

## Good practice and strategy to eliminate caste based discrimination

### JAMIN ADHIKAR ANDOLAN

#### **Description of the practice:**

#### **What was/is the background to the practice? Describe any key events or actions that led to it?**

A strong feudal socio-economic structure existing in Marathwada, virtually denies all the opportunities for development to Dalits. For ages, they have been dependent on or rather bonded to the upper caste landlords for their livelihoods.

Three important characteristics of Marathwada region:

**1. A strong feudal socio-economic structure** as it was ruled by Nizam before independence.

**2. Drought affected area** thus the large scale seasonal migration occurs

**3. Caste based traditions (POTRAJ<sup>1</sup>) and agricultural bonded laborers (SALGADI<sup>2</sup>)**

The socio-political situation of dalits in Marathwada region was grave concern which further contributed for starting **Campaign for Human Right**. In late 1990's CHR evolved as mass based Dalit movement and established in 8 districts of Marathwada region. For more than 10 years CHR fought against caste atrocity cases and agricultural bonded system and effective implementation of Prevention of Atrocity Act 1989 and The Bonded Labour System (Abolition) Act, 1976. In the year 2000 Jamin Adhikar Andolan (JAA), Land Right Campaign was initiated to address the issues arises of atrocity victim, liberated Potraj and agricultural bonded families. Also it was realized from Dr. Babasaheb Ambedkar's movement that land ownership (Government waste land or grazing land) could be effective strategy to wipe out the backwardness and vulnerability of dalit community. Henceforth the JAMIN ADHIKAR ANDOLAN was became a primary agenda of Dalit movement in Marathwada with three objectives:

1. Encroaching the government waste land<sup>3</sup> particularly focused on grazing land
2. Community mobilization to address land related atrocities, legal training and intervention
3. Women micro finance initiatives for generating capital for land development and cultivation.

#### **What was/is the title/name of the practice?**

**Jamin Adhikar Andolan (JAA) (Land Right Campaign)**

<sup>1</sup> Potraj are men of Mahar and Matang caste community dedicated to goddess Mariai. The potraj had long braided hair, wore ankle-length skirts and anklets, and a cowrie-shell neckless around the neck and carries a whip in his hand. The woman accompanying him carries Goddess Mariai's load cart in her hand and also beats the drum. One side of the drum is beaten which makes a continuous sound and on this rhythm, Potraj dances and whips himself and shows the manifestation of his devotion to Goddess Mariai. He hurts himself with nails and screws, bites his own wrist, and performs other such self-destructing atrocities on himself with ease as Goddess Mariai blesses him.

<sup>2</sup> **Sal** means year and **Gadi** means worker, one who is hired as a agricultural labour for year to repay his debt

<sup>3</sup> Each village in the country has patches of land reserved for grazing cattle, burial grounds, places of worship, roads, playgrounds, schools etc. There are 17 categories of land recorded in Maharashtra.

**What was/is the aim/purpose of the practice?**

“Combat caste discrimination and bondage through securing sustainable livelihood alternative and facilitate a process of land entitlements for the landless and marginalised communities”.

**What was/is the target group(s)?**

Categorically campaign works with 37000 Dalit families which were Landless, agricultural bonded laborer and migrant workers.

**Who were/are the partners involved (e.g. community based, NGO-based, government institutions, and other related stakeholders)?**

First and foremost partner is 37000 land enroched families named as “Gairandharak”, those who are fighting and leading the struggle.

Campaign is group of 10 civil society organizations hails form Dalit and Marginalized community.

Government is important stakeholder especially Revenue Department since these bodies has authority to issue the land title deeds

**What was/is the duration of practice?**

The struggle of land right campaign started in the year of 1998 in few districts of Marathwada but at larger scale as a mass struggle was evolved in 2002.

**Legal and institutional frameworks:****Please explain the legal and institutional framework of the practice, if needed with inspiration from the following guiding questions:**

*- How did the practice meet the criteria of non-discrimination, equality, and inclusion? Did the practice link up to a national and/or international human rights framework? How was this linkage achieved?*

The campaign itself is fighting against socio-economic discrimination against Dalit through democratic means and principles. However, land Right Campaign has developed its ideology and philosophy, where categorically it condemns the discriminatory action and gives equal opportunity to women and other marginalized caste. Also, JAA follows the principle that land title or a deed has to be on husbands and wife’s name in order to ensure that Dalit Women enjoy the right over the natural resources and property.

