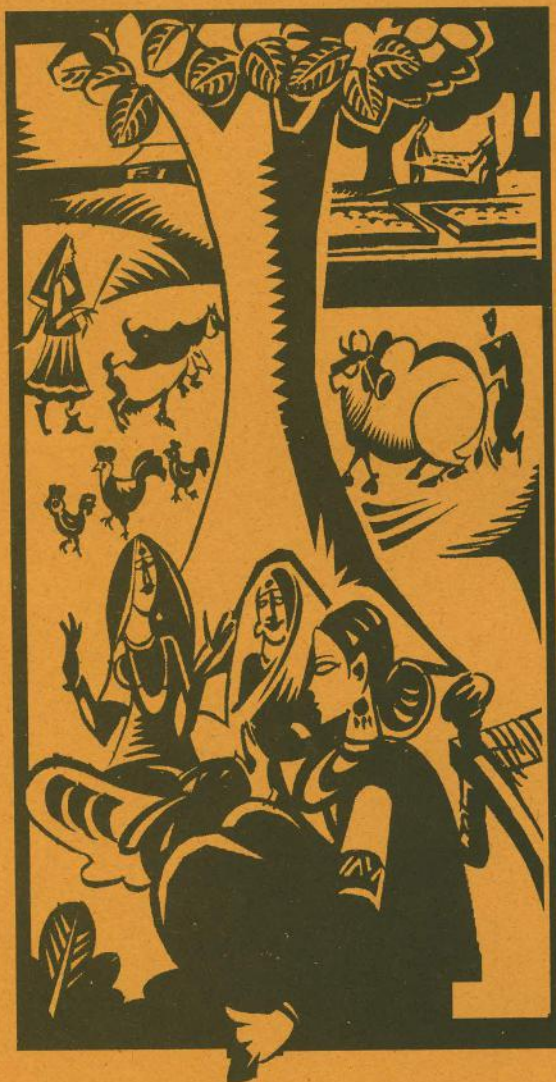


News Reach

FEBRUARY 2005

Volume 5 Number 2



Lead Article: Experiencing Entrepreneurship with a Social Perspective

3

Nelleke van der Vleuten reports that the EYE Exchange to India in November last year was a useful experience for both Pradanites and the overseas participants. Nelleke is programme manager for EYE Exchange and is based in the Netherlands.

Case Study: Redefining Grassroots Participation

7

Minakshi Dastidar writes about innovation and growth of participatory development in Torpa Grameen Poultry Co-operative Society Limited promoted by Pradan in Ranchi district of Jharkhand. Minakshi is based in Khunti near Ranchi.

Report: Experiences in Micro Insurance for the Poor - II

11

Monika Singh reports that a number of grassroots organisations are initiating insurance schemes for the poor with mixed results. Monika is an intern from the School of International Development and Policy Studies in Brandeis University in the US.

Pradan Study: Land Rights of Tribals in Santhal Parganas

17

Nitya Rao summarises from a Pradan commissioned study on tribal land rights in Santhal Parganas in Jharkhand that found glaring lacunae in laws that adversely affect the tribal people. The study was supported by the Ministry of Rural Development and the UNDP under the CBPPI (Community based Pro Poor Initiatives) project. Nitya is lecturer on gender and development in the University of East Anglia in the UK.



Subscription Form

Yes! I want to subscribe to *NewsReach*
Livelihoods and Development Monthly

Annual Membership (Tick where applicable)

Individual/NGO Rs 240

Institution/Library

Rs 500

Membership and Payment Details

Name: Mr/Ms/NGO/Institution/Library

Mailing Address:

.....

Pin code: Phone: (Off) (Res)

E-mail:

I wish to pay by cash/Demand Draft/Cheque* Dated
payable to **PRADAN**

Please add Rs 30 for outstation cheques

For Office Use

Subscriber ID:

Subscription Start Date:

Subscription End Date:

*Please photocopy this form if you would like to subscribe to more than one issue of *NewsReach**

Letters to the Editor

Fine Tuning Livelihoods Planning

Experimenting with Livelihood Planning (NewsReach, August 2004) by Saikat Pal and Debasish De was useful reading. The training module developed by Saikat and Debasish provided a lot of clarity regarding process and structuring of a planned training schedule. It is certainly a worthwhile endeavour to have picturesque details to make rural women members visualise their vision in a critical manner and analyse their own reality from livelihood vis-a-vis standard points of view.

I however have certain apprehensions about the symbols that identify the 'gap' ('O' for their present status and 'X' for the stage they want to reach). With mere indicators of happy and sad faces, the 7 rivers depicting the in-between stages would in no way give a clear understanding of the present situation of the family status. Since there are no other pictures related to the happy and sad faces that can facilitate the process, it would be extremely difficult for women to put their status at a point that truly suits their family socio-economy. This might be an unlimited area of expression prone more towards feelings rather than coherent thinking.

It is certainly true that happy or sad faces with relevant pictures would be a guided facilitation, and a step forward to realise the status of the family from a livelihoods point of view and not from a satisfaction (psychological rather than physical) point of view. I am curious whether only faces might denote the degree of satisfaction. It is not clear what leads them to be happy. Some might not be happy because they do not have children despite a high level of physical comfort. But I believe Pradan is more focused on the standard of living from a livelihoods point of view. Happy and sad are relative terms, very difficult to compare among members. In this connection, visioning among members at a collective forum provides no meaning.

I therefore feel that besides these sad and happy faces at the top and bottom of the chart, there should be physical indicators of happy faces like *pucca* building, supply water, toilet and bathroom, electricity, fan, children going to school, surplus storage of food grains with the smiling face of women, etc. These would add to the authenticity and would help women to better determine their present status and reach future destinations within a stipulated time-frame. These would generate a lot of discussion and would provoke thoughts in them. The same applies to the sad face (like *kachha* hut, ragged clothes, a hungry and crying child, an ill person lying over the *khatia* with the sad face of the woman). The inclusion of such pictures would add immense value to the exercises conducted by Saikat and Debasish. I appreciate their innovations in livelihood planning that has certainly demystified other many dimensions of socio-economic development of the families involved in the exercise.

Another article in the same issue by Anagha Mitra (*Dimensions of Dropouts*, NewsReach

August 2004) spelt out the concerns over the undercurrents of group dynamics in Pradan promoted projects. The various reasons for groups becoming defunct in Purulia are also true for other project areas of Pradan. Although heterogeneity (ST, SC, OBC in one group) in groups is rather uncommon in Godda, other reasons of groups failing to function are similar. We also have experiences of groups becoming defunct but have not conducted a study to identify the reasons.

My worry is that are we not overly concerned with numbers? Maybe the reality lies in the fact that most of the professionals are not getting enough time to set and deepen the basic norms of group functioning because they are getting too involved in livelihood programmes. A thorough study is urgently required to fine-tune the invaluable platforms we are promoting.

Binod Raj Dahal, Godda, Jharkhand

Nitrogen Fixing

This is in reference to the article by Jibdas Sahu on vermicompost (*Churning the Earth for Prosperity*, NewsReach January 2005). We had analysed a random sample of vermicompost from Southern Petrochemical Industries Corporation (SPIC), Chennai that gave the following report.

We can see that apart from Nitrogen, everything is pretty well with the vermicompost with special reference to micronutrients. The volatile Nitrogen evaporates, especially on open storage. Our method of manufacturing vermicompost in raised beds (although that is the most cost-effective method) instead of cement pits (to prevent nitrogen leakage) may result in this. However, this can be fortified by oil cakes like neem cake or rapeseed cake to improve Nitrogen percentage (neem cake contains 5.5% Nitrogen). We could also use processed tasar or eri pupae or poultry waste to improve nitrogen content. It is clear that vermicompost provides comprehensive nutrition to plants as compared to NPK fertilisers. We should however be cautious in deducing the amount needed to be added vis-a-vis the soil nutrient status.

