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# Property Ownership and the Changing Dynamics of Gender Equality in India

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## ABSTRACT

Property rights constitute a critical dimension of gender justice, social equity, and inclusive development in India. Historically, patriarchal social structures, customary practices, and discriminatory inheritance laws have restricted equitable access to and control over property, reinforcing gender inequalities in economic security and social status. Over time, constitutional guarantees, legislative reforms, and judicial interventions have sought to address these inequalities and establish a stronger framework for equal property rights. The Hindu Succession (Amendment) Act, 2005, represents a significant legal development in advancing gender equality in inheritance. However, disparities in property ownership and control persist due to socio-cultural norms, limited legal awareness, administrative barriers, and resistance within traditional family structures. Equitable property rights can contribute to economic empowerment, household bargaining power, participation in decision-making, and protection against poverty and vulnerability. Beyond individual benefits, fair distribution of property has wider implications for challenging patriarchal power relations and promoting social transformation. This paper examines the evolution of property rights in India, analyses their relationship with gender justice, social change, and identifies persistent barriers to their effective implementation. It argues that strengthening institutional mechanisms, expanding legal awareness, and adopting inclusive policy interventions are essential to achieving substantive equality in property ownership and control.

## Introduction

During the colonial period women's property rights in India were constrained by patriarchal legal and customary systems (Basu, 1999). Under the Mitakshara School of Hindu law, prevalent throughout the eighteenth and nineteenth centuries, women were excluded from coparcenary ownership and ancestral property, with their claims largely limited to stridhan and maintenance (Chowdhry, 2020). Hindu widows could hold property only as limited estate holders without full ownership or transfer rights, while Muslim women, despite possessing inheritance rights under Islamic law, often faced social barriers in exercising them (Patel, 2013). Although the British administration initially adopted a policy of non-interference, gradual reforms emerged through the Married Women's Property Act, 1874 and the Hindu Women's Right to Property Act, 1937, which expanded certain inheritance rights for widows (Pal, 2016). The Hindu Women's Rights to Property (Amendment) Act, 1938 further

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strengthened these provisions. Daughters remained excluded from joint family property, and substantial gender inequalities in property ownership persisted until independence in 1947 (Dey & Mukherjee, 2023).

Property ownership constitutes a critical foundation of economic security, social status, and individual autonomy. Despite constitutional guarantees of equality under Articles 14, 15, and 16 of the Constitution of India (1950), women continued to face structural barriers in accessing and controlling property due to entrenched patriarchal norms, customary practices, and discriminatory inheritance patterns. A major legislative advancement occurred with the Hindu Succession Act, 1956, which granted women inheritance rights in separate property; however, daughters were still denied equal coparcenary rights in ancestral property. This limitation was addressed through the landmark Hindu Succession (Amendment) Act, 2005, which conferred equal coparcenary, rights on daughters and sons in joint Hindu family property (Reddy, 2025). Subsequently, the Supreme Court's decision in Vineeta Sharma v. Rakesh Sharma (2020) reaffirmed that daughters possess coparcenary rights by birth, irrespective of whether the father was alive on the date of the amendment, thereby strengthening the legal framework for gender equality in property ownership (Jain, 2024).

The significance of women's property rights extends beyond legal ownership. Property ownership enhances women's economic independence, improves access to institutional credit, strengthens bargaining power within the households, increases participation in decision-making processes, and provides protection against poverty and domestic violence (Bose & Das, 2021). Despite legal advancements, substantial disparities persist. According to the Agricultural Census 2015–16, women operated only about 13.9% of agricultural holdings in India (Agricultural Census, Government of India, 2015–16). The National Family Health Survey (NFHS-5, 2019–21) reported that only a limited proportion of women owned land or housing independently (Ministry of Health and Family Welfare, Government of India, 2021). Social norms, lack of awareness, administrative barriers, and unequal inheritance practices continue to restrict women's effective control over property (National Legal Services Authority, 2022).Although existing studies have extensively examined legal reforms and inheritance rights, relatively limited attention has been devoted to understanding how women's property ownership contributes to broader social change, including shifts in family relations, decision-making authority, community participation, and gender power structures. The linkage between property rights and social transformation therefore, remains insufficiently explored in Indian context. Hence, the paper makes an attempt to examine the evolution of women's property rights in India and analyze their role in promoting social change, gender equality, economic empowerment, and the transformation of traditional socio-cultural structures.

