, if not notified, it implies absence of agricultural activity on the land. In such cases, the land is retracted by the government under their authority, wherein the land is restricted for any mutations or any government benefits.

Forest Rights Act 2006

Tribals are the original inhabitants and conservators of the forests. It was in the Colonial times that forest management and conservation were systemized and bureaucratized (state and central owned), largely for economic gains and monetary wealth, with no rights to Tribals. With tremendous amount of deforestation over the years, in the year 1980, the forest conservation and wildlife conservation act and inclusion of forest dwelling populations were dialogued and initiated.

Forest Rights Act (FRA) was enacted in the year 2006 which stated that the state government need to map, verify the tribals owning the forest land and are bound to distribute land to them for agriculture and other primary activities. The individual tribal family is entitled up to 4 hectares of land or 10 acres and community rights may extend to larger numbers, even entire forest. It also gave the right to access forest as many tribes are dependent on Minor Forest Produce (MFP) as their livelihood. Tribal land strictly cannot be sold to non-tribals.

It is also important to note here that agricultural on the forest land does not necessarily lead to deforestation. Not all the forest lands hold forests, many such lands are declared fallow or used for agriculture and are under the government authority.

A lot of cases of poor implementation of FRA, have come up in tribal areas of Gujarat i.e. North and South Gujarat, where the forest rights claims are still not processed. Not having land in their name also makes it difficult for the family to avail bank loans and other government benefits.

Land inheritance related acts and provisions

Hindu Succession Act

The original Hindu Succession Act, formulated in 1956, did not held daughters, as legal heir in the ancestral property. It was in the year 2005, the law was amended which legalized equal rights in inheritance in the ancestral property, of all the children, including both sons and daughters since birth. This applies to all the heirs, even born before 2005. In case of death of the married son, his property heirship goes to the widow and all the children of the deceased person. In case of the deceased wife owning some property, her property will be inherited by her husband and children. There are two types of inheritance:

Linear Inheritance (seedhi liti ni varsaai) implies direct inheritance by mother, wife and children of the deceased male in the family.

Collateral Inheritance (aadi liti ni varsaai) implies inheritance from the parallel line of the deceased family i.e. from brother, sister, uncle, aunt, niece, nephew, cousin, etc.

Sharat Chuk ni varsaai (Inclusion of missed names for inheritance)

There are instances where the names of inheritors or legal heirs are missing in the land records, which are either removed or lost in translation of old records. Our inheritance system is largely primogeniture or Ultimogeniture, in some cases. There are cases where all the sons names are added but the daughters names have been removed, either knowingly or by cheating. In such cases, a simple appeal of 'Sharat chuk ni Varsaai' needs to be made at Mamlatdar's office. This is further validated by Mamlatdar, by checking the pedhinama and history of the land mutations.

Hyaati ma hakk dakhil (Inclusion of names for inheritance while alive)

This is an inheritance process where the land owner appeals to include the name of the legal heir while they are alive. In many instances the husband wants to include his wife and daughters name while he is alive, widow wants to include her children's name before she dies. This is mainly appealed for avoiding further trouble or exploitation in land inheritance by other heirs of the land. For eg. in many areas, such cases have commonly come out, where the woman becomes a widow at a very young age while her father in law, the land owner, is alive. In such situations, owing to the perspective of widows, especially of young age, the widow is not given ownership of her husband's land. In other cases, the daughters are often harassed and struggle to claim ownership of their mother's land after her death, many a times their names are removed, before the inheritance process is initiated. In such cases, inclusion of names while alive protects and confirms the legal heirs right to land.

Revenue Technical Service (RTS)

RTS comes under Special Secretary Revenue Department, which is a special division of revenue department created for land related disputes. RTS appeals are filed in case of objections or challenging the land inheritance or will. Many cases owing to its complicated nature, relationships and objections need to be challenged legally, through RTS appeal. The process starts with the Mamlatdar level, spiraling up to collector and state government level. RTS is usually the last resort, for any conflict or case, before which one should be thorough with all the land history, ownership, clarity of conflict, as the RTS process is a long one and can take years.

Land Record System

Each state has their own land record system. Land records of Gujarat State is governed by the Bombay Revenue Code 1897. They are called Records of Rights (RoR). The Land records are maintained at every Taluka level (Sub-district) in every State and can be accessed at every Taluka Mamlatdar (head of taluka) office. In between year 1990-2010 the entire land record system which was manual, was digitized, in taluka wise databases, which were known as E-dhara kendra. Any land owner (Rural/Urban) can check their land related information online (www.anyror.gujarat.gov.in) by simply feeding basic information like survey number, location details. The land records are organized in numbered documents (ranging from 1

to 18), which are known as 'Village forms', the above listed forms 6,7,8,12 are the ones that are directly linked and necessary for land ownership and records:

Form 6 is the Mutation Register that records all the mutation (changes in names of ownership of the land, sell, lease, partition, promulgation, resurvey, etc.) that the land has gone through. One can acquire the history of the land, which becomes crucial in many cases, as we will see further in the report. register book of land transactions in village

Form 7 reveals the present ownership and all the land status. This is the prime document to check on request of ownership change or addition of names in the land.

Form 8A is the registry of the land accounts of every farmer in the Taluka. This register helps bring out the total ownership, in case of different lands at different locations, of all the farmers.

Form 12 reveals the cultivator and crop produce in every season, type of crop, irrigation details, details of trees on the land. Each farmer, on whose name the land is, has to get the crop and crop produce records in the government, which happens under this record.

135D Notice is a document that is sent to all the co-landowners before any mutation related to land ownership. The document is also sent to other related stakeholders such as buyers, in case the land is sold; banks, in case of loans. The objective of this notice is to avoid frauds and address any objections by the co-owners of the land related to requested changes in land records, which are attended within 30 days of notice.

Survey Number: Each piece of land is given a survey number, which contains the location, size and ownership details of the land. Survey numbers get updated with each land use change and land division.

Journey of WGWLO (2003-2020): Glimpses

The issue of women land ownership is a social issue, which has a long way to go before women do not have to fight or claim for what is her right and tool for empowerment. Below is the brief glimpse of WGWLO's journey from its conception.

2003-2005: The workshop was followed with a ground based collective study on status of Women and Land Ownership in Gujarat, by all the member organizations, conducted in 15 Tehsils (Blocks) of 10 districts, by the member organizations. The prime objective of this study spanning through the year 2003-04 was to understand the status, common perceptions, processes behind women land ownership and thereby strategize the kick start of land related campaigns in the villages, accordingly. The findings were shared in the first regional Sammelan (Meeting) on Women and Land ownership, in order to sensitize people with this issue.

2006-2013: This phase was the prime sensitization phase. The network started training and building a cadre of Paralegal workers for women land rights in different districts. Capacity building and awareness trainings were organized for the village and district officials at Panchayati Raj Kendras and included in their training syllabus. A perspective of 'Women Farmer and Land as a means towards Livelihood security' was gradually taking shape. This phase also witnessed a lot of information, knowledge sharing and solidarity building in collaboration with Academicians, Researchers, Organizations, Partners within the state and the neighbouring states.

2014-2016: This phase witnessed the transition from perception building to carving a physical space with the launch of Swabhoomi Kendras (Centre for Legal Literacy) in 12 districts of Gujarat. These Kendras were held at Panchayat office in some districts and the CBO's/ NGO's office in other districts. At the same time, a milestone was achieved with the collaboration with the State Institute of Rural Development to conduct workshops of Elected representatives and Patwaris to sensitize them on the issue of women and land ownership in 15 Talukas in Gujarat.

2017-18: A Women's growth is not limited to her own growth only, it extends to the larger biosphere around her. WGWLO initiated the circle of growth and transformation, based on few real examples of women on ownership of land. The extension went beyond land ownership to sustainable agriculture practices, trainings and awareness, linkages with government benefits, linkages with the market and finally mapping her socio-economic growth, starting with the land ownership. A sustainable agriculture Paralegal worker was trained, to work along with the Land PLW, focusing on Women farmers.

2019-20: Land ownership leads to a social-economic conflict, even breaking of families, most of the times. Adding women to this already staunch Patriarchal social system along with the bureaucratic processes and inaccessibility's, brought a lot of complex cases with intertwined social and legal limitations. A lawyer or an advocate sensitive towards gender empowerment and land subject expert was needed at this point to cater to complex cases. This led to start of 'Legal Clinics' at all the 15 Swabhoomi Kendras.

Paralegal Workers (PLW)

The process of facilitating and familiarizing member organizations with the legal and procedural aspects of land revenue governance began in the year 2007-08 with training and building cadre of Para-legal Workers (PLWs) with the assistance of right-based organization, Centre for Social Justice. These PLWs are usually individuals or field workers from the member organizations itself, who are trained on different aspects of land rights focusing on women.

The PLWs used different strategies to identify and encourage women to come forward realizing the need for her inheritance of land. It starts with community meetings with women in villages leading to individual connection with women, as women were not comfortable in raising voice in the community meetings, initially. PLWs primarily focused on following:

- Creating awareness on the inheritance rights of women among rural community;
- Motivating the woman who has been discriminated against to fight for her rights; convince her natal/marital family to give her due share; and assist her to get the documents from the Patwari/Tehsil
- Interacting formally and informally with officials at various levels within different government departments like Land Revenue, Rural Development and Agriculture as also take up matters related to productive resources and land rights of women with the Deputy Collector also called as the Prant officer

The initial meetings and campaigns in the village with women on land rights were viewed with a lot of doubt and resistance from women. The PLW also informally brainstormed men and panchayat on the land rights issue of women. The general perspective and response from almost all of them were against women rights on land, some of the common responses were 'Why do I need land, I am being provided with a house and food, that is enough, why would I fight for my right on the land? My family would hit me or throw me out if I ask for land in my name? Daughters are going to marry and leave the village and widows will run away with the land, if given the land? Why would women want land, what would they do on that land? They are fed and taken care of by the family'. Just as women are fed, the family is also fed and taken care, nurtured by the women, this perspective of equality was raw and new in villages. Some districts were also not safe for PLWs to visit, owing to land and women, both being a sensitive and conflicting issue for men. Gradually over the years, women, men and the government officers got comfortable and logic in the women inheriting the land. It generally took one person, one woman, one successful inheritance to motivate others to come out.

Eventually there was a need to institutionalize the activities of PLW and bring in a gender sensitive attitude, around the issue of women land rights, which led to start of SwaBhoomi Kendras.

SwaBhumi Kendra (SBK)

Any issue related to women has social challenges, so did working on women land rights. It is assumed that the government officials at village, district level like Gramsevak, Patwaris, Sarpanch, Talati will be guiding the women to assert and achieve their legal rights to the ancestral land. Secondly, the revenue procedures are complicated and time consuming. In addition to this, social strata is patriarchal, more so in village and seldom women centered. All these led to bring in a gender sensitive lens to women land rights by institutionalize activities of the PLWs. In 2014, SwaBhumi Kendras, a resource centre dedicated on land right issues, were set up at Taluka level. WGWLO also realized that while there are several resource centers for women promoted by the government, there is still a dearth of a centre which guided women for land based revenue matters and enables the woman farmer to access land based livelihood enhancement entitlements. SBK, thus is a space, sometime in the Panchayat office, sometime in the office of the member organization or sometimes at the steps or just under a tree, where women come with their land related problems or to access productive resources for their agriculture land.

Each Swa Bhoomi Kendra is managed by two trained Para Legal Workers (PLWs), under the guidance of the Point Person appointed by the partner organization. The PLWs are scheduled to spend two specified days in a week at the Centre and two days in the field to meet with the community and identify cases.

The varied roles that the Swa Bhoomi Kendras play include:

- Holding awareness campaign for legal land right for women and creating identity of women farmers;
- Conducting Varsaai camps;
- Motivating women who have been discriminated against to fight for their land Rights, convince thier Natal/Marital families to give their due share and assist them to get the documents from the Patwari/Tehsil;
- Conducting Structured Dialogues for issues identified from the awareness campaigns through the 'Mamlatdar Samvad' and the 'Collector Samvad';
- Holding Structured interactions and interventions with institutions around agriculture: horticulture, agriculture, Krushi Vigyan Kendra, ATMA, etc. for enhancing women farmer's access to productive resources.

Capacity Building for SwaBhoomi Kendra's

The Paralegal workers are the key link for impactful running of SBKs. Since they have basic literacy and no formal qualification, a lot of trainings and moulding is required, beyond interest in land issues of women. Following are the training components for PLWs:

1. Structured in-house training, brainstorming and orientation programs such as
 - Building personal conviction on women - land ownership and identity of women 'farmers';
 - Substantive laws related to property rights for women
 - Revenue structure, powers and procedures; Mechanisms within Government for land records including State Legal service Authority, E dhara Kendra etc.

- Understanding and interpreting land documents;
 - Social barriers women encounter to assert her land rights and strategies to deal with them
 - Access to entitlements related to agriculture, government initiated training and exposure visits, Krishi melas held by government, Sustainable agricultural practices and access to traditional variety of seeds, etc.
2. Study based on land records of the block to give a factual data on land ownership of women (widows and daughters) in the block
 3. Capacity building of SBKs in dealing and liaising with the local government
 4. Equipping SBKs with latest developments in land related matters both at state and central level.
 5. Visit and Interaction, learning from senior and experienced resource group members

The 'Swa Bhoomi Kendra's'- Centre for Legal Literacy and Access to Productive Resources for Women Farmers' is functioning in 15 Blocks (six Tribal and nine Non-Tribal) of 12 Districts of Gujarat. Together, our PLWs have reached out to more than 19000 women on the issue of women's land ownership, and got land in the name of more than 5000 women in their name. They have guided 9000 women farmers for their entitlements related to agriculture and have enabled more than 7000 women farmers to claim the same.

Below is the list of SBK's, where Legal Clinics have been documented

Table 1 List of SwaBhoomi Kendra's

No	Name of Organization / CBO	District	Paralegal Worker
Central/northern Gujarat			
1	Bavla Mahila Vikas Sangathan (CBO)	Ahmedabad	Sumitraben Patel
2	Sanand Mahila Vikas Sangathan (CBO)	Ahmedabad	Parulben Patel
3	SWATI (Society for Women's Action and Training Initiative), Patdi	Surendranagar	Mariyamben Vora
4	SWATI (Society for Women's Action and Training Initiative), Dhrangadhra	Surendranagar	Ritaben Zala
5	MARAG (Mal-dhari Rural Action Group)	Patan	Surajben Rabari
South Gujarat tribal belt			
6	Kanuni Sahay Kendra (Centre for Social Justice)	Dang	Jayshreeben Deshmukh
7	Cohesion Foundation Trust	Navsari	Gitaben Mahala
8	Dakshin Gujarat Vikas Sanstha (DGVS), Vyara	Tapi	Ashwinbhai Gamit
9	Navjeevan Adivasi Mahila Vikaas Manch (AKRSP)	Sagbara, Narmada	Ushaben Vasava
10	Jagruti Mahila Vikas Manch (AKRSP)	Dediyapada, Narmada	Ramilaben Vasava
Saurashtra Region			
11	Samarthan Mahila Vikas Sangathan (Utthan), Ghogha	Bhavnagar	No PLW, currently

12	Maliya Mahila Vikas Sangathan	Maliya	No PLW, currently
	Eastern Tribal Belt		
13	Sarathi (Social Action for Rural and Tribal in-Habitants of India), Santrampur	Panchmahal	Leelaben Damor
14	Human Development and Research Centre (HDRC), Meghraj	Aravalli	Atiben Banat
15	Vanita Shakti Mahila Manch, Limkheda	Dahod	Bharatbhai Patel

Legal Clinics

The Paralegal Workers are trained in processing linear and simple inheritance cases that included Daughters inheritance, Widows Inheritance, Family inheritance (sanyukt varsaai) and Inheritance while alive (hyaati ma hakk dakhal). However, the land conflicts have no set characteristics, owing to land's value in our social system.