LAB NO 276	Compost
Bag ID	Pradan
pH of 5% solution	7.50
EC of 5% solution	0.54
Total N %	0.72
Total P2O5 %	0.77
Total K 2O %	0.77
Organic Carbon %	5.20
Organic Matter %	14.52
Moisture %	32.37
Sodium %	0.17
Calcium %	0.80
Magnesium %	0.27
Micronutrients	
Copper (ppm)	14.00
Manganese (ppm)	469.00
Zinc (ppm)	58.00
Iron (ppm)	10410.00

Soumik Banerjee, Sundarpahari, Jharkhand

Experiencing Entrepreneurship with a Social Perspective

The EYE Exchange to India in November last year was a useful experience for both Pradanites and the overseas participants

Nelleke van der Vleuten

"In this trip I have learned much more than I have offered. It is the best opportunity to know the opportunities for development projects in India," Mayra Ortega Maldonado. "It is a unique way to experience a developing country, and you can make a useful contribution to development problems by using your own skills and experience," Joost Moonen.

"It is a huge chance to look inside Indian culture and to network in India in a fast and good way," Pauline Jansen.

These are remarks from Dutch participants in the EYE Exchange to India in November 2005. EYE stands for Exchange Young Executives. It is an initiative of ICCO, the Dutch funding organisation that has been supporting Pradan for several years now, and 2 organisations from the corporate sector in the Netherlands, Jong Management VNO-NCW and De Baak Management Center VNO-NCW. VNO-NCW is the main Dutch employers' federation.

Pradan and EYE

The aim of EYE is to foster exchange of knowledge and experience between young Dutch managers and entrepreneurs with entrepreneurs and managers of development organisations in the South; and by doing so, to promote partnerships between the 2 sectors. To bring these different worlds together is quite challenging. You will surely have experience or can recognise the opposite - and often biased - views of corporate sector people and development activists about each other's world and work. This is no different in India than in the Netherlands.

But more and more companies are called upon to be more socially accountable and express corporate citizenry. Individual professionals want to do something more meaningful than just making money. EYE tries to unleash this energy and interest by offering companies and their staff the opportunity to find out how they can contribute to development cooperation - different from the traditional charity approach. An important step is to create opportunities for mutual learning.

In the late 1990s, ICCO realised that for effective poverty alleviation and sustainable livelihoods, products need a market. Companies need to be prepared to pay a fair price of liveable wage for services, resources, labour, etc. In both cases, there is need for interaction and (hopefully) positive engagement with the private sector; hence ICCO's decision to invest more in creating linkages with companies. EYE is one example of this engagement.

After I worked with ICCO's India desk for several years, I joined EYE in 2002 as programme manager. It was a challenge for me to focus my attention to the rather unknown Dutch corporate world. But I was convinced that the achievements of Pradan and other ICCO-partners at the 'bottom of the pyramid' could be presented as true examples for learning about the dynamics of sustainable economic development. Besides, as Pradan is more and more focusing on micro-enterprises and working at the cutting edge of livelihoods and the market, new managerial and strategic challenges appear in your work. And engagement with the private sector is a 'must'. All in all, it is

no surprise that for India, Pradan is one of EYE's main counterparts.

The first EYE visit to India and Pradan was in early 2003. You may remember the report in NewsReach by Branko Klawer (*Which Village are You From?*, NewsReach April 2003) on his visit to Kesla where he visited the poultry and mushroom programmes. Branko is still engaged in the expansion plans for the mushroom enterprise. In May 2004 3 Pradanites visited the Netherlands as part of the counter visit of the exchange. Both for the tasar and poultry programmes, this visit brought new business contacts and ideas and insights how to market oneself and the product and idea one wants to promote. And not to forget, it deepened friendships.

EYE Exchange 2004

When EYE planned the second EYE exchange to India, we (EYE and Pradan) decided that this time 4 Pradanites would be given the opportunity to join in the exchange. Former Pradanite Mustafa Mochalla was process facilitator of the exchange.

So, for about 2 weeks in November, 6 Dutch (Pauline Jansen from Rabobank, Joost Moonen, working with a credit insurance company, Mayra Ortega Maldonado from Philips Lighting, Maaike Tjallingii from Human Capital Group, Dorine Huijbregts, who runs her own management consultancy firm, and Linda Stillekens, freelancer) and 2 Philipppians (Vicky Penaflor, trainer at the Cottage Industry Technology Centre in the Philippines and Corinne Canlas, development consultant and coordinator of PEERS, the EYE liaison organisation in the Philippines) together with Mala Roy from Jamshedpur and Samir Bhattacharya from Lohardaga in Jharkhand, Ashok Kumar from Sironj in Madhya Pradesh, and Arnab Chakraborty

from Purulia in West Bengal formed a big intercultural team.

They shared at personal and professional level, bridged different national cultures, experienced the differences and similarities between the NGO and corporate sector and jointly explored the many contrasting faces of Indian economy and society. For the participants, Dutch and Pradanites, this was not a holiday. Everyone worked hard and at night the Dutch wrote reports for the EYE website (see www.eye-exchange.org under India for more details).

To give you an idea of the programme, the participants visited a Delhi slum (a first time experience for some Pradanites too), followed by a network meeting at Confederation of Indian Industries (CII) with Indian yuppies. No bigger contrast is thinkable.

"The poverty and dirtiness in the slum were quite shocking. But at the same time we could experience the energy of local women to improve their life. It was very inspiring. On the other hand, I had not expected, as I am quite comfortable wearing a suit and a tie, but I was put off by the yuppies at the CII. I was astonished by the fact that they were kind of ashamed and wanted to deny the poverty in India. But I realised this is Indian reality too," recounted Joost Moonen.

Fortunately we experienced more positive examples of corporate social engagement as well. Together with the India branch of the Dutch ABN AMRO Bank and D Narendranath from Pradan, the Dutch and Indian participants discussed about micro-finance and how the corporate sector and NGOs can or should collaborate in this area.

The Dutch embassy had invited the group to

meet with Indian and Dutch companies (including Tata Steel and Shell India) and share views on corporate social responsibility (CSR). Part of the discussion centred on what CSR is all about and, to cite one example, how to qualify the activities of Tata Steel. Is it social engagement, a kind of modern extension of charity and doing 'good'? Or is it only CSR when it is part of the core business?

Field Visits

The overall score given by the EYE participants to the exchange was 8.3 on a scale between 1 (bad) and 10 (excellent). But the climax (8.8) was formed by the weeklong visits to 3 Pradan locations and programmes at the cutting edge of livelihood and market: the poultry co-operative in Jamshedpur, the programme for soy-bean production in Sironj and the dairy co-operative in Lohardaga. Pradan selected these programmes because all are in the process of upscaling and entering the market in a more systematic manner. For the Pradanites involved, participation in the exchange could give them relevant international exposure and contacts. In this sense, the exchange is a management development programme for both the Dutch and the Indians.

The visits to the rural areas gave the foreign visitors the main culture shock. It exposed them to the stark poverty of the poor and huge contrasts between the rural areas and Delhi: few *pucca* roads, no electricity, dirt all over, people, especially women who have to do heavy manual labour, etc.

Luckily this was 'matched' with inspiring meetings with empowered (women) farmers and board members of the co-operatives. I heard stories about interactions with women who were so proud to receive European guests, women who - despite of being illit-

erate - showed entrepreneurial skills, had self respect and expressed aspirations. In order to get a broader picture of the value chain and other stakeholders, visits were arranged with bank managers, local companies and traders, and government officials.