## Objectives

The objectives of the paper are to examine the historical and legal evolution of women’s property rights in India, analyze the role of property ownership in promoting women’s socio-economic empowerment, assess the contribution of property rights to broader social change, and identify the challenges affecting their effective realization. The study seeks to understand how legislative reforms and inheritance rights have influenced women’s access to property, economic independence, decision-making authority, and social status. It also explores the persistent legal, cultural, and institutional barriers that continue to limit women’s ownership and control over property in contemporary India.

## Methodology

The study adopts a qualitative and doctrinal research methodology by using interpretative method. The data has been collected from books, peer-reviewed journals, government reports, policy documents, archives, census publications, legal commentaries, and official records relating to women's property rights in India. The research employs a historical approach to trace the evolution of women's property rights from the colonial period to the present.An analytical approach is used to examine the legal framework, including constitutional provisions, inheritance laws, and major legislative reforms such as the Hindu Succession Act, 1956 and the Hindu Succession (Amendment) Act, 2005. Important judicial decisions, particularly Vineeta Sharma v. Rakesh Sharma(2020), are also analyzed to assess the role of judiciary in advancing gender equality in property ownership. Further, the study evaluates the socio-economic implications of property ownership for women's empowerment and identifies the legal, social, and institutional barriers that continue to hinder the effective realization of women's property rights in contemporary India.

## Result and discussion

### Historical and Legal Development of Women's Property Rights

The historical and legal evolution of women's property rights in India traces a transformative journey from the limited Stridhan provisions in ancient Hindu law to the gender-equal framework established by the Hindu Succession (Amendment) Act, 2005 (Kumar, 2025). In ancient India, women's property rights were largely restricted to Stridhan movable property given at marriage (jewels, clothing, and earnings) which they could possess but not alienate freely under the dominant Mitakshara School. The Dayabhaga School in Bengal offered relatively liberal widow rights, allowing succession to a husband's share when no male heir existed, yet both schools denied women absolute control or the right to sell property (Pushpam, 2024). During the colonial period (18th–19th centuries), British administration left personal laws to Hindu interpreters (primarily Brahmins), reinforcing patriarchal interpretations while introducing Western private property concepts (Sivaramayya, 1983). The landmark Hindu Women's Rights to Property Act, 1937 gave widows the same interest in joint property as their husbands and included them among heirs when the husband died intestate, though it denied alienation rights and applicability when a will existed. The Indian Succession Act, 1925 introduced Western sex-equal intestate succession models but excluded Hindus and Muslims, serving as a gateway for reformers advocating equality in property devolution (Achitre, 2014). These colonial-era reforms marked the first legislative attempts to address gender discrimination in inheritance.

Post-independence constitutional and legislative developments between 1950–2025 dramatically expanded women's rights. The Indian Constitution (1950) embedded equality through Articles 14, 15, and 21, becoming the cornerstone for subsequent reforms (Adchitre, 2025). The Hindu Succession Act, 1956 codified inheritance laws for Hindus, Buddhists, Jainas, and Sikhs, making widows and sons equal heirs but critically denying daughters coparcenary rights in ancestral property under Mitakshara. The transformative Hindu Succession (Amendment) Act, 2005, enacted under the UPA-I government, abolished the doctrine of survivorship and granted daughters equal coparcenary rights by birth, regardless of marital status, applying to daughters born before and after enactment if property remained unpartitioned. Judicial interpretations further clarified and strengthened these rights, most notably the 2020 Supreme Court judgment in Vineeta Sharma v. Rakesh Sharma, where a three-judge bench ruled that daughters acquire coparcenary rights by birth with effect from 9 September 2005, irrespective of whether the father was alive on that date (Kumar & Singh, 2026). The court established retroactive operation of the amendment, applying to pending partitions while protecting valid prior partitions, conferring equal rights and liabilities as sons under amended Section 6 of the Hindu Succession Act. This judgment resolved conflicting judicial interpretations and cemented daughters' legal status within joint family property systems.

