

# VISHNUIAS.COM

Inspired By Dad, Woman Braves Threats to Help 1400 Adivasi Families Get Land Rights

## ANTHROPOLOGY SNIPPET-186



**(Welcome To Vishnu IAS online )**

(Research and Training Institute for the best civil services preparation in India)

<http://vishnuias.com/>

## Inspired By Dad, Woman Braves Threats to Help 1400 Adivasi Families Get Land Rights

Madhya Pradesh-based Shabnam Shah's efforts against the illegal encroachment of tribal lands recently bagged her an award from the Women's World Summit Foundation

It was only when Shabnam Shah turned 18 that she suddenly understood the problem of illegal land grabbing in her village - Mungaoli in Madhya Pradesh.



This was despite the fact that her family had been a victim of the problem for 30 years. After spending thousands of rupees on lawyer fees and visiting courts numerous times, her father had finally won a case in the early 2000s and managed to keep the house they are currently living in.

Two years after her father passed away, 18-year-old Shabnam attended a session conducted by Ekta Parishad, a peoples' movement for land rights.

It was there that she learned how Adivasi communities and the poor are exploited at the hands of the powerful. Shabnam felt sorry for her father. But at the same time, she felt proud of him for putting up a strong fight for his rights.

She immediately became a member of Ekta Parishad and worked her way up to become the district coordinator within ten years.

She dedicated herself for the cause and over the years has ensured land rights to more than 1400 exploited tribal families, mostly belonging to the Saharya tribe.

Recognising her exceptional and selfless contribution, Shabnam, now 30, was recently honoured with the 'Prize for Women's Creativity in Rural Life' by the Women's World Summit Foundation (WWSF). The summit awards are given every year to women leaders or groups who improve quality of life in rural areas.

Interestingly, among the ten women leaders chosen from across the world, four of them are Indians – including Shabnam.

Confirming the news to **The Better India**, National Coordinator of Ekta Parishad, Aneesh Thillenkery says, "Shabnam has shown tremendous courage and dedication over the years to help people in almost a hundred villages. Her empathetic attitude

towards strangers and willingness to help at all times has moved mountains. She has been able to solve some of the toughest cases and she deserves this award.”

Though sitting hundreds of kilometres away in her village, Shabnam’s excitement is palpable in her voice after I mention what Aneesh had to say about her.

“This (award) was completely unexpected,” she quips over the telephone. “I am very happy to receive such an honorary mention alongside other brave women. It is very encouraging for someone like me who is often at the receiving end of abuses and threats for seeking justice.”

The seeds of righteousness and a faith in fundamental rights were sown when Shabnam and her five other siblings were in school. Her father ran a small *kirana* shop and mother was a homemaker.

“Though we had financial problems and land disputes, my father never let them reach us. With the usual sibling banter, gorging on mother’s delicious food and studies, I had a happy childhood,” shares Shabnam.

In the 1990s, Shabnam’s grandfather had rented a room to a family from another community who later tried to take over the entire house. Since the tenant had enough resources, they pressurised the family to leave. Her father took the drama to the court and almost drained his savings to pay the lawyer.

“In hindsight, my father was never behind the piece of land or the house but he knew that if he lost the battle, it would be a loss to humanity and people’s faith towards the judiciary would further decline. He was not okay with the ‘powerful people control everything’ narrative. When we won via a legal course, his faith was restored and that’s

why he wanted one of us to become a lawyer,” she says.

Things were fine until her father died. She dropped out of class eight to support the family and run the kirana shop. A year later when her brother stepped in, she got back to school but was not able to pursue law.

Alongside volunteering with Ekta Parishad, Shabnam later completed her graduation in Arts.

### **Land Rights, Organic Farming & More**

In Shabnam’s district, Ashoknagar, the land disputes are mostly of three types:

- The owner has legal papers but the land (house or farm) is grabbed illegally by another villager
- Forest dwellers who are denied their right to use forest resources or farm near the forest under the Forest Rights Act (FRA), 2006.

- The owners have no legal papers of their land and hence it can be taken over by the government at any time.

Shabnam, along with her district team of ten people, have been helping such victims get their lawful ownership and legal documents, while keeping the administration and forest department in the loop to solve cases in a swift manner.

When it comes to rights of Adivasi communities, nearly 200 million citizens depend on forests for their livelihoods as per Economic and Political Weekly.

The FRA formally recognises the right of individuals and communities from Scheduled Tribes (STs) and Other Forest Dwellers to settle in forest areas. As per this right, they are not encroachers. However the process of settlement of rights is a tedious one.



“The Act recognises only those lands that are already under cultivation before 13 December 2005. The proof of burden lies on the person and if one does not have any document to prove the date, then she/he can get an affidavit from a village elder (60+) that states the person has been cultivating before the mentioned date,” explains Shabnam.

While the process sounds easy on paper, the implementation is very complicated. No wonder, 1.94 million applications have been rejected of the total 4.22 million filed for settlements across India.

To claim the right, a person has to approach the gram sabha with required documents. After verification and mapping of the described area, the results are shared with the sub-divisional committee (SDC). Then it goes to the district-level committee. If there are any discrepancies then it is sent back to gram sabha and the entire process is repeated.

“The villagers are scared of this long bureaucratic process. Other factors like lack of proper documentation, insufficient knowledge about the FRA and insignificant errors on papers make it worse,” says Shabnam.

Shabnam holds regular meetings with deprived communities and educates them about the clauses of the FRA that can help when they are questioned by the authorities. She also helps fill forms and arrange documents. She does follow-ups with every case. In her words, the job is all about running from pillar to post.

In cases where there is a bureaucratic delay, Shabnam even organises rallies and protests to put pressure on government officials.

Shabnam has helped close to 150 people get their settlements under FRA.

For land disputes between families, the matter is usually solved between March and June via *Seemankan* (property demarcation). Under this new guideline by the state government, a tehsildar solves the matter.

“Sowing season begins after June, so during the process, lands are not to be demarcated. Every year people get a 3-month window to resolve the disputes. Here also the process on paper is simple but implementation takes time. We uncomplicate the cases through right documentation,” says Shabnam.

Usually, proof of residency is enough to solve the matter, but in case the person does not have Aadhar or ration card then Shabnam and her team help to procure them.

In both cases, her job does not stop at settlements.

After going through months and sometimes years of mental exertion, most find it hard to get back to farming.

Shabnam helps them start organic farming on a small patch of their land by providing guidance, seeds, manure and so on. In some cases, she helps families set up kitchen gardens. "This is purely for their self-sufficiency needs but if they want to scale for commercial use then Ekta Parishad guides them."

Shabnam has become a known face in Ashoknagar district and every month, she convenes 2-3 meetings with the villagers to understand their issues. A friend to many, Shabnam remembers every case she has handled, whether it lasted for 3 days or 10 years.

She still remembers the expressions on Brijlal's face on getting back his 30 bhiga land after a four-year strenuous struggle, "He was overwhelmed and couldn't thank me enough. As a token of appreciation, I was invited for a meal. I work for that very love and support."

“This land is our ancestor’s identity and we couldn’t afford to lose it. I was threatened by a mighty family but it was Shabnam ji’s support that kept us going and I am grateful to her,” Birjlal tells The Better India.

Shabnam has dedicated herself to the cause completely so much so that she chose not to get married. She believed marrying would mean spending less time with Ekta Parishad and the villagers.

“Most people live for their family, some live for society also and I am one of them. I am a proud unmarried woman who still lives with her mother,” she signs off.