The participants were very impressed by the commitment and the level of professionalism of the Pradanites. Besides, the intensive and fruitful teamwork that turned a bunch of individuals into 3 groups was inspiring to everyone. "It was remarkable to see that even though cultural differences existed and resulted in interesting discussions, they quickly disappeared once we were working together on an issue. Everyone was conscious of possible differences in approach and considered these as valuable input in the process. For me it was great to do and very instructive at the same time," Pauline Jansen reminisced.

All the visits were organised in the context of real life cases that were put to the table for the exchange, issues that the Pradanites are faced with in their work that are related to strategic, organisational and business development, and capacity building. The EYE participants were challenged to reflect on these issues and to find out in which way they could add value to the work of Pradan.

"In Lohardaga the issue was how to increase capabilities in order to quickly profit from upscaling. In other words, how to mobilise as many people as possible? Interesting stuff for a human resources consultant like me! By asking critical questions, Samir was able to see things more systematically: to make a plan and set priorities. We discussed how he could involve more persons from the local community to mobilise more people. I also contributed to developing a training pro-

gramme. I really supported him," said Maaïke Tjallingii.

The presentations by each EYE team, first to the local Pradan teams and later on in Delhi for people from the head office, brought forth some common observations about Pradan's work. It was interesting to note that all the issues presented are very much related. These issues are:

- The need for capacity building of local producers and co-operatives;
- The need for exit scenarios (including business and organisation development) of Pradan towards the co-operatives (in general: poor people-managed institutions);
- The need for staff planning and organisational development (pioneering and growth strategies) in view of the planned upscaling and approaching the market, and
- The need for strategy development for developing partnerships and co-operation with companies (for instance, ITC) and other stakeholders that include the government and commercial banks.

After the Exchange

It seems important for Pradan as a whole to further reflect on these issues and develop a coherent strategy for each of these areas. To start with, it may be relevant for the Pradanites involved in the exchange plus some people from the head office to further reflect on the observations and develop an agenda. Of course, this will need to be integrated with other organisational priorities.

But one thing is clear, the EYE participants are all eager to keep in touch and add value to Pradan in whatever relevant way to address these issues. May be a future counter visit to the Netherlands is a useful means. Specific and direct follow-up has been identified as well.

Some Plans of Visitors

- Back home some participants will write articles in company magazines and give presentations to circles of Jong Management;
- An offer to help exploring possibilities for new micro-insurance products for SHGs;
- The plans one company has to explore a partnership with Pradan for sustainable business initiatives among the poor;
- The offer to help developing a plan for capacity building among the dairy co-operatives, and
- An offer to help with fundraising for necessary start-up grants for poultry co-operative expansion.

One should remember that most of the participants came in a personal capacity and individual initiative. Most of the follow-up is part of 'voluntary work'. Therefore, these plans will not materialise by themselves or as part of 'official' work.

As such the Pradanites concerned would need to play an active role and take shared responsibility. Because the ultimate success of the EYE exchange does not only lie in a positive learning experience for all participants but also in the concrete results and positive impact for the people that Pradan is working for. This can come about by realistic business plans that are developed, additional funds that are generated, improved communication by Pradan, etc. In other words, the EYE group members look forward to hear from you!

For more details visit www.eye-exchange.org or email to Nelleke at nvandervleuten@eye-exchange.org.

Redefining Grassroots Participation

Innovation and growth of participatory development in Torpa Grameen Poultry Co-operative Society Limited promoted by Pradan in Ranchi district of Jharkhand

Minakshi Dastidar

Participation is a buzzword in development today. It is the foundation of long-term sustainability of a development intervention. Be it a government or non-government organisation, funding agency or international organisation, everybody opines that grassroots participation is essential for the success of a project, though they differ on their views and the ways of achieving it.

The critical issue to bear in mind is that people's participation in development is concerned with 2 things. First, structural relationships and the importance of developing people's capacities and skills to negotiate and to seek the resources and changes which they require in order to improve their lives. Secondly, the methods and techniques by which local people can be brought to play a part and to develop a stake in development programmes and projects.

Both purposes are equally important. The former seeks to secure a longer term and sustainable development for the poor. The latter is crucial in providing them immediate access to the benefits of development.

Although participation is a widely used word in the development arena, it varies in meaning depending upon its context and background. According to Cohen and Upholff (1977), participation includes people's involvement in decision-making processes in implementing programmes, share the benefits of development programmes and their involvement in efforts to evaluate such programmes.

Participation in TGPCS

This article is an attempt to capture the theoretical and practical aspects of community participation. I do so in relation to the stages of growth of the Pradan-promoted Torpa Grameen Poultry Co-operative Society Limited (TGPCS).

TGPCS is an initiative to replicate Pradan's popular Kesla poultry promotion model. It attempts to provide opportunities to generate incomes from poultry rearing to poor tribal families in identified villages in Torpa block of Ranchi district in Jharkhand. TGPCS consists of 120 producers and aims to raise the number to 500.

Members' participation in the co-operative may be divided into 2 broad categories: rearing poultry birds and membership of the co-operative.

Participation of producers in the business activity, poultry rearing, has become very high, even in technical aspects. For instance, tribal women producers rear broiler chickens at industry or better than industry standards without electricity, know how to vaccinate the birds and are knowledgeable about when and how to apply a particular medicine. Some producers even know the different uses of medicine and are able to competently diagnose diseases.

Significant Stake

The producers have now developed significant stake in the programme. When there is any discrepancy in the supply of chicks, or in buying and selling birds, the producers exert

pressure on the concerned Pradan professional. But participation as members of the co-operative is another story. Involvement is slightly lower.

We have found that participation is a very slow process and cannot be achieved totally in a day. This is equally true for the cooperative. Today, after about 3 years of its operation, we have been able to ensure that all the board members participate fully in all decision-making processes. Professionals do not take any decisions that are not passed through the board. At the same time, we have observed that not all producers are fully conversant with the various issues that the co-operative faces.

The board members are now helping other members of their respective villages to be bona fide members of the co-operative by participating more in its operations. The board members hold meetings in their villages to discuss the various challenges in rearing chicken and also about the different decisions taken at the board meetings.

Spectrum of Participation

Pretty et al (1995) noted that there have been an increasing number of analyses of development projects showing that participation is one of the critical components of success in irrigation, livestock, health, water, sanitation and agriculture. They state that success comes about when people's ideas and knowledge are valued, and power is given to them to make decisions independently of external agencies.

It is clear from the adjoining diagram that in the initial stage of an intervention, outsider's control is very high. Projects are likely to be fully managed by the outsider agency and community participation is like-

ly to be negligible at that time.

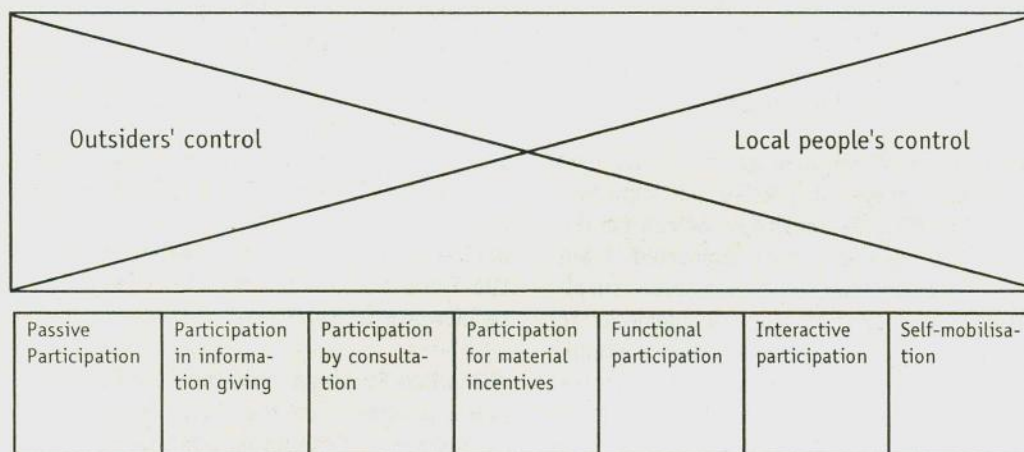
This is true for TFPCS because during the initial phase of formation of the cooperative, Pradan professionals managed everything. People's participation was limited only to following instructions in rearing of the birds. But slowly the board members were empowered to function on their own with minimum help from outsiders. Our aim is to achieve a situation where the community mobilises itself on their own. This is the ultimate aim of any community-managed project.