- Many cases were more than just processing inheritance process due to it complex past land ownership, tenancy act, land mortgaging, sale-purchase deeds, government retraction of the land, government land, forest land, etc.
- Many cases brought out social patriarchal perspectives in a violent way, where institutional intervention was needed. The violence was largely operating from the sphere of greed, power and ego.
- While many cases had legal limitations as well as institutional drawbacks and loopholes.

The PLWs were not trained and equipped to deal with such complications. Hence, a need for an extension of the mechanism that can address social, legal, institutional complications was recognized.

Secondly, it was also observed by the PLWs that many women hired lawyers and legal services, paying them hefty amounts. The lawyers either simply exploited the women or lacked gender sensitive lens and importance of land ownership issue for the women. This led them with no success in their land conflicts. Already been suppressed under systemic structures since centuries, women were further exploited for something that is their legal right.

This led to the evolution of Legal Clinics, as a mechanism to address the above stated issues, where lawyers visit the SwaBhoomiKendras and address the complex cases where PLWs are stuck and not only try to resolve the cases, but also try to build capacity of the PLWs. Thus, objectives of legal clinics are twofold:

- To address cases of women's agriculture land ownership that have not been able to move ahead
- To build capacity of PLWs of SwaBhoomi Kendras to take up complicated cases.
- To avail professional aid to women at nominal prices, preventing further exploitation

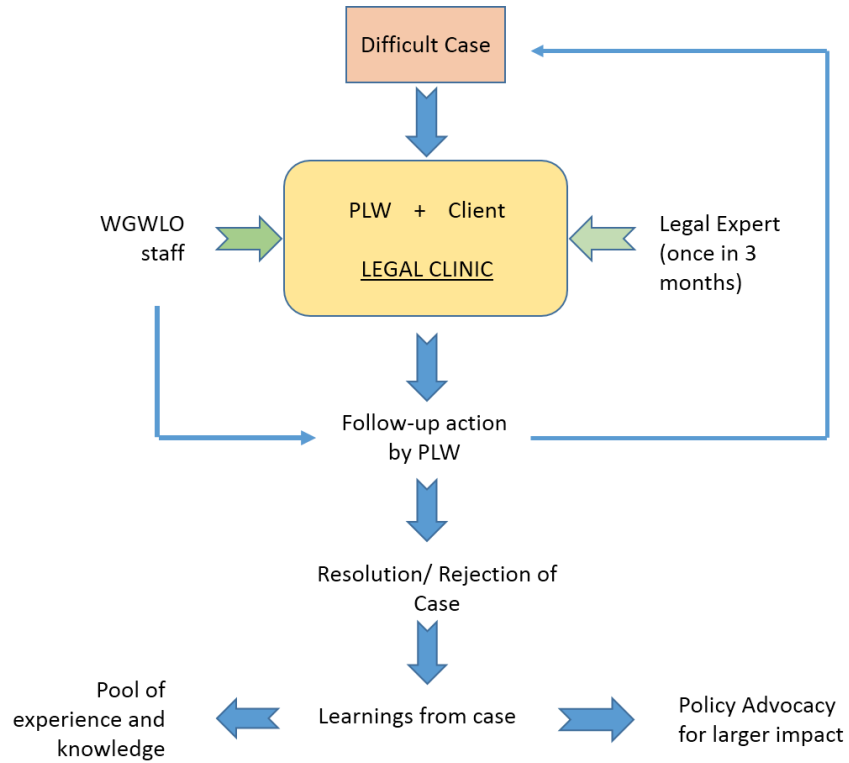


Figure 1: Process followed in Legal Clinic

Legal clinics were initiated in the year 2019, where the lawyers inclined and sensitive to gender and land ownership, visited the SwaBhoomi Kendra's once in 3-4 months, with an objective to re-initiate and push the complex cases of land ownership of women. Such lawyers were not easy to found locally, so lawyers connected through the member organizations visited SBKs in different districts. Many SBKs, local lawyers help the PLWs in the legal proceedings, after the guidance in the legal clinic, hence suited local lawyers are very much part of the mechanism. So far, in all the Legal clinics in 15 Blocks, total 419 cases have been discussed and taken forward, some are completed, some are under process.

Primary Categorization of the challenges in the cases

Broadly, three lenses were identified, under which the kind of conflicts and challenges of the cases taken up in the Legal Clinics were classified i.e. Social, Legal and Procedural/Technical Challenges. Although nothing operates in isolation, there are many overlaps, the classification is for ease of understanding, assimilating and thereby strategizing through the kind of challenges. Below is the brief understanding of each sphere or lens of challenges:

- 1. *Social:*** Cases from the social lens and challenge include the cases of Daughter, Widow, Primogeniture and Ultimogeniture custom, customary laws conflicts, Bigamy and all the challenges resulting from the social system and age old customs.
- 2. *Legal/Institutional:*** Cases from the legal and Institutional challenges will include Inheritance process of the removed names, lack of documents, non-notarized sale, adoption, purchase deeds, government or forest land conflict, lack of possession or change in ownership in land records, Illegal encroachment and many such challenges that needs legal procedures and authentication.
- 3. *Technical/Procedural:*** These are the procedural challenges related to largely land records and its updating. There are cases where there are mistakes in survey numbers, names, inaccessible 7/12 documents, mistakes while promulgation, etc. These are largely manual errors and mistakes out of neglect.

Overview of Legal Clinics (LC) in SBKs in Gujarat

The following section gives brief background about SBKs and listing of cases in Legal Clinics. It includes the following aspects:

- Brief background about the region, context, SBK and legal clinic
- Major challenges faced by the PLW
- Listing and type of cases
- Classification and Status of the cases

SBK-1. BAVLA MAHILA VIKAS SANGATHAN, AHMEDABAD DISTRICT, CENTRAL GUJARAT

Bavla Mahila Vikas Sangathan is a Community based organization (CBO) started with the support of Karmasangh Organization of Ahmedabad in the year 1998. The main objective of Karmasangh is to provide rural women with information about the legal aspects of domestic violence, dowry, rape, minimum wages, divorce, property rights, importance of savings and above all their fundamental rights and status in the society. However, Karmasangh was always imparting awareness about land rights along with other aspects of women development, the issue was focused more post formation of WGWLO. Sumitraben Patel, a resident of neighboring town Dholka, is the current PLW for land rights and has been working with the women in Bavla since the start, as a Saathi (helper) for Women. She became a part of WGWLO, as a Paralegal worker for land rights for women in the year 2002. Having witnessed land conflict in her own family and fought for land ownership for her own mother, she is one of the senior member of WGWLO with a lot of conviction about women's right to ownership of land. The year 2019-20, 15 cases were taken up by the PLW other than 27 cases in the Legal Clinics.

Table 2 Bavla LC - Case segregation according to Social, Legal and Procedural challenges

No. of Legal Clinics	Total no. of cases	Ongoing cases	Completed	Cases that did not go further
3	27	19	5	3
Case Segregation				
Case Lens	No. of cases	Brief Description		
Social	5	<p><i>Daughter's inheritance cases:</i> 3 cases of Daughter's rights on their ancestral land</p> <p><i>Widow's inheritance:</i> 2 cases of Widow's inheritance rights. In both the cases, the women has 3 daughters, however in one case, the women has remarried. The resistance largely owes to the women having daughters and not sons.</p>		
Procedural/ Technical	9	<p><i>Case of Missing Names:</i> In 1 case, the husband's name went missing whereas in other 2 cases, women's name went missing in 7/12 land records. Another 1 case, where WGWLO PLW herself helped in inclusion of Shantaben's name in 7/12 record, however now after her death, her name is missing in land record</p>		

		<p>In this case, Navi sharat land was converted to Juni Sharat land, the mutation and other details has been recorded in 7/12 record but is missing in 8A record.</p> <p><i>Change or discrepancy in names/details in records:</i> In one case of Leelaben Galaji, name discrepancy is found, Leelaben Galaji is written in the death certificate whereas the 7/12 land record states Leelaben suresh.</p> <p>In other case, a residential plot was in the name of the women, but in land records, the ownership is stated in some other person's name, who was the Ex-Talati of the village. In 2 other cases, the details in the land records were filled wrong after land resurvey done by the government.</p>
<p>Legal/ Institutional</p>	<p>10</p>	<p><i>Inclusion of Names for inheritance:</i> 1 case of a man, whose father died when his mother was pregnant with him, hence his name was not included in land inheritance records.</p> <p>In another case, a man married twice and has only one daughter through her second wife, the second wife is visually impaired. Both the wife's name has been removed</p> <p><i>Tenancy conflict:</i> 3 cases of Ganotdhara</p> <p><i>Government land conflict:</i> In 1 case, a patch of government land was given to a cooperative of 60 people for tree plantation, they are practicing agriculture on the land, however, on checking the records, it was found out that the distribution of the land is only on ground, the names are not included on paper and records. In another case, government land was given for rehabilitation, however is also used for agriculture. The PLW also found out the discrepancy in survey and plot numbers.</p> <p><i>Unequal division of land:</i> In this case, the elder brother got more portion of land and others received less portion of land, in comparison</p> <p><i>Land Titling case:</i> Land Titling is a kind of mutation, where the people (private individuals and families) who have been occupying or tilling the land informally, are included formally in property land records. 1 such case of Titling for formal inclusion</p> <p><i>Formalizing the relation: Legalizing adoption:</i> A women had adopted her brother inlaw's daughter, informally. The daughter struggles for inheritance of her land</p>

SBK-2. SANAND MAHILA VIKAS SANGATHAN, AHMEDABAD DISTRICT, CENTRAL GUJARAT

Sanand Mahila Vikas Sangathan is a Community based organization (CBO) started with the support of JyotiSangh Organization of Ahmedabad in the year 1993. Jyotisangh is an organization set up in 1934 with the blessing of Mahatma Gandhi and has been working for overall development and growth of women in various social, economic and health related issues of women. SMVS is a saving cooperative, which became part of the WGWLO in the year 2012. Parulben Patel, the current PLW has been working with SMVS since 2013 in helping women with savings and linking widows accessing their pensions. As of now, the current membership of the saving cooperative is of 2000 women. She started working as a PLW for land rights from SMVS in the year 2016 and has facilitated around 40 women in inheriting their land rights since then. The year 2019-20, 11 linear inheritance cases were taken up by the PLW, other than 27 cases taken up in the Legal Clinics.

Table 3: Sanand LC - Case segregation according to Social, Legal and Procedural challenges

No. of Legal Clinics		Total no. of cases	Ongoing cases	Cases that did not go further
3		27	15	12
Case Segregation				
Case Lens	No. of cases	Brief Description		
Social	5	Daughter's inheritance cases: 2 cases of Daughter's rights on their ancestral land Widow's inheritance: 3 cases of Widow's inheritance rights on her husband's land		
Procedural/ Technical	4	Discrepancy or missing names: In one of the case, the land owner's name found in the records is wrong, due to which names cannot be added for inheritance. Lack of death certificate: In 2 cases of land inheritance of the widowed women, the death certificate is missing, needs to be reissued again to process Discrepancy in land size: Every few years, the government maps the land plots and updates the land records, in view with development requirement of land. In one such case, land size of one of the owner in the land records has been reduced after resurvey, without any development around.		

Legal/ Institutional	6	<p><i>Mortgaged land</i> In 4 land cases, the land owner wants to divide and distribute the land in equal parts each for its inheritors/heirs, however not possible as the land is mortgaged as security against loan.</p> <p>In 1 such case, land was informally mortgaged for credit, the mortgagee transferred the land on his own name by cheating, hence no transaction or mutation is possible on the land</p> <p><i>Restricted power (Pratibandhit satta prakar) land</i> In 1 case, the land is restricted for any transaction owing to it being navi sharat.</p>
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SBK-3. SWATI, PATDI, SURENDRANAGAR DISTRICT, CENTRAL GUJARAT

SWATI (Society for Women's Action and Training Initiative) is a feminist organization working for gender equality and socio-economic empowerment of women in Gujarat. Being one of the earliest members of WGWLO and a women focused organization, land ownership was always considered one of the important tool for women's development and capacity building. Mariyamben Vora, the current PLW of the Swa-Bhoomi Kendra in Patdi, has been working in SWATI since the year 2005, in various activities promoting and building Women solidarity and capacity like building SHGs, legal awareness about issues of women, land rights, etc. The year 2019-20, around 36 cases were taken up by the PLW, other than 29 cases taken up in the Legal Clinics.

Table 4 Patdi LC - Case segregation according to Social, Legal and Procedural challenges

No. of Legal Clinics	Total no. of cases	Ongoing cases	Completed	Cases that did not go further
3	29	10	18	1
Case Segregation				
Case Lens	No. of cases	Brief Description		
Social	8	<p><i>Daughter's inheritance cases:</i> 4 cases of Daughter's rights on their ancestral land</p> <p><i>Widow's inheritance:</i> 4 case of Widow's inheritance rights on her husband's land</p>		

<p>Legal/ Institutional</p>	<p>20</p>	<p><i>Inclusion of Names for inheritance:</i> This case also brings out some social aspects. In this case, the woman had left her inlaws place, and returned when she came to know that one of their land has been transferred to sarpanch's name by her husband by cheating. When she came back, her husband left home forever, now she wants her and her children's name to be included for land inheritance in records, while her husband is still away</p> <p>In 3 other cases, the woman approached for inclusion of all the inheritors name of the family in the land records.</p> <p><i>Government land conflict:</i> In this case, the land was given to a family by the government through Santhani land scheme (wastelands) for practicing agriculture, but now it has gone in the forest land and authority.</p> <p>In other 2 cases, the women, where both are widows, were to be allotted the land by the government, however there were legal issues pertaining to that.</p> <p><i>Encroachment on land:</i> In one case, the land is in the woman's husband's name, who is dead now, however, the land is being illegally encroached since few years.</p> <p>In 4 other cases, the land is being illegal encroached and resurvey was needed</p> <p>In one of the case, the entire family was asked to leave the village, along with their house and land due to some criminal activities. They are not allowed in the village and want to sell the land.</p> <p><i>Missing evidences:</i> This is a complicated case, few years back, one of the woman's husband ran away the village leaving everything behind. Now this woman living all by herself, wants to access and include her name in the land, her husband owned, since she has been farming on the land. However, either the husband has to be found and brought back or his death has to be confirmed by issuing his death to access land rights.</p> <p><i>Restricted land:</i> In one of the case, a privately owned land became restricted few years back and was transferred under the government's authority, this case is ongoing.</p> <p><i>Cheating/Discrepancy in inclusion of name in land records</i></p>
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		<p>In this case some 4-5 decades before, the land owner mortgaged his land to his neighbor for his need of money, years later, they found out that land records are showing land in mortgagee's name.</p> <p>In another case, the woman wanted to inherit her husband's land, the land records show some other name as land owner.</p> <p>In 1 more case, the survey number was missing in the land record documents.</p> <p>In this case, the eldest son by cheating removed his mother's name, who is widow and his younger brother's name from the land records, so that he can inherit the entire patch of land.</p> <p><i>Division and Equal Distribution of land:</i> 1 case where women wanted division of the land and distribute equally amongst all the other inheritors, but other inheritors are not ready.</p>
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SBK-4. SWATI, DHRANGADHRA, SURENDRANAGAR DISTRICT, CENTRAL GUJARAT

SWATI (Society for Women's Action and Training Initiative), a feminist organization, also hosts an SBK in Dhrangadhra Taluka, along with Patdi. Ritaben Zala, the current PLW in the Dhrangadhra SBK, joined SWATI, as Paralegal Worker for land rights in the year 2018. Before joining as a PLW, Ritaben used to teach in government school in Dhrangadhra.

As shared by her, Dhrangadhra is a difficult place for initiating talks around women ownership in land rights, as it is highly patriarchal reserved community, with strong religious and traditional outlook and mentality. Land ownership is a very sensitive issue here as high number of crimes happen around land, and additionally politicized and bureaucratized. The community has their own separate belief for land ownership, for eg. in one of the village Ramdevpura, Ultimogeniture is practiced i.e. the youngest son inherits the property, which is quite often institutionalized by religious institutions, by their tutelary deity (kuldevi) in the name of blessing. Secondly, land inheritance by widows, also women in general, is a new norm and needs a lot of brainstorming and meetings. Dhrangadhra has a lot of marginalized communities too such as Maldharis, Bharwads, Rabaris, Dalits, etc. who have been provided with under land ceiling act and Santhani scheme. The year 2019-20, around 10 linear inheritance cases were taken up by the PLW, along with 19 cases in the Legal Clinics.

