

(Copy)
No. 12011/32/2/83-LRD

**Government of India
Ministry of Agriculture
(Department of Rural Development)**

Block No.11, 6th Floor,
CGO Complex, Lodhi Road,

New Delhi. Dated the 26 November, 1985.

To

Revenue Secretary,
Revenue Department
Government of (All States/UTs)

Subject: The Issue of Pattas in the Joint names of husband & wife.

Sir,

I am directed to say that the Sixth Five Years Plan stated in para 27.19 as follows:-

1. "Economic independence of women would accelerate the improvement of the status of women. Government would endeavour to give joint title to husband and wife in all development activities involving transfer of assets. This would be taken up for implementation to start within programmes like distribution of land and house-sites and beneficiary oriented economic units."

This important policy directive of the Plan was also considered in the recent conference of Revenue Ministers and Revenue Secretaries held on 17th and 18th; May, 1985 and the conference recommended that legal provisions be made by States / Union Territories for giving joint pattas in the name of the head of the family and the spouse whenever land is allotted by Government or Gram Sabha. Prima facie there should be no objection and difficulty to implement the policy directive of Sixth Plan from the legal points of view.

2. While recommending the issue of joint pattas in the name of the head of the family and the spouse another related suggestion made has been for recording the name of the wife of land holder in the record of right and other land records as a matter of course. But this suggestion may pose some difficulties from the legal point of view and it may also contravene the personal laws of certain communities and the larger social/ legal implications may have to be examined. With the commencement of the Seventh Plan period it is necessary to take stock of and review the extent of implementation of the Sixth Plan directive.

3. It is therefore requested that the State Government may kindly inform the action taken in the State in implementing the recommendations made in para 27.19 of the Sixth Plan. The State Government may also inform the problems involved in implementing the suggestions for recording the joint names of the wife/ spouse and the land holder in record as a matter of course. The State Government may kindly examine the problem in accordance with their revenue and tenancy laws applicable in the State and exact problems which may emerge in the course of implementation may be highlighted. This may kindly be done at the earliest.

Yours faithfully,

Sd/-

S. Bhalerao

Deputy Secretary to the
Government of India.

Copy of D.O. Letter No.14012/5/85-LRD dated 9th Oct. 1985 from Secretary,Department of Rural Development to all Chief Secretaries of States and U.Ts (by name)

With the advent of the Seventh Five Year Plan it is extremely essential for us to take stock of the progress made in the Sixth Plan towards the provisions of equal rights and privileges for women, particularly those in the rural areas. The Five Year Plans have consistently placed special emphasis on providing various welfare and development schemes to improve the status and living conditions of women and to increase their access to resources. Special steps have also been envisaged to remove legal, social and other constraints to enable women to make full use of their rights and opportunities.

The Sixth Plan had stated that to accelerate the improvement of the Status of women steps should be taken to make them economically independent. One of the policy directives of the Sixth Plan was that "Government would endeavour to give joint titles to husband and wife in all development activities involving transfer of assets. This would be taken up for implementation to start with in programme like distribution of land and houses sites and beneficiary-oriented economic units". In the Conference of the State Revenue Ministers held in May, 1985 at New Delhi one of the recommendations made in the Conference was to provide joint titles to the head of the household and the spouse whenever land is allotted by Government and if the States need to make any legal provisions in this regard,they may have to do so at the earliest.

The need to accelerate the development of women and children in the rural areas is being given a very high priority by the Government. We have already increased the minimum coverage of women under various programmes like IRDP Programme.

I would therefore request you to give due consideration to this policy directive of the 6th Plan which has by and large remained unimplemented in almost all the States and Union Territories while women have been individually given lands but no efforts have been made in the States to provide joint titles as was envisaged in the 6th Plan. I would request you to kindly give due priority to this very important policy directive and to intimate the action taken by the State Government in this regard.