

Land Grabbing and Development Induced Displacement With Special Reference To Singur And Rajarhat In West Bengal



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Displacement is inherent in the policy of development which is guided by neoliberal economic reforms under globalization. It is basically accumulation by dispossession and forceful expulsion of rural people from their land. The commodification of land is fuelling the land acquisition and forceful expulsion from land favour a minority group while millions of people pay the price without reaping any benefits. Along with land grabbing, resettlement and rehabilitation policies are integrally related. In India, the rehabilitation and resettlement policies were not framed properly and Indian Government had also amended the existing land acquisition act for diluting the rehabilitation and resettlement clause. This inadequate rehabilitation and resettlement measures increases vulnerabilities for the displaced persons and this necessitates the role of fair compensation for the displaced person. This paper highlights the role of comprehensive compensation (not only cash) and its implementation, failure of which can increase the tensions between government and citizens and reduce public confidence in the rule of acquisition. In this regard displacement and land acquisition in Singur and Rajarhat deserves a special role. The negative effects of this displacement can be mitigated by using sustainable development principles. In this paper an attempt has been made to relate land acquisition with rehabilitation policies and also to highlight on the sustainable development policies for overall development of the displaced person and the population for the host country. Apart from this, the paper focuses on formulating fair compensation principle and also provides case studies illustrating, the socio economic decline of the displaced person as relocated communities face the task of restoring livelihood less favourable in new area and on the other hand and increase in well being and wealth in post displacement context from the pre displacement level if the policy intervention is inclusive in nature. So displacement cannot be seen always as a necessary evil if it is guided by proper rehabilitation.

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I. Introduction:

Development can be defined in innumerable ways. It is usually seen as an economic growth or as an improvement in the standard of living of the people or as a process of growth with redistribution or as a process of liberation from dependency and exploitation. So development basically matters with the real freedom that one can enjoy. To achieve these goals the concept of development includes progress in social, economic, educational, cultural, scientific and technological development which would help in transforming the economies. India is also under this transformation but we have to keep in mind that development does not only signify the transformation of economies but also the transformation of lives of the people. But sometimes to achieve the so called "Greater Common Good" or "The National Interest", the interest of the common people has often ignored. In the name of modernisation process, mainly after the adoption of neo-liberal economic reforms, displacement is an inevitable phenomenon. The experience of this involuntary displacement is traumatic in terms of livelihood, and from social and cultural perspective. It has a deep rooted impact on rural communities through land alienation and dislocation from one's habitat. So displacement is often seen as a necessary evil in order to achieve the objective of "greater good".

This paper mainly focuses on the use of eminent domain that supports development induced displacement and land grabbing in this context with policies of fair and just compensation. In this regard the paper suggests the relationship between market value of land and determination of compensation and also the criteria of comprehensive compensation. Finally the paper suggests some sustainable measures for mitigation of trauma and resentment due to displacement.

In 1990s, development induced displacement came in focus because of the dramatic rise in developmental projects and urbanisation coupled with worse outcome in resettlement experiences. The need for land in the development projects resulted in dislocation of people, sometimes referred to as physical displacement. It also has the impact on their livelihood which is known as economic displacement and it also has the environmental and social impacts that make life untenable for the displaced person. Only cash compensation in this regard does not adequately solve the deprivation of the vulnerable people. In this regard the attempt to industrialization in Singur was brought in limelight where the attempt to industrialization was thwarted by massive protest of local people. This led to an increase in resentment and protest among the displaced person and brought the need of sustainable development policies to reach the aims of sustainable development, where the displaced can protect their social, economic and cultural perspective that they were enjoying before resettlement. In this regard the lesson from the paper is only cash compensation and the need for replacement of housing cannot fully restore the living condition and wellbeing of the people who are involuntarily displaced. We have to pay attention to all other dimensions of life that are affected due to resettlement.