The following discussion relates the theory of participation proposed by Pretty et al into practice at each stage of TGPCS.

Passive Participation: During the formative stage of the cooperative, members were not fully aware about the purpose and vision of the cooperative. The community were presented with information related to the cooperative, its vision and mission. But they were not empowered enough to manage the day-to-day affairs of the co-operative at that time.

Participation in Information Giving: This stage was characterised by sufficient hand-holding by the concerned Pradan professional, as members were not able to contribute in any way to the discussions. So in a sense, people had little opportunity to influence the proceedings of meetings of the co-operative.

Participation by Consultation: Slowly the members were encouraged to participate in different forums like village and self-help group (SHG) meetings regarding poultry. They came up with their views on a problem (usually defined by the Pradan professional). We have seen that consultation is one of the best ways for the members to participate in the co-operative issues. But finally the pro-



fessional was under no obligation to take on board the views of the people.

Participation for Material Incentives: Our experience has shown that material incentives to involve people are helpful on the short term. It is however useful as a starter and we observed that people became more active with the passage of time. Material incentives can be related to the non-serious producers, who only forward came in to grab the subsidies available in the project and made substantial losses although the majority ended on a positive note.

Functional Participation: Members' involvement in the poultry activity became more intense with the shifting to broiler from Kuroiler chickens. Broilers provided members handsome profits in a short span. It was reason enough for them to put in their best efforts and resources in this activity. So the decision of the board to rear broilers, which was also the result of the single-minded effort of the concerned professional, was a positive stride in the history of TGPCS.

Now TGPCS board members are aware about the central issues facing the co-operative in

the board meetings. They even organise meetings in their respective villages to discuss what has happened in the last board meeting and its implications. We found out about this when there was an issue of members taking a bank loan to construct a shed. Most were sceptical and reluctant. But when few people came forward and took the initiative to discuss the positive implications openly, the others followed.

Interactive Participation: Right now the vision of the co-operative is ingrained at least in the minds of a few progressive producers. The board members have sufficient stake in the cooperative as compared to earlier, which is discernible in various meetings among producers. We have also noticed a marked shift amongst producers from individual profit making to overall prosperity of the co-operative.

Mobilization by the Community: The future entails that the people participate in the affairs of the co-operative by taking initiatives independent of external institutions. They will be able to develop contacts with external institutions for resources and technical advice but would retain control over

how resources are used. Such self-initiated mobilisation and collective action may or may not challenge existing inequitable distribution of wealth and power.

In short the above analogy can be summed up from a stage of passive participation, when beneficiaries basically welcomed the project proposal and have supported it but were generally cautious (and even suspicious) in relation to the management, to increasing involvement where the community has begun to develop more trust in the project and more contact with its activities and staff to share some responsibilities and aiming towards the day of dictating the terms and conditions of the day-to-day affairs of the co-operative through their appointed office bearers. This is only possible by active involvement and empowerment of all the members with significant stake in the co-operative.

Conclusion

Our experience in TGPCS has shown that community participation can greatly add to the overheads of a development activity and therefore its benefits have to be carefully adjudged before implementation. At the same time, this also depends upon the maturity of a community to handle the responsibility.

The initial challenge for all development practitioners would be to think through what they are going to achieve through participation and at what cost. It is important to move away from the ad-hoc approach that tends to dominate current practice to more foolproof system.

There is no doubt people's participation can increase the efficacy of any development activity. By involving local resources

and skills, it can make better use of expensive external outlay. Since people's involvement will ensure the use of local knowledge and understanding of problems, it will be of relevance to local needs. It will also help to build local capacities and develop the abilities of local people to manage and to negotiate development activities, which in turn can better target the key stake holders by identifying them to increase its coverage.

This article has been written on the basis of a paper presented at the Third International Conference on Citizenship and Governance on Participation, organised by PRIA at Banaras Hindu University, Varanasi during February 8-10, 2005.

Present a New Idea for Peer Review

Pradan has always been in the forefront in innovating on new ideas that could be implemented at the grassroots. **Concept Papers** in NewsReach are a way to share and air new untested ideas to solicit peer feedback. If you have a new idea you would like to test before implementing, send us a 2,000 word **Concept Paper**. If you have experience or views on any **Concept Paper** that would help the author, email us at newsreach@pradan.net.

Experiences in Micro Insurance for the Poor - II

A number of grassroots organisations are initiating insurance schemes for the poor with mixed results. The first part of this report was published in the January 2005 issue of NewsReach.

Monika Singh

The Self-Employed Women Association

The Ahmedabad-based Self-Employed Women Association (SEWA) is a union of poor, self-employed women. SEWA's members include home-based workers, hawkers, vendors, manual labourers, service providers and small-scale producers. These women are part of 93% of the Indian workforce who do not have regular salaried employment and do not enjoy any welfare benefits. SEWA works in 14 districts of Gujarat and in 6 other states including Delhi, Madhya Pradesh, Uttar Pradesh, Bihar, Kerala and Rajasthan.

SEWA organises poor women workers for full employment, which insures work, income, food and social security. A mission of SEWA is to provide social protection and security to members against various risks they face in their lives. Social security includes health-care, childcare, insurance and shelter.

Assessment of Community Need for Insurance

Health security was a great concern for SEWA. They realised that if the health of women and their families were not improved, they would never be able to achieve the goal of full employment and self-reliance. A survey conducted by SEWA Bank in 1977 on 500 loan defaulters found that as many as 20 women had died, 15 of them during childbirth.

SEWA joined a government scheme where pregnant mothers received either Rs 300 or a tin of ghee. In 1978 SEWA Bank and Life Insurance Corporation (LIC) of India collab-

orated to provide life insurance cover to SEWA members. Premium for this product was only Rs 6 but only natural death was covered. None of these seemed adequate protection.

In 1980s SEWA found a need of health insurance. Research by SEWA Bank revealed that

- The main reason for default and irregular loan repayment was members' ill health or that of a family member.

- Loans intended for productive purposes were frequently used by members to pay high medical bills or to cover other health related risks.

- Members incurred disaster related losses.

- Members became further burdened due to the economic cost of health problems, death, disability and loss of property.

Integrated Approach

SEWA felt that an integrated approach of social security for women in the informal sector was key to improving their standards of living. SEWA started an integrated social scheme started in 1992, initially named Samajik Suraksha Yojana. It provided insurance cover for life, widowhood, personal accident of member and spouse, sickness, maternity benefits and asset losses.

The organisation also promoted an integrated insurance programme called Vimo Sewa (*vimo* means insurance in Gujarati). The number of insured people increased after the 2001 earthquake and communal riots.