Table 5 Dhrangadhra LC - Case segregation according to Social, Legal and Procedural challenges

No. of Legal Clinics	Total no. of cases	Ongoing cases	Completed	Cases that did not go further
2	19	8	1	10
Case Segregation				
Case Lens	No. of cases	Brief Description		

Social	3	<p><i>Daughter's inheritance cases:</i> 1 cases of Daughter's rights on their ancestral land</p> <p><i>Widow's inheritance:</i> 2 cases of Widow's inheritance rights.</p>
Legal/ Institutional	6	<p><i>Government land conflict:</i> A case of 5 women, who were given land for agricultural purpose by the government under Santhani, only on paper, the possession process is pending.</p> <p>In another case, a patch of land given to the woman's father in law by government under land ceiling act, however years after his death, the woman found out the land has been retracted by the government.</p>

SBK-5 . MARAG, RADHANPUR TALUKA, PATAN DISTRICT, CENTRAL GUJARAT

MARAG (Mal-dhari Rural Action Group) is a Gujarat based organization started working for empowerment and development of Maldharis (Pastoralists), which is one of oldest and traditional livelihood. Their work extends to organization and empowerment of all the communities, other than Pastoralists, who are marginalized and rely largely on common resources, such as Dalits, Tribals, youth, women and children. Land being the key common resource in villages, they were a part of WGWLO from the start. Surajben Rabari, the current PLW for land rights in SBK in Radhanpur has been working with Marag since the year 2010, primarily organizing women pastoralists and working for their issues related to cattle rearing, legal awareness, education and overall growth of women. She started working on land rights for women in the year 2017, as a Paralegal worker.

Radhanpur was once a princely state, has a rich history and culture, as it is located in Patan district, the historical capital of Gujarat state. Due to the legacy, the government owns lot of land, which again due to continuous droughts and the climate, has remained uncultivated and converted into common properties and wastelands. Secondly, the area has a lot of population of vulnerable communities such as Maldhari, Rabari and Dalit communities. Under the Land Ceiling act and Santhani scheme, government has distributed quite amount of land to the cooperatives of these communities, for their livelihood and sustenance, some of the cooperatives have received land as early as 1964. In the year from 2012-14, 411 landless families, includes 218 women, as members of cooperatives, received the land from the government for agriculture. The Maldharis receive land for their cattle stay, maintenance and rearing which is called 'vada ni zameen'. A lot of land distribution cases have been noted only on paper, with the possession process been pending.

It would also be important to note here, with increasing land deterioration, industrialization is increasing in the region. Currently, a lot of wastelands have been retracted and planned to give for solar plants to big companies in this region rather than the marginalized and landless farmers. This issue needs a comprehensive approach towards advocacy for inclusion of marginalized communities. The kind of cases that have come in the legal clinic are more related to government land and cooperatives including

women cooperatives, rather than individual or family's land ownership cases. The year 2019-20, 31 linear inheritance cases were taken up by the PLW, along with 29 cases through the Legal Clinics.

Table 6 Radhanpur LC - Case segregation according to Social, Legal and Procedural challenges

No. of Legal Clinics	Total no. of cases	Ongoing cases	Completed	Cases that did not go further
2	29	14	9	6
Case Segregation				
Case Lens	No. of cases	Brief Description		
Social	1	<p><i>Legalizing adoption:</i> In one of the case, one person who did not have any children, had adopted his brother's grandson's son and wanted to make him heir of the land owned by him. In this case, there were two angles, one there was resistance from the other family members, second the man feared of his grand grandson's abandoning him once he become the legal inheritor.</p>		
Procedural/ Technical	3	<p><i>Change or discrepancy in names in records:</i> In 3 cases, wrong survey numbers are entered and have been continued in the records, due to which further transactions are not possible for the land owner.</p>		

<p>Legal/ Institutional</p>	<p>19</p>	<p><i>Inclusion of Names for inheritance:</i> In 2 such cases, the land ownership is in the name of the oldest son and is not permitting others name to be entered.</p> <p><i>Government land conflict:</i> In 1 case, a Pastoralists cooperative received patch of land back in 1964, but never cultivated or reared their cattle on it. The members of the cooperative were not aware of its ownership and location of land and had shifted to the neighboring village. The land which was given to them was cultivated by some other people, at present.</p> <p>In another 2 cases, 2 women cooperative of 138 members had received vada ni zameen, but on paper, not on land and records. Another 218 women had applied for vada ni zameen, in the year 2018, who have not received any land. This was discussed in the legal clinic with the perspective to advocate this issue further.</p> <p>In 5 cases, families were given land for agricultural use by the government decades back. They have been tilling the land, but came to know recently, that their land is in government authority again and not in their name. In another 2 cases, private lands have become restricted and been transferred to government ownership. In other 4 such cases, the families have been cultivating the land since few years but the land records show that the land is in authority of government.</p> <p><i>Lack of Death Certificate:</i> In 2 cases, land inheritance and land division was not possible as one of the inheritors death was not registered and no certificate</p> <p><i>Eviction of large hamlet:</i> One of the case identified and discussed in legal clinic was eviction notice for a small village Kumbhariya of 135 houses. Though the land belonged to government, but these families had been staying there for last 35-40 years, with access to water, infrastructure.</p>
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SBK-6. CENTRE FOR SOCIAL JUSTICE, DANG DISTRICT, SOUTH GUJARAT

Centre for Social Justice (CSJ) is a socio-legal organization initiated in Gujarat with an objective to ensure social change and justice for the vulnerable and marginalized communities by using judicial system and policy advocacy. CSJ is one of the founding and core members of GWLO network. They have law centers at various locations in Gujarat, including Dang, where they impart legal education to forest dwellers, tribals through training community leaders as paralegal workers. Jayshreeben Deshmukh, the current PLW for land rights, has been associated with CSJ since the year 2003 as a paralegal worker in Dang for forest rights, women rights, domestic violence, livelihoods, police atrocities keeping

fundamental human rights as basic framework. She started working as PLW for women land rights from 2011. She herself became a widow and remarried, however, his son has land ownership rights in her ex-husbands land. Being a tribal stretch, women are the most suppressed. As shared by her, she faced a lot of resistance from daughters claiming their land rights, in addition to the prominent patriarchal system in the tribal communities. 31 cases were taken up in the Legal Clinics in Dang.

Table 7 Dang LC - Case segregation according to Social, Legal and Procedural challenges

No. of Legal Clinics	Total no. of cases	Ongoing cases	Completed
3	31	22	9
Case Segregation			
Case Lens	No. of cases	Brief Description	
Social	25	<p><i>Daughter's inheritance cases:</i> 19 cases of Daughter's rights on their ancestral land</p> <p><i>Widow's inheritance:</i> 6 cases of Widow inheritance rights.</p>	
Procedural/ Technical	1	<p><i>Land records not issued after promulgation</i> In this case, in spite of the land being in woman's name, land records were blocked and not issued after promulgation</p>	
Legal/ Institutional	5	<p><i>Land fraud and cheating</i> In this case, the land was jointly owned by a woman and her brother, wherein a third person illegally entered his father's name in the land record as the land's owner.</p> <p><i>Illegal Land encroachment</i> In 3 cases, land was illegally encroached by third person. In one of the case, the land was also sold further by the encroacher.</p> <p>In another case, land was already in the widow and her daughter's name and the brother in laws family illegally encroached their land restricting their access to their own land.</p>	

SBK-7. COHESION FOUNDATION TRUST, NAVSARI DISTRICT, SOUTH GUJARAT

Cohesion Foundation Trust is a community based, grassroot organization working towards sustainable socio-economic development of the vulnerable communities, both in rural and urban areas, with a special focus on women. Gitaben Mahala, the current PLW working for land rights is a farmer herself and started working with Cohesion in the year 2016, starting with issues and rights of widows. The year 2019-20, 13 linear inheritance cases were taken up by the PLW, along with 20 cases taken up through Legal Clinics.

Table 8 Navsari LC - Case segregation according to Social, Legal and Procedural challenges

No. of Legal Clinics	Total no. of cases	Ongoing cases	Completed	Cases that did not go further
3	20	6	6	8
Case Segregation				
Case Lens	No. of cases	Brief Description		
Social	7	<p>Family's Inheritance: In lot of cases in tribals, the land records and ownership are not updated since 3-4 generations, the death is also not registered. In such cases, the inheritance records needs to be updated by preparing the family tree, to the present heirs. 6 such cases have come in legal clinic</p> <p>Widow's inheritance: 1 case of Widow's inheritance rights.</p>		
Legal/ Institutional	5	<p>Inclusion of Names for inheritance: 3 cases where names are to be included in land inheritance</p> <p>Tenancy conflict: In this case, one of the patch of land was cultivated by a tenant since last many years and his name was also included in the records by the landowner. The land owner died and now the tenant wants to claim his ownership, but the landowner's children are resisting the land to be transferred in the tenant's name.</p> <p>Lack of Death Certificate: In this case, the land ownership lies in the name of the woman who had died around 40 years back, the land inheritance is not done and her death is also not registered. For further any mutations, the land ownership and records needs to be updated for which the death certificate has to be procured.</p>		

SBK-8. DAKSHIN GUJARAT VIKAS SANSTHA, VYARA, TAPI DISTRICT, SOUTH GUJARAT

Dakshin Gujarat Vikas Sanstha is an organization based out of Tapi District. The primary objective is to work for Tribals for Forest Rights, accessing entitlements, forest land claims, sustaining livelihoods, women empowerment and social security, education, overall development of Tribals in South Gujarat. They started with vulnerability and social security of single woman in Tapi district, working on support entitlements to sustainable livelihoods for single women and access to widow pensions. Although DGVS one of the key focus area is organizing and empowerment of tribal women, they never worked on land ownership of women. DGVS is one of the oldest and established organization working in Tapi District, which has very good ties with the revenue departments and government officials and work in facilitation of both women and revenue department to smoothen the process and access of land rights for women. Ashwinbhai Gamit, the current PLW has been associated with DGVS since many years and started working on women land rights in the year 2017. Having worked with tribal women so closely, DGVS

captured the direct connection with the vulnerability of women in social structure and lack of land ownership. The year 2019-20, 71 linear inheritance cases were taken up by the PLW, along with 34 cases taken up through Legal Clinics.

Table 9 Vyara LC - Case segregation according to Social, Legal and Procedural challenges

No. of Legal Clinics	Total no. of cases	Ongoing cases	Completed	Cases that did not go further
4	34	21	6	7
Case Segregation				
Case Lens	No. of cases	Brief Description		
Social	4	<p><i>Daughter's inheritance cases:</i> In one case, only son's name has been entered as legal heirs leaving daughters out.</p> <p><i>Widow's inheritance:</i> In this case, the man (landowner) married twice, the first wife's children's name has been included as legal heirs but the second wife's is not.</p> <p>In another case, resistance of the family, over land inheritance outside blood relations. In this case, the landowner died without any legal heir of his own.</p> <p>In another case, the man wants his wife's name to be included in land records as inheritor, but the family is resisting.</p>		
Procedural/ Technical	10	<p><i>Informal ownership of land</i> In 7 such cases, women have been cultivating the land, but their name is not updated in land records.</p> <p><i>Change or discrepancy in names in records:</i> In 3 such cases, there is a discrepancy in names in land records, due to which the mutation or inheritance process are hindered.</p>		

Legal/ Institutional	13	<p><i>Rejected request for Inheritance</i> In 5 such cases, due to different reasons, application for inheritance is rejected by the mamlatdar office.</p> <p><i>Land Titling case:</i> 1 such case of Titling for formal inclusion</p> <p><i>Lack of Death Certificate:</i> In 6 such cases, the women or family does not have death certificate due to which access to land and inheritance process is not initiated.</p> <p><i>Land fraud and cheating</i> In this case, other's names in land records as heirs have been entered by cheating.</p>
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SBK-9. NAVJEEVAN AADIVASI MAHILA VIKAS MANCH, SAGBARA TALUKA, NARMADA DISTRICT, SOUTH GUJARAT

Navjeevan Adivasi Mahila Manch was initiated by Aga Khan Rural Support Programme (AKRSP) in the year 2000, primarily with an objective to organize tribal women and work on their issues fostering socio-economic development of women. Fostered by AKRSP, the manch is now an independent entity since 2005, working with women for savings, health, education, literacy, social security and overall capacity building, with around 3000 members, in 55 villages in Narmada district. The manch started working with land issues and women ownership since 2011, with Ushaben Vasava as PLW for land issues. With GWLO trainings, being the only daughter, she fought for her and her mother's land rights. Being one of senior PLW of GWLO network working on land rights, she is an empowered and independent women and has been a great inspiration for the women yearning for their basic rights. She has facilitated and helped 620 women to get their name as legal heir till 2019. The year 2019-20, 41 linear inheritance cases were taken up by the PLW, along with 50 cases taken up through Legal Clinics.

Table 10 Sagbara LC - Case segregation according to Social, Legal and Procedural challenges

No. of Legal Clinics	Total no. of cases	Ongoing cases	Completed	Cases that did not go further
4	50	21	25	4
Case Segregation				
Case Lens	No. of cases	Brief Description		
Social	1	<i>Daughter's inheritance cases:</i> In one case, only son's name has been entered as legal heirs leaving daughters out.		
Procedural/ Technical	10	<i>Change or discrepancy in names in records:</i> In 7 such cases, there is a discrepancy in names in land records. In 2 other cases, the surname needs to be corrected.		

		In another 1 case, the survey numbers of the neighboring plots have been replaced with one another
Legal/ Institutional	35	<p><i>Inclusion of Names for inheritance:</i> In 4 case, the names need to be included for inheritance. In another 1 case, will needs to be prepared for inheritance.</p> <p><i>Tenancy conflict:</i> 1 such case where the tenant's name need to be legalized and entered in the land records.</p> <p><i>Lack of Death Certificate:</i> In 1 such case, death certificate is not there with the family, due to which the inheritance process is hindered.</p> <p><i>RTS/Hyati ma hakk dakhla:</i> 12 such cases, where the heir lists need to be challenged and further names to be added.</p> <p><i>Tribal land sold to non-tribal:</i> In this case, the tribal land was sold to a non-tribal, which is against the law, and the land records are showing the land in a third person's name who is a tribal.</p> <p><i>Division of land (Khatafod):</i> In 11 cases, the land needs to be divided and distributed amongst the legal heirs</p> <p><i>Claiming right over the property</i> In 3 such cases, the women has her name in the land records, but on ground, she is devoid of ownership of her own land. Another 1 case, the women has name in the land records, but lacks possession on ground.</p>

SBK-10. JAGRUTI MAHILA VIKAS MANCH, DEDIYAPADA, NARMADA DISTRICT, SOUTH GUJARAT

Jagruti Mahila Vikas manch, again, was initiated by Aga Khan Rural Support Programme (AKRSP) in Dediapada in the year 2000, primarily with an objective to organize tribal women and work on their issues fostering socio-economic development of women. The manch works with women for savings, health, education, literacy and overall development programmes and has around 4000 women as members in 65 villages of Dediapada Taluka. Ramilaben Vasava, the current PLW has been working on land rights for women since year 2017. She has facilitated and helped 200 women for inclusion of their name as legal heir. The year 2019-20, 33 linear inheritance cases were taken up by the PLW, along with 31 cases taken up through Legal Clinics.