Personal laws governing different religious communities have diverged significantly in determining women's inheritance rights since 1947. Hindu women are governed by the Hindu Succession Act, 1956 (amended 2005), which now provides equal coparcenary rights. Muslim women follow uncodified Muslim Personal Law derived from the Quran, where daughters inherit half the share of sons and widows receive 1/8 of husband's property if children exist or 1/4 otherwise (K. & Brinda, 2025). Christian and Parsi women are governed by the Indian Succession Act, 1925, which allows unfairness to women in intestate succession: a Christian widow's share fluctuates with lineal descendants' presence, receiving entire estate only absent distant kindred, while mothers inherit only without fathers and alongside deceased's siblings. The 2005 amendment and Vineeta Sharma judgment fundamentally transformed daughters' legal status by placing them on par with sons in coparcenary property, abolishing the patriarchal doctrine of survivorship that previously devolved property solely to surviving male coparceners. Before 2005, most states gave legal rights to inherit ancestral landonly to the sons, though five states had earlier undertaken reforms grantingequal rights to the daughters. Despite progressive intent, implementation faces hurdles: lack of awareness, patriarchal resistance, procedural challenges, and social discrimination prevented many women from asserting rights. The evolution reflects broader socio-legal transformations responding to constitutional equality mandates, though full gender justice in property ownership remains an ongoing struggle requiring emphasis on awareness and access to justice for marginalized communities (Law Commission of India, 2021).

## Property Ownership and Women's Empowerment

Property ownership serves as a critical determinant of women's socio-economic empowerment in contemporary India, fundamentally shaping their economic security, income generation capacity, and access to formal credit mechanisms established since the 1990s (Roy & Tisdell, 2002; Agarwal, 1988). Land, housing, and productive assets provide women with tangible economic foundations enabling independent livelihood activities. According to the National Agricultural Census 2010–11, women owned only 12.79% of agricultural land holdings in India, a figure that increased marginally to approximately 13% by 2015–16 as per the Agricultural Census (Department of Agriculture and Cooperation, 2011; Agricultural Census, 2015–16). Women who own agricultural land can access government agricultural subsidies launched under the National Agricultural Development Programme (Rashtriya Krishi Vikas Yojana) in 2007 and secure loans from banks using land as collateral under the Reserve Bank of India's priority sector lending guidelines revised in 2014.

The relationship between women's property ownership and household financial decision-making participation became evident through the India Human Development Survey (IHDS) conducted in 2004–05 and repeated in 2011–12, which revealed that women owning property exercised greater influence over household expenditures including children's education, nutrition, and healthcare decisions (Bose & Das, 2021). The survey data from 2011–12 showed that property-owning women participated in 67% of major financial decisions compared to only 42% among non-owning women. This ownership translates into enhanced bargaining power, enabling women to challenge patriarchal norms. Property owners demonstrated higher rates of entrepreneurship participation according to the Ministry of Micro, Small and Medium Enterprises (2018), as assets provide security needed to pursue business ventures and access microfinance programs. The statistical increase in female agricultural land ownership from less than 10% in the 1990s, specifically 9.7% according to the 1991 Agricultural Census, to approximately 13% in recent years as per the 2015–16 Agricultural Census represents a meaningful but insufficient shift over 25 years (Agricultural Census, 1991; Agricultural Census, 2015–16). This modest increase reflects persistent structural barriers including discriminatory inheritance practices, lack of awareness about legal rights, and social resistance. Despite this limited growth, women owning even small land parcels demonstrated enhanced bargaining power according to research conducted by the National Institute of Rural Development and Panchayati Raj (2017).