More than one lakh members are now insured under various schemes (see table 1 on page 12), a huge jump from 7,000 from

Table 1: Insurance schemes for SEWA members (in Rs)

Scheme 1

	Member	Husband	Child	Total	Family insurance
Annual premium	100	70	100	270	250
Fixed Deposit	2100	1500	-	3600	
Natural Death	5,000	5,000	-	-	
Medical/Hospitalisation	2,000	2,000	2,000	-	
Loss of Assets	10,000	-	-	-	
Accidental Death (self)	40,000	25,000	-	-	
Accidental Death (husband)	15,000	-	-	-	

Scheme 2

	Member	Husband	Child	Total	Family insurance
Annual premium	225	175	100	500	480
Fixed Deposit	5,000	4,000	-	9,000	
Natural Death	20,000	20,000	-	-	
Medical/Hospitalisation	6,000	6,000	2,000	-	
Loss of Assets	20,000	-	-	-	
Accidental Death (self)	65,000	50,000	-	-	
Accidental Death (husband)	15,000	-	-	-	

the initial days after SEWA conducted awareness training on the concept and benefits of insurance.

Presently, SEWA collaborates with LIC for life insurance and ICICI Lombard for general (non-life) insurance. SEWA checks and scrutinises the processing of all the claims by members. Premium is either paid at the SEWA offices or to field workers known as aagewans.

Premium may be paid in 2 ways. Besides the annual payment option, premium payments can be linked to fixed deposits where a member deposits a fixed amount in her name in SEWA Bank. Interest from the deposit goes towards paying the premium. This

ensures continuous long-term coverage. There are other incentives such as a discount if members opt for family insurance.

Implementation Process

Although SEWA identified insurance as a key need, acceptance amongst members was initially low because it was a new concept to them. SEWA therefore conducted a campaign that included awareness meetings and film screenings on insurance; posters; public interest advertisement through local cable TV operators, and (highly effective) street plays.

SEWA also undertook to convince donors, government officials and financial institutions of the necessity of insurance for the

poor through exposure visits and dialogue. People from different agencies stayed with SEWA member families, not only observing but also actively participating and contributing to the family.

People from the German Agency for Technical Co-operation (GTZ) visited SEWA in 1992 and started funding part of the administration costs incurred due to micro-insurance. Other donors include CGAP, Ford Foundation and ILO. Many policymakers and bureaucrats have also stayed at different members' homes in the past several years.

SEWA has a dedicated team for micro-insurance that includes 2 coordinators (one each for rural and urban areas) 13 karyakartas (Team Leaders) and 35 aagewans (field workers) in Ahmedabad and 100 aagewans in rural areas. In 2000 SEWA set up a management information system (MIS) to keep track of insured members. Aagewans play a very important role in promotional and marketing activities that include

- Proving information about SEWA insurance to SEWA members;
- Organising small training sessions to encourage the women and using various promotional materials such as brochures, posters and videotapes;
- Providing promotional literature and receipts to newly enrolled members;
- Assisting members in documentation and filing of claims, and
- Providing claim disbursement feedback, follow-up and tracking.

SEWA works with women in the informal sector without regular income or employment. It is therefore sometimes difficult for the women to pay premiums. In order to enable them to pay regularly SEWA encourages members to be part of the Sankilit Abhigam

a programme that helps women to save money for premiums.

SEWA also has other strategies for savings. In rural areas, insured people have an insurance column in their bank passbooks. They save Rs 15 every month to ensure regular payment of premium. In urban areas every insured member keeps a gulak (piggy bank) and keep money aside at every opportunity. This eases some pressure at the time of payment.

Impact

I visited Mogar village in Anand district for a close encounter with insured and uninsured members. A meeting was held at Jeevan shala, where the adult literacy programme is conducted. "Insurance gives us peace of mind," a member declared and all others agreed. Participants in the meeting also said that they could look to insurance at times of emergencies when they had no other resources. They thus felt relaxed after being insured. It was obvious from feedback from members that they perceived several benefits from insurance that included the following.

Security: Insurance provides a sense of security to members. They can plan their future. Insurance gives them ability to go for more productive activities because they are now sure that emergency needs will be taken care of by insurance.

Monetary benefit: Members get payouts during times of crises such as death, accidents or health hazards. Lack of income or assets drag them back into poverty at times of emergency. Insurance prevents such situations and works as a shock absorber.

Health Services: Certain health problems of

the poor are not part of the insurance cover. More comprehensive cover is required. Hence SEWA has various health programmes to avoid those diseases. Other problems like malnutrition, negligence during pregnancy and child-care are also dealt with through health awareness programmes.

Concept of insurance: People are now clear about the concept of insurance. Initially there was some confusion between savings and insurance. People often tend to confuse between savings and insurance, but they are 2 very different financial products for different purposes. Insurance operates on the logic of large numbers. When a large number of people take out insurance, only a very few would get paid since only they face a crisis. This sometime leaves the ones who did not get paid with a sense of deprivation, which is misplaced, because they also have an equal chance as anyone else in facing crises in the future.

SEWA has done wonderful work on insurance in the informal sector. The integrated insurance approach promises a more secure life for members. SEWA is now trying to start an insurance co-operative to reach the poorest of the poor with more flexibility. This cooperative needs equity of Rs 100 crore (\$23 million). SEWA is still dealing with the government and other stakeholders to smoothen the constraints.

Dealing with Challenges

SEWA outreach is very wide and large. Its insurance policies do not restrict members in their choice of hospitals. Hence members go to different private or government hospitals that are sometimes beyond the reach of SEWA. It also has to deal with false claims. According to SEWA officials, false claims do occur due to the large number of private hospitals. Insured members, with the help of

doctors who gets some commission, sometimes make false bills and claim the amount.

The staff's own experience with the people and the process of claim helps them to differentiate between genuine and false claims. If they doubt any application, they visit the family twice and thrice, talk to their neighbours and enquire about the doctor. Aagewans are very helpful in these cases as they are local people and can always give a better idea about their locality and the families living there.

SEWA has also hired consultants who are experts in insurance, having worked in reputed insurance companies for long periods. The consultants handle complicated cases. A few doctors who tried to help members file false claims have been blacklisted.

Generally problems and obstacles faced by members that stop them from enrolling include:

- They are daily wage earners and it is difficult for them to save money when their source of income is not uncertain.
- Lots of people feel that premium is too high and beyond their reach.
- Some people think that although the premium is increased from time to time, claim amounts are not increased simultaneously up to their expectations.
- There are lots of dropouts especially amongst members who have fixed deposits. They believe their investment is worthless as they are not able to claim any money.

Lessons from the Visits

The one thing common to all the organisations I visited (Chaitanya, Seva Mandir and SEWA) was that their insurance products focussed primarily on health. All these organisations work with communities that

have little or no land and depend on wage labour. They seldom have any savings. They cannot stock food but buy it on a daily or weekly basis. In such a tight situation they cannot afford to take leave.

Health thus becomes a major issue in their lives. Firstly, if their daily income is discontinued even temporarily due to ill health, it considerably worsens their situation. Secondly, a lot of money is spent on treatment. Often they discontinue treatment. This further affects their situation.

From the experience of all these organisations we can see that there are various ways for a grassroots organisation to assess the risks of the poor. These include:

Door-to-Door Contact: Each of these organisations are involved with communities through different programmes for the poor. They visit the field frequently and get to know the programme participants closely. This enables them to become familiar with the families' problems.

SHG Experience: All these organisations encourage and support self-help group (SHGs). In each group almost all members at some point have taken a loan for household expenditure, illness, marriages and other reasons. Many times members are not able to repay. The reasons are common as these members are from the same social and economical background. In certain cases a SHG member dies before repaying a loan. In such cases groups ask other family members to pay up. If the family is not able to do this, the group has no other option to recover the money.