Table 11 Dediypada LC - Case segregation according to Social, Legal and Procedural challenges

No. of Legal Clinics	Total no. of cases	Ongoing cases	Completed	Cases that did not go further
3	31	10	8	13
Case Segregation				
Case Lens	No. of cases	Brief Description		
Social	8	<p><i>Collateral Inheritance (aadi liti ni varsaii):</i> In 1 such case, one of land owner wants to include name of the person in parallel relation, as legal heir, to which the family is resisting.</p> <p><i>Removal of Daughters's name from heirs list:</i> In 2 cases, the daughters name were removed by the brothers as legal heirs from the land record. In another similar case, daughter being the only child, entering her name as legal heir was resisted a lot by other land owners and heirs.</p> <p>In another case, the man married twice, where his first wife's children has been left out for rights on his land as legal heirs.</p> <p>In another case, the family resisted including daughters name to be entered as legal heir, as she married in other caste</p> <p><i>Widow's inheritance:</i> 2 cases of Widow's inheritance rights, where the inlaws are not willing to include her name and her children as legal heir.</p>		
Legal/ Institutional	10	<p><i>Inclusion of Names for inheritance:</i> In 4 such cases, the names need to be included for inheritance.</p> <p><i>Division of land (Khatafod):</i> In 3 such cases, land needs to be divided and inheritance process be initiated</p> <p><i>Land fraud and cheating</i> In 2 such cases, the land has been sold by fraud and the ownership has been changed by cheating.</p> <p><i>Government land conflict:</i> In 1 such case, the family has been cultivating on a governments land since last 50 years, it has been retracted by the government. The family is struggling to get the land back and transferred in their name.</p>		

SBK-11. SAMARTHAN MAHILA VIKAS SANGATHAN, GHOGHA, BHAVNAGAR DISTRICT, SAURASHTRA REGION

Samarthan Mahila Vikas Sangathan was formed in the year 2003, with the help of Utthan organization. Utthan has been working since 1981 towards initiating and creating gender sensitive environment amongst the most vulnerable communities, through organizing women and communities, in Gujarat. Samarthan Sangathan, currently having around 2500 women as members, has been working with women in Bhavnagar district by organizing them and empowering them to take in charge of the issues, such as savings, education, access to infrastructure, domestic violence, etc. The year 2019-20, 31 linear inheritance cases were taken up by the PLW, along with 22 cases through Legal Clinics.

Table 12 Ghogha LC - Case segregation according to Social, Legal and Procedural challenges

No. of Legal Clinics	Total no. of cases	Ongoing cases	Cases that did not go further
2	22	17	5
Case Segregation			
Case Lens	No. of cases	Brief Description	
Social	2	<i>Widow's inheritance:</i> 2 cases of Widow's inheritance rights, where the inlaws are not willing to include her name as heir.	
Procedural/ Technical	1	<i>Change or discrepancy in names in records:</i> In one case, there is a discrepancy in the name of the landowner in the records.	
Legal/ Institutional	14	<i>Inclusion of Names for inheritance:</i> In this case, the wife wants to add her name as legal heir, but the inlaws are against her <i>Ganotiya and Sharat Bhang:</i> In another case, the family was cultivating on a government's piece of land lying vacant, which was pulled back by the government eventually. The family wants a piece of land to cultivate on from the government. <i>No possibility of Division of land due to loans</i> In 8 such cases, land was mortgaged for loans which were still pending, due to which inheritance process and land division was not possible. <i>Illegal Land encroachment</i> In this case, the land is encroached and cut by the development of road, mapping needs to be done by the government in order to reclaim the encroached part of land	

		<p>Claiming right over the property</p> <p>In one such case, the women was tilling the land of the rich landowners for many years, after which her name was included in the land records as heir, however, currently she does not possess the land, in spite of land in her name</p> <p>In another case, the women's family has been tilling the land, but need to include their name in land records as owners.</p> <p>Land fraud and cheating</p> <p>In this case, one brother had taken loan from other mortgaging his land, however on not able to repay the loan, his land is illegally transferred by his brother on his own name.</p>
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SBK-12. SARTHI, SANTRAMPUR TALUKA, PANCHMAHAL DISTRICT, EASTERN TRIBAL BELT

Sarthi (Social Action for Rural and Tribal in-Habitants of India) is an organization established in 1985, working with tribal population (Bhil adivasi) in Panchmahal district, which is ranked most backward and under-developed district of Gujarat. Sarthi's key focus is tribal women's growth and empowerment, as they are the most affected, in every sense in tribal areas and became a member of GWLO in 2007.

Lilaben Damor, being the active member Sahiyar Sangathan, promoted by Sarthi, for promoting Women Self-help groups (SHGs) and focusing on savings, credits and through these SHGs, started working as PLW for Women land rights in the year 2017 with the GWLO network. When leelaben started her journey as the PLW for women land rights, she was herself not convinced and the idea of women entitled ownership of land was new, and so were the responses of the other women in the belt, as empowerment and growth, solidarity in tribal women has still not reached. They are the one of the most untouched and exploited. After legal trainings, she started helping the women by taking up their cases, most of the cases were simple like widow and daughter land inheritance and entitlements. The year 2019-20, 44 linear inheritance cases were taken up by the PLW, along with 22 cases through Legal Clinics.

Table 13: Santrampur LC - Case segregation according to Social, Legal and Procedural challenges

No. of Legal Clinics	Total no. of cases	Ongoing cases	Completed	Cases that did not go further
3	22	7	5	10
Case Segregation				
Case Lens	No. of cases	Brief Description		
Social	6	<p>Daughter's inheritance cases: 1 case of Daughter's rights on their ancestral land</p> <p>Widow's inheritance:</p>		

		5 cases of Widow's inheritance rights on her husband's land. All the cases have different circumstances and conflicts within their family.
Procedural/ Technical	1	<i>Change or discrepancy in names in records:</i> Discrepancy in name of one of the woman's brother-in law, due to which the mutations or entitlements through land ownership was not accessible.
Legal/ Institutional	5	<i>Claiming one's own right on land</i> In 2 cases, the inheritors (sons) got the land, the elder son received more land, where, the elder son claimed and resisted to give equal land to the younger. Both the cases were taken up at panchayat level with sarpanch and equal rights are reclaimed by the younger brother now. <i>Cheating/Land Titling of the purchased land</i> This is a very complicated case, where a family purchased a piece of land from one of the person they knew well. They took the ownership informally, but when the land was to be transferred into their name in 7/12-8 records, it was found out from the old records, that the inheritance register was not updated since last 4 generations. In another case, the land is encroached illegally within family and pressurized to transfer the name in the encroachers. <i>Illegal Encroachment of land</i> In this case, the woman's land is illegally encroached by the neighbouring landowners, followed by a lot of harassment.

SBK-13. HUMAN DEVELOPMENT AND RESEARCH CENTRE (HDRC) MEGHRAJ TALUKA, ARAVALI DISTRICT, EASTERN TRIBAL BELT

HDRC is Ahmedabad based organization started in 1977 with the core objective of promoting and strengthening people's movements and organizations of the marginalized communities such as Dalits, Tribals, Other backward classes, Religious minorities, women and children to achieve social justice and dignity within human rights framework. HDRC has been one of the core group member since the onset of WGWLO Network and has been working in Aravalli District with tribals for their growth and fundamental rights. The current PLW Atiben Banat, has been working in Meghraj with HDRC since 2008 in education sector mainly promoting and encouraging children, especially girl child to continue their studies. She started working as PLW for land rights in the year 2016 with WGWLO. She believes that land ownership becomes land ownership as one of the foundation of otherwise vulnerable women, rendering stability. The year 2019-20, 10 linear inheritance cases were taken up by the PLW, along with 24 cases through Legal Clinics.

Table 14 Meghraj LC - Case segregation according to Social, Legal and Procedural challenges

No. of Legal Clinics	Total no. of cases	Ongoing cases	Completed	Cases that did not go further
3	24	15	1	8
Case Segregation				
Case Lens	No. of cases	Brief Description		
Social	1	<p>Widow's inheritance: 1 case of Widow's land inheritance rights.</p>		
Procedural/ Technical	2	<p>Change or discrepancy in names in records: In this case, during the process of land inheritance of a widow, her brother inlaw's 3 daughters name has been included along with 4 of her own children. This is a technical error, as the brother inlaw's name is by mistake replaced with the women's husband's name.</p> <p>In another case, the woman and family owns the land onsite, but the land records shows some third person, as the land owner.</p>		
Legal/ Institutional	13	<p>Inclusion of names (Sharatchuk ni varsaai) 1 case where the land owner has removed his name, his wife and all the children's name except for his elder son.</p> <p>In another case, the land is not transferred in the family's name owing to the loan payment issues.</p> <p>Lack of Death Certificate: In 4 cases, the women do not have the death certificate of their husbands, due to which inheritance process cannot be initiated.</p> <p>Government land conflict: In 2 cases, the family has been staying with a permanent house, has been farming with access to water and electricity since years on a government land. At present they want the government land to be allotted and transferred in their name, so to access the entitlements and land rights. However this situation is similar to almost other around 200 other farmers in and around the villages.</p> <p>Division and Equal Distribution of land: 4 cases where women wanted to divide and separate out from the common land ownership.</p> <p>Illegal Encroachment of land In 1 case, the woman's land is illegally encroached by the neighboring landowners. The process of court case filing, encroachment order has been passed once, however, again the encroachers are harassing. Mapping is left.</p>		

SBK-14. VANITA SHAKTI MAHILA MANCH, DHANPUR TALUKA, DAHOD DISTRICT, EASTERN TRIBAL BELT

Vanita Mahila Sangathan is an organization initiated with the support of Utthan organization in the year 2000. Utthan was started in 1981 as a grassroots organization working with marginalized and vulnerable communities around livelihood issues and developing local leadership. Vanita Sangathan is a collective organizing women from 90 villages of Dhanpur Taluka and working on empowerment of women taking up several issues such as domestic violence, access to health, infrastructure, education, savings, etc. The current PLW Bharatbhai Patel, has been working in Dhanpur since 1990s in different areas such as watershed development, education and joint Utthan in 2010 and worked for promotion of Organic farming. He started working on Women land right issues in the year 2015, as a Paralegal worker. Dhanpur has almost 80% of tribal and schedule caste population, who are given forest land or government wasteland, gauchar land for agricultural use. The legal clinic in Dhanpur brings in lot of such government land conflicts. The year 2019-20, 34 linear inheritance cases were taken up by the PLW, along with 45 cases through Legal Clinics.

Table 15 Dhanpur LC - Case segregation according to Social, Legal and Procedural challenges

No. of Legal Clinics	Total no. of cases	Ongoing cases	Completed	Cases that did not go further
3	45	31	4	10
Case Segregation				
Case Lens	No. of cases	Brief Description		
Procedural/ Technical	6	<p>Missing survey number and records: In one such case, one of the land details could not be found, the records could not be issued, seems the entry has been missed while digitizing</p> <p>Change or discrepancy in names in records: In this one case of widow inheritance, different names of a women are recorded in Identity cards and land record.</p> <p>Government land conflict: In this case, one family was given a patch of government land to cultivate for their own around 15-20 years back. The husband could not claim the land due to his critical health for many years. Still unwell, he wants to claim and initiate the ownership process of the given land.</p> <p>In another case, the family was allotted the Gauchar land from government, the entitlements are blocked owing to some fine related conflicts</p> <p>In another one case, a cooperative had applied and received gauchar land from the government in the year 1997, for which they had to pay money according the jantri rates of that land. They were not able to pay at that time and wants to apply again for gauchar land at present.</p>		

		<p><i>Entry and issue of Death certificate: (advocacy point)</i> In Dahod district, if the death has not been registered and widow inheritance is not done within a year of the death, the applicant (widow) has to be pay late application fee. In this case, the widow is not been able to pay the late fees, hence her land inheritance process is not initiated.</p>
Legal	29	<p><i>Inclusion of names</i> In 2 cases where the women wants her name to be added as a legal heir, while her husband is alive.</p> <p><i>Challenging the will</i> In this case, women wants to challenge her father in laws will</p> <p><i>Inclusion of tenant's name as owner (to be discussed in detail)</i> In this case, the name is entered as Ganotiya (tenant) in land records, to which he wants to be transferred as legal owner of the land.</p> <p><i>RTS</i> In this case, while inheritance, name of the daughters in the family were not included as legal heirs, only brother's name was added. At present, her father, her brother (who owns the land in land records) died. In order to challenge the inheritance and include her name as legal heir, she does not have any documents (land records, death certificate), and similar documents stating the land mutations cannot be found in revenue department.</p> <p><i>Forest land conflict:</i> In 5 cases, 5 families have filed claim for ownership of a patch of forest land which they are cultivating at present.</p> <p>In another case, a woman married a non-tribal and wishes to convert her husbands land to tribal land under section 73AA</p> <p>In another 6 cases, 6 families have been given sanat (order) for the allotment of land, but the department has not processed the order for providing them with land.</p> <p><i>Government land conflict:</i> In 9 such cases, the families have been cultivating on government's land since last 3 generations and appealed for ownership of that land.</p> <p><i>Illegal Encroachment of land</i> In 1 such case, the women and her family were harassed by the neighboring land owners for the intention of encroaching their land.</p> <p><i>Unregistered Sale deed</i></p>

		<p>In this case, the land transaction is within the family, between two brothers. One of the brother sold his land to another, with selling details written informally on a piece of paper. The seller died and the purchaser has no formally registered sale deed document, due to land ownership cannot be transferred on his name.</p> <p><i>Legalizing adoption and inheritance:</i></p> <p>In one of the case, women's adopted son is cultivating the land, which is in the woman's name. She wants him to own the land legally, however, he also owns his original father's land, wherein one person cannot become legal heir, as son, at two different places, according to the law.</p>
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A total of 419 cases were discussed in Legal clinics held in all the 15 SBKs.

The following section includes detail case stories of few complicated cases that were discussed in Legal clinics. The effort has been made to include all the prototypes of cases from all the three categories of challenges; Social, Institutional and Technical.

ProtoTypes of Cases: Detailed Case stories from Legal clinic

This section consists of detail chronicles of the cases that were taken up in the Legal clinics. The kind of conflicts are listed in the table below:

Social	Institutional/Legal	Technical/Procedural
1. Deep rooted patriarchal social system and violence against women	13. Non-sellable and restricted land sold by fraud	35. Absence of Death Certificate
2. Struggle for materializing daughter's rights to inherit	14. Lack of Identification documents	
3. Land distributed by cheating by removing widow's name in the heir list		36. Misunderstanding of documents by the revenue officer
4. Daughters carry the burden of 'respect' of the family	15. Removal of names from the heir list by cheating	
5. Daughters do not inherit any property	16. Inclusion of missed names (Sharat chuk ni Varsaai)	37. Non updation and digitization of the mutation of a land
6. Objection in First wife's widow pension	17. Land ownership transferred to other's name by fraud	38. Different name in identification documents and land records
7. Custom of eldest / youngest son inheriting the property	18. Names of Legal heirs removed while digitizing land records	
8. Daughters name not included as legal heir	19. Objection in Collateral inheritance (aadi liti)	39. 'Shri Sarkar' in land documents, rendering the inheritance process not possible
9. Diyarvatu (a custom in tribal areas) used as a tool to encroach land	20. Processing inheritance in the land received as Ganotiya	40. A land left out after re-surveying and promulgation
10. Widows cannot inherit the land	21. Hyati ma hakk dakhil (Inclusion of names while alive)	41. Inheritance process barred due to lack of registration of death
11. A widow struggling to find a space, land of her own	22. Illegal encroachment on the land	

12. A widow thrown out of her house, with no right to claim right on her husband's land	23. Claiming ownership on Government land	
	24. Claiming ownership on Forest land entitled to a tribal family	
	25. Agricultural land granted to ex-servicemen	
	26. Issue over Santhani zameen allotted to a women cooperative	
	27. Santhani land diverted to forest land	
	28. Possession to Santhani land provided to people ,is still pending	
	29. Government land allotted and provided to Pastoralists cooperative	
	30. Appeal for Vada ni jameen by women of pastoralists community	
	31. Eviction notice to a 35 year old hamlet	
	32. Inheritance of the land halted as the land owner is missing	
	33. The land given as gift cannot be inherited as the will is not held valid	
	34. A non-tribal purchased a tribal land by fraud	

Cases with Social Issues and Challenges:

1. Deep rooted patriarchal social system and violence against women

A widow fighting patriarchal mindset for her rights, security, livelihood and life

Minaben Kodi Patel, a resident of Sakor village in Bavla district, lost her husband when she was merely 20 year old. She has two daughters and one son. After her husband's death, she was cursed, blamed and ill treated by her husband's family. One of the varsaii campaign organized by SBK in Bavla was attended by Minaben, where she realized she is left with nothing in her name and to leave for her children, while playing asset mapping game. She approached the PLW Sumitraben and shared her concern and wanted to inherit her husband's land rights. Her family did not want her to live with them, as their son is dead and hence did not support her, inheriting their ancestral land, fearing that she might elope and marry somebody else. Her brother in law objected most aggressively, stating that she is getting fed, what else does she wish to want. The family was ready to keep and take care of his son, but no daughters. On digging out their land records, two things came out of the lands history, one although Minaben being the legal heir according to the law, her name was removed from the heir's list and second that there is already a case on this land which is still pending. The case was filed by her dead father in law's sister claiming her legal rights on the land. Legally, the inheritance cannot be processed in case of conflicted land. The case had to be sorted in order to start the process.