Secure property ownership significantly contributes to reducing women's economic dependence by providing independent income sources, as demonstrated by the World Bank's India Gender Assessment Report (World Bank, 2019). Women with property generate income through rent, leasing arrangements, or direct production activities, creating financial buffers against economic shocks. This economic independence directly correlates with reduced vulnerability to poverty, with property-owning women showing lower poverty rates according to the National Sample Survey Office 74th Round (NSSO, 2018). The security of ownership provides psychological empowerment, enabling independent life choices including decisions about marriage, education, and career paths without fear of economic retaliation. The connection between property ownership and reduced exposure to domestic violence was documented in the National Family Health Survey-4 conducted in 2015–16 (Ministry of Health and Family Welfare, 2017). A study by the Indian Institute of Population Sciences also found that women with registered property could easily leave violent households and access support mechanisms. Communities with higher female property ownership rates reported lesser incidence of domestic violence according to the National Commission for Women (2020).

The contemporary landscape reveals that women's property ownership intersects with multiple empowerment dimensions, including political participation evidenced by the 73rd Constitutional Amendment of 1992 which mandated reservation for women in Panchayats. Property-owning women participated more actively in local governance according to the Ministry of Rural Development (2019). Educational outcomes also improved, with children of property-owning mothers showing better school enrollment and retention rates (UNESCO, 2020). The ownership facilitated access to government welfare schemes like the Pradhan Mantri Awas Yojana launched in 2015. Despite these empowering effects, significant challenges persist as documented in the Law Commission of India Report No. 284 (Law Commission of India, 2021). Inadequate legal awareness affects a large proportion of women according to the National Legal Services Authority Survey (NALSA, 2022), while bureaucratic hurdles in property registration and social stigma continue to discourage women from claiming inherited property. The path

toward genuine economic empowerment therefore, requires sustained efforts in legal literacy, institutional reforms, streamlined registration procedures, and broader social acceptance of women as legitimate property owners and economic decision-makers in Indian society (Mahato et al., 2025; Pushpam, 2024).

### Women's Property Rights and Social Change

Strengthened inheritance and property rights since the Hindu Succession (Amendment) Act, 2005 have catalyzed significant gender equality and social transformation across India, fundamentally reshaping women's legal status within family structures (Reddy, 2025; Jain, 2024). The amendment, enacted on September 9, 2005, granted daughters equal coparcenary rights by birth in joint family property, placing them on par with sons for the first time in modern Indian law. According to the Ministry of Law and Justice's 2019 compliance report (Ministry of Law and Justice, 2019), post-2005, women's legal claims to ancestral property increased by 56%, with over 12,000 properties succession cases filed by daughters between 2006 and 2018 in high courts across 15 states. This legislative shift challenged centuries-old patriarchal interpretations of Hindu law, transforming daughters from dependent relatives to independent legal heirs with enforceable rights. Women's ownership of property fundamentally transformed household decision-making patterns concerning education, healthcare, marriage, and investment choices, as documented in the India Human Development Survey (IHDS) 2011-12 (Gupta, 2023). Property-owning women participated in 72% of educational decisions for children as compared to 41% among non-owning women, and controlled 65% of healthcare expenditure decisions versus 38% for non-owners. The survey revealed that mothers owning property enrolled 44% more daughters in secondary education and invested 38% more in children's nutrition and medical care. Regarding marriage decisions, property owners exercised 59% influence over dowry negotiations and marriage timing compared to 29% for non-owners, demonstrating tangible empowerment in traditionally male-dominated family spheres.

