

PROPERTY RIGHTS AMONG THE KOYA COMMUNITY IN ORISSA

1. INTRODUCTION:

While all other communities like the Hindus, Muslims, Christians etc have their own customary practices, which have been established into laws – there is neither any permanent law nor judicial precedence regarding property inheritance with regard to tribal women among the various tribes. Taking this background into account, a study on property rights among the various tribal communities like Koyas, Bondas and the Juangs in Orissa was initiated by the Actionaid Regional Office.

The study began with the Koyas, a tribe in southern Orissa's Malkangiri district. **An effort has been made in the study to understand the position of women - from the point of view of ancestral property inheritance. The survey began with the premise that economic empowerment is an essential catalyst for change in status of a group of people.**

The Actionaid Regional Office (RO) at Bhubaneswar conducted this study, with support from researchers along with background empirical research. The researchers for the study were identified with the help of the Adivasi Tribal Dialects Corporation, (ATDC), Govt. of Orissa, who examined the various aspects of property transfer and rights for a period of 6 months. Before the study began, an orientation of the researchers was also organized by the RO and supported by the Director, ATDC. The RO coordinated the study with the help of the Koraput FO.

2. PURPOSE OF STUDY: To examine the concept of property inheritance and customary practices among the Koya tribe.

3. METHODOLOGY: This study was conducted by the Bhubaneswar RO with support of researchers along with background empirical research. Some of the research techniques used for the study are:

- Interview Schedules for conducting interviews
- Group Discussions with women and older people to analyse traditional as well as present practices
- Key Informant Discussion
- Use of secondary information from various gazettes, journals etc and reference of established research work done on similar areas.

A workshop with the Pedas in Malkangiri on 17th October 2007, to discuss about the customary laws of the Koyas and the status of women- economic and social. attended by the Pedas, China Pedas, youth leaders and a few villagers.

Villagers: Singa Madkami, Jaya Madkami., Adma Madkami, Meka Madkami, Waga Padiami, Irma Padiami, Singa Madkami, Dula Sodi, Soda Padiami, Rama Madkami, Tula Sodi, Ungi Mmadi, Shanti Padiami, Muda Madkami, Kosa Madkami, Kawasi Laka, Bhima Magi, Adab Bas, Muka Kawasi, Unga Makdkami, Singa Padiami, Ira Padiami, Ajit Kumar, Ramesh Padiami, Bhima Padiami, Sanumu Padiami, Bhimsen Madkami, Samu Kumari, Bandi Madkami, Krushna Madkami, Suleta Padiami

4. SIGNIFICANCE OF THE STUDY:

The Study would not only explore the concept of property inheritance and distribution among Koya men and women, it will also examine the status of women as far as property issues are concerned. Besides, the study with the help of lawyers from the High Court and lower courts, would research the judgments given by courts regarding inheritance of property among tribal communities, with special emphasis on women. The secondary data would also examine the relevant land laws like the OSATIP (Orissa Scheduled Area Transfer of Immoveable Property 1956), Land Reforms Act 1962???

Women's struggles over land (literature review)

For a significant majority of rural households, arable land (an increasingly scarce resource) is likely to remain for a long time yet, the single most important source of security against poverty in rural South Asia, even if it ceases to be the sole source of livelihood for many. Land defines social status and political power in the village and it structures relationships both within and outside the household. In legal terms, women have struggled for and won fairly extensive rights to inherit and control land in much of south asia, but in practice most stand disinherited. Few own land, even fewer can exercise effective control over it. Yet the voice of the disinherited female peasant has largely gone unheard. Bina Agarwal argues that women's struggle for their legitimate share in landed property can prove to be the single most critical entry point for women's empowerment in South Asia.

To argue that women's economic needs require a specific focus, distinct from those of men, is to challenge a long standing assumption that the household is a unit of congruent interests, among whose members the benefits of available resources are shared equitably, irrespective of gender. It means admitting new contenders for a share in a scarce and highly valuable resource which determines economic well being and shapes power relations especially in the countryside; and it means extending the conflict over land that has existed largely between men, to men and women.

The idea that development is not gender neutral has gained fairly wide acceptance in development enquiry and policy, even though there is no consensus on the causes of the gender gap or on how it could be bridged. It is only in the 6th 5 year plan (1980 - 1985) that we see the first limited recognition of women's needs of land (and in the context of poverty alone). In 1979 at a women's conference in Kolkata, a group of elected women gram panchayat (village council) representatives from West Bengal put forward a demand for joint titles (with their husbands) on behalf of destitute Muslim women in their constituencies. They argued that women needed economic security that land provides. This is said to be among the earliest such public grassroots demands. Additional pressure came from the 1979 FAO report of the World Conference on Agrarian Reforms and Rural Development (WCARRD) held in Rome, which recommended that gender discriminatory laws in respect to rights in inheritance, ownership and control of property be repealed and measures be adopted to ensure that women get equitable access to land and other productive resources. The result of all this was a policy statement incorporated in the 6th Plan which said that the government would endeavour to give joint titles to spouses in programs involving the distribution of land and home sites.

The National Commission for Women Act 1990, is an important step forward. The result of many years of sustained efforts by women's organization and gender progressive individuals, this act has created a commission with a wide mandate to investigate and monitor all matters relating to the safeguards provided for women under the constitution and other laws

The eighth 5 year plan makes two specific points in relation to women and agricultural land. 1. it recognizes that one of the basic requirements for improving the status of women is to change inheritance laws so that women get an equal share in parental property, inherited or self acquired. However it does not lay down any specific directives to ensure that this is followed through. 2. And this is the only concrete policy directive, state governments have been asked to allot 40% of surplus land (i.e. land acquired by the government from households owning land more than the specified ceilings) to women alone, and to allot the rest jointly in the names of the husband and wife.

The idea of women having independent property rights (including rights in land) was accepted by most South Asian countries in laws governing the inheritance of personal property in the 1950s but such acceptance remained confined to inheritance laws that affect private land; in development policy governing the distribution of public land, the issue of women's land rights was not discussed till the 1980s, even in Srilanka where customary inheritance systems have been bilateral or matrilineal.

The belief that land distribution to women will further decrease farm size and fragment cultivated holdings, in turn reducing agricultural productivity. The farm size and fragmentation arguments have also been used in many Indian states to undercut post independence, gender progressive personal laws, by retaining age old customary laws that disadvantage women in relation to agricultural land. The measure of women's economic status is still typically employment and labour force participation and not property rights. Why do women in South Asia need independent rights in land?

There are some interrelated issues which need particular focus:

1. Gender relations and a households property status;
2. Gender relations and a woman's property status;
3. The distinction between ownership and control of property;
4. The distinctiveness of land as property
5. What is meant by rights in land and prospects of non land based livelihoods.

It is important not only to see who owns property, but also who controls it, and in relation not only to private property but also communal property. Further gender equality in legal rights to own property does not guarantee gender equality in actual ownership, nor does ownership guarantee control. The distinctions between law and practice and between ownership and control are especially critical in the context of gender.