Area conditions: Earthquakes and communal riots in Gujarat took a heavy toll in lives and

loss of assets. In such cases people wanted some kind of security that translated into a need for insurance.

Organisation's mandate: This is very crucial whether the organisation involved has a strong mandate to provide social security (as in SEWA). In such case insurance becomes integrated into other programmes.

Product Design: After lot of study and research done on the basis of above criteria these organisations finally came up with various insurance products. They found that health is a major issue among the communities they work with. Along with health insurance, organisations like Chaitanya and SEWA also cover loss of assets.

Awareness Campaign

Although communities knew about their risks and wanted a solution, they were not aware of the concept of insurance. Therefore all the 3 organisations initiated awareness campaigns that included:

- Meetings to address the need of insurance to the communities and to make them understand the concept of insurance;
- Training local leaders either by the organisations themselves or by the recognised institutions so that they can provide assistance regarding insurance;
- Street plays, film screenings, posters and advertisements on insurance through local cable TV operators, and
- Programmes to encourage members to enrol such as the Sankilit Abhigam launched by SEWA.

Impact

Micro-insurance has resulted in a lot of positive outcomes. These include:

- Now the poor can afford medical expenses and treatment is not delayed as before;

- Insured persons now prefer doctors instead of quacks. Again it is a matter of affordability as quacks are inexpensive and therefore the first choice of uninsured people;
- People have become more health conscious due to the health programmes that are operating simultaneously with the insurance programmes, and
- People have found peace of mind through insurance, as they feel more secure. This increases their risk taking capabilities.

People do not always express their need of security directly; they express it through their different problems such as frequent health problems, consumption expenditure getting higher, frequency of borrowing money, catastrophic events and so on. An organisation therefore should first identify the need for insurance and then work with the community in order to select the right products.

NewsReach Livelihoods Compendium

Are you a grassroots professional trying out new and innovative ideas in the field?

Does your organisation work to promote livelihoods for the rural poor?

Are you on the look out for tested and successful interventions for the poorest of the poor?

NewsReach Livelihoods Compendium could deepen and broaden your knowledge about successful programmes implemented amongst the poor in the poorest states of India.

NewsReach Livelihoods Compendium is a collection of cases, narratives and articles about Pradan's livelihood promotion programmes. Most of these have been documented by professionals in the field. For your own copy (Rs 80, postage extra) write to Smita Mohanty at 3, CSC, Niti Bagh, New Delhi - 110 049 or email her at smitamohanty@pradan.net.

Land Rights of Tribals in Santhal Parganas

A Pradan commissioned study on tribal land rights in Santhal Parganas in Jharkhand finds glaring lacunae in laws that adversely affect the tribal people. The study was supported by the Ministry of Rural Development and the UNDP under the CBPPI (Community based Pro Poor Initiatives) project

Nitya Rao

The Union Ministry of Rural Development and the UNDP had asked Pradan to organise a study on pro-poor laws and policies in Jharkhand. Pradan in turn contracted a team of researchers to undertake different aspects of this multidimensional study. The study was co-ordinated by Nandini Sundar from the Centre for the Study of Law and Governance at JNU and Nivedita Narain of Pradan. The researchers included Carol Upadhyaya (land), Sudha Vasan (forests), Videh Upadhyaya (water), Ramesh Sharan (land alienation), Nitya Rao (Santhal land rights), Ajitha Susan George (mining), and Nandini Sundar (PESA and overview), with Madhu Sarin as the overall advisor.

The researchers decided to focus on natural resource management and the functioning of PESA (Panchayat Extension to Scheduled Areas Act, 1996). The research involved:

- A study of all the different rules, laws, policies, regulations that govern particular sectors;
- An attempt to understand the manner in which they make it difficult for the poor to gain access to resources or control their own lives, and
- Suggestions on the ways in which people can assert their rights within the current framework or the point at which they need to mobilise against existing laws.

Land Relations in Santhal Parganas

The Santhal Pargana Tenancy Act (SPTA) of 1949 forms the basis for governing land relations and transactions in the Santal Parganas

of Jharkhand. Given a history of land alienation from the *adivasis* (tribals) to the non-adivasis and the exploitation of the former by a range of vested interests, including traders and petty bureaucrats, the Act (through Section 20) has sought to protect adivasi rights to land by making all land in the region non-transferable.

There are however a few exceptions to this clause, primarily in relation to women's land claims. After independence, a few amendments have been made to facilitate conditional mortgage to banks (1976) as well as to stop any fraudulent transfer that was still taking place (1969). By setting a time period of 30 years instead of 12 years as in the SPTA 1949, this 1969 amendment has not been able to serve its purpose as fraudulent transfer papers continue to be prepared dated between 1935, when the previous settlement by J F Gantzer was completed, and 1939.

Apart from agricultural land, the SPTA also clarified a range of rights to common property resources, clearly demarcating the role of the headman and village community in this regard.

The first land survey and settlement process post-independence was initiated in 1978. This was to have 2 parts: the record of rights of each individual owner as well as a record of common property, rights and responsibilities of the village headman and other village functionaries. While the settlement process has not yet been finalised, it is clear that

emphasis has been laid on the first rather than the second part of the record of rights.

Dilution of Community Control

Rather than clearly recording different types of common property and the nature of community rights in relation to them, the new classification of Anabad Jharkhand Sarkar (uninhabited land) has hidden differences between different types of common property. By placing all such land under the overall control of the government, there also seems to be a dilution of community control.

In the past 2 years, there has been some confusion created in the settlement process on account of an order dated July 7, 2002 from the District Collector Dumka, who is also the Settlement Officer. Ostensibly in line with the Supreme Court's general order in the Godavarman case (202/95) that no land classified as 'forest' should be used for other purposes, the order requires the cancellation of settlement on all land recorded as 'forests', including village forests and scrub land.

While the Supreme Court order cannot be enforced with retrospective effect, the only classification of lands available to the Revenue Department is the last settlement completed in 1935. They are therefore now reviewing once again the surveys that had been completed and cancelling *pattas* (deeds) on all land classified as 'forest' in their baseline document.

There are 2 issues here. First, there seems to be a misinterpretation of the Supreme Court order, as retrospective cancellation of *pattas* is definitely not called for. Secondly, while evictions may not be practicable, such a measure exposes the concerned *raiyats* (deed holders) to potential harassment from the Forest Department.

Key Recommendations

The key recommendations in terms of the legal framework therefore include the following:

- Section 20 (5) of the SPTA to be amended to remove the time specification mentioned therein, namely, 30 years.
- Community control and right to settle as per need should be retained as far as *gair mazarua* and *khas* lands are concerned, that includes forest categories such as scrubland and private forests (*jhanti* and *rakha* jungle). Rights to common property should be clearly recorded, rather than being diluted under the single category of *anabad* (uninhabited) land. *Khatian II* should be completed and published.
- The issue of settlement of forestland needs to be clarified in view of the recent order of the Dumka District Collector dated July 27, 2002 to hand over the management of all lands classified as 'forests' to the Forest Department. Settlement rights on such lands, especially village forestland (such as *jhanti*, *rakha* jungles) are legally permitted as per the SPTA, the decision in such cases being left to the headman in consultation with the village people. The specific situation of the region needs to be pointed out to the Supreme Court and clarifications sought. Till such time, the implementation of this order needs to be stopped.
- In any attempt to amend the SPTA, there is need not only to ensure the protection of the rights of the ST, but also SC and other poor *raiyats*.

Restoration of Alienated Land

There are 2 main pillars of the land reform agenda in the Santhal Parganas. These include land distribution and the restora-

tion of alienated land.