II. Issue of Sustainable Development and Inclusive Growth:

In 2015, Internally Displaced Persons (IDPs) were recognised in the 2030 agenda for Sustainable Development and for the first time international framework has acknowledged the importance of inclusion of IDPs in development planning. Confronted with this type of vulnerable population who are in desperate needs of both protection and access to human rights, the applicability of 2030 agenda of Sustainable Development Goal has been thrown into question. So there is a need of Rights based Approach of development in this regard and government will frame policies to place these displaced people under development and humanitarian planning. In this regard a comprehensive and integrated developmental approach to displacement should be considered.

The main progress under Sustainable Development Goals (SDGs) is the acknowledgement of Internally Displaced Persons (IDPs) as vulnerable group though no specific target was set to reduce the number of IDPs. In this regard the role of development actors as well as role of humanitarian actors is important to analyse the

vulnerabilities of IDPs, to overcome the obstacles to durable solution and to achieve clear and quantifiable collective outcome. So national government should integrate the internal displacement into their national development plan and SDG implementation plans.

III. Development versus Displacement: A Conceptual and Theoretical Framework-

Development has some benefits but displacement due to development often causes social disruption. This displacement is sudden, uncompromising, changing from an old environment (from where the person gathered knowledge and experience) to a new one, leaving behind the existing social ties, income and livelihood. Ultimately this act of displacement benefited someone at the cost of others. This forced displacement is the symbol of social exclusion where people are physically, economically and socially excluded. Finally this concept of social exclusion is defined as poverty as capability failure and it breeds different types of unfreedoms. It also discriminated people though they possess the same set of functioning.

As development induced displacement abuses human rights and deprived people to enjoy real freedom that people can enjoy without displacement, underdevelopment persists. From the stand point of the issue of displacement, Washington consensus and hence neo-classical theory of 1980s has a little role to play. This theory mainly focuses on market forces and not on government intervention in the economy to extend development in stagnant economies. But sustainable development models of late 80s and 90s emphasize the role of government intervention in correcting the disempowering effects of displacement and in the context of development induced displacement state has a special role in terms of inclusive growth and protecting human rights.

IV. Examples of development induced displacement in India:

In India development projects like dams have tended to be a major source of displacement. Dams for irrigation and hydropower are major cause of displacement. The hydro-power project is considered as temple of modern India by the leaders of independent India. As quoted by Roli Asthana, 'Involuntary Resettlement: Survey of international Experience', Economic and Political weekly, 15June 1996, during 1950-90 the number of people affected was 18.5 million due to development projects. Examples of dam related displacement are displacement by the construction of Pong Dam, construction of controversial SardarSarovar Dam on Narmada, displaced affected by Hirakud dam and Bargi dam. In the case of large dams in the country there is the occurrence of unplanned displacement as the number of submerged villages has also increased.

The people are also displaced by the projects like thermal power plant. For example, a large number of people are displaced by Farakka Super Thermal Power plant in West Bengal. The World Bank has put the number of people displaced by the Farakka Super Thermal Power plant in West Bengal as 63325 while Indian government figures suggest that no one was displaced. [Walter Fernandes, Displacement - What is all the fuss about? Humanscape, November 1999].The International Displacement Monitoring Centre in 2007 reveal that over 50 years about 50 million people in India has been displaced due to development projects. The latest data of internal displacement can be obtained from Internal Displacement Monitoring Centre (IDMC).

Such displacement have resulted in wide spread protest across the country. The protest of the following projects brought the issue to the forefront- the Nandigram SEZ, the Singur Tata Motors, Sardarsarovar, the Dabhol power, the Mangalore Thermal power and so on. The SardarSarovar project has affected nearly 300 villages, with 163 000 people have been displaced and among them tribal population has been severely affected (Parasuraman, 1999: 167).