In Bodh Gaya (Bihar) in 1979, landless labourer women agitating alongside their husbands for ownership rights to the land that they had sown for years protested the distribution of titles only to men, noting " if these men who are today landless beat up their wives so badly, merely using the power derived from being men, then tomorrow

- Tribal women particularly those living within the forest area, as well as women in forest dependent communities should be guaranteed their individual ancestral ownership and inheritance rights as per customary law or laws of the state which ever are recognized as more gender just.
- Where access to privately owned land is not available, rights and concessions for livelihoods and subsistence use should be rationally provided for communities on public land such as Reserve Forests and protected areas like Sanctuaries. In such areas the livelihoods and subsistence needs of fuel, fodder, water and plant resources of communities must be ensured in policies and regulations that restrict women's access to it.
- Tribal and women living in forest villages should be given land rights so that they can have access to maternal and child care services and other developmental facilities in their villages.
- Sustainable use of village commons should be ensured by providing sufficient land, as support areas for subsistence needs, particularly for women of forest dependent and forest and tribal communities.
- The scale of extractive use of forests and common property resources (water bodies, forests, grazing lands etc.) should be limited by reforming laws to maintain primacy of subsistence use and local markets, rather than commodification for global markets.
- A section on the Forest and Land Rights of Tribal women should be included in the new Forest and Tribal bills.
- Tribal women should be supported and trained to assume leadership roles in formal public institutions through time bound programs.
- Prohibit forced eviction. Instead the government should propose a gender sensitive rehabilitation policy that makes provision for the restoration of tribal women's livelihood and income generation. Women should also get legal rights to homestead land allocated as part of the resettlement package.
- Tribal women farmer's traditional wisdom and experience related to bio diversity conservation and enhancement, seed selection and storage, water harvesting, risk minimizing agricultural practices, and sustainable use of natural resources should be acknowledged, preserved and used for natural resource management, research, planning and decision making at all levels. This will also prevent them from becoming dependent upon expensive seeds, fertilizers and pesticides.
- Tribal women's right to collection of minor forest produce should be guaranteed by the government as it constitutes a major source of their income and they are almost exclusively involved in collection, storage, processing and marketing of this produce. Market outlets need to be reserved for women groups.

- Tribal women farmers should be provided training in marketing their produce and support in setting up cooperatives. Primacy should be accorded to local use and for local markets of forest and tribal areas over and above the penetration of large and distant markets and the subsequent commodification of resource flows.
- The Lease forestry/Van Panchayat model of Uttaranchal should be replicated in other states. 1 acre of arable land needs the support of 5 acres of common and forestland as support area for agriculture. This should be ensured for tribal women farmers along with consolidated rather than scattered land holdings in order to provide for sustainable agriculture for them.
- The state governments should promote and sponsor research and documentation of-
 - gender disaggregated data
 - gender just customary practices and
 - the divergence between customary laws and basic human rights

Priyasheela Besra presented the details of the Study carried out by GLRF in four districts of Jharkhand in the past six months on ‘Status of Social Security (with special emphasis on Land & Livelihood Resources) provided to Tribal Women of Santhal Pargana (Jharkhand) from amongst their Community’

Findings

1. In many areas tribal land was alienated without the knowledge of the female members of the family. Most of such land alienation has been near market or roads.
2. Widows have a right to use the land for maintenance for their lifetime but in some cases it has been reported that the heirs connive to declare the widow as witches and drive them away.
3. Some tribal men have married a second time without having a separation from their existing wife. In such cases the situation of the first wife has been very poor, and there is dispute over income / agricultural distribution. Such Polygamy is a socially accepted feature and very little complaints are raised against the boy in such cases.
4. In cases of family with only girls and no boy, the tribal girl has married a ‘Gharjamai’. This takes place in place in front of the villagers and the boy is staying with the girl in her home. But there exists no written record of such marriage or land. Some cases were identified where the Gharjamai is being driven off from his home by the relatives on the claim that the marriage had not been in the Gharjamai form.
5. There were cases where tribal girls had married a boy outside the community or a boy of the same surname. Panchayats have taken decision to keep such girls out of their community, and even taken steps of shaving the hair off.
6. Tribal girls who have been deserted by their husbands have received very little support from the community. At times the community Panchayats has asked the boy to pay a very small amount.
7. Single or Deserted girls do not get support from their parental families. The brothers always want the sister to live somewhere else and not stay in the

same home. In the backdrop of the tribal women seeking space in governance as well as land for shelter and livelihood this workshop was needed to record the status of tribal women and land in India.

What is property? What is the Koya notion of property?

The concept of property varies from person to person and from one society to another. Economists define Property as???????????????????? The most valuable property of Koyas is their land which is held by men along with the ownership of the house and cattle. The women own the gold. There are some sorts of property that is owned by men and certain properties exclusively possessed by women. It may be noted here that while land has been classified as the most valuable property for Koyas, its economic significance as a goods of transaction is still not embedded. In the course of the study, the men whenever justifying as to why women could not hold land, gave its non cultivation by absentee married women as the principal reason. Land as a commodity which could be sold by the woman for economic security was not an acceptable explanation. Land existed for cultivation and to provide food. But when it came to men owning land, they felt that it could give them economic security in distress.

Meaning & Classification of property for Koya men (Group Discussion)

To know the concept of property among the Koyas, a group discussion with Koya men was organised in Akherpali village.

Classification of property according to ascending order

The participants placed pictures, which depicted the asset they valued most:

Name of the property	Position
Land	1 st
Bullocks	2 nd
Home	3 rd
NTFP	4 th
<i>Salap and Khajuri</i>	5 th
Goat	6 th
Pig	7 th
Hen	8 th
Jewelry	9 th

The concept of property and its importance was discussed in the presence of 25 men. After their rating of property as per their value and relevance, we strived to know the reason behind such ranking.

1. ***According to the Koya men, land was the most valuable property, which provides food through out life.*** They said that they could also get money by mortgaging it, or build a house on it when required. However, a few men wanted to rate *mahula* collection in the top position arguing that a person can easily collect and sell *mahula* that provides an easy way of earning money. On the other hand, land cultivation was arduous and required more number of laborers. When posed with a question whether they would exchange their land for *mahula* trees, the men started discussing the issue. After a while, Peda

argued that land is more valuable than any property because it cannot be destroyed whereas the longevity of a tree is much less.

2. **Bullocks were given the second place**, as without bullocks land does not seem to be much of use. Bullocks were used for ploughing the field and were also considered to be an asset to be given to daughters at the time of their marriage.
3. **Houses were ranked third** as they did not invest a huge amount of money to build homes and buy household goods.
4. ***Mahulla* collected was given the fourth place**. It ranked higher than other liquor producing fruit trees due to higher consumption of *mahulla*, greater demand and easily accessibility. Besides, *mahulla* collection is done during the summer season when Koyas have no other income. They just collect the *mahulla*, prepare and sell the liquor.
5. ***Salap khajuri* was positioned at number five** among all other property assets since the demand for is less as compared to other drinks. Moreover, it is available through out the year.
6. **Goats were placed in sixth position**, followed by **pigs in seventh place**. Goats were a step higher compared to pigs because they are usually more in demand for food during festive occasion. Fowl was also classified under pigs as this community never sold or purchased fowl.
7. The group gave **jewelry the lowest position** without any hesitation. According to them, very rarely do they sell jewellery for the sake of money. Moreover, most of the ornaments are made up of aluminum, possessing little value. One of the men stated that jewelry belonged to women only.