In terms of land distribution, there has not been a great impact due to several reasons including the small amount of land available for distribution. *Pattas* are not generally issued in the names of both husband and wife as per the regulations. As one of the criterion for land distribution is landlessness, a disproportionate amount of land has been distributed to other groups, who may be landless, but are definitely not the poorest or most needy.

While the purpose of the non-transferability clause of the SPTA (Section 20) was primarily to control land alienation, and it has succeeded in this to a large extent, several land lease, mortgage and gift arrangements have nevertheless emerged to bypass the Act. The last, namely, the gifting of land through *danpatras* (gift deeds) is particularly rampant in the urban and semi-urban areas. These are socially or privately negotiated rather than legally binding contracts.

They have however resulted in the alienation of land belonging to the poorer adivasi, Hindu and Muslim residents of the division. While cases can be filed under section 20 of the SPTA for restoration, and some legal aid too is being currently offered for such cases, the legal process being time-consuming, slow and expensive has not helped these people recover their land.

In the last 2 years, there has also been considerable transfer of land through privately negotiated lease arrangements for a period of 10-20 years for stone quarrying and crushing from adivasis to outside contractors. This has no doubt helped generate local employment. Yet it has also raised issues in relation to the terms of employment, partic-

ularly wages, health hazards, the destruction of common property (such as grazing lands being used to dump the mud from the quarries) and the long-term implications in terms of the sustainability of local livelihoods.

In line with its new industrial policy, the government is also promoting mining operations in the region through private enterprise. Efforts are therefore underway to acquire land for coal mining in Pakur district of the Santhal Parganas. Apart from issues in relation to the rehabilitation package, the process adopted seems to be in gross violation of the Supreme Court's Samatha Judgement (1997) that required mining operations in Scheduled Areas to be conducted in consultation with and preferably with the participation of the local *adivasis* (through cooperatives). Neither of these recommendations has been given any consideration at all. For more details read *Mining at the Cost of the People in Jharkhand* by Ajitha Susan George in NewsReach December 2004.

Any attempt to liberalise the provisions regarding transferability in the SPTA should therefore be carefully discussed. While it is seen to hamper industrial and urban development, it is also responsible for the fact that there are still proportionately few totally landless people in the region. Alternative methods should therefore first be examined to meet the new challenges such as for urban and industrial development.

In terms of land restoration and distribution therefore the following issues need to be kept in mind:

- Land distribution programmes need to prioritise landless STs and SCs before other groups.

- Pattas for distributed land should be in the joint names of the man and the woman.

- Information on the procedures for land restoration to be made available more easily. Rather than putting up one notice board outside the Treasury building in Dumka (that too half-erased), the revenue karamcharis should be given this task as part of their normal job responsibilities. They should also be charged with ensuring the provision of legal aid, if needed.

- As per the Samatha judgement, private parties cannot lease land for mining in the Scheduled Areas. Cooperatives of adivasis, under the guidance of the Gram Sabha, should undertake this task. With a rapid expansion in mining over the past 3 years, this recommendation needs to be put into practice, and local people given a share in the project, rather than just jobs or compensation.

- The State Assembly needs to immediately make provisions to give control over mining operations to the *gram sabha* (village council).

- Any rehabilitation package needs to consider the provision of agricultural land to the displaced and not just homestead plots.

- To facilitate urban development, land acquisition should be undertaken legally rather than through illegal transactions and encroachments of non-transferable land. Prior to this, there is need to carefully examine the existing land use and ensure that non-cultivable wastelands are first used for urban and industrial development before agricultural land. This is particularly important, as only about 35-40% of the land area is available for cultivation

in any case as per the land use records of Dumka district.

Dam-Induced Displacement

The Government of West Bengal commissioned the Masanjore dam on the river Mayurakshi in 1954-55. While most of the benefits in terms of irrigation were to go to West Bengal, displacement occurred largely in Dumka district. As per the original agreement, however, the Government of Bihar was promised some irrigation and power as well as a rehabilitation and resettlement package for those displaced. The Left Bank Canal was constructed to provide irrigation water to 8,500 hectare of land in Dumka district, mostly in the resettled villages. Being located upland, agriculture here was not possible without irrigation.

The project is due to complete 50 years in 2004-05, the official life span of the project. While most such projects do continue to provide services for a much longer period of time, lack of maintenance has led to a high rate of silting (both in the dam and canal system) and consequently a decline in storage capacity.

This has had 2 major consequences. First, due to silting and reduction in carrying capacity, the resettled villages have been totally deprived of water for irrigation for the past few years. Without water they are unable to harvest a single crop because rain-water runs off the sloped lands. These people have been increasingly migrating in search of wage employment to West Bengal and other parts of the country.

Upstream too, since 2000, during every monsoon, due to reduced storage capacity of the reservoir, the back-flow of water has been leading to flooding, bringing with it

huge deposits of sand. Cultivable land has been rendered useless.

It is therefore clear that agreements made in relation to big projects such as dams require an effective and impartial monitoring mechanism. There is a need to address the issue of renewed displacement and loss of livelihoods as a result of the project life nearing an end in both the displaced and resettled villages (silting, lack of irrigation and flooding). It is therefore recommended that a systematic review of the new situation is conducted and a plan is put in place to meet the emerging challenges.

There is also immediate need to upgrade and maintain the Left Bank Canal and its system of distributaries. An operational plan should be made and resources allocated for the same.

Procedural Problems

The record of rights mentions the details of the plots, in terms of dimensions as well as quality of land, yet it fails to identify secondary rights. For instance, women's use rights over *bari* (homestead) plots are socially recognised all over the Santhal Parganas, yet these are not recorded in the khatian. *Bari* is used for the cultivation of maize, mustard, hemp and vegetable crops, and not paddy.

While all these crops support the household diet and livelihood, they are not seen as the staple food, hence not threatening to men's status as food provider for the household. The majority of land disputes too take place around *dhani* (paddy-growing) land rather than *bari* plots. As *bari* land constitutes a significant proportion of raiyati land, recording women's secondary rights to such land would contribute to resolving at least some of the conflict

around women's land claims.

While the new survey and settlement has been finalised for most blocks and districts in the Santhal Parganas, it has not yet been published in the Gazette. The delay in finalising is largely due to the lack of the appointment of a Permanent Settlement Officer. The district Collector of Dumka presently holds charge of this portfolio. There are also problems of timely availability of materials such as maps. These are usually printed at the government press in Patna, which has been facing severe backlogs.

In the present record of rights, names of the present holders (males) have generally been recorded. Where the survey was conducted a decade ago, however, there have been many changes; hence it is already out of date (the survey notification was issued in 1978). Also, in some areas, especially the remote ones, village communities seem to have strategically decided to have the records in the names of the kin leaders rather than each nuclear household. Presenting a united face, at least to the outside world, is seen to help them negotiate collectively for benefits on the one hand, while also maintaining relatively greater community control over the use and management of the land.

While this does contribute to maintaining hierarchies of power, it is a trade-off in the context of the overall marginality and isolation of the region, and the difficulties that would be faced if each household were to individually negotiate with the state and other external agencies. This tendency has also received a boost from the campaign to reassert the efficacy of community institutions and kinship relations as part of the Jharkhand movement.

One of the key implications of not having one's name in the record of rights is the inability to access other benefits such as agricultural credit. According to banking norms, this is linked to a land title. In the Santhal Parganas, this clause is seen as useless as land is non-transferable, even though a provision for conditional mortgage to banks was allowed as per the 1976 Amendment to the SPTA. It however does disadvantage women who don't have land titles. The Chief Manager of the State Bank of India in Dumka noted that the majority of kisan credit cards have gone to men.