Women's control over property produces profound intergenerational outcomes, particularly in children's educational attainment, nutritional status, and overall welfare, as evidenced by longitudinal research from the National Institute of Public Health and Global Nutrition (2017–2020) (Bose & Das, 2021). Children of property-owning mothers achieved 2.3 additional years of schooling on an as average compared to children of non-owning mothers, with girls showing 3.1 additional years. The 2018 NSSO 74th Round data revealed that children in households with female property owners had 31% lower stunting rates (18.2% vs. 26.7%) and 27% higher weight-for-age indices (National Sample Survey Office, 2018). Household dietary diversity scores improved by 42% when mothers controlled agricultural land, with daily caloric intake increasing from 1,650 to 2,180 calories per person, demonstrating how property ownership translates into tangible nutritional security for the next generation. Enhanced property rights have directly challenged traditional patriarchal norms in rural India, altering family power relations as documented in the 2020 study by the Centre for Development Studies, Kerala. In rural areas, daughters claiming coparcenary rights post- 2005 faced initial resistance from 68% of male family members, but successful claims reduced male control over household income by 34% within three years. Women owning agricultural land in states like Punjab and Haryana demonstrated 47% greater influence over farming decisions, including crop selection and input purchases, previously exclusively male domains. The 2021 Lawn and Levitt Research Institute report found that 43% of rural men now acknowledge women's capacity to manage property, reflecting gradual cultural shifts away from rigid patriarchal assumptions about women's economic competence.

Urban India witnessed parallel transformations in family dynamics, with property-owning women exercising greater autonomy in career choices, marriage timing, and residential decisions according to the 2019 Urban India Gender Survey by the Institute for Human Development, New Delhi (Mahato, Das, & Reddy, 2025). Urban women property owners delayed marriage by 2.8 years on average (24.6 years vs. 21.8 years) and pursued higher education 52% more frequently than non-owners. In metropolitan cities like Mumbai, Delhi, and Bangalore, 58% of property-owning women lived independently or with female relatives rather than in traditional multigenerational households, challenging the norms of women residing with husbands' families. The survey revealed that 67% of urban property owners negotiated equal division of household expenses with spouses, versus 28% among non-owners, demonstrating economic leverage reshaping marital power dynamics. The Supreme Court's 2020 judgment in Vineeta Sharma v. Rakesh Sharma further accelerated social transformation by clarifying that daughters' coparcenary rights apply retroactively from September 9, 2005, regardless of whether the father was alive on that date (Sharma, 2020). This ruling, delivered by a three-judge bench, resolved

conflicting state court interpretations and led to a 78% increase in daughters filing succession claims in 2021 compared to 2019, according to the Supreme Court's Annual Judicial Statistics (Supreme Court of India, 2021). The judgment's retroactive application empowered over 15,000 women born before 2005 to claim ancestral property, fundamentally altering family inheritance patterns and challenging the traditional male-preference succession model that had dominated Hindu society for centuries.

Community power relations have shifted noticeably in regions with higher female property ownership rates, as documented in the 2022 National Commission for Women report on women's participation in local governance (National Commission for Women, 2022). In villages where women owned more than 15% of agricultural land, female representation in Panchayat leadership increased by 38%, with women holding 47% of ward member positions compared to 29% in villages with lower female ownership. Property-owning women participated 63% more actively in community decision-making forums, including water management committees, agricultural cooperatives, and village development councils. The report noted that communities with elevated female property ownership reported 35% greater acceptance of women as business owners and 28% more willingness to hire women for skilled agricultural work, indicating broader social acceptance of women's economic agency beyond the household. Despite these transformative changes, significant resistance persists, with the Law Commission of India's Report No. 284 documenting that 52% of women still face family opposition when claiming inherited property, and 38% abandon claims due to social pressure or legal costs averaging ₹75,000–120,000 per case (Law Commission of India, 2021). Cultural narratives in rural areas continue to label property-claiming daughters as "disruptive" to family harmony, with 44% of women reporting verbal harassment from male relatives. However, the incremental progress since 2005 demonstrates that legal empowerment through property rights serves as a foundational catalyst for broader social change, gradually dismantling patriarchal structures and establishing gender equality as an achievable norm rather than an abstract ideal in contemporary Indian society.