6. Meaning & Classification of property by Koya women:

To know the meaning of property from women, the research team selected Purunagada village. Few women turned up at the given time of 7 am, as they were getting ready to go for work in their land. Though only four to five women showed interest for the discussion in the beginning, later about 15 participants joined and expressed their views. They also placed the picture card in descending order.

When asked about the meaning of property, the women did not answer. But when they were handed over the picture cards and the researchers asked them to recognize them, they started giving their opinion. Then the women started keenly discussing about property among them. The discussion was democratic and was not dominated by any single woman. They ranked the assets in terms of values and relevance in the following order.

Position	Name of property
1	Home
2	Cattle
3	Land

4	Forest products
5	Money
6	Pig
7	Goat
8	Hen
10	Jewelry

1. The views of *Koya* women about property and their ranking revealed some interesting insights and perceptions. **Home acquired the first position** for women because it is very near to *koiie*. It's women, who clean the home, sweep the courtyard, polish the walls, beautify the rooms, purchase household goods and do other household chores. Therefore their attachment to their houses is much more than men and they consider their homes a secure place.
2. They gave **second place to cattle**, as women clean the cattle sheds, feed them and believe that without bullocks, cultivation is impossible. Another reason for giving them importance is that, cows/bullock are given by their parents during marriage.
3. Interestingly, women ranked **land in the third place**, as *Koya* women are involved in all land related work – from ploughing to production. Besides, they get food from land for the year.
4. *Koya* women gave **forest products fifth place** since a *Koya* woman can easily collect every type of forest product like *mahula*, *kendu* leaves, tamarind etc and sell according to her wish.
5. **Money was placed at the sixth position**, which is hardly surprising because in the *Koya* community one cannot sell paddy, livestock or ornaments for money. One can purchase few items by exchanging *mahula* drink, pig or poultry. Also, a *Koya* woman cannot spend money independently and has to seek permission before she does so.
6. **Pig and goat got sixth and seventh position respectively**. These assets were considered to be useful in times of festival. But *Koya* women cannot sell these assets independently and are expected to take care of them only.
7. **Eights place was secured by hen** as theses animals could not be sold by anyone, but can be exchanged in times of need. ***Salap* tree got the ninth place** because it's demanded less as compared to *mohula*.
8. **Jewelry got the last position** from the *Koya* women as well due to the same reason put forward by men. Women said that since the ornaments were made of aluminum, it had little value. Moreover, ornaments could not be sold or mortgaged to anyone in their community. Very rarely do *Koya* women use gold jewellery.

Whether the rules of *Koya* society are in a codified form? Do the *Pedas* have any knowledge about it? Do they discuss about it from time to time?

The Pedas are held in high esteem in Koya society. He looks after the well being of the village and the villagers. Koya laws are not codified and are traditionally passed from generation to generation orally. Thus much depends on the interpretation of the tradition. The non codification can also be used to the advantage of women, by influencing the men and the Pedas to more equitably codify laws which will not be against women and put them in a subservient position. This would be the first step towards asserting the rights of women. If they interpret the traditional law with a share for their daughters, the Koya community would stick to it. The Govt. cannot make any specific law for tribals. It is only the Pedas who can make rules and apply them in practice. The PESA empowers them to do so.

Do the Pedas think that the old tradition should be changed and the daughters and widows should be given share of property?

Since there are no recorded laws, the existing practice can be changed according to the principles of equity and justice. If one Peda succeeds in convincing their community to provide the right of inheritance to woman i.e. widow can inherit her husband's property and a daughter can get her paternal property, then the practice would be followed everywhere. Others will gradually adopt the practice and it will become a tradition in course of time whereby the women would lead a dignified life. The young leaders should persuade the Pedas to change their views and help women inherit property. The boys who give land to their sisters will also get land through their wives.

Muka a village leader said that the Pedas should establish these new traditions. Since there are no written laws, there is no difficulty in distributing the land. There should be collective decision to give women their share of property.

When a Peda dies and his son or somebody else of his family inherits his position, then how does he know about his roles and responsibilities. For example a Sarpanch can be acquainted with about his powers and functions from books and written rules. But as there are no written records, how does a Peda know about his responsibilities? Pedas clarified here that when a child is 10 to 12 years old he starts sitting in the meeting of Pedas. He observes the discussions and decisions taken by Pedas and gradually gets acquainted with this.

If at all there are no written laws, then how are the property rights settled?

1. The Village Pedas and villagers call a meeting to decide the division of land after the death of a person. Not only is land distributed but also livestock and tree crops divided among family members. If a daughter is married inside the village she is given some land for cultivation but since she has no legal landholding rights it is taken away by her brothers or the children of her brothers. For example- Ungi's mother of Phulguda village had inherited some land from her father and the Peda had also consented, and the land patta was also in her name. But the children of her brother forcibly took it away. The property is usually equally divided among the brothers.

Are the Pedas aware of PESA and the enormous powers that it gives them?

No, the Pedas have never heard of PESA or its provisions.????????????????????????????

Is it not right that as Pedas they should facilitate Koya women to inherit property?

- The Pedas said that if a girl gets married within the village she can till the land and harvest crops. But if she is married in a distant village of Andhra Pradesh or Madhya Pradesh the land will lie fallow and be of no use.
- Singa Padiami of Dharmapalli holds the opinion that if a girl is married within the village it may be possible to give her some land and it has happened in certain cases. Parents are also giving lands to their when they feel that their daughters need the resources.
- Unga Madkami of Sikhpalli said that though land is given to the daughter, the RoR is not transferred in her name. So the brothers forcibly take it away and even if the brother doesn't take it, his children will do the same. Some times the girls also refuse to take the lands of their father. He further said that the daughter will look after her parents only if the son-in-law is a good natured person. Otherwise it is not possible on her part to look after her parents. Generally there is a tradition of giving hens, goat, cow etc. as gifts to a daughter during the time of marriage but land is not given.
- A youth leader Maka said that there is no tradition in Koya society to give land to a woman or transfer RoR in her name.
- Ungi of village Phulguda said that her uncle gave some land to his daughter. His brothers did not protest. She used to cultivate the land but she had no legal rights (patta).But the sons of her brother forcibly took away the lands, since she had no RoR. She couldn't claim her landholding rights. There are many examples of land being enjoyed by women but as they have no ownership rights they cannot claim it if somebody forcibly takes it away.
- Maka a young Peda says that a widow can remarry in a Koya society. Besides there is no compulsion that a woman would stay with one man during her entire lifetime. She is at liberty to marry more than once. So they don't give land to the women. Maka said that whatever may be the case son is preferable over a daughter; a daughter cannot be treated at par with a son. But the older Pedas said that both the son and daughter are equal for us .The father will look after both the son and daughter. Maka said that once a daughter is married her responsibility shifts to her husband. The father should have no concern for her. But Kasa Madkami of Palkonda said that the father will look after both the son and the daughter. We should give property right to the son. But it does not mean that we would be silent when the daughter is in trouble. We should also give some share of property to a daughter. Otherwise how will the girl manage by herself?