Meanwhile, being a widow in the family, Minaben went through domestic violence, by her brother in law who was a drunkard, which is nonetheless, an integral part of being a woman. This went on till 2018. Fed up of being hit and helpless, once when she was badly injured, she called up Sumitraben for help and that is when the PLW rigorously initiated her inheritance process. Her case was taken up and discussed in the first Legal clinic. 3 things were needed for Minaben's land rights:

- Pedhinamo, proving her being the legal Heir certificate from Talati signed by Sarpanch's,
- two witness for the inheritance and
- consent from other heirs of the land.

This case was raised and discussed in Gram Sabha and a resolution was passed for her Pedhinamo stamped by Talati, signed by sarpanchs. Secondly, no witness was ready to come forward, fearing her brother in law who has hit people before on this matter. Somehow, two witnesses were ready with a condition of their identity being not revealed. When the widow inheritance was approved by the revenue department, her brother in law received the consent form 135D. Minaben was severely beaten that night to the extent of bleeding profusely, thrown out of the house, her daughter called up Sumitraben and she sent Mahila helpline's ambulance service. A police case was filed on his brother in law and he along with his wife was behind the bars.

After a long fight of 5 years, Minaben finally has land on her own name, on which she practices agriculture. This had led her accessibility of all the government schemes and entitlements. The oppression does not stop there, fearing her brother in law, no man or family comes ahead to support her set up and initiate farming on her own. The success of Minaben inheriting land on her own name, the

patriarchal mindset in the village is resisting supporting her, fearing that more such women will come out and claim their rights in the village.

2. Struggle for materializing daughter's rights to inherit

A mother and a widow fights for her and her daughters land rights

Kanchanben Mahadevbhai Kodipatel, a resident of village Upardhard in Sanand district, lost her husband around 20 years back around the year 2000, after which she shifted to her parents house. On insistence and pressure from both families, she return to stay at her in laws house 5 years back. She has two daughters, of which both of them are married. In one of the inheritance campaigns in her village, she approached Parulben with the realization about her own inheritance and concern about her daughters inheritance too on her husband's land. Mahadevbhai, Kanchanben's husband, are 2 brothers and one daughter. Mahadevbhai's father, Bhurabhai had 7 different lands in the same village, which he had divided equally amongst all the children, including his daughter. At present Kanchanben is been given one small patch of land to fed herself, but her name could not be found in the land records, inspite of she being the legal heir of the land. Her family is completely against and resisting her inheriting the land. A very fearful woman, she bought up this topic at home in front of her brother in law, which turned into a fight, stating that 'since when daughters inherit and what would they do with the land, both are married now. You have already been given one land, what more do you want?'. Kanchanben was already suppressed and feared him. Kanchanben is fighting for both her inheritance as a widow and more for inclusion of her daughters name as legal heirs. Parulben, PLW of Sanand along with team leaders approached her brother in law and tried to make him understand why her daughters name be included, as their future security and also that by law they are entitled to own their father's land, with no result. This case is still in process and has not moved further due to fights in Kanchanben's family. In most of the cases, PLW tries her level best to go ahead with consent and support of the family, however in many cases such as this, might need a court case thereby challenge the present inheritance. However, a court case would be easier in this case, once the Kanchanben inherits the land as a widow, the land would be under her command.

3. Land distributed by cheating by removing widow's name from the heir list

The brothers in the family distributed the land amongst themselves without giving any part to their deceased husband's wife

Naniben Baldevbhai Gamthiya, a resident of Shiyavada village in Sanand Taluka, lost her husband 30 years back and is staying at her husband's house after his death. When his husband died, she was pregnant with her daughter. Instead of her wife getting inheritance of his land, the brother in laws removed Baldevbhai's name from the legal heir list, after his death. Legally, before removing any name, the Talati needs to confirm and check the deceased death and whether he/she has any legal heirs. Since his name has been removed, his wife Naniben's widow inheritance cannot be processed without challenging the inheritance. In addition to that, both the brothers have divided the land amongst themselves, without any part in Naniben's name. She has been given possession of a small patch of land to cultivate so that she can feed herself and her daughter. The brothers do not want to distribute the land in three divisions to give her right to the land, stating that she has been given land enough for her

sustenance. She approached the PLW Parulben for her right as a widow on her husband's land. This case is still in process, where at present, Parulben has submitted an appeal in Prant's office for inclusion of her name to be included as legal heir and process the widow's inheritance application. If this is objected after the objection to the notice sent to the brother in laws, the case will be transferred in court, under RTS. Till now, the hearing in the Prant's office has been fixed 2-3 times but both the brothers do not attend the hearing, so that the appeal does not go further.

4. Daughters carry the burden of 'respect' of the family

The daughter was outcaste and married in another caste, city so that she leaves the village

This case is a classic example of how daughters are treated as a property and bear the brunt of the society when she takes one step out of her choice and not what is expected out of them. Manjulaben Mahendrabhai Vasava of Dediapada Taluka liked a boy in her village and by chance got pregnant while she was still unmarried. Her family came to know about this and pressurized for abortion, but she was against it and gave birth to a boy. The entire village shamed her family, as girls and women in patriarchal society, even in most urban and modern setups, brings shame to the family if she goes against the wave and societal norms. Her family wanted to get rid of this regular and constant shaming of the village. They found a boy who was willing to marry her with her past, in another caste and another city altogether. She was literally outcaste and forced to get married and move out of the village to his husband's house with her son.

She happen to attend one of the women land rights awareness meeting in her village and she approached Ramilaben, PLW of Dediapada, for helping and guiding her to claim and achieve right to her father's land. The process was simple, but her parents along with her brothers was staunchly against her inheriting the land, stating that 'she is married now and lives in different city, why would she want and why should they give part in their land'. It took almost a year of constant brainstorming and meetings with her family members and they finally showed some support. She wanted her name to be included in legal heir list, while her parents are alive. Ramilaben initiated the process and she is a legal heir now of her father's land. Her sons name was also added in the list, including 3 sons, that she bore from her marriage.

5. Daughters do not inherit any property

The daughters name in the family's ancestral land was not added when they were young with self-attestation declaring the same

Shantiben Dungariya of Rohada village in Dediapada district, approached PLW Ramilaben and her case was discussed in first legal clinic. Shantiben, are three daughters and two brothers, out of which all the daughters name's are not included as legal heirs. Ramilaben, under the guidance of the lawyer, studied her land's mutation history, what came out is stated below:

- In 1976, their father Dungariyabhai died, after which his widow inherited his land as a widow

- A self-attested document was also recorded stating, in the name of all the 3 daughters, stating that they do not want any portion or right on the land, with their thumbprints. Hence the land was inherited by 2 sons and widow herself.

When Shantiben came to know that she does not own her father's land, she discussed this with her brothers, to which they both agreed to include her and other sisters names in the land records. This implies that daughters names were removed without adding them as legal heir, because women inheriting land back in 1970 was far from consideration. This case is still in process. The current inheritance needs to be challenged due to the self attested form through RTS and then appealing for inclusion of the names.

6. Objection in First wife's widow pension

The husband married second time as the first wife bore him no son and the first wife struggling to get her entitled widow pension

Sumitraben of Nani sarsan village of Santrampur Taluka approached PLW Leelaben with her case of widow pension. This case is not of land inheritance, but demonstrates our society's shallowness and biasness against women. Sumitraben's husband used to work as a security guard in one of the check dam development project. He married another woman as he wanted a son, and Sumitraben did not give birth to any son. After his death, Sumitraben had no choice but going back to her maternal village, where even there her family did not want to keep or take care of her. Widow pension will give her some support and reduce dependency. However, her husband's widow pension was taken by his second wife. She approached them stating that she is alone and she has a right to her husband's pension, wherein she was thrown out of the house. She approached Leelaben and discussed the case in legal clinic. Leelaben under the guidance of lawyers, checked the widow pension's documents and found out that Sumitraben's name was entered legally as his wife. Leelaben went and spoke to their family and threatened to file a court case against them for illegally eating up Sumitraben's widow pension. The second wife and her son's agreed to give her the widow pension and also allowed her to stay at their home with them. This case is resolved but it demonstrates the helplessness and vulnerability of women with/without and around marriage as an institution.

7a. Custom of eldest son inheriting the property

Legal heirs of the youngest son in the family struggle to include their name in land records

In tribal and few other communities too, there is an old age custom of oldest son inheriting the property and control of the house, thereby becoming the main authority in the family. Although the other sons, daughters do use for agriculture, but the land is not in their name. In Navsari, such conflicts and issues are common. One such couple, Pravinbhai and his wife Sumitraben Mahakal approached the PLW of Navsari, Geetaben in the year 2017, for inclusion of their names as legal heirs in their ancestral land. This case was discussed in legal clinic, owing to its social complexities. On studying the land records, it was found out that Pravinbhai's fathers name was not in the heir list, the land was in the name of his elder brother i.e. Pravinbhai's uncle. The Uncle's sons names are also included for further inheritance. For pravinbhai to inherit the land, his father's name needs to be added first. When Geetaben visited their

house to discuss and make them understand the legal right framework, they were strongly against and violent. This and many such cases have not gone further as there are violent upsurges and fights in the family, for something that is legally framed as right.

7b. Custom of youngest son inheriting the property

The daughter of the family fights for her land rights in her maternal ancestral land

Dhaniben Jethabhai Parmar of Ramdevpur village in Dhrangadhra Taluka is married, has 3 brothers and is herself a Sarpanch in the village where she is married. In the year 2010, she wanted to purchase a small land, when she came to know that legally she is not entitled to purchase any land as her family (in laws) are not traditional farmers. A non-farmer cannot purchase an agricultural land by law in Gujarat State. However her maternal family are farmers, she can purchase a land on her name, if she inherits her father's land, to which she found that her name is not there in the legal heir list. She insisted her father to include her name for inheritance, to which he refused saying that daughters do not inherit the property and she is married now. In Dhrangadhra, by custom, the land is inherited by the youngest son, as he would be the last one to get married and will stay with his parents and look after them. Hence, only Dhaniben's youngest brother's name was there as legal heir. Even her other brothers wanted to include their name for inheritance, but they left it there, due to conflicts in the family.

In 2019, through one of the varsaai campaigns by GWLO network, she approached the PLW Ritaben, again with the same issue of her right to the land. Before studying her land history, she met her youngest brother, as her father died by that time. Her youngest brother did not allow anybody's name to enter in the land records, he showed the document/will on which by custom, it was stated that he is the owner of the land. Ritaben pointed out that 'This document is not even notarized, it does not stand valid in the eyes of court, and whether you want or not, your sister and brothers are by law entitled to own the land along with you, and I will make sure they get their names included'. This continued for 2-3 brainstorming meetings, after which finally he supported, as his wife supported and convinced him to allow, as she herself owns a part of her father's land. This case is resolved and all the names, including Dhaniben's brothers are owners of the land.

8. Daughters name not included as legal heir

Legal heirs of daughter struggle to include their name in land records

Manjulben Ganeshbhai Thorat of Jamunpada village, of Khergam Taluka approached PLW Geetaben for inclusion of her name, thereby her children's name in their ancestral land. Manjulaben had one brother, both had ownership on their fathers land, but only brother's name was added in land records as owner. Manjulaben's got married and her husband also stayed with her maternal family. Further more when her husband died, she eventually remarried and left the house to her second husband's home. However the conflict is that since Manjulaben's name was never entered as legal heir of the land in land records, her 3 sons who stayed and cultivated the same land would not be able to own the land in their own name. Manjulaben's brother's children have objected inclusion of Manjulaben's name, since she has already remarried and does not stay here. Owing to conflicts in the family due to the land, followed by lockdown

due to pandemic, this case is stalled for now. The process in this case would be appeal for inclusion of missed names (sharat chukni varsaai) and then challenge the inheritance (RTS) if further objected.

9. Diyarvatu (a custom in tribal areas) used as a tool to illegally encroach land

A woman and her family is fighting for reclaiming their land against illegal encroachment by the others

This case was brought by Somiben Jayantibhai Ninema of Naranpur village, Meghraj Taluka in the legal clinic. It has both social issues and legal challenged embedded. The case is based on false claims of another family with the similar surname 'ninema' that their mother, Galliben sarubhai Ninema had done 'diyarvatu' with Somiben's husband Jayantibhai. Diyarvatu is a practice largely found in tribal areas, where the woman is married to her husband's brother after his death. On asking, Galliben refused any such occurrence, and was violently killed by her own sons, in greed of the land. Secondly, Jayantibhai has also died. By falsely claiming Diyarvatu, Galliben's family is claiming right on their land. More importantly, the land records also revealed their name as owner and not Somiben. As stated by Somiben, Galliben's sons have very good rapport and connection with Panchayat members, it seems they have used the connection for grabbing this land. In this entire case, the common surname 'ninema' is used as a tool for illegally getting hands on others land. Currently court case is going, on false claims and appeal for reclaiming their land. This case is still in process, as there are violent conflicts between the two families.

10. Widows cannot inherit the land

Two widows in same family struggle for ownership of the land after their husband's death

Two widows Lalitaben Kodipatel and Jyotsnaben Kodi Patel of the same family residing in the Ragadh village of Dhrangadhra Taluka, approached the PLW Ritaben for their name and ownership of the land. Jyotsnaben's husband died in 2010 and Lalitaben's husband died in 2015, since then they have been cultivating on their inlaws ancestral land, but could not access any government benefits or entitlements linked with land, as the land is not in their name. On studying the land history, it was found out, that the land is in the name of their eldest brother in law and mother in law. Their father in law has also died. The family is resisting any support for their inheritance, stating that widows and women do not own land and they will include their sons name when they turn 18. All these years, both the women met and sought help from 7 different lawyers, but none of the them gave any guarantee or helped them with their inheritance. The challenges in this land are:

- In order for the women to own the land in their name, their husband's name to be included, with the help of Pedhinama.
- Currently, the land is divided in 3 parts for cultivation purpose and is rented out and cultivated by other people, from which the family receives 3 lakh per annum, which gets distributed between the brother in law, mother in law and the two women. Both Lalitaben and Jyotsnaben are facing financial difficulties. Ritaben facilitated and initiated their widow pension which is helping them a bit in their expenses.

Owing to resistance from the family, Ritaben with the help of Sarpanch, has been successful in passing a resolution on this land, stating that 'this land not to be sold without Lalitaben and Jyotsnaben's signature and confirmation'. However, their brother in law is planning to sell the land, for his own interests.

Certain evidences like family Pedhinamo, document stating that they are cultivating this land since 15 years with the witness signs, their husband's death certificate have to be gathered and appealed at Mamlatdar's office for inclusion of their name in the land.

11. A widow struggling to find a space, land of her own

A widow who is viewed and treated as unwanted by both in-laws and her parents family, fights for right in her father's land.