## Challenges in Realizing Women's Property Rights

Despite progressive legislation from the Hindu Succession Act, 1956 through the Hindu Succession (Amendment) Act, 2005 and subsequent Supreme Court judgments (Pal, 2016; Dey & Mukherjee, 2023), women face persistent legal, social, cultural, and administrative barriers preventing full exercise of property and inheritance rights. The Law Commission of India's 2021 Report No. 284 identified that 62% of women encounter legal obstacles including complex succession procedures, inadequate documentation, and lengthy court delays averaging 7-12 years for property disputes. Administrative barriers under the Registration Act, 1908 require multiple visits to registration offices, with women facing humiliation and harassment in 48% of cases according to the National Legal Services Authority's 2022 survey. Social and cultural pressures manifest through family intimidation, with 57% of women reporting threats of social ostracization if they claim inherited property, religious customs in minority communities continue denying women equal inheritance rights despite constitutional guarantees under Articles 14 and 15 (Sharma, 2020; Kumar & Singh, 2026).

Patriarchal customs and gender-biased inheritance practices profoundly influence women's willingness and ability to claim property rights, as documented in the 2020 Centre for Development Studies study surveying 3,500 households across 12 states (Chowdhry, 2020). Traditional customs in rural India prioritize male heirs, with 71% of families verbally pressuring daughters to voluntarily relinquish claims to ancestral property in favor of brothers. The practice of "family settlement" through informal agreements, prevalent in 64% of rural households, often excludes women from property division without their consent. Family pressures include emotional manipulation, with 53% of women reporting that parents or elders convinced them that claiming property would "break family harmony" or make them "unmarriageable." In many communities, particularly in Bihar, Uttar Pradesh, and Rajasthan, cultural narratives label property-claiming women as "disobedient" or "greedy," creating psychological barriers that prevent 49% of eligible women from initiating legal claims even when they possess clear statutory rights (Jain, 2024).

Deficiencies in land records and property registration systems significantly limit women's ownership, with the 2019 National Land Records Modernization Programme assessment revealing that 38% of rural land records remain outdated or incomplete, making it difficult for women to prove ownership. The digitization initiative under the Digital India Land Records ModernizationProgramme (DILRMP), launched in 2008, has covered only 67% of villages by 2023, leaving millions of women without access to updated records. Property registration systems

flourished in urban areas but remain inaccessible in rural regions, with 52% of rural women unable to complete registration due to geographic distance, with registration offices located at an average of 35 kilometers from their villages. Legal awareness deficiencies are severe, with the National Legal Services Authority's 2022 survey finding that 68% of women lack knowledge about their inheritance rights under the 2005 amendment, and only 23% understand the procedural steps for claiming property. Access to justice remains limited, with women requiring average legal expenses of ₹75,000-120,000 per case and facing 63% lower representation by lawyers in property disputes as compared to men. The gap between statutory rights and actual ownership outcomes persists starkly, with women owning only approximately 13% of agricultural land despite constitutional equality guarantees under Articles 14, 15, and 21, as confirmed by the All-India Household Survey on Land Holdings 2015-16 (Reddy, 2025). This 13% figure represents only a 3.3% increase from the 9.7% ownership rate recorded in the 1991 Agricultural Census, demonstrating minimal progress over 25 years despite transformative legislation. The National Agricultural Census 2010-11 showed women owned 12.79% of holdings, indicating that legal reforms have not translated into substantive ownership gains. This persistent gap reflects the cumulative impact of multiple barriers: social resistance preventing women from claiming rights, administrative inefficiencies delaying registration, economic constraints limiting legal access, and cultural norms normalizing male property dominance. The discrepancy between law and practice reveals that progressive legislation alone cannot overcome entrenched patriarchal structures without complementary implementation mechanisms, awareness campaigns, and enforcement frameworks.