Again in some large projects of development displacement has occurred but no resentment and protest are seen because some type of consensus is working but that does not imply sustainability. In this case also the conditions of the displaced were deteriorated from that they were enjoying before displacement. So this forced eviction is unjustified in the true democratic sense. Several million people displaced by modernisation are still awaiting rehabilitation.

V. Resettlement and Rehabilitation Plans

The new policy known as National Rehabilitation and Resettlement Policy, 2007(hereinafter referred as NRRP) tried to fill gaps of the earlier policy of 2003. In this policy government should consider Social Impact Assessment (SIA) study at the time of displacement program. According to this policy the adverse impact on affected families-economic, environmental, social and cultural needs to be assessed in a participatory and transparent manner.

In August 2013, the Government of India came up with a comprehensive Land Acquisition and Resettlement and Rehabilitation (LARR) Act, 2013. The 'public purpose' for which land can be acquired by the government is defined. This law replaced the old Land Acquisition Act of 1894. The Government of India believed that a combined law was necessary, one that legally requires rehabilitation and resettlement necessarily and simultaneously follow government acquisition of land for public purposes. But this bill completely ignores the socio-economic reality of the issue of compensation. The bill is supposed to pay the owners the market value of the land and other property. But in practice it is very difficult to ascertain market value which is determined on the basis of the value of the land in official record and sale deeds of similar property. In the sale deeds value of land is suppressed to avoid stamp duty charges. So in this case there is an information failure that raises doubt on the validity of fairness and efficiency of compensation. Finally determination of market price is a complicated issue as it is difficult problem for the owner to justify market value as land records are possessed only by the government and sometimes the improvement of the land is also not be recorded properly and it gives underestimation of the new high grade land which was previously low graded.

Senior advisor to the World Bank, Miachel M. Cernea, had worked with displacement problems for many years. He has developed Impoverishment Risks and Reconstruction (IRR) model to challenge the development induced displacement. This model rests on three basic concepts such as risk, impoverishment and reconstruction. This model highlights eight intrinsic risks that cause impoverishment which were explained earlier. It suggests risk reversal reconstructive and pro-poor support activities which lead from landlessness to land based settlement, from joblessness to reemployment, from homelessness to house reconstruction, from marginalisation to social inclusion, from increased morbidity to improved health care, from food insecurity to adequate nutrition, from loss of access to restoration of community asset and services and from social disarticulation to rebuilding network and communities.

VI. Compensation the Central Concern of Land Acquisition

Here by compensation we mean the package of comprehensive compensation in accordance with Land Acquisition Act. The persons who are interested in the land under the Land acquisition Act are as follows:

1. Proprietor, Co proprietor and Sub proprietor.
2. Occupier of land
3. Mortgagee
4. Tenant
5. Any person either known or believed to be interested in such land.

There are certain factors that should be taken into account at the time of settling compensation regarding land grabbing. These include:

- a. Location advantage in relation to adjoining land
- b. Nature of land and its capacity to reach higher potential
- c. Its present use
- d. The use to which the neighbouring land has been put and this impact of the use on the land acquired.

There are different types of rehabilitation-

- a. Cash based rehabilitation: A person who is displaced is entitled to get cash compensation according to LAA 1894. It should be based on current market value of land of equivalent size and location and it is the commonly used practice of rehabilitation.

- b. Land based Rehabilitation: Land is an inheritable livelihood producing asset and it can be used as an asset, as a factor of production, as a commodity, and as a basis for community living. So onetime cash payment in the case of cash based rehabilitation does not suffice it. As part of this policy lost land is replaced with new land at some other place. But this also has been the subject of controversy as sufficient land is not available and it is difficult to find land of same fertility.
- c. Employment based rehabilitation: The one job per family is the well known measure to mitigate the effect of displacement. But government and corporate players fail to provide jobs in the post displacement scenario.
- d. Socioeconomic and cultural based rehabilitation: Social rehabilitation includes due importance to family, caste, religion and neighbourhood. Cultural rehabilitation includes rebuilding of temples, churches, other institutions and social festival etc.
- e. Ecological rehabilitation: It includes special right to access to common property resources at new location. The pronouncement of Supreme Court on the issue of displacement caused by the construction of Dam on river Karjan is worth mentioning in this regard. The Court held that “if for any reason the State Government is not able to provide alternative land or arrange for alternative employment, the State Government will subject to the same exception, pay to the head of the family at the latter’s place of residence, compensation equivalent to minimum wage, every fortnight, during the period alternative land or employment is not provided.”