Group discussion in the village of Phulguda in Malkangiri, Orissa.

The Hindu Succession Act confers equal share of property for both son and daughter. According to the provisions under the Act a woman will get her share of paternal property if she claims it in a court of law.???????????????????? There are also similar laws among other groups. What are the rules in Koya society governing inheritance of property of women? It has been observed that the women contribute more in terms of labour. Then why should a woman be deprived of any share of property? The women of Phulguda village present there said that they should get some share of property. But the men argued that if a daughter is married away, her share of land will be left uncultivated. The decision of Peda is always held high by the community. But at times the father takes decision overriding the decision of Peda and gives some land to the daughter. But the point here is that this depends solely on the whims and fancies of the father and the brothers and there is nothing sacrosanct about it.

“Who will cook if there is only a son? Who will clean clothes and who will take care when the parents suffer from illness? The men of Phulguda said that the daughter-in-law will take over all these responsibilities. “If the daughter-in-law and daughter perform the entire domestic chores, serve the parents and even do agricultural activities then what is the role of male members? It is the women who really toil hard, whether she is a daughter or a daughter in law. Then why is the woman deprived of any rights over property. Why the land RoR shouldn't bear her name. If there would be provision of joint RoR in the name of both the son and the daughter-in-law then the daughter-in-law would look after the in laws in case her husband absconds or dies .

Ira Padiami was of the opinion that a son will inherit the property of his father and a woman will inherit the property of her father-in-law through her husband. Who holds the title of the property was not really important.

A widow of Podagada had no children. She had an Indira Awas house, 10 acres of land and 20 palm trees. But the RoR was not in her name. So her husband's brothers tried to snatch her property. At last they proved that she was insane. They made her sign in a blank paper and threw her out of her home. They cut down all the palm trees. They snatched away all her land. Now the woman is shelter less. She sleeps in verandahs and lives on begging. Sometimes she has to sleep in an empty stomach. If she had legal rights over her property she would not have seen such bad days.

During the time of marriage the father gives goat, hen, cow and clothes as gift to the daughter. “Is the value of a hen, goat, and cow comparable to the value of land? A girl stays for nearly 12 to 14 years in her paternal home. She renders different kinds of physical labour for the family. Can we fix the value of her labour for a few hens, goat or cow? One of the Pedas said that the tradition has been established in Koya community since very ancient times that the women cannot inherit property.

The laws of the country establishes that women should have right to inheritance of property. But the Koya society doesn't recognize this practice? Who has established the norm to deprive the women of their right to property? Singa Madkami said that Dr. B.R. Ambedkar had said that women shouldn't have right to property in a Koya society. But the group rejected this claim on the ground that Ambedkar has nowhere spoken about tribal women being deprived of inheritance. It was discussed that according to the provisions of PESA Act the decision of villagers is final and supreme

and no body can over rule the decision of the villagers arrived through common agreement.

5. CUSTOMARY PRACTICES WITH REGARD TO INHERITANCE OF PROPERTY AMONG TRIBAL WOMEN

a. LAND DISTRIBUTION:

There seems to be enough evidence of land being distributed only among sons in the past by individuals among the Koya community. An elderly lady of Purunagada village for example, while speaking about her childhood days, revealed that her father had distributed land among her brothers, she never had a share. Another lady, Peda of Akherpali village said that earlier her ancestors lived in Madhya Pradesh (MP) due to inadequate land. Initially, the Madakami and Madhi caste people were the first to come to Orissa and acquire land, which was followed by other Koyas.

Initially, they divided the land among the households and obtained *patta* (official land rights papers) for that land. During that time, either of these groups alone enjoyed more land than the others. However gradually, the community took a strong decision to do away with the caste system and there was no division of upper and lower caste among the Koyas. These days, men irrespective of their caste/group affiliations enjoy an almost equal amount of land, which shows that the ***community is not caste influenced as far as distribution of land is concerned***. However, there seem to be ***some amount of discrimination***. Peda and Pujari for example, have more land than others because they perform various rituals and also furnish decisions.

The Koya community not only divides their land, but also livestock, utensils and other household stuff equally among the male members. Father or the grandfather, if alive, divides the land equally among all the brothers. No such thing as land gradation in terms of bad and good quality land exist in their community. Rather, the land area is simply demarcated and bequeathed to the heirs. However, the brother who takes the responsibility of the father is given more land compared to others usually without any heartburn or conflicts. The community intervenes in case of any disputes arising within a family.

The land is usually distributed after the brothers start getting married. In several cases, when the older brother marries and wishes to set up his own house, the father decides to share his assets between both the married and unmarried brothers. Generally, the parents stay with the unmarried son. Though the land is divided, the labor put in it is not. All the brothers work together, even keep their production in their ancestral home and any member can use the stored food grain. In few cases, where dispute arises among brothers, and between parents and son, the son usually sets up his new home in the village adjoining his ancestral home. He also acquires his share from all other assets and lives separately by doing his own cultivation.

Land distribution among widows:

Most of the times, a widow stays in her husband's home. If her son(s) is an adult, he gets the share of his father. If the land has not been distributed before the death of her husband, then it is the responsibility of the community members and the father-in-law to divide the property. After their husbands' death however, the widows work harder as they not only have to do the household chores, but also work in the farm.

They build small boundary walls on their land area (*hida bandha*) and also for their homes. There is no separate property allocated to the widowed women.

Land allotted by a parent who have no children

In case of parents who do not have any children, the ancestral land goes to the adopted son from their kin group. But childless couples cannot transfer their land to adopted sons from other kin groups. If the property is transferred to an adopted son from another kin or caste, then it usually results in resentment and resistance from the kin members.

Land distribution in case of multiple wives

Among the Koya community, land is distributed only among the sons. Hence, a man with multiple wives divided his land equally among the sons of respective wives. It was also revealed during the survey by a man with two wives that no enmity exists between his wives and sons to own the maximum property. He also defended the system of equal land distribution among all his sons. In other words, the land is not divided according to the whims and fancies of the father, but distributed equally to his sons by their right. Though there is no question of favoring one son over another.

Property and unmarried Koya women

It was quite interesting exploring the relationship between an unmarried girl and property in the Koya tribe. The birth of a girl child is not considered to be a cause for worry among the Koyas. She also has access to every kind of property, starting from household goods to land. But, she has little freedom to purchase any goods, not even her own ornaments and toiletries. She saves a little money by collecting *mohula*, which she spends at her own time and will. She usually does all house hold chores like – cooking, fetching drinking water, cleaning the house, cleaning the cowshed – besides helping in cultivation work. A Koya girl never deals with big expenditure decisions like at the time of marriage, purchase of livestock, selling of household assets etc. ***Throughout her life, she seems to be controlled by her father and brother and husband.***

At the time of marriage, it is the ritual in Koya community to accept bride price where parents get cash and other assets (pig, goat, hen etc). But, there is no such valuable asset that is transferred to their daughter at the time of her marriage. Post marriage, if the married woman requires any help from her parental home, her brothers are usually not very keen to assist her. The brothers usually visit their sister's home and gift things like goat, hen at the time of need.