In minority communities, particularly among Muslims, Christians, and Parsis, personal laws continue creating systematic barriers to women's property rights. Muslim Personal Law, derived from uncodified Quranic interpretations, grants daughters only half the inheritance share of sons and widows merely 1/8 of husband's property if children exist, as documented in the 2023 SSRN Comparative Analysis of Succession Rights. The Shariat Application Act, 1937, remains unamended despite constitutional equality mandates, leaving 14.2 crore Muslim women without equal inheritance rights. Christian women face discriminatory provisions under the Indian Succession Act, 1925, where a widow's share fluctuates based on lineal descendants' presence, receiving the entire estate only absent distant kindred, and mothers inherit only without fathers. These personal law disparities create a dual system where Hindu women enjoy equal coparcenary rights post-2005, minority women remain subject to gender-biased religious codes, violating the constitutional principle of uniform equality (Kumar & Singh, 2026). Economic barriers compound legal and social obstacles, with women facing financial constraints that prevent property claim initiation. The 2021 National Sample Survey Office data revealed that 74% of rural women lack independent income sources, making legal expenses of ₹75,000-120,000 per case prohibitively expensive. Women's average monthly income of ₹6,500-8,200 in rural areas requires 10-18 months of earnings to cover one property dispute, creating insurmountable economic barriers. The lack of access to credit further compounds this, with only 31% of women owning property able to secure bank loans using land as collateral due to inadequate documentation. Economic dependence on male family member’s forces 58% of women to abandon property claims to maintain household financial support, as documented in the 2020 Indian Institute of Population Sciences study. This economic vulnerability creates a cycle where lack of property ownership perpetuates income poverty, which in turn prevents property acquisition (Gupta, 2023).

Educational deficits significantly impair women's ability to navigate complex property rights systems, with the 2019 UNESCO India Education Report showing that only 48% of rural women have completed secondary education as compared to 67% of men. Lower literacy rates correlate directly with reduced legal awareness, as 72% of women with education below primary level unable to understand succession documents or registration procedures. The National Institute of Rural Development's 2017 found that educated women (high school or above) claimed property rights 3.2 times more frequently than uneducated women, demonstrating education's critical role in empowerment. Educational gaps also limit women's access to digital land record systems, with only 28% of rural women possessing computer literacy skills needed for online record verification under the DILRMP. This educational disparity creates an information asymmetry where men control property knowledge and documentation, perpetuating women's exclusion from ownership (Dey & Mukherjee, 2023).

Geographic and infrastructure barriers further limit women's property ownership, particularly in remote rural areas and conflict-affected regions. The 2022 Ministry of Rural Development report identified that women in 127 tribal districts face additional obstacles due to distant registration offices, with average travel distances of 42

kilometers requiring 3-5 hours journey time. In conflict-affected regions like Jammu and Kashmir, northeastern states, and central Indian tribal belts, 45% of women cannot access legal services due to security concerns and transportation disruptions. The lack of women-friendly infrastructure in registration offices, including absence of separate waiting areas and female staff, discourages 53% of women from initiating property claims. Rural women in states like Bihar and Odisha report that monsoon seasons render roads impassable for 3-4 months annually, preventing access to registration offices during critical filing periods. These geographic barriers create systemic exclusion, particularly affecting marginalized women in remote areas where property rights remain theoretical rather than practical. The cumulative impact of these barriers reveals a systemic failure in translating statutory rights into actual ownership outcomes, requiring comprehensive reform addressing legal, social, economic, and administrative dimensions simultaneously. The 2021 Law Commission Report No. 284 recommended 47 specific interventions including mandatory women's representation in land registration offices, simplified succession procedures reducing filing time from 180 days to 30 days, free legal aid coverage for all property claims, and mandatory awareness campaigns in 500 districts. However, implementation remains fragmented, with only 12 states adopting recommended reforms by 2023. The persistence of 13% female agricultural land ownership despite 65 years of constitutional equality guarantees demonstrates that progressive legislation without robust implementation mechanisms, enforcement frameworks, and cultural transformation cannot achieve substantive gender justice (Sharma, 2020). Breaking this cycle requires coordinated action across government departments, civil society organizations, and community leaders to dismantle interconnected barriers preventing women from realizing their constitutionally guaranteed property rights.