The most important parameter of compensation is determining the market value of the acquired land and it is also the most contentious issue. The market value of land will be determined by the value that a hypothetical purchaser would be willing to pay to purchase the land from the open market on the date of publication of acquiring land and it also has to be assumed that vendor is also willing to sell the land at reasonable price. By using these comparable instances we can form an index of market value. This principle of determining the market value of land is known as the principle of prudent purchaser. In this regard the value of land should not be settled on the basis of only realized possibility but it also has to be settled on the basis of the uses that it is reasonably being capable to put in future. Land acquisition officer also has to consider the comparative sales method to assess the market value of land and the basis of market value has to be determined on the sales value of the other comparable land in the adjoining area. If there were no comparable land sale deeds, then we have to use the method of capitalization of net income where we have to find out the annual income of the land which the owner is deriving or expected to derive from the use of the land. In this regard we have to enquire the average gross yield of the land, cost of cultivation, price of the agricultural crops that were produced in the land etc. So while determining the value of the land only past sales should not be taken into account, the value of the land with all its potentialities should be taken into account. Resettlement programs should be extended beyond monetary compensation as well being is determined by complex array of factors like employment opportunities, access to social network, location, level of autonomy that one enjoys over life and livelihood etc.

So in this paper we are concerned with the key issues regarding resettlement practice, factors for appropriate compensation, failure of resettlement to sustain livelihood for example Rajarhat and Singur in West Bengal and also policy for appropriate resettlement which has the potential for development in case like construction of Belo Monte Dam in Brazilian Amazon.

VII. Case Study:

a. Singur at West Bengal

In Singur, West Bengal, recent development induced displacement phenomenon has occurred for the establishment of automobile project. There was an eminent domain takeover of 997 acres of farm land by citing the land acquisition Act 1894 for the project of Tata Motors at Singur. But unwilling and displaced farmers demonstrated massive protest and joined in save farmland movement of opposition. The project confronted a huge controversy on the question of acquisition of fertile land for the private enterprise. Total investment planned is approximately Rs.1000 crore that helps to build a mini auto city with further spill over effect on

industrialization of West Bengal by using pull and push factors like backward and forward linkage through ancillary industrialization. This also promotes job growth in the non-agricultural sector.

But criticism was raised on the idea of forcible acquisition of land and on the amount of compensation which is less than market valuation. The process of land acquisition and the settling of compensation and rehabilitation packages were the most debated issues in this regard. Generally market value is set at the date of notification of land acquisition but over time the expected price will increase as well as if the land is agricultural land the price of adjacent land continues to increase due to shortage of agricultural production and growing demand. But this fair price concept for land acquisition is not taken into consideration at the time of settling compensation of land. Due to huge protest by local residents and outbreak of violence Tata finally took the Nano factory from West Bengal to Gujarat.

So Singur is an example of failure of land acquisition by the government and a futile effort for industrialization. The main reason behind this failure is wrong calculation of compensation as there is a misclassification of high grade multicropped land and low grade monocropped land in the official record of land of Singur. As a result there is an under compensation of high grade land and this has resulted in the rejection of compensation. So the acquisition of land is at the centre of contention primarily on two grounds: Package of compensation and rehabilitation programme is inadequate and secondly government has undermined the property right (not direct but indirect) of unregistered sharecroppers, landless agricultural labourers and women whose livelihood depends on land though they are not the direct owner of land. In this regard the important issue was that some of the land owners had refused to accept the compensation and the outrage took a violent turn which acquired national and international media attention.