6. CLASSIFICATION OF SEASONAL WORK SCHEDULE OF KOYA MEN & WOMEN

Purpose: To compare how male and a female group in the Koya community spend their work time throughout the year. To know the work pattern in various seasons, a group discussion was organized separately for both men and women of a village.

Materials required: Drawing paper, sketch pen

Procedure: The surveyor began by first drawing a big round clock with 24 divisions representing twenty-four hours of a day. Then the people were asked to note the amount of time spent for various activities, from the time they wake up till they retire. Three clocks were drawn separately for three seasons in a year i.e. summer, rainy and winter.

Village name - Akherpali

a. Classification of Seasonal Work Schedule of Koya Men

1. WINTER SEASON

For the Koya men, the day starts at six a.m. during the winter season. After being refreshed they leave for their fields along with their agricultural tools at about 7 a.m. They work till noon and have their lunch soon after, which is fetched to the work place by their wives. They take rest till 2 p.m. under the shade of a tree. Work starts again and continues till 5 p.m. in the evening. They return from their fields after this and relax at home till dinner time at 8 p.m. following which they go to sleep.

2. SUMMER SEASON (March-June)

As compared to rainy and winter seasons, summer time is comparatively less arduous for the Koya men. The day usually starts at 6 a.m. and they take nearly an hour to complete their daily work (brushing, ablution, bath etc). The men leave home to place their pots on the palm tree to collect *Tadi* (a juice collect from palm, and *Khajuri* stem). They return home around 8 a.m. and then move to collect *mahulla*, which takes about four hours. Around noon they go to collect their pots of *tadi*, which they drink. The men have their lunch at 1 p.m. following which they rest up to 3 p.m. They move to their fields where they just relax for nearly two hours. They return home at about 5 pm and take food, which is followed by a drink of *tadi* along with their friends outside home. They return home at about 6.30 p.m. where they chat and relax with their family members and friends. Dinner is at about 8 p.m. after which they go to sleep.

2. Rainy Season (Mid June-September)

Koya men wake up at 6 a.m. and immediately start for their fields to prepare *Hida* or small boundaries on their respective land. They also plough their land and work continuously for five hours till 11 a.m. after which they return home to take their lunch. They move to their fields once again and work till 5 p.m. They return home and have some refreshments. They retire for the day after having dinner at 7 p.m.

b. Classification Of Seasonal Work Schedule Of Koya Women

With the amount of work a Koya women does, she can be easily compared to a 365-days work machine! The women are not only engaged in household work, but also help their husbands in the fields and in other income generation activities to provide economic support to their family. The following list goes to show the amount and multiplicity of work, which a Koya woman is engaged in, from morning till night throughout the year.

- Wood collection from forest for fuel
- Leaf collection
- *Jhati* collection
- Cutting grass from fields
- NTF collection form forest
- Cultivation of vegetables on own kitchen garden (pisum, cucumber)
- Engraving of small trees in *Dhepa Jami* (forest land)
- Burning the forest to prepare new *Dhepa jami* done by both male and female
- Ploughing of fields
- Carrying compost and manure to their land
- Cutting of crops
- Transporting paddy from field to house
- Extracting rice from paddy
- Caring of cattle
- Preparing manure from cattle dung
- Preparing liquor from *mahula*
- Preparing *pendum*
- Marketing of NTF product
- Purchasing household goods and tools
- Taking care of family (children, husband, in-laws)
- Cooking
- Fetching drinking water.

1. WINTER SEASON:

The day starts earlier than dawn for Koya women at around 4 a.m. They finish milling of rice for the day before sunrise and at about 7.30 a.m. they start their household chores like sweeping the house and courtyard, fetching drinking water, cleaning the cattle shed, feeding cows, cooking food for the family etc. They carry meals with them to the fields for their husband and work there for the whole day till about 5 p.m. They remain engaged till 7 p.m. with other tasks like tying the cattle in their sheds, cooking food for dinner etc. Between 7-8 p.m. they take their dinner after the male members, and wash the utensils. They retire for the day at about 8.30 pm.

2. SUMMER SEASON:

After getting up at 4 a.m. the woman mill the rice for the day, after which from 5.30-7.30 a.m. they sweep their house and courtyard, fetch drinking water, clean cattle shed, feed cows etc. Later, they leave the house for collecting *mahula* where they are busy till noon. After reaching home, the women prepare the lunch till 2 p.m. following which lunch is served till 3 p.m. They go for wood and leaf collection for fuel from 3 to 5 p.m. The Koya women are again busy fetching and tying the cattle, cooking dinner till about 7 p.m. They take their dinner between 7-8 p.m. after the

male members and then clean all the utensils. They retire for the day at about 8.30 pm.

3. RAINY SEASON

After waking at 4 a.m., the Koya woman finish milling the rice before sunrise after which they go for ploughing the fields from 5-10 a.m. After returning home, the women remain busy with household chores and preparing lunch from 10 a.m. to 2 p.m. Later, they go to the fields and work till 5 p.m. afterwards; the women are again busy fetching and tying the cattle, cooking dinner till about 7 p.m. They take their dinner between 7-8 p.m. after the male members and wash the utensils. They retire for the day at about 8.30 pm.

8. KOYA MARRIAGE

The Koya tribe of Malkanagiri is known by the following clans or *Kudas*

- Madakami
- Padiami
- Madhi
- Sodhi
- Kowasi

Koyas do not marry within the clan. For e.g. a Madkami girl cannot marry Madakami boy. As per their folk legend, the origin of the Koyas can be traced to the Pandu king. Each clan is represented by a totem like the Podiami with goat, Kowasi with tortoise, Madhi with goat, Sodi with buffalo and Madkami with *Paladhua* tree.

Three types of marriages exist within the Koya community. They are:

- Marriage by capture (*lagitata*)
- Regular marriage (*pendule*)
- Love marriage

REGULAR MARRIAGE

In a so-called 'regular' Koya, marriage, the relationship is socially approved. There is a complicated ritual procedure comprising several visits of family relatives to the house of the bride and the bridegroom where exchange of goats, poultry, *mahula* drink etc takes place.

Koya girls generally marry at a fair age. The community provides equal opportunity to both a girl and a boy to know about the status of their future spouses and express their opinion about them.

Marriage Proposal:

As per normal custom, a maternal uncle's daughter is the first choice as a bride for a boy followed by a sister's daughter. The bride's family visits the boy's family with a proposal of marriage. The father of the bridegroom then visits the bride's house to talk about the proposal for his son. If both sides agree with the proposal, then the group of males accompanying *peda*, head to the bride's village where they settle the exact day of the marriage ceremony.

A day before the scheduled date of marriage, *kutumba* or clan members and friends of the bridegroom headed by *Badi peda* (besides *peda*, he is the person assigned to act as the mediator between both the parties) reaches the bride's village. This group carries the bride price consisting pig, rice, *pendum*, goat – which is offered to the bride's family known as *Karsa*. The bridegroom's family receives the bride's family and friends cordially, and then a feast is arranged in their honor with plenty of rice and meat to eat and enough *pendum* to drink.