In context to the international and national human rights framework, at national level there is absence of universal land policy which deals with land issues. For universal land policy and fighting for land right at national level JAA is part of national network called as “EKATA PARISHAD’ network of numerous organizations. Through these network alliances JAA is advocating universal land policy with government.

At international level, founder of organization was participated in the DURBAN conference 2001, DURBAN Review Conference 2009 as well as he advocated land right struggle in the Human Right Council, Session 15 in 2009. However, the international legal framework does not explicitly mentioned on right to land besides Indigenous Rights Convention (concerning to Land) but it draws connection between access to land for civil political rights.

Land right is political issue therefore it require intense policy advocacy with government at various levels. At the same time community needs to be mobilized therefore people centered as well as media advocacy is crucial intervention.

**- Did the practice specifically address the situation of Dalit women or other women affected by discrimination based on work and descent? How was this done?**

As mentioned earlier, socio-economic empowerment of Dalit women is priority for Land Right Campaign, following are few interventions

1. Savitri Phule Mahila Mandal, separate organization specialized in gender and caste discrimination started to address Dalit womens issues and training organization on gender.
2. Dalit Women must have land possession therefore we propose husbands and wife's name on land title deed.
3. Gender Sensitization programme is integral and core programme of Land Right Campaign initiate to address gender discrimination within Dalit community.
4. Economical empowerment through self help group fro economical self reliance

**Implementation of the practice:**

**Please describe how the practice was implemented, if needed with inspiration from the following guiding questions:**

An impact of the practice (on the policy environment and/or as an actual change on the ground):

**Wipe out the caste Bondage:**

Approximately 40000 Dalits families are cultivating the encroached grazing land. Importantly, few of them are producing an organic product which is like a life victory for those who served their entire life as agricultural bonded labour (*SALGADI*). These Dalit families distinctly realize that cultivation on Gairan lands has helped them break away from the vicious cycle of bondage. They are beginning to experience a drastic transformation in their lifestyle and outlook. Also nearby 1000 POTRAJ are liberated form caste based tradition.

**Dignity and Self Respect:**

The years of slavery and oppression borne by Gairandharaks became a thing of the past with the intervention of JAA. Now, people don't bow down before the landlords. Cultivating on Gairan has given them a sense of dignity and empowerment. *In Ranjani, a farmer quotes, "Once there was a time when we had to beg for some leftover lentils from our landlord as wages. We used to literally spread our shoulder cloth in front of him and plead him. But now, after a day's work in the field, we relax here and munch the same lentils grown by us on our land."* As though forgetting their years of tyranny, there has been a new found strength in the voices of Gairandharaks. A voice that was unheard of in the past

**Dalit Women Economy (Socio-economic empowerment of women):**

First time in the history Dalit Women have established their own non banking finance company named as "ANIK Financial Services". At present this company has working capital around Rs. 50 million. Importantly, Ms. Babita Landge, a dalit woman, is director of ANIK Company. Approximately, 18000 women belong to Dalit, Nomadic Tribe, Muslim and

marginalized sections are member of this company and nearby 1800 self help groups are associated.

**- What were the implementation methods, means, and strategies to make this practice a success? What made it possible to effectuate a change? Can you identify the key factors of success which may be replicable?**

First and foremost strength of this movement is people's active participation. Through JAA we are able to mobilize 40000 Dalit families in 10 districts of Maharashtra. The role of movement based cultural group was pivotal for mobilization, building solidarity and generating critical consciousness among people. We draw lots of strength and support for our idea log i.e. Mahatma Phule and Dr. Babasaheb Ambedkar, further it contributes for community trust.

Due course of time, JAA process has trained 200 Dalit activists (men and women) into legal, constitutional rights and effective community as well as government advocacy. These trained activists facilitated the formation of **village livelihood Promotion Committee** (VLC) where Gairandharak families guided to prepare a supportive legal documents required for claim file to submit government officer. It includes compilation 17 types of certificates that proves that land has been cultivated by Gairandharak. Through this legal process of preparing land entitlement file Gairandharak are claiming land ownership. At present 35000 Gairandharak families had submitted claim files to 7 different government offices.