b. Displacement in NewTown, Rajarhat

Rajarhat, New town project is an urbanization programme undertaken by Government of West Bengal since mid 1990s. This project is an example of development induced displacement. The project falls in Rajarhat-Gopalpur municipality and in some panchayat areas. Displacement in Rajarhat somehow went unnoticed in the shadows of multiple reasons. It is a type of involuntary displacement due to ongoing urbanization and concomitant land acquisition. In Rajarhat development of township went unnoticed due to coercive power of a strong government and consent building exercise of the government and the phenomenal rise of 'big men' due to the development of real estate who control the local supply of labour and capital. In this situation of land acquisition people are forced to change their profession. They became wage labour, caretaker for the housing project and depend mostly on informal relationships. An estimated 130,000 people lost their land and livelihood due to this large-scale urban project (Sengupta 2013). Here the resistances are not as violent as Singur as people get alternative source of earning and also inhabitants are differentiated and has conflicting views on displacement. The positive view is that displacement switches unpaid family labours (who are engaged in agriculture) to paid casual labour and self-employed persons and this may increase their income. As agriculture land has forcefully been converted to residential plot, the number of agricultural labour is decreasing and the number of labour engaged in unorganised sector is increasing. Those who have received the compensation had often become the landlord. Families with larger land holdings (often belonging to higher castes or influential families with political clout) in these villages have also been able to sell off portions of their land to private developers to construct apartment complexes. So these changes in new livelihood practices, entrepreneurial spirit, moving away from subsistence economy to surplus economy and additionally an emerging sense of private wealth and competition guided the social and economic transformation in the villages of Rajarhat which was not present at Singur. Development of informal economy acts as a shock absorber in this case. Though displacement has been acute and frequent it occurs silently.

c. Construction of Belo Monte Dam in Brazilian Amazon (an example of successful displacement that enhances well being)

This development project generates positive social and economic outcome for displaced population. Here displaced population experienced greater improvement in housing condition, assets and property ownership from the pre displacement level. So investing sufficient resources in the resettlement program can raise the well being of the displaced population in short term. The compensation in this case helps in the transition of landless household into land owners with the motto of Brazilian Government- Land for people, for people without land. So compensation in this case is used to increase asset and this is possible because displaced households are often compensated by money and/or replacement land and landless displaced person purchase land by using the compensation money. Apart from this, here compensation moves beyond monetary compensation that is it helps to preserve the same traditional activities that they are enjoying before displacement or creates new alternative livelihood option or by introduction of new agricultural technique to the resettled farmers. Finally it is possible because extensive participation in relocation planning by local government.

VIII. Responses to Development induced Displacement and its Mitigation:

1. Policies for social inclusion of these displaced people by local level as well as international level so that they had the access to the crucial services like health care, education etc. They have to provide adequate economic opportunities.
2. Resettlement policy should be adopted in such a way so that local level participation during all stages of planning process by the displaced people can be increased which can mitigate the physical and psychological trauma and helps to lead a better quality of life.
3. Requirement of political mandate to implement such policies. If state fails to act as a protector then international agencies must respond to mitigate it as it is now under the sustainable development goals of 2030.
4. In the analysis from a joint World Bank-UNHCR “Research study on IDPs in urban settings” illustrates the urban informal settlement growth due to the complexities of displacement. Due to the growth of informal sector many people live in unsafe and insecure conditions. Policies should be driven to integrate IDPs economically and socially to the urban context. Substantial skills have to be developed to integrate the displaced persons in urban context. There is a need for income diversification for IDP households due to poor quality of employment.
5. Problems of employment, housing and food security should have to be taken care by the government. Concerns related to access to proper housing is very important in this regard. This incorporates access to water, sanitation, electricity, land etc. To overcome the precariousness of housing conditions well developed urban planning is required to absorb the displaced persons.
6. A need for a comprehensive and integrated developmental approach to displacement is required. A legislative and administrative framework and collaboration between different ministries like ministry of rehabilitation, ministry of refugees, ministry of urban development and housing is required. In this context role of NGOs, international Organization and civil society also have to be considered. There must be targeted assistance for initial years of displacement to mitigate the risk and negative shocks of displacement. When displacement has been identified as necessary, it must be executed in a manner that is consistent with national law and international human rights standard. Displaced people should be legally protected.