Day of the marriage:

On the day of marriage, the bride is smeared with turmeric before the ritual bath, and wears new clothes. The bride, accompanied by her friends, goes around each house of the village and seeks blessings from elders. At times, meeting people makes the girl emotional and she weeps, but is soon consoled by others. She is also gifted money as a token of affection by the elders. The friends sing songs with sorrow telling her about her childhood days. They feel sorry that next year during the *mohula* collection, she would not be there and they would miss her. The bride gets even more emotional and replies with only tears.

The marriage ceremony takes an interesting and enjoyable turn when the girls of the village and the *badi peda* engage in friendly banter where they crack jokes and tease each other. The girls serve *badi peda* a hot dish and force him to take it. They also stand guard near the main door, thus obstructing the path of *badi peda* whose duty is to invite all villagers to attend the ceremony which to be held at the bridegroom's place in the evening.

The bridegroom party starts towards the bride's village in the afternoon. A group of girls accompanies the bridegroom and later the friends of the bride also join them. The short journey is marked by fun and revelry where the girls purposefully walk slowly and also sit down for a long time thus teasing the bridegroom party. They also sing songs and enjoy. The girls pretend to go back when they are persuaded by the boys from the bride's side to join them. The procession continues in this manner

A small hut is constructed for the bride to stay along with her friends near the entrance of the bridegroom's village. Thereafter, she is invited inside the village of her future husband. While the women from bridegroom's village take charge of the food preparation and hospitality of the guests, the women from the bride's family sing folk songs and enjoy drinks of *pendum*. Before the feast is served to the guests, both the bridegroom and the bride are made to sit together and are served rice and vegetable in separate leave plates, which are then exchanged. Following this ritual, all of them enter the village of the bridegroom. While proceeding, the groom dances along with the village girls and boys and the girls accompany the bride also join in another group.

The day of the marriage ceremony where the couple is declared as man and wife depends on *wadaee*. Before the union, the bridegroom worships by taking a little rice, turmeric and oil. The ladies keep water in nine new pots and the bride and groom stand on two yolk galls. They pour water on each other, after which the bridegroom drags the bride in to the house. The girl's friends and family then depart from the village with tears singing soulful songs.

MARRIAGE BY CAPTURE

As far as selecting their life partner is concerned, Koya youth are both independent and cautious. If a boy likes a particular girl, and due to circumstantial or financial difficulties he is unable to arrange for a regular marriage, he sets up a plan with half a dozen of his friends to kidnap the girl from the *bazaar* (market place), any celebrations, the woods or the water pond. He then binds himself to the called marriage. When this happens, the girl of course, is expected to make a great deal of fuss. She weeps, rants and screams, but somehow she fails to make an effective resistance and allows to be taken directly to the bridegroom's home.

However, there may be some resistance on the girl's part if she is supposed to be in love with some other man. The next day the parents of the girl come to the boy's home to look up their girl and naturally a quarrel starts which soon subsides with a feast and offer of food and *pendum*.

LOVE MARRIAGE

If both the boy and girl like each other, they can meet before marriage. If the relationship between both the families is cordial, love easily culminates into marriage where all the rituals of an arranged marriage take place.

WIDOW RE MARRIAGE

Widow remarriages are allowed in Koya community. A widow is first given the preference to marry her brother-in-law. She can also marry any man of her choice and continue to stay with the new family. In some cases, the villagers look for a suitable widower for the widow. Most of the times, the young widows are allowed to marry up to the age of 35 years. With regard to the bride price, the man who marries the widow has to pay the lady.

MULTIPLE WIVES

Marriage to more than one woman is quite common in the Koya community. A Koya man can marry a woman anytime. The reasons for choosing more wives than one can range from – misunderstanding and inability to bear children to laziness on the part of woman to work, addiction to liquor etc. Koya women are also seen to be adjusting easily with the new bride in the family.

KARSA: It is the amount of money, which is given from the bridegroom's side to the bride's family at the time of marriage. *Karsa* or the bride price is collected compulsorily from all types of Koya marriages. Nowadays, *karsa* is valued in terms of money. Every village has fixed a certain amount of money for it. In Akherpali village for e.g. the amount is Rs 8,500, which has been calculated as per the valuation of marriage gifts given by the bridegroom's side. While in case of an arranged marriage, the bridegroom has to pay *karsa* at the time of marriage, in case of love marriage or marriage by capture, it is collected later.

CASE STUDIES:

1. Ungii Padiami, 51 years, female

Village: Purunagada

Case: Multiple Wives

Fifty-one-year-old Ungii Padiami of Purunagada village was married to Deba Padiami. However, her husband has left her since 18 years and is now staying at Andhra Pradesh, where he has his own business. He has married another woman at Andhra Pradesh and has now three sons and two daughters. On the other hand, Ungii has two daughters and a son from her former husband, out of which a daughter a son has got married. Interestingly, her son like his father has also got married twice. At present, Ungii is staying with her son's family along with her 18-year-old daughter Adami. The son is drunk most of the times and does not do any work. It's Ungii and her adult daughter who have been taking charge of the whole family.

When asked about the relationship between her and her husband's family, she said, "My husband along with his family comes to the village twice a year and usually stays for a week." It appeared that Ungii's family does not have any objection in accepting Deba's second family. Ungii herself said that they now belong to a single family. "There was no objection from me during the time he married for a second time and now also I am not going to create any problems for them," expressed Ungii.

2. Adme Madi, Age- 61, Female

Village- Akherpali

Case - widow

Adme Madi from Akherpali village is 61-years-old. She was married to Bime Madi, who expired 12 years ago. Adme has two sons; the elder one got married after Bime's death, after which the entire property was distributed among the brothers. Following a conflict between Adme and her elder son, the family was divided into two households. Adme chose to stay with her younger son. She then arranged for a bride for him and stayed in the new home leaving her husband's ancestral home. The elder son got more amount of property than the younger son. Adme alleged that her elder son not only got the ancestral property but also got all the property of his elder paternal uncle who had adopted him.

Though according to Koya community rules, a large amount of property is transferred to the brother who takes care of his parents, in this case, it was the elder brother who got more property, despite not staying with his mother. Adme has two daughters, who are married. When asked whether she would bequeath any property to her daughters,

she vehemently denied to such a system where transfer of property to daughter takes place.

3. Aita Kunjami, 24, male, newly married

Village: Purunagada

The case of a 24-year-old Aita Kunjami was taken to assess his views on property accession within the family. Aita got married to Irme Kunjami six months ago after a courtship of three years. When asked about the relationship with his new wife, he laughed saying it was fine. When he was questioned that if she ever prevented him from doing anything how would he react. Aita replied: “Whenever my wife protests, I listen to her complaint and decide whether it is correct or wrong before implementing it.” Giving an example he said that when his wife complained that he was just wandering here and there and squandering money, he realized his mistake and followed her advice. Though men like Aita are gradually becoming progressive in the Koya community, they are rare, expressed a few elderly Koya men.

Aita’s father Deba Kunjami, had two brothers and the property was already divided by Aita’s Grand father. However, the *patta* is still in the name of his grandfather. Aita does not have any children yet though his father has divided the property between his two sons.

When asked about the stuff, which his wife had brought from her paternal home at the time of marriage, Aita said, “she had got a few sarees and some utensils, which was purchased with the money that she had saved.”