In terms of recovery of loans, the banks do initiate certificate cases against the defaulter, though usually due to bureaucratic delays and legal procedures, there is no recovery. Loaning from banks therefore has been tardy, as they have no security in terms of assets, and no support from the government for recovery. The majority of loans therefore are those with subsidies, under the government's rural development programmes.

If economic activity is to be increased, there is need to address some of these issues such as including alternative collateral for lending, amending the Public Demand (PD) Act to allow recovery through community institutions rather than the government, to name a few. This reports recommends that

- Secondary rights to land need to be recorded in the record of rights. This could include women's effective use rights over homestead plots.
- A full-time Settlement Officer needs to be appointed at the earliest in order to ensure timely completion of the current survey and settlement process.

- Changes in banking norms are required in response to the particular contexts in Scheduled Areas, where land transfer is not allowed. Land title should not here be used as a criterion for agricultural credit, as this particularly disadvantages women cultivators, but rather use rights in land.

- The Public Demand Act should be amended to make recovery the charge of community institutions rather than the bank. Fees for this service can be charged from the concerned bank. A high-level, effective core group is needed at the district level to plan for and push forward appropriate investments.

Customary Law And Practices

A key point to note here is that customary practices indeed are quite flexible and do provide social recognition at the village level. Particularly in terms of women's rights to land, customary practices are fairly detailed and comprehensive, even though they do not articulate a universal land right for women. Further, the customary and state laws are not really 2 independent fields.

Whenever there is a land dispute in the courts, the village leaders are the first to be called in both as witness and to advise on the case. What this implies is the need for a greater recognition of the diversity of customary norms and practices in the legal code. The SPTA currently recognises the practice of *ghar-jamai* (spouse staying at wife's residence), hence women find it easier to make this claim in the courts, if it is challenged in the customary village institutions. Taben jom and widow's rights should similarly be legitimised and validated in the legal code.

Women's inheritance rights are at present a social obligation rather than a legal right. To ensure effective rights to women, the fol-

lowing action points are recommended:

- Amend Section 20 of the SPTA to remove the clause 'where custom prevails'.
- Rather than being seen as exceptional gifts, the rights of a sister (*taben jom*), wife and widow should be recognised as transfers, just as *gharjamai* rights have been recognised.
- Codify customary law and either introduce into Santhal Civil Rules or enact as a separate piece of legislation.

Dispute Resolution

As long as disputes are within the community, the Santhals attempt to resolve them within the village council. When violence intervenes, then there is no option but to use the legal process. But, in instances where disputes are between a Santhal and a Hindu or a Muslim, then such cases cannot be resolved locally, and are taken to the courts of law. In the case of Hindus, however, most cases, including those among kin, are taken to the courts of law for resolution.

Yet, there is much to be desired from the functioning of the revenue courts. As one lawyer informed me, in 95% of the cases, the parties stop attending after some time. Apart from the difficulties in court procedures, there is also no way of ensuring that the order given finally is implemented at the village level. The party with power, both economic and social, tends to get the better deal in practice.

A further issue relates to the implementation of court judgements in the absence of social support. For instance, even when alienated land has been restored by court decree, it is often difficult for the party who had lost land to reclaim it in practice.

In villages across the Santhal Parganas, peo-

ple with favourable court decrees, often for several years, are yet unable to cultivate their land. They are often physically threatened and prevented from doing so. In the face of violence, community institutions are unable to ensure physical security, hence the implementation of the legal decree. Social sanction thus seems critical for realising rights to land in practice.

Court procedures, delays and costs, prevent the poor, especially women, from claiming legal redress. More local, dispute-resolution mechanisms need to be strengthened, whether it is the gram sabhas at the village level, or the lok adalats (people's courts) and other camp courts at the panchayat and block levels. Village discussions revealed that the settlement camps and courts were the most effective of the civil justice institutions to deliver a judgement. Organised at the local level, they were also more accessible.

Development Directions

More than 80% of the population of the Santhal Parganas are dependent on land and agriculture as their primary source of livelihood. Over one-third of the population is constituted of *adivasis*. Development policies therefore need to prioritise land and natural resource-based sectors of development that have the potential to benefit the majority, rather than adopting a strategy of economic growth based on private investments. The blocks should ensure timely provision of inputs such as seeds and fertilisers in order to better secure rural livelihoods. Social security schemes such as the public distribution system (PDS), employment guarantee scheme (EGS), pensions for widows and the elderly, should also be properly implemented.

News and Events

- Pradan's Kesla team has introduced an insurance scheme launched by the State Bank of India called Shakti, which provides life coverage of self-help group (SHG) members for Rs 400 per annum per person. For details visit statebankofindia/rural-banking/microcredit.

- Weather Risk, a company promoting best risk management practices in rural India, has conducted a study to design and develop a comprehensive risk management programme for Pradan's project areas. Our Kesla team has taken the initiative to pilot the study and product.

- Pradan's Executive Committee met during February 7-9 February 2005.

- Meetings to carry forward the agenda of 'PRADAN in 2015' continued. The most recent was held on February 10-11, 2005 to prepare anchors of external stakeholder consultations to gather appropriate information and views, and to infer implications for PRADAN in 2015. Earlier, a regional consultation of senior and junior assistants (finance, accounts and administrations) and assistants (projects and HRD) was held in Delhi on January 31 and February 1, 2005.

- Tasar by Pradan hosted a stand at the Silk Week 2005 being organised by the Indian silk export promotion council. It also showcased a collection of tasar stoles and shawls in the Fashion Show being held as part of the event on February 28 2005 at

Hotel Ashok, Chanakyapuri, New Delhi.

- The Tasar Development Centre participated as an exhibitor at the TEXSTYLES 2005 exhibition, from February 26 to March 1, 2005. It is a premier trade exhibition held at the Pragati Maidan, New Delhi every year.

- Smita Mohanty, Madhu Khetan and Anish Kumar attended a seminar on February 10 2005 on 'Understanding Anatomy of Rural Poverty and Democracy' organised by Udaipur-based Seva Mandir and CHITRA, and Duke University, USA with assistance from National Foundation for India and Ford Foundation.

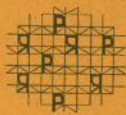
- D Narendranath attended a meeting organised by FICCI in Hyderabad on February 19, 2005 where IRDA presented a concept paper entitled 'Need for Developing Micro Insurance in India'.

Buy Organic Fertiliser at Throwaway Prices

We supply quality vermicompost and earthworms for vermicomposting (Rs 150 per 1,000 worms excluding freight and packaging) in large quantities. We also arrange for training and demonstration at village units at nominal expense. Please contact Rajesh Mit, Pradan, Gandhinagar, Godda 814 133, Jharkhand. Phone: 1622-222624 /222503, 09431383553. Fax: 06422-222440. Email: godda@pradan.net.



PRADAN (Professional Assistance for Development Action) is a voluntary organisation registered under the Societies' Registration Act in Delhi. We work in selected villages in 7 states through small teams based in the field. The focus of our work is to promote and strengthen livelihoods for the rural poor. It involves organising them, enhancing their capabilities, introducing ways to improve their incomes and linking them to banks, markets and other economic services. PRADAN comprises professionally trained people motivated to use their knowledge and skills to remove poverty by working directly with the poor. Engrossed in action, we often feel the need to reach out to each other in PRADAN as well as those in the wider development fraternity. NewsReach is one of the ways we seek to address this need. It is our forum for sharing thoughts and a platform to build solidarity and unity of purpose.



Professional Assistance for Development Action (PRADAN)

3 CSC, Niti Bagh, New Delhi 110 049, India

Tel/fax: 011 2651 8619/2651 4682. Website: www.pradan.net

E-mail: newsreach@pradan.net