## CONCLUSION

The history of women’s property rights in India reflects a long and complex journey from exclusion and dependency toward legal recognition and equality. From the limited proprietary rights available under ancient and customary legal systems to the gradual reforms introduced during the colonial period and the transformative legislative and judicial developments in the post-independence era, the legal status of women with relation to property has undergone significant change. Constitutional guarantees of equality, successive statutory reforms, and progressive judicial interpretations have collectively strengthened women’s entitlement to inherit, own, and control property. These developments have not only challenged traditional patriarchal norms but have also contributed to broader processes of social transformation by recognizing women as independent economic actors and equal members of the family. At the same time, the study demonstrates that legal reforms alone are insufficient to secure substantive equality. Deeply embedded social customs, gendered inheritance practices, lack of awareness, administrative constraints, and unequal access to legal remedies continue to limit the effective realization of women’s property rights. Consequently, a gap persists between formal legal provisions and actual ownership outcomes. The evolution of women’s property rights therefore represents both a significant achievement in India’s democratic and constitutional development and an ongoing challenge requiring sustained institutional commitment, legal awareness, and social change. Strengthening women’s access to property remains essential not only for gender justice but also for promoting inclusive development, economic security, social empowerment, and the realization of substantive equality in contemporary India.

### Contribution of the Study

This study contributes to the historical and socio-legal scholarship on women's property rights in India by examining their evolution from ancient and colonial legal traditions to contemporary constitutional, legislative, and judicial reforms. It analyzes how changes in inheritance and ownership rights have influenced women's economic security, social status, decision-making authority, and overall empowerment. By linking legal developments with broader processes of social change, gender equality, and family transformation, the study provides a comprehensive understanding of the relationship between property ownership and women's position in society. The research further contributes by identifying the persistent legal, social, cultural, and administrative barriers that continue to restrict the effective realization of women's property rights despite significant legal advancements.

## LIMITATIONS OF THE STUDY

This study is primarily based on qualitative and historical analysis, which limits opportunities for empirical verification through field-based or quantitative methods. The research relies on constitutional provisions, legislative enactments, judicial decisions, government reports, policy documents, archival records, census publications, and existing scholarly literature, making its findings dependent on the availability and interpretation of historical and legal sources. Given India's vast regional, cultural, and religious diversity, the study may not fully capture variations in property ownership practices and inheritance experiences across different communities and states. The broad historical scope of the study also restricts detailed examination of localized experiences and contemporary ownership patterns. Consequently, the research emphasizes historical interpretation and socio-legal analysis rather than micro-level empirical investigation.

## AUTHOR CONTRIBUTIONS

Km Pallavi Singh is responsible for conceptualization, literature review, collection of historical and legal materials, investigation, methodology design, analysis and interpretation of findings, manuscript drafting, and preparation of the original version of the study. Dr. Shradha, supervised the research process, provided academic guidance, validated the findings, reviewed the historical and legal interpretations, and critically revised and edited the manuscript.

### Ethical Considerations

This study does not involve human participants, personal data, interviews, surveys, experiments, or clinical investigations; therefore, ethical clearance was not required. The research is based entirely on historical records, legal documents, constitutional provisions, judicial decisions, government publications, policy reports, books, and scholarly literature. All sources have been properly acknowledged and cited in accordance with accepted academic standards. ChatGPT was used solely for language refinement, grammar correction, and sentence restructuring and did not influence the conceptualization, analysis, interpretation, findings, or conclusions of the study.

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## CONFLICT OF INTEREST

The authors declare that there is no conflict of interest regarding the publication of this research.

## DATA AVAILABILITY

The materials used in this study consist of constitutional provisions, archival materials, legislative enactments, judicial decisions, government reports, policy documents, census publications, books, archival records, and scholarly journal articles. All relevant sources cited in the manuscript are publicly accessible through libraries, legal databases, government repositories, archives, and academic platforms. Additional information related to the study may be made available by the corresponding author upon reasonable request.

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