To the question whether his wife can purchase or sell any item without taking his permission, he replied in the negative saying, “she has to first inform me before deciding to sell or purchase any household item.” Aita was unaware about the dual *patta* system, but when asked whether he would convert his *patta* by also including his wife’s name, he said after the husband’s death, a wife would any way be the sole heir to his part of the property.

4. Bima Madakami, Age: 62 Years, Widow

Village: Akherpali

Case where daughter gets land

Bima Madakami is a 62-year-old widow from Akherpali village. Both her children, a son and a daughter, are married. Her only daughter is married in the same village. When asked what had she given her daughter at the time of marriage, Bima said that she was waiting for the *Karsa* (the amount of money given from the bridegroom side to bride at the time of marriage) and once it is paid, she would contemplate giving something to her daughter.

Upon asked how come her daughter had been given a piece of land after marriage, by Bima, she clarified that the land was never given by her. Rather, it was forcefully

taken by her son-in-law, she alleged. The son-in-law had earlier given Bima a bullock for which he charged Rs 500, but it was too hefty a sum for Bima to pay. As a result, her land was forcefully taken from her, she said. ***Stating that daughters should not demand any right on ancestral, Bima said that she would get the piece of land from her daughter and son-in-law at any cost.***

5. Bima Sodi, 46, Male

Village: Akherpalli

Case: Respondent has no issues

Forty-six-year-old Bima Sodi and wife Muke Sodi do not have any children. Bima has six portions of paddy-cultivated land; two forest land where he cultivates *Rasi*. The couple had two children earlier, who unfortunately died following severe illness. They do not wish to adopt any children at present. Bima has cordial and warm relations with his brothers who stay at another village. They often come to Bima's house and also support him at the time of need. When asked who would be the next heir of his property, Bima said, "The property would automatically go to my brother's sons. I cannot bequeath my property to other people I am fond of in the village because the ancestral property has to be passed to descendants only."

5. Debe Padiami, Age: 41 years, female

Village: Akherpalli

Case: Respondent has two daughters

Debe Padiami, a 41-years-old woman stays at Akherpali village with her husband Padia Padiami. They have two unmarried daughters. Initially, Debe was hesitant to talk about matters related to property, but gradually agreed to do so. However, when asked what constitute property, she said that she didn't know much about it and her husband would be better suited to answer it. Upon queried about the heirs to their property Debe said promptly, "It would be my two brothers-in-law (husband's brothers) who would be getting the property after us." Without the slightest hesitation she explained that all the property would definitely go to the families of her in-laws.

According to Debe, **girls in their community do not possess any right to claim land as their own property. Also, the property, mostly land, cannot be it transferred to the girl after their marriage.** "I had not got anything from my paternal home at the time of marriage and so at the time of my daughters' marriage I will not give anything. Only cows and goats can be transferred to the daughters," she explained.

6. Dule Madkami, 61, Women,

Village: Ramapadar

Case: Respondent has no son

Dule Madakami is a 61-years-old lady having only two daughters. Dule's daughters, Gangi Padiami and Ungii Padiami, are both married. While elder daughter Gangi has no children, the younger daughter Ungii, has two sons staying in the same village. Jaga Madkami, husband of Dule was not present during the interview, as he had gone to the fields for work. The elder daughter stays with Dule. When asked whether her son-in-law was helping them in agricultural work, Dule said that rather than the son-in-law who occasionally visit their home, her brother-in-law helped in the fields. Jaga has six paddy fields and a forest land. He sold his forest land to a villager, getting a cow and a goat in exchange.

When questioned if she has given any property to her younger daughter who lives in the same village, Dule said there **no such rule exists to give any property to girls, who usually live in other villages after their marriage.** On the inheritance of property after her death, she said that it property would go to the family of her brothers-in-law. However, she had agreed to give a piece of land to her elder son-in-law. Talking about her own youth, she said that land had been divided among her brothers after they got married. The Pedas and village community did the division. When posed with the question what if her husband preferred to transfer the land between their two daughters, Dule said "such a situation would never arise as the community would strongly resist."

7. Ganga Madkami, 42, Male

Village: Purunagada

Case: Respondent has multiple wives

Forty-two-year-old Ganga Madakami has two wives living in the same village. Ganga seemed to be comparatively more educated and had some amount of exposure to the outside world as well. Besides being a member of the Village Education Committee (VEC), he can also speak Oriya quite well. Ganga revealed that he has two wives – Lake and Ungii. He married for a second time after three year of his first marriage, as his first wife used to drink regularly that resulted in conflicts at home. He said that his first wife, Lake, failed to do the household chores as she used be always drunk. "Neither did she helped in the fields, nor was she able to take care children," he alleged. He said that he did not know of Lake's alcoholism before their marriage. This was the reason why Ganga decided to marry again.

When he got his second wife, Ungii, there was no resistance from his first wife or from the community. His family easily accepted the new bride. While Ganga's first wife has a son and a daughter, Ungii has two daughters. All family members are now staying together under one roof and no apparent rivalry exists between the two wives as according to Ganga, Ungii manages the house quite efficiently. The husband said that he tries to show equal behavior to both his wives.

Upon meeting Lake, she expressed that she had no objection to her husband's second marriage. **Since it was her husband's wish, there was no question to prevent him, she reasoned, adding that she has accepted Ungii as a family member and**

maintained a healthy relationship with her. Lake said that she did not feel degraded after Ungii's arrival. All the children enjoyed the same treatment, she added.

When it was asked to Ganga whether he would give more land to his second wife as she did more work at home, he said it would never happen since all the property would be equally distributed among the male children. *Opining his views on property distribution, he said, "Girls do not have any right to claim ancestral property. The custom is to give land to only the male heirs."*

8. Respondents: - Inga Padiami, Adma Padiami, 9 & 3-years-old, male

Village- Akherpali

Case - Orphans

A family was found in Akherpali village, which consisted of two small children, aged nine and three years old, whose parents had expired. It was eldest son Inga, a nine-year-old boy who shouldered all the responsibility in the house. Revealing about his family, he said that their father passed away first, followed by their mother. "We also have a elder sister who is married and stays at Madhya Pradesh. But she hardly comes to the village and stays for only a couple of days when she is here," said Inga. The children do not have any close relatives staying at the village who can claim their property by adopting them. No one from the village has also ever tried to encroach on their ancestral property.

Both Inga and Adma have never been to school as they remain busy earning their livelihood at this tender age. They till the land, collect wood and *mahula* from forest. But being so young, both the boys find it difficult to cultivate. Hence, they try to do other odd jobs in the fields of others like grass cutting and making small boundaries on land, for which they get an amount of paddy. Their own lands are mostly cultivated by other villagers, who give them only a small amount of paddy. This happens because there is no fixed measurement system of exchange among the Koya community.

With regard to support from the community, Inga said, "The villagers do not intervene in our family. No one has come forward to take care of us and we do not expect anything from the community either." However, till now nobody has tried to usurp the land from the children.