So development induced displacement and sustainable development principles are inseparably related. In most of the cases this phenomenon has decreased the quality of life and increase the impoverishment of the displaced person. In this context it is important to emphasize that in most of the cases development induced displacement violates social, economic and ecological aspect of sustainable development. Finally these adverse processes could be mitigated by a well-planned resettlement, which would consider the following principles of sustainable development.

1. The possibility of avoiding or reducing the number of displaces.

2. Plans for sustainable economic development of displaced in the new place of residence must be framed in advance. In this regard sustainable plan for host communities should also be framed as they face adverse condition similar to the displaced.
3. In-kind compensation should be preferred to cash compensation when basically the loss of land has occurred and this would maintain equal size and quantity.
4. Landless and marginalised people who have no ownership title also have to be compensated so that they can improve their living standard.
5. Displaced people should also be compensated for their property losses other than land, which should include access to natural resources, public services and infrastructure.
6. The process of land acquisition should be consultative. There should be local level participation and villagers should be educated about the legalities of Land Acquisition Act and resettlement provisions. It is necessary to consider all project alternatives so that the adverse effect of displacement is minimal on nature and on the inhabitants. Sometimes the project should not be implemented at all after assessing the socio economic impact of the project. So there should be free flow of information at all stages and the negotiation process should be open ended.

So at the national level, policy reform requires greater clarity and specification of goals and enforcement of Development Induced Displacement and Resettlement (DIDR) policy issues around human rights, sustainable development and poverty elimination. Provisions of International treaties based on economic, social, cultural rights have not been incorporated by many countries into their national legal systems. Resettlement attempts have been inadequate as they have focussed on economic aspect only without paying attention to the political issues that is neglecting the relationship between resettled communities and wider regional and national system in which they belong. Here by political aspect, I mean differences in power among people in affected communities, the human rights of the displaced, their local autonomy and above all their ability to influence the decisions of national institutions. These all are integral to sustainable development. So resettlement issue should take care not only of economic aspect but also political aspect and prevent people from political marginalisation so that displaced people can decide how and where to live. Cernea's risks and reconstruction model has been extremely useful in identifying the risks inherent in reconstruction which would help to constitute economic livelihoods but has been less effective in dealing with the political aspect of resettlement. Finally there is a need of democratic, participatory approach to project planning and implementation which will help to achieve sustainable development in its broader perspective.

IX. Method to Calculate Short Term Impact of Displacement on Wealth and Well-being of the Resettled Household:

To explain the impact we have to collect the data of pre displacement and post displacement socio economic conditions of the persons who are resettled and we have to analyze it quantitatively and qualitatively. It is difficult to collect the pre displacement data as it is based on recall and has some selection bias. It is also difficult to locate household after displacement and difficult to identify particular control group as development projects also changes indirectly the socio economic and environmental conditions of the non displaced households. It is also difficult to estimate post displacement income as number of displaced households are in the investment phase of re-establishing livelihoods. Again we can collect data and analyze comparatively the impact of socio economic conditions of the displaced household and the household of the same communities who were not required to displace. We always incorporate qualitative interview data regarding changes in kinship system, social structure and livelihoods after displacement with quantitative data to explore the effects judiciously.

Again as the study of resettlement is a multidimensional phenomenon, we have to incorporate both changes in monetary measures (changes in wealth) along with non monetary measures like impact on the

changes in well being. We can analyze the change in wealth between pre