Mariyamben Hussain, a widow from Patdi is in a difficult situation which mostly many women in villages go through, after her husband die. Having no child, being a differently abled person and since her husband, the only connection to her inlaws family, has also died, her in laws family does not willingly want to have her at their place and want her to leave. On the other side, her maternal family, her 3 brothers are also not ready to keep her at their house. She is currently out of no choice stays at her in laws house, but wants access and ownership to her father's land so that she can feed herself, build a house, some place of her own and have some sense of security. Her in laws family are not farmers and do not own any land. Her brothers do not want to give away the land, in spite of seeing her in such helpless situation and she being the legal heir of the land. Through one of the varsaai campaigns, she approached PLW Mariyamben of SBK and stated her, her situation. Mariyamben checked their land records, and confirmed that she is also a co-owner of the land. The lawyer in the legal clinic drafted a legal notice to be sent to her brother's and the PLW was guided on this case. On receiving the notice, Mariyamben's brothers came to the SBK of Patdi, where the PLW stated the situation and Mariyamben's legal right to the land. Even after few brainstorming meetings with her brothers, they did not support, afterwhich a court case was filed against her brothers. There was a hearing in the court, before the lockdown where two brothers have agreed to redeem her right and access to land., however one brother is still resisting. This case is still not completely resolved owing to the lockdown of courts due to Covid pandemic.

12. A widow thrown out of her house, with no right to claim right on her husband's land

A widow thrown out of the house, wants her right to her husband's land after 10 years

Hansaben Kailashbhai, from Uparyaara village in Patdi, became a widow in the year 2003. Her son was very young when her husband died. She stayed at her in laws house. Somehow, she was found with another man by her brother in law, after which on the grounds of having an illicit affair she was thrown out of the house immediately. She went to her parents place, but all her belongings were still at inlaws place and they were not letting her in at any cost. In 2007, Hansaben approached SBK in Patdi, stating her fight to the PLW Mariyamben. Mariyamben filed a police case on the ground of violence, and went to their inlaws house to collect all her belongings. The brother in laws wanted to end all relationship with her, hence made her sign on the paper that stated that she does not want any right or piece of her

husband's land, and that she will never return to the house. This event ended there, as Hansaben at that moment, just wanted to get out of her in laws house.

In the year 2018, in one of the varsai campaign held by Mariyamben, Hansaben approached her and shared that she realized that now that her son has grown up, she want access and right to her husband's land and whether there is any way to claim her right. This case was discussed in legal clinic in 2019. After checking the signed document, the lawyer stated that this document stands no validity, as it is informal, not notarized, she can still claim her widow inheritance rights. Mariyamben met her mother in law and brothers in law, made them understand that she has a right and she needs the land for her sustenance. Since it has been 15 years since the last fight took place, things have been forgotten and forgiven and they supported her ownership and access to the land. This case is resolved with Hansaben and her son's name in the land records and inheriting the land. Hansaben was so happy and relieved with the land, security, money and above all the independence she is experiencing after she started cultivating on the land.

Cases with Institutional/Legal Issues and Challenges:

13. Non-sellable and restricted land sold by fraud

A family in spite of having two plots have no ownership, due to history of frauds in the past

Ranjanben Chamanbhai Kodipatel, resident of Vasodhara village in Sanand taluka, came with a complicated and conflicted land case, which she herself was not aware. Her issue was that chamanbhai, her husband, is not able to inherit the land after her father in law's death. Her father owned two plots in two survey numbers 76 and 609. The land mutation history of both the plots are detailed below:

1. Survey no. 76: Chamanbhai is Naranbhai's only son. In the year 2004 chamanbhai has sold this land with formal sale deed to a person named Chhatrasingh Vaghela. Although Chhatrasingh never visited the land to claim his ownership, he further sold it to another person named Janmejyabhai. When Janmejyabhai came to visit his newly purchased land to claim ownership, he was asked to leave by Ranjanben and her family. On digging further old records, it was also found out, that this land which was sold twice was infact under the government's authority with restricted power of the land holder. The government around in 1970s had declared this and other few patches of land, for future acquisition for construction of canal and other infrastructure. This land power type was restricting land inheritance, however, the land ownership is limited to only Chamanbhai with restricted power, who is not alive.
2. Survey no. 609: This plot was purchased by Kodabhai Kovabhai, naranbhai's brother, in the year 1964, from Mangabhai Jhalabhai. Mangabhai was a fraud, and he sold this land to kodabhai by cheating. Mangabhai had taken loan on this land from Gujarat seva Sahkari Mandli and could not repay the loan due to which the government restricted his ownership and acquired the land. In

spite of knowing this, he sold it further to Kodabhai for money. Hence this plot is also under authority and complete ownership of government.

In both the land cases and history, Ranjanben and Chamanbhai are not aware of these happenings in the history. In reality, they do not own any land, and there is negligible possibility of them having access and ownership of this site. However, at present, they are using and cultivating on both the lands till the government acquires it in physicality.

The current status of this case is stranded, as claiming and initiating ownership of this land, requires lot of old documents such as below:

- Land acquisition order of 1970 of government
- Purchase documents of Kodabhai purchasing land from Mangabhai
- Loan documents of Mangabhai and notifications from government

This is a very conflicted case, which the PLW without help of the lawyers, would not be able to understand and guide. Ranjanben's family is left with no land, unless they find all the above documents and apply for a land from the government.

14. Lack of Identification documents

A very unique case in which the woman did not exist in government records and did not belong to her family as she had no identification documents

Kantaben Karsanbhai thakor of Bavla Taluka is 65 years old at present and got married when she was 14. Her father Shankaji had one more brother Mangaji. Her mother married Mangaji first, when he died she married his younger brother Shankaji. This practice is called diyarvatu and is very common in many communities, so that the property remains within the family itself. Her mother had one son and daughter through Mangaji and one daughter through Shankaji, who was Kantaben.

On attending the inheritance awareness meetings in 2010 in her village, she wanted to claim her land rights from her maternal family. In addition to that, her husband's family are not traditional farmers, which prohibits them to purchase or own any land, by law. This strongly led her to claim her land rights. She approach her maternal family asking for her land rights, to which they replied they will give her, her part when they sell or divide the land. But without her knowledge, her name was not included, when they distributed and sold their land. She approached Sumitraben, PLW of Bavla in the year 2014 to help her claiming right to her land. However, there were two legal complications in her case, stated below:

- She had no identity documents, no birth certificate and she never went to school. She had no documents that stated that she was Shankaji's daughter.
- Her cousin brother i.e. Mangaji's son had Shankaji's name as his father in the records, which additionally negates possibility of she being his daughter, as per legal record is concerned.

Kantaben approached her family's vahivancho or Barot (genealogy registrar) in search of proof that she is the daughter of Shankaji. Barot is a community, mostly residing in Gujarat and Rajasthan, traditionally worked as genealogists, maintaining kinship of families, updating them every decade. Every family

traditionally had their vahivancho. These genealogies maintained by them are considered valid in our legal system. These informal records appeared as rescue, finally proving Kantaben as Shankaji's daughter, on basis of which her identity documents were legally made.

A case was filed against her nephew family and an appeal was made for inclusion of her name as a legal heir in the land. The case started however her nephew never appeared in hearings, leading to delay, as they did not want to give Kantaben her division of land. With continuous followup and brainstorming, this case got over and she inherited her father's land. With owning this land, she is farmer enabling her and her children to be able to purchase agricultural land in future. This case started in 2010 with brainstorming, completed in the year 2019.

15. Removal of names from the heir list by cheating

The son in law, for greed of land, removed all the other names from the heir list, except his wife's and mother in laws.

Sumitraben Tediabhai Vasava, a resident of Sagbara approached PLW Ushaben, regarding a case of fraud in her in-laws family, where all the names in the heir list were removed. She came to know about this mutation in the year 2016 when she went to procure seeds from Gramsevak's office to sow on her husband's land. This ancestral land was distributed equally amongst 3 brothers and 4 sisters, wherein all are deceased, except one daughter. The 3 brothers were Phulsinghbhai, Phuljibhai and Dasubhai Tetiya. Phulsinghbhai had no children, Phuljibhai had 3 sons and 1 daughter, whereas Dasubhai had one daughter. Sumitraben is Phulsinghbhai's daughter in-law. Under the guidance of lawyers in legal clinic, Ushaben studied the mutation history of the land. The line of mutations that happened in her land, in addition to other details are stated below:

- Dasubhai's son in-law appealed to remove Phuljibhai's and 4 sister's name stating them dead in the year 2010
- The Mamlatdar also removed Phulsinghbhai's name, who had no children, in neglect. Legally, the officer is suppose to check or validate the appeal by referring the family tree and checking for further heirs in the land, which he neglected to check before removing.
- The legal heir list includes only two names now, Dasubhai's widow and his daughter, Manjulaben. There was a loan taken mortgaging this ancestral land, which has not been paid back yet.
- Phulsinghbhai, since he had no children, wanted to make Sumitraben's two sons to inherit his patch of land, since their family was the one who looked after him before he died. He had prepared a will stating that.

This conflict would not have happened, if the mamlatdar did his work of validating. Ushaben approached the mamlatdar, on realizing his mistake, he readily agreed to include all the removed names. The names have been reclaimed and added in the heir list, however, there is still a conflict within the family, where Dasubhai's family is not willing to pay back the loan they had taken.

16. Inclusion of missed names (Sharat chuk ni Varsaai)

The woman appealed to include her and his brothers name as heir of their ancestral land in tribal area.

Vantaben Jheriya, a resident of Sagbara district, approached PLW of Sagbara, Ushaben in 2019 for inclusion of her and her two brothers name in their ancestral land. They are 3 brothers and 1 sister, and the land records show only his eldest brother as owner and the only heir. Traditionally, many communities, especially tribal, used to include and give away the property to the oldest son in the family. However, Hindu succession law and tribal customary law states that all the sons and daughters have equal rights in the land. With changing times and diluting joint families, other members in family have started claiming and retaining their legal right. Vantaben's case is similar, an appeal was submitted at Mamlatdar's office to include all the names along with her eldest brother. The eldest brother's family resisted and was not supportive in including other names, they fought a lot with Vantaben's family and did not attend legal hearings of the case. Since it is by law, their inheritance process is complete and Vantaben and other brothers are legal owners of the land, including all their children's name in 2020. Furthermore, the eldest brothers family also filed a court case against Vantaben's family, for illegal ownership of their own land, as they wanted to own the entire land.

17. Land ownership transferred to other's name by fraud

A woman's land was transferred by cheating in her cousin's name and further sold to a third person.

This case is a very old one and have had several round of proceedings, with the help of different lawyers, which did not help resolve, after which it was brought to the legal clinic in Vyara, by daughter of the woman. Keluben's was the only daughter of her father Maniyabhai. Maniyabhai had one more brother Kanjibhai, amongst whom their ancestral land was distributed after their father's death. Keluben was the owner of one half of the land, and the other half was distributed between Kanjibhai's children, 5 brother, sisters and their children. In greed of more land and money, Keluben's cousin ie. Kanjibhai's Dinaben prepared fraud sale deed of Keluben's land, with thumbprint in 1987. However, the thumbprints need to be checked. The sale deed was of Keluben's land to Dinaben. Dinaben further sold this land to third person. Around that time Naikiben came to know about this fraud and hired a lawyer and cancelled the sale deed stating it fraud. On studying the land records they came to know that the land was no more on Keluben's name, and court had ordered that the land could not be transferred on accounts of the land being under ownership of Dinaben since decades. After this order, the lawyer did not help in inclusion of her name. Ashwinbhai after studying the entire case, under the guidance of lawyers, submitted an appeal for reclaim the ownership to Keluben, with all the documents attached. This case is resolved and Keluben's along with her daughter Laikiben's name has been added as her legal heir.

18. Names of Legal heirs removed while digitizing land records

The women struggling to include her name as legal heir in her ancestral land, where all her brother's name are included.

Gauriben Thagiyabhai Gamit of Kakadva of Dolvan Taluka in Tapi district wanted to build their house on her ancestrally owned land, when she came to know that the land is not in her name. She approached PLW Ashwinbhai, to guide her and include her name in her father's land, which she inherited on her father's death in 1989. When Ashwinbhai studied her land's old records, he found out, that the old records (manually written) showed all the 4 sons and 2 daughters names as legal heirs, but only 4 sons have inherited the land after their father death. There was no self-attested form from the daughters or any other document supporting this change in land history. It purely seems a technical error while digitizing, daughters names were removed. On filing an appeal at Mamlatdar's office, in order to cover their mistake, they reject the appeal, stating that such old records cannot be traced back and asked to re-appeal as late name inclusion (RTS) appeal. This case is still incomplete and the appeal needs to be re-submitted.

19. Objection in Collateral Inheritance (aadi leeti)

The woman struggled to inherit her husband's land as her father in law was not a linear heir

Shardaben Kanubhai of Nani Sarsan village of Santrampur Taluka brought this case of her land, by approaching PLW Leelaben. The case was simple widow inheritance, but the land had a complex ownership flowchart. Shardaben's father in law Maganbhai were 4 brothers in all. Since Maganbhai's maternal uncle (mother's brother) did not have any son of his own, he wanted her sister's youngest son, Maganbhai to come and stay with him. Maganbhai grew up, married staying with his uncle's family. His name was also included as his uncle's legal heir. He had 1 son and 3 daughters and his son's wife is Shardaben. After Maganbhai's death, his wife and kids become the land's legal heirs. However,, now the Uncle and his family is not willing to add Maganbhai's family name as legal heir. They did not stop Maganbhai's family to cultivate on his land, but were strongly against of them owning the land. They had also appealed for removal of Maganbhai's name from the records, which did not get process eventually. Since legally Maganbhai's family owned the land, Leelaben appealed in the Panchayat and Mamlatdar officeto include all inheritors name in the land. After 1 year, all the names were added and Shardaben inherited the land as a widow. Maganbhai's family struggled for 6 long years, through hiring other lawyers, the PLW was aware of her conflict, but could not guide herself because of the complexities, for which it was brought to Legal clinic.

20. Processing inheritance in the land received as Ganotiya

The land received to the tenant farmer raises conflicts in further inheritance

This case was brought by Leelaben Manshubhai Gavit of Patti village in Khergam taluka in Navsari, with the inheritance conflict in his brother in law land, which was received under Ganotdharma. Although Lalitaben's family had their own patch of agricultural land, her father in law and his brother also used to cultivate another person's land nearby as a tenant. Having cultivated for more than 10 years , the owner of that land gave away a patch of his land to the Gavit family, to the two brothers. However for working

on the land, the eldest brother and younger brother's son (Laljibhai) used to go, so only those two names were entered as owners of that patch of land. Additionally, the land was divided by a road in between, implying the natural division of the land in 2 parts, each owned by one, but the land's survey number was same. Laljibhai had no heir, so he wished to include his younger brothers Manshubhai and Leelaben's 4 daughters name as legal heirs, he has also prepared a will stating giving away his land to the daughters. The legal heirs of the eldest brother, the other patch of land objected to this. This case still in process, as there have been lot of fights and conflicts with the matter of land. The process of this conflict would be simple. Legally since the land is one in land records, but separated (by road) in physicality, the land records (survey number) of both the lands need to be separated, after which the other heirs would not have any right to object. Second way is to initiate the inheritance process through will and appeal to the Mamlatdar's office, after which the official would himself do his legal process and validation work.

21. Inclusion of names while alive (Hyati ma hakk dakhla)

A widow woman found out there are names other than her daughters as legal heir of her land

Kantaben Nanjibhai Gameti of Panchal village in Meghraj Taluka, a widow, approached PLW Atiben, with a simple case of inclusion of her daughter's name in her land while she is alive. Atiben checked her land documents and found out that three other names were already added before, which were her brother in laws daughters name, as heir of her land. It came out that when Atiben received inheritance of her husband's land, 5 years back, her brother in law accompanied her, since she is uneducated and not savvy with the inheritance process. At that time, he entered his daughter's names also in the heir list of his brother's land. One cannot make out that it happened by mistake or knowingly. Atiben submitted an appeal for removing her brother in laws daughters names and including her daughters names as owners of the land, in Mamlatdar office. This case is still in process.