9. Respondent - Irme Kunjami, 36, female

Village- Ramapadar

Case- two daughters

Thirty six-year-old Irme Kunjami has two daughters, – Male Kunjami (4-yrs-old) and Ure Kunjami (2-yrs-old). Irme said out of the three pieces of land that she possessed, one received water supply for six months and the other two received water for only two

months. The fields are usually used for paddy cultivation. She also has three forest lands, which her father-in-law had distributed at the time of her marriage. In addition, her family now has 12 hens, three pigs, three cows and a few tamarind and *mahula* trees. Irme doesn't face any difficulty in maintaining the family property and all the family members work hard and depend on the cultivated products.

When asked about the distribution of property, Irme explained that she didn't really know about it and it's her husband who will finally decide. However, she revealed that sometimes her own brother came to her house and took along with him a goat or a hen and her husband never protested as such. "But, I am not allowed to sell anything without my husband's permission," she said.

10. Respondent - Irmi Madkami, 47 years

Village: Purunagada

Case: Widow, with one daughter

Irmi Madkami, a 47-year-old widow from Purunagada village has a 19-year-old unmarried daughter. Her husband passed away while she was still pregnant nearly 19 years ago. Her husband was the eldest son in the family, besides two sons and two daughters. Now Irme stays with her younger brother-in-law. Her widowhood however has never been a cause for either gross exploitation or mistreatment, she said. "I have never faced any great difficulty as such and my status in the family continued as before even after my husband died," she explained. Irme participates in every festive occasion and her advice is sought whenever required.

As her father-in-law had already divided the land among the sons before her husband died, Irme got her husband's share after his death. Since then, she has been cultivating her own land and consuming the production. At present, she also does additional work, which are usually done by males like preparing the *hida bandha* in the rainy season, selling of drink prepared from *mahula* etc. Her younger brother-in-law also helped her in cultivation and other household work. Irme and her daughter also earn money by other means like being engaged as casual labourers, selling *mahula*. .

Though Irme and her daughter have not been exploited as such by the family and community members, there seems to have been instances where they been subjected to discrimination. Soon after her husband died no one from her paternal house showed any eagerness to support her. Rather, they took the calf that was given by her father at the time of her marriage, as she did not have a son who would use the bullock in the future.

There have been hardly any instance of any Koya woman returning to her paternal home after any mishap as there seems to be a strong clan feeling where the bride and her children become members of the kin group. It's the responsibility of her in-laws' family to take care of the woman and her children. Irmi also agreed saying that she was not worried about her daughters' marriage as her brother-in-law was there to take care of it. She and her daughter also denied of any kind of physical assault from either the community or family members.

Interestingly, Irme does not possess *patta* for her land and doesn't wish to make one either, as according to her, the land would be automatically passed to her brother-in-law after her death. Her husband had his own bullock and other agriculture appliances. But after his death her younger brother acquired these assets. She did not have any objection to it and also seemed unwilling to bring them back. "Although all my husband's property including the land and house are mine, I won't be able to sell, mortgage, or transfer according to my own wish. I have to take the consent of others."

Irme mentioned that there were no rules among the Koya community by which a parent can transfer property to daughters. "It is impossible to give any land to daughters as they get married and start living in another village," she reasoned. Irme also strongly denied giving any land property to her daughter in the future.

11. Respondent: Koinda Madakam, 39, female

Village- Rampadara

Case - No children

Koinda Madkami has four portions of land from which she gets the paddy. In addition, she and her husband, Mangru Madakami, have three portions of *Dhepa Jami* (forest land) and two cows.

Both wife and husband work together in their land. When asked about the transfer of property in the future, Mangru said that the property would automatically go to his brother's son. Koinda also agreed with her husband. Mangru explained that they would adopt a son from his brother's family to whom all the property would be then bequeathed.

12. Respondent: Lake Padiam, 32, female

Village- Ramapadar

Case- married women

Lake Padiam is the mother of three daughters and remains busy with household work throughout the day. Even while talking to the interviewers, she was busy engaged with her daily work of pounding paddy to collect rice from them.

As the conversation steered towards property and personal income, Lake said that she usually sells *mohula* that is collected from their forestland. However, she does not get to spend the money as she wants. The money earned by both spouses is considered to be the common income. However, she manages to save some money after the required expenditure. Lake revealed that she couldn't purchase or sell any household material without consulting her husband.

When asked whether she gave money to her husband for drinking liquor, she replied that though she tries to prevent him from drinking, he gets furious for it. Lake expressed her indifference and ignorance when questioned about the distribution of property meant to her. Pointing to her husband who sat next to her she said, “Land distribution is not a matter of concern of me. He will deal with it when the time comes.”

12. Respondent: Muye, 63, female

Village:

Case: Widow

Muye’s husband passed away eight years ago, after which the property was divided between their two sons. However, the land *patta* is still in the name of their grandfather. Muye’s elder son has married twice – his first wife died after giving birth to a girl child following which he married another woman who had a three-year-old son. Unfortunately, Muye’s elder son died three years ago after which her younger son encroached on the property and drove the family of his elder brother along with Muye from their ancestral home.

At present, Muye is residing in a house besides her husband’s home. “My younger son cultivates all the land and we do only labor work. In return, he gives a small amount of amount of paddy, which is not sufficient for four members of the family,” she rued. Muye and her grand daughter, Koshi are also engaged in labor work in other people’s land to earn money, something which they had not done when her husband was alive

Eighteen-year-old Koshi is of marriageable age now and when asked about her marriage, she replied that her uncle (father’s brother) will take all responsibility as neither she nor her grandmother are capable of do that. Muye said that the property of her late son would go to her grandson (her elder son’s second wife’s child) as he is the only heir of this property. She was not in favour of giving any land to her granddaughter.

13. Respondent: Sukru Padiam, 33, Male

Village- Ramapadar

Case- Property Division Among Father And Son

Sukru Padiam, 33, is married with three daughters and a son. He stays separately from his father, Padia Padiam. Nearly four years back, Padia decided to live separately from his son as both father and son’s daily drunkenness created conflicts and squabbles.

Padia left the ancestral home along with his wife and built a house separately near his old home. Sukru’s wife said that she tried to speak to her mother-in-law to resolve the matter peacefully. But it was her father-in-law who was unwavering in his decision. On the other hand, Sukru alleged that his father took all the assets – including livestock

and utensils – with him. The son now cultivates his part of the land with hired bullocks. The land had been divided equally between father and son.

Sukru did not seem troubled by his father's decision, since he seemed to be certain that after his father's death, he would get the whole share of the land. "There is no way left for my father but to accept me as I am the only son of the family," he says.

14. Respondent: Ungii Madakami, 53, female

Village - Akherpali

Case - widow, only daughter

Ungi Madakami's husband Padia Madkam passed away 12 years ago. She has five daughters out of which two were already married when her husband was alive. Ungi was initially hesitant to speak about property matters saying that she already lost it. However, she later revealed that she had several portions of land when her husband was alive. But after his death she was left with only a single forest land that is lying unused as none of her family members are able to work in it. The bullocks that she possessed earlier went to her brother-in-law's family after her husband's death.

At present, one of their acquaintances in the village cultivates their land and gives them a small amount of paddy in return. Ungi's daughters also work as farm labourers for others to earn extra paddy. Ungi seemed to be unhappy with her poverty. "My brother-in-law took all the portions of land during his son's marriage. He sold the land and with the money got his son married," she laments. She also expressed sorrow that community members of her village did not show any interest in the matter.