**Is the practice sustainable? If yes, then how and if no, then what can be done to sustain it?**

Land is fundamental source of livelihood and each of the family is cultivating minimum 2 acre to 5 acre land that leads for ensuring food security of these families. They are producing 5 quintals of yield from 2 acres of land therefore they are even thinking of leaving village. Gone are those days when they used to be a slogging slave under landlord. They cannot be lured and exploited with Rs 50 thrust in to hands as wages for the whole day and few of them demands Rs 200 as wages and proclaims the dignity of his/her labor. Therefore migration, agricultural bonded and caste based traditional work has been stopped at least of among those families who have encroached the government land.

In context to sustainability of practice, women are drawing capital and minimum of financial support for land cultivation form their micro credit company. Also few of the farmers are learned to use organic farming technique like warmi-compost fertilizer, traditional seeds etc, which further contributing to reduce their extra expenditure on chemical fertilizer.

### **Successes and challenges:**

**Please describe the successes and challenges to implementing the practice, if needed with inspiration from the following guiding questions:**

*Success:*

A. Filed claims of over 35,000 Gairandharak households covering an area of 49,917.79 acres land from more than 1,400 villages across eight districts for land entitlements to the Government of Maharashtra

B. In Beed district, 102 grazing land occupant families have secured the title deeds (7/12 extract) to 126 acres of land that they occupy and cultivate.

c. These 35,000 families cultivate land and producing more than 5.5 lac quintals of agricultural output (largely grains, millets and pulses) each year. Each family cultivates about 2.5 acres on an average

d. Through the Community Based Micro Finance (CBMFI) project, 18,013 women in 412 villages have been organized into 1,621 SHGs. These SHGs are federated at the cluster, district and Regional level. Five Mutual Benefit Trusts (MBTs) were set up in five districts which have been further federated (in Dec 09) into one apex entity – a Non-Banking Finance Company (NBFC). Loans disbursed by the MBTs (cumulative) amounted to Rs. 7.3 crore as on 31st March 2010.

E. More than 2000 women have availed benefits of government schemes and with the financial help from SHG, they started small business like, flower meal, Poultry, Goatry, Procurement Unit of pulses etc.

F. Through the SAP project, organic farming has been taken up by more than 1,700 families on 2,700 acres of land across 144 villages. Besides visible improvements in agricultural yield, there are significant savings on input costs, higher nutrition levels and most importantly, there is a quantum jump in the confidence of the Gairandharaks who have begun to view themselves as full-fledged farmers

### **Challenges:**

**A. Atrocity cases:** Dalit assertion against existing feudal structure and claim of land ownership over the Gairan which resulted into grave atrocity cases such as social boycott, mass killing, rape and molestation cases and blowing up dalit houses and hamlets etc. We have recorded 2500 atrocity cases committed against Dalit from year 2000 to 2010 and took follow of few serious cases till the court judgment. After intense legal intervention and follow up of atrocity cases the conviction rate of atrocity case is very low in comparative to general conviction rate.

**B. Regularization and Legal entitlement of occupied land:** At present 3300 Gairandharak occupied the land and they are cultivating it since last more than 10 years. Also they have submitted land claim files to government offices however the regularization of occupied land and getting land title or a deed is critical and very slow process. So far only 10% of total Gairandhark have received land title or a deed.

**C. Universal Land Policy:** JAA and other Dalit movements are striving for universal land policy in India which is crucial challenge for all of us.

### **- How was this practice innovative?**

Throwing away the shackles of any kind of bondage and ensuring the sustainable and most respectful livelihood alternative i.e. Land it-self is innovative way to fight against caste system.

*- Identify three key recommendations for similar practices/initiatives that can be replicated in the future. How could the process have been improved and sustained?*

1. Exploring the existing available natural resources and opportunities for respectful livelihood alternate for Dalit community

2. Strong community mobilization and cadre building for addressing caste based discrimination and ensuring effective and 100% implementation of constitutional rights and provisions that guaranteed for Dalits.

### **Publicity:**

**IDSN can use this case publicly by any means.**