22. Illegal encroachment on the land

A woman and her family is fighting for reclaiming their land against illegal encroachment of the neighbouring land

Shardaben Navjibhai Dedun of Phuta village in Meghraj Taluka approached the PLW Atiben, regarding illegal encroachment on her land by neighboring land owner. This case was discussed in second legal clinic and her land records were studied, where it revealed that the land is owned legally by Shardaben. Before coming to Legal clinic, Shardaben had already filed a court case against illegal encroaching and building a house on her land. She also filed a police case owing to the violence initiated by them, where the encroacher was locked in jail under criminal offense. The appeal was processed and officials from the revenue department validated her appeal. The next step being the officials measuring the actual land on site and legally demarcating a border between the two sites. However, the site has not been mapped yet due to shutdown owing to pandemic. The case is still in process, and the mapping to be done to legally separate both the lands.

23. Claiming ownership on Government land

The family is struggling to have the land on their name, which they are cultivating since 3 generations.

This case was brought by Bajiben Mangalabhai Tadvi of Agasvani village of Dhanpur Taluka in the second legal clinic. Bajiben's family has been cultivating on a piece of land (wasteland) since 3 generations as early as 1970, however the land is not owned by them. Bharatbhai, PLW of Dhanpur studied her land records and history. It was found out that the land in which they have been cultivating records their house since 1970, records their name in form no. 12 (which records details of agricultural activity) since 1994. Their land had access to water, hand pump, electricity and also a well. It is a full-fledged active agricultural land. However, the land is not in their ownership, it shows government land in form no. 7. Bharatbhai collected all these old records, photos of his house, hand pump, well, crop as evidences and appealed in October 2019, to the collector for transferring the land's ownership to Bajiben's family. After reviewing the appeal, the collector ordered the Mamlatdar to visit the site and validate the details, as stated in appeal. The Mamlatdar prepared the report of the visit and forwarded to the collector's office. This case has not gone further after this, it is not complete, even after constant follow up.

24. Claiming ownership on Forest land entitled to a tribal family

The family is struggling to claim ownership of the forest land provided to them by the Forest department

This case was brought by Rupaben Kaljibhai Damod of Gayalvaghera village of Dhanpur Taluka for ownership of the Forest land provided to them in the year 2000. Rupaben's family was provided with this land under FRA in the year 2000, they also have a copy of Sanad (land entitlement certificate) from the government. They have been cultivating on the land since then, with their details on Form no. 12. However, the other documents i.e. 6, 7, 8 does not show them as the owner of the land. As guided by the lawyer, the PLW Bharatbhai submitted an appeal with all the evidences, maps, documents to the forest department, that was gradually processed further to collector, Mamlatdar and Tribal department, eventually with a visit of Talati on land inspection and validation. This case is not complete yet. The issue is that the land has been provided by the forest department but in isolation with no communication with revenue department. For ownership of the land, the forest land given for agricultural use to a tribal, it has to be transferred from forest to revenue land. The Mamlatdar is neglecting this case, stating that 'they have more than 500 such cases in the Taluka, and asked to get all such Sanad, cases appeal, so that they can initiate passing a Government resolution collectively for ownership of all such lands and cases'.

25. Agricultural land granted to an ex-servicemen

Conflict over the land granted to an ex-servicemen

Mahsulbhai Rukhinbhai Dangi of Datiya village in Limkheda Taluka was granted a patch of agricultural land around the year 2001 by the revenue department, on his retirement. He has the order document with the land details. When he approached the Mamlatdar's office with this order to claim the land ownership, he was told that the land that is been provided is not vacant and is under encroachment. This implies that either the encroachments need to be removed forcefully or entitlement to some other land

needs to be provided and further communicated to the revenue department. However, at that time, Mahsulbhai got a paralysis attack and could not process the required proceedings for ownership of the granted land. After he recovered after 12 years, he tried to initiate process for the grant, but could not find any success. He approached the PLW Bharatbhai in 2019 to help him with his granted land. The case is not complete, as Mahsulbhai again is not keeping well. The process as directed by the lawyer, would be re-appeal for claiming the land granted by the government stating that processing had been missed at the time of grant (sharat chuk ni arji).

26. Issue over Santhani zameen allotted to a women cooperative

A women cooperative had been allotted land for cultivation purpose, but the mapping and ownership of the land is not processed

This case has both legal and technical challenges, it also demonstrates careless attitude and lack of gender sensitive approach of the revenue department officers. This case was brought by Ramuben Ranchhodbhai Solanki of Moti Manavan village in Dhrangadhra Taluka. Ramuben is a member of a women cooperative consisting of 84 women, being landless and scheduled tribes, they had appealed for land for cultivation. In the Land Kacheri organized in the year 2006, their appeal was accepted and they were provided with around 168 acre wasteland in Moti Manvan under Santhani scheme, for their livelihood and sustenance. However they received the order but still have not received any land on site and in records. The series of complications in this case are stated below:

- Right after the land provision order, officials from the department arrived in the village to map and distribute the land, on site. However, it so happened that Moti Manavan being the last village before Little Rann of Kutch, the land was not fit for agriculture or any cultivation. The cooperative asked for land in some other nearby village. The officials present on site, took their signature in the document that stated they had refused this land and had asked the group to reappeal in the collectors office. The women largely being uneducated, could not gather the exact information and are in the hope that the government will come when they find the land somewhere else.
- In between they hired several lawyers. The cooperative in paper is in place, but have hired lawyers in small clusters or groups, separately. The lawyers have not done anything, they take regular fees from the members, giving them hope for the land.
- In the year 2017, one of the lawyer re-appealed for the provision of the land. Referring the old appeal, the Mamlatdar had sent notices to women and fixed a hearing of the case. The notices were not delivered properly and the women being old and uneducated failed to understand, hence did not appear for the hearing. This again stopped the process.

When Ramuben approached the PLW Ritaben, she asked for the sanat (order) and other documents, to which she came to know that the documents are with the lawyers. Ritaben tried to meet the lawyer several times, with no support and documents. On meeting Mamlatdar in April 2019 regarding the case, they stated that the case is closed, as no one appeared for the hearing and have refused the old allotted land. There are 2 complications in this case:

1. Ritaben is not able to gather required evidences and documents to understand the events of the case, with no support from the lawyers, government and other members of the cooperative
2. The cooperative members are not ready to come together to fight for the land, to stand against the lawyers, it is difficult to go ahead in such situation. The members are old, tired and have given up owing to no results or outputs till now. Once people come together, the process of re-appeal can be processed again.

27. Santhani land diverted to forest land

The land provided to a family through Santhani scheme was pulled back by the government

Jaydaben Anwarbhai of Bajana village in Patdi, cultivated on a piece of land provided to them by the government under Santhani scheme (wasteland). The land was provided to them in the year 2003, along with the adhikar patra (an authorized legal document) and access to the land in physicality. They used the land for agriculture until it was taken back under the authority of the government in the year 2008. On approaching the revenue department, they responded that there was a Sharat Bhang (Breach of terms) of land, as they did not cultivated anything on the land since 3 years. However this was not true, they have cultivated every year with the regular entry in the pani patrak (form no. 12), of which she has all the documents. Around that time, she approached the SBK in Patdi, and Mariyamben checked all her documents and found out that the records show the land is in the forest area. Mariyamben met Talati and Mamlatdar regarding Jaydaben's land issue, and received no directions or answers. This is a legal issue, which happens with the change in boundaries, whenever land is diverted or converted from revenue to forest land and viceversa. Many such people, all over the country are affected by such neglect of the government. Mariyamben left the case there, as she was not equipped enough to take this case further. However, she brought this case and Jaydaben in the Legal clinic in the year 2019. The lawyer had filed a petition in the court stating her land's situation appealed for provision for an alternative piece of land, hearing is still pending in the court. It also came out that many such families, around 15 in that village, are landless now due to the boundary shifts. A survey of such cases to be done in the district, so that a collective appeal of all the affected families, can be processed, for faster action.

28. Possession to Santhani land provided to people ,is still pending

Many families were provided with land under Santhani scheme, however the ownership is theirs, but the possession is still pending

Radhanpur taluka has a large amount of wasteland, along with marginalized communities in larger population. Due to which many families, communities, cooperative were provided with agricultural land for their development and sustenance. One has to apply for such land, as an individual family or collectively. For the land distribution, the government organizes regularly (ever year) 'Land Kacheri' at village or Taluka level, where the government distributes the land. However since few years the land Kacheri is not being held. In one such kacheri held in 2014, 411 families were provided with Santhani land for cultivation, amongst which 132 were owned by women. The issue with these lands is that these land records show the families ownership, but they have not been given possession on ground, that implies, it is only on paper, but actual mapping and demarcation on the ground is not been done. However, these cases are 5 year old, but still nothing has moved further, due to its scale and

complication, hence they were discussed in legal clinic with expert lawyers coming in. Following process was discussed:

- The survey of the families/women given this land, to be conducted.
- The land records of such identified land to be studied and noted
- Current possession and situation of the land to be mapped
- Putting all these together along with the government allotment order, an appeal in Mamlatdar's office to be done, for collective action.

29. Government land allotted and provided to Pastoralists cooperative

A cooperative of Pastoralists were provided land from the government as early in 1970s, but till date, they do not have possession.

A gaupalak (cattle herder/pastoralist) cooperative with 22 members were allotted 28 acre (85 vigah) land for their livelihood and food security. The pastoralists need land for two reasons; to grow grass for their cattle and grow food for self. This cooperative lived in Jesda village and the land was allotted in Moti chandoor village of Radhanpur taluka. The cooperative was given this land in the year 1964, and none of these members of the cooperative, were aware of this land provision, owing to the information was not transferred to next generations. It so happened, that one of the patch of the land was going to be sold by the present inhabitant, and one of the old person in the village, conveyed the message to one of the members, that is when they came to know about such land provided to them. Now currently they do not know the exact location, boundary, amount of the land allotted to them and they are being inhabited and cultivated by some other families.

Since the cooperative did not have much information, they approached SBK in Radhanpur in the year 2018, where the PLW Surajben checked the land records which showed the cooperative ownership. The land was at present owned by few other people, the best way to deal with the land issue was legally than talking to the inhabitants, as it would further fuel violence. This case was taken up in the legal clinic under the guidance of lawyers. Since the ownership was in the cooperative name, an appeal was drafted addressing DILR (District Inspector Land Record) with all the cooperative legal documents, land records for remapping to be done on site. After continuous follow up, the allocation was remapped, marked and protected with the boulders and the possession was given to the cooperative.

It would also be important to note that this cooperative was given 4 such lands at different locations, out of which only 1 land is been remapped on site, rest 3 are yet to be mapped. The members of this cooperative have shifted to Motichandoor village where the land is allotted to them. This case took more than a year due to lack of expert lawyers, there are many such cases in the area. After this case, another 8-9 cooperatives approached the organization at the SBK with their issues. A local lawyer need to be involved to look into and guide in all such cases, for speedy resolution.

30. Appeal for Vada ni jameen by women of pastoralists community

Vada is a small piece of land where the Maldharis (Pastoralists) keep their cattle, their food, cattle dung and other implements they need to rear the cattles. Vadas are as important as agricultural land, for Maldharis, and they are specially run and managed by women Maldharis. Their routine is circled around

this space. The state government recognizing the importance of this land, passed a Government resolution around 1978, that if the animals are registered, the owners are entitled to apply and provision of such Vada lands, the resolution also stated that dedicated registers be maintained for the Vada lands. However, one still does not find the registers and the appeal takes years. In the year 2018, Marag organization in Radhanpur Taluka, applied for Vada land for 218 Maldhari women in their own name. This case was discussed in the legal clinic, as women have not received any piece of land. It was suggested to re-apply and all the required documents were prepared under the guidance of the lawyer.

31. Eviction notice to a 35 year old hamlet

A part of village residing as early since 1980s receives an eviction notice from the government

Kumbhariya village is a small hamlet in Radhanpur Taluka, where 135 families are inhabiting. In the year 2018, this village was sent an eviction notice to vacate this land in 7 days, claiming that they have illegally encroached this land. The village has been inhabiting there since last 35 years, with provision and recognition of all the infrastructure such as water, electricity, address and permanent houses. Radhanpur is experiencing a lot of Industrialization, with stone mining plants, solar plants are envisioned by the government and a lot of land is being retracted and given out. It was found out that the government had plans to give away this land for stone mining. Marag Organization sensitized this issue in media, gathered all the support, signatures and evidences of their inhabitation on the land. In the year 2019, under the guidance of lawyers in Legal Clinic, petition was filed in the court, for legalizing and including this area in village boundaries, since this patch was still not included in village boundaries. It took a year and a stay has been put against the eviction with an assurance of inclusion of this land in village boundaries, by the government.

32. Inheritance of the land halted as the land owner is missing

Women in the family struggle to inherit the land, as father in law left the house 30 years back

This case was brought by Pinaben Rakeshbhai Chaudhary of Dholvan Taluka in Tapi District. Her situation is quite unique. She is a widow and stays with her mother in law. Her father in law left the house after a fight in the house 30 years back, and he has not returned till date. Now the land is in his name, and both her mother in law and she herself are not able to inherit his land. Either he is declared dead, which needs a proof or he approves their name to be entered while alive, both are not possible as he cannot be found. Another issue with this case is that an FIR was not filed by the family, when he went missing, an FIR could have been a support document in initiating inheritance process. The Mamlatdar cannot legally pronounce him death and can be jailed in case he returns. The guidance given by the lawyer was that the missing notice to be published in newspapers, with the permission of court, however the family has not money to incur the expenses to find him. Since the family has possession of the land, there is no issue with the access of the land, however they are not able to access the support schemes of the government. This case is pending with no further process initiated.

33. The land given as gift cannot be inherited as the will is not held valid

Even after two generations, the family is struggling for the ownership of the land they have been gifted as well as they are cultivating.

Mayabhai Bhulbhai and his wife, of Tapi District, had no children of their own. They owned a big chunk of land, which they gave away to their nephews and nieces (brothers, sisters daughter's and son's) as a gift. He registered his will in the sub registrar in the year 1975, leaving the land as a gift for them. It has been 35 years, they still have not received land in their name, after Mayabhai died. All the heirs are dead except Bhavinbhai's Kansara, whose wife brought this case in the legal clinic, with the will document they possessed. Under the guidance of the lawyer, the PLW Ashishbhai appealed for inheritance process in Mamlatdar office, where the inheritance was rejected as the will was not considered valid. A will in any form, on any paper is considered valid in the eyes of court, however with increasing cases of fraud, a separate process need to carried out of validating and receiving the probate from the court. It is a month process. The application is left to be done, as the courts are shut this year due to pandemic.

34. A non-tribal purchased a tribal land by fraud

A piece of tribal land, is illegally purchased by a non-tribal, who was working as a tenant on the land, with the help of tribal woman, whom he eventually adopted

Under the section 73AA, a tribal land by law cannot be sold to a non-tribal. One such case surfaced in Legal clinic. Mayabhai Bhulabhai, a tribal in Sagbara Taluka, owns a huge amount of ancestrally owned land. A small part of his land was cultivated by a non-tribal Sanabhai Mathurbhai Patel, as tenant. In the year around 2000, Mayabhai was in need of money, he tried to sell that part of land to Sanabhai, which was immediately rejected by the Mamlatdar under 73AA section. However, he continued tilling the land as a tenant. Around 2007, Sanabhai adopted a tribal women Premilaben Kantilal kothari, as his daughter, as he did not have any children, by legal adoption process. In 2016, it came out that that the piece of land owned by mayabhai, which was tilled by Sanabhai, is divided into a different survey number after promulgation and shows Premilaben as the owner now. Sanabhai is deceased now. When Mayabhai approached Premilaben and claimed her a fraud, she showed the sale deed documents and her ownership documents. This case had come in the last legal clinic in Sagbara in January 2020, after which not much work can be done due to lockdown. This case brings out following questions:

- When and How did Sanabhai's adopted daughter Premilaben purchased the land?
- If Sanabhai, a non-tribal, adopted Premilaben, a tribal, she also becomes a non-tribal by identity. Or else, this sale deed had been done by fraud before her adoption in 2007.
- The sale deed documents checked by the PLW, does not reveal the original owner's name Mayabhai at all? How can it be passed?
- One of the witness of this sale deed was Premilaben's uncle, the relationship are unclear.
- It also brings in doubt on the collector who approved the sale deed at that time.

The documents and the evidences in this case needs to be studied carefully, owing to its complicated legal challenges.

Cases with Technical/Procedural Issues and Challenges:

35. Absence of Death Certificate

A widow claimed her land rights after two decades

Kailashben Prabhubhai Kodipatel is a resident of Daran village and married in Kheecha village in Sanand taluka. She became a widow around 20 years back and return to her own village, Daran, where she is been staying with her parents and brothers, with her two daughters. One of her daughter attended one of the WGWO's inheritance awareness drives and campaigns, after which she approached the Paralegal worker, Parulben. The idea of inheriting the land was new to them and they were not very sure, but they came with a question what should be done to inherit their father's land. Her mother had left his house after his death, two decades back, after which they had no contacts, however no fights too between the two families. This case was taken up and discussed in the second legal clinic. On the face value, the case looked very simple of widow inheritance process. As the PLW went deeper, she found out, that kailashben and her inlaws family both did not possess death certificate of her husband Prabhubhai Kodipatel. The process for obtaining her husband's death certificate was initiated with Sarpanch's letter from Prant's office. When Parulben went to speak to her inlaws, they did not resist or raise any objection. On checking their land's records, it was found out that her husband name was not on the legal heir list. The land was on the name of his eldest brother and his father's brother.

Land ownership and records is a sensitive subject, in last decade or two as people have started understanding, talking and claiming their land rights. Traditionally, the property rights automatically goes to the eldest in the house and others in the family fear to speak or object in front of the eldest, in the name of custom and respect. Secondly, most of the mishaps or deaths are not registered in government records. This case is also similar. In the case of Kailashben, since there was no conflicts between her and in laws, the family did not object giving her and her daughters, part of their land. Infact, they are willing to do the land division to all the prospective inheritors in the family. The case proceedings have been stalled due to courts and offices being shut due to corona pandemic. However, the next process is involving kailashben's husband and other inheritors name in the heir list and initiate the widow inheritance process, and add her daughter's name as legal heirs.

36. Misunderstanding of documents by the revenue officer

An aged mother wanted her daughter's name added as legal heir while she is alive, but could not due to Mamlatdar's neglect

Kailashben Gangasingh Padvi would be more than 70 years old, was born in pre-independent India in a royal family of Sagbara taluka, which was Sagbara State then. Her father Gambhirsingh Vasava married four times and had 8 sons and 8 daughters. Gambhirsingh distributed all his property and land equally amongst all his children and wives. Kailashben owned 10-12 acre of her father's land in the village Chitrakevadi. She married Gangasingh, a resident of Maharashtra state and has two daughters. When her

husband died, she decided to come back to her own maternal village Chitrakevadi with her daughters in 2006. She started cultivating on her land. Just the way the piece of land in her name became her security, her asset in her difficult times, she wanted to make sure her daughters also have the same. Being a part of such a huge family and so many legal heirs, she wanted to include her daughters name as legal heir of her land while she was alive, so that their brothers cannot detract or trouble her daughters after her death. She approached a lawyer in the year 2008, paid his good money and initiated the process by filing an appeal in the revenue taluka office. However, their appeal was rejected and the lawyer could not do anything further. She approached Ushaben, PLW of Sagbara, in one of the awareness meetings and stated the entire case. Ushaben studied the old records and got her case to be discussed in first legal clinic. The process and case was simple, but still the appeal was rejected. Ushaben met the Mamlatdar and discussed the case with him, trying to understand the reason of rejection. It came out that the Mamlatdar did not read the names properly and mistook the land in question to be of Kailashben's paternal side, where Gangasingh had one more wife and he cannot enter only one wife's daughters in heir list. He wanted all the other legal heirs to be added at once. On realizing his mistake, he approved Kailashben's appeal and her daughter's are legal heirs of her land now. A simple neglect of the revenue officer, stretched till 10 years, for a simple case.

37. Non updation and digitization of the mutation of a land

The family was not aware of a land purchased by their father, due to the land mutation not updated in the records

Manjulaben Haribhai of Kanjan village in Tapi district approached Ashwinbhai, PLW of Vyara, with a simple issue of non-issuance of 7/12 documents of the ancestral land owned by her. Manjulaben had 1 sister and 3 brothers and all are legal heirs of their father Haribhai's land distributed equally amongst them. The PLW in all the case studies the land's history by referring the land records, which Ashwinbhai did in this case too, to find out why the documents are not being issued. It came out that Haribhai, her father, who died long back around 1980, owned one more land in the same village, by purchasing a land which he was tilling as a Ganotiya (tenant). The land still showed Haribhai as owner and was lying vacant, as inheritance process was not done. This has not happened due to two reasons, one Haribhai after purchasing the land as Ganotiyo, did not appeal for issuance of the 7/12 documents of the land and second the revenue department did not digitize and update the old hand written 7/12 documents. Ashwinbhai appealed for issuing of documents of the presently owned land of Manjulaben, along with initiating inheritance process of including all the names of the legal heirs in this land. This case is resolved, but it took 5 long months, as the department had to find and verify old 7/12 documents.

38. Different name in identification documents and land records

A woman was not able to access widow pension, process inheritance of her husband's land and access other entitlements due to different name in the land records.

Dakshaben Usmanbhai approached PLW of Vyara in the year 2019 with her different name showing in the land records. On studying the land records history, it came out that in the year 2014, her brother in law by mistake entered her name as 'Banniben' while recording her husband's death. Since then the same name has been carried forward, while all the other documents such as Aadhar, voter id card has

Dakshaben. She is not able to inherit her husband's land and other benefits of government entitled with land, due to a simple technical error. Her name has still not been changed due to lengthy processes and laid back attitude of the officials, even after appeal and continuous follow up since last months.

***39. 'Shri Sarkar' in land documents, rendering the inheritance process not possible
Entire family's inheritance process is not initiated due to the technical error in the land documents***

Labhuben Kodipatel of the village Tharipar in Dhrangadhra Taluka, approached the PLW Ritaben with the issue in inheritance process of their land of their entire family. Labhuben's father in law Narsinghbhai was provided with the land from the government and after he died in 1998, the land is not inherited further. Labhuben's husband are 5 brothers and 4 daughters. She found out that the land records show both Narsinghbhai and 'Shri Sarkar' name i.e. in ownership of government. Due to being under the government ownership, no lawyer was willing to help her family's inheritance process. This case was taken up in Legal clinic, and under the guidance of Lawyers, Ritaben visited the Mamlatdar's office to understand the government ownership in this land, the Mamlatdar responded saying that 'you start the inheritance process, we will support you if the process stops in between'. She filed an appeal for the land's inheritance by obtaining their pedhinamo from the department in the year 2019. It got rejected due to absence of Narsinghbhai's death certificate. Narsinghbhai's death had never been registered in the Panchayat office, and since has been more than 20 years, appeal for the death certificate be made with the witnesses signatures. This case is still not resolved, as the family is lacking finances and time for the appeal for the death certificate. It also concludes that the 'Shri Sarkar' was a technical error, as the inheritance process, when appealed, was not stopped due to that reason.

***40. A land left out after re-surveying and promulgation
A family's ancestral land was re-surveyed but left out while promulgation***

Sumanben Sonyabhai Suryavanshi of Kotba village in Dang district approached the PLW Jayshriben with the issue in her father's land's 7/12 records. Jayshriben studied her documents and checked for the land history, she could not find their 7/12 records. Recently, the Dang district was re-surveyed and land survey numbers, land records were promulgation, in the year 2017. It seemed their land was missed in promulgation process. However, Sumanben have hired a private lawyer, filed a court case, paying him hefty amounts, for the simple process. The process as guided by Jayshriben was submitting an appeal in Mamlatdar's office stating their survey numbers are missing, the government will come for mapping and validating, old records will be checked and their land will be promulgated with a new survey number. Many such women for the lack of time, sometimes lack of trust, opt for hiring the lawyers where they are least needed, it is a simply application process.

41. Inheritance process barred due to lack of registration of death

A widow struggling for inheriting her husband's land, which is not processed further due to absence of required documents

Amratben Babubhai of Jekda village in Bavla Taluka, is a widow, who was not able to inherit her husband's land even after years of his death. The PLW of Bavla, Sumitraben, conducted a survey of Widows in the Taluka in the year 2017-18, for facilitating the widow inheritance process in case of pending cases. Amratben's name was noted in that survey and when connected with her, it came out that she is been struggling for inheritance since years. She checked her husband's land documents and found out that the inheritance was rejected due to incomplete documents.

On applying for accessing her Pedhinama, when Sumitraben visited Panchayat for Panchnama, she came to know through Panchayat members, that Amratben had one more daughter who had committed suicide and her Death certificate was pending, due to which the inheritance was not processed. Her daughter had committed suicide as her husband wanted to file a divorce against her and her inlaws tortured her.

Sumitraben approached the Taluka office where she found out that her death is not even registered. Based on the FIR that was filed by Amratben on the death of her daughter, the hospital where she died was found out and application for registration of her death was submitted. After receiving the death certificate, a re-appeal was submitted for Amratben's inheritance, and she received ownership of her husband's land in the year 2019.

42. Incomplete entry in land records

Instead of listing all the names of the heirs, 2 names are written followed by an 'etc.'

Sumitraben of Vyara approached the PLW with an issue that she is not able to inherit her husband's Laxmanbhai's ancestral land, after his death. On studying 7/12 documents, what Ashwinbhai found was unthinkable. The documents showed the listed heir names as 'Jhaveriben Kalpa, Bachuchema, etc'. While digitizing the land records, randomly 2 out of 6 heirs were digitized, from the original hand written 7/12 documents. This case is still in process, an appeal will be submitted to re-enter all the legal heirs of the

Observations and Impact:

The direct impact coming out of listing of the cases that were taken up in the Legal Clinics can be traced by the status of the cases. These are the cases that the PLW left and could not take up before the onset of Legal Clinic. Most of the cases are 5-10 years old, which were revived.

No. of Legal Clinics	Total no. of cases	Ongoing cases	Completed	Cases that did not go further
41	419	218	97	104

97 cases out of total 419 cases were completed and 218 are in process. This implies:

- 52% cases have been initiated and are in process
- 24% cases have been resolved
- Rest of the cases did not move further, due to social, monetary issues or complicated legal proceedings, while few of them were less likely to be taken forward due to legal limitations.

Impact on the women who inherited the land on their name:

It would be important to note that most of women have been struggling for years for land ownership and have made efforts before, by hiring private lawyers and have been unsuccessful. Secondly, many women were in a helpless, vulnerable situation, especially, widows who were fighting for a piece of land either in maternal or Paternal side of family's land. The impact on the women after land ownership is more of intangible character than tangibles, which are stated below:

- *Food security:* Mostly all the women are cultivating on their land, where in they are able to make decision independently, based on the need and their wisdom.
- *Health and Nutrition Security:* Women with small portion of land are practicing Organic farming guided by the organization's training and support by the SBK's, ensuring both health and nutrition security
- *Economic Security:* Many women with the hand holding support from organization are accessing and dealing in the market independently, and earning enough for the needs of their family and savings
- *Empowerment and Leadership roles:* Few women own a large patch of land, in which case she gives away land on rent or hires tenant family to till on the land. This puts her in the leadership role, enhancing social recognition at the local village level.
- *Confidence:* Ownership of land gives a lot of provisions of entitlements of schemes and support from the government. The women are confident to deal with local officials by themselves, accessing their entitlements. They also deal with the vendors, mobilizing resources independently in the market, building their self confidence.
- *Promotion of Gender equality:* It has come out through PLWs that women who have ownership of land, promotes investment on the education of girl child, takes a stand on women issues and practices gender equality beyond their house, in the community and the village level

- *Mental security and reduced vulnerability:* Land is a prime refuge in most of the cases. With women owning their land, there comes a sense of security, belonging, independence, status, self-worth, empowered state of mind and life security, in some case.

Perspective and Capacity Building of the PLWs:

Although the PLWs do a commendable and difficult work on ground dealing with social challenges related to land ownership, the institutional support and hand holding by Professional lawyers coming in Legal clinic has enhanced them with an extra edge of capacities. The PLWs are more confident in,

- Taking up all kind of cases, beyond linear inheritance cases
- Reading land history and studying land records of the land
- More equipped with the legal process and procedures
- Enhanced understanding of the solution of the cases, increasing their capacity to guide the women by themselves

There is an increased sense of trust and deep relationship that has formed between the women and the PLWs, which is deepening more with the resolution of the complicated cases.

Limitations / Challenges:

- *Lack of continuous support and guidance:* As Legal clinics are organized once every 3-4 month, the PLWs, due to lack of continuous support or guidance from the lawyers, have not been able to move further in some of the cases, which are more complicated. There have been few cases where the women after approaching the SBKs and taking guidance from Legal clinics, have moved further hiring a private lawyer.
- *Government land cases:* Although the capacity, confidence and understanding of the PLWs are increasing with the help of lawyers, there are many cases such as Government land conflict, forest or tribal land conflicts, cases of fraud, Retracted lands, where the PLWs need more training and guidance. Such cases need an in house lawyer or legally sound advice to move ahead.

Recommendations and Way forward

Legal clinics have surfaced a lot of intricate complexes, related to the subject of land ownership and how life is rooted to land in rural areas. While the PLWs and the lawyers together have done an amazing line of work, considering the status of the cases, there arises a need for advocacy at larger scale. The recommendations listed below are largely government advocacy, village mapping and planning.

Sensitizing Land acquisition/retraction of land/district planning and the landless families:

Most of the vulnerable communities are landless, wherein they are been provided with lands through different schemes by the government. Many such cases of such lands being retracted or restricted or diverted for other purposes or evicted, have come in Legal clinics especially in Radhanpur, Dhrangadhra, Limkheda, Patdi and Sagbara. Most of these families and communities are inhabiting and cultivating on the land since 2-3 generations. A dialogue needs to be initiated with the government around combating ownership of these lands jointly, for development purposes and by the landless.

Common and Government land and Landless people study: Looking at the government land cases closely, it comes out, that there is a disproportionate distribution of land amongst the landless, private land owners and common lands. A study of common land and landless families (with no land and provided with government land) need to be mapped, and overlapped with the private land. May be a policy initiative can be advocated in collaboration with the government to accommodate landless in the excess land ownership, may be tapping schemes like Swamitwa scheme.

Secondly, a few instances have come out where the landless families are cultivating on a vacant empty land, which is mostly the government land. In such cases, the families are left at the mercy and will of the government. Such cases can be an intervention point as most of the times the government themselves is not aware of the future of the land until it is engulfed by some industries.

Possession and ownership status of the government provided land: Two kind of cases have come out: The possession of land has been given with no ownership in land records and second ownership in land records, but the possession on ground is pending. This gap needs to be filled. A survey of the landless owning land and government data need to be overlapped. May be WGWLO, as a network of organizations can take up that study, in collaboration with local authorities.

Awareness sessions for women of fundamental documents and information: Many women that approach the SBKs as well as LCs, lack basic awareness of information or documents, women should have, i.e. survey numbers of land, tentative location, ownership status within the family, documents such as death certificate, land records copies, panipatrak copies, etc. in order to be well informed. May be awareness sessions can focus more on basic documents, one should have before processing the inheritance.

In-house lawyers for some SBKs: As stated in the observations section, there is a need of continuous professional legal support in some SBKs, where there are more of government land conflicts, a strong recommendation of having in house lawyer can be a boon for the speedy procedures.

Acknowledgements:

The first question that occurred in my head while gearing up for this documentation project was 'Why women need and fight for ownership of land?' The entire stream of work and thought was completely alien to me. I have always linked women empowerment to the ability to voice and express, but the gender equality perspective linked with something as materialistic and physical as land, was an exploration for me. I am indeed grateful to GWLO to give me this opportunity to recognize this intricate yet deeply engraved outlook of gender inequality.

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I hope this learning document helps with the reflection, strategies and planning of the long road ahead, of gender equality through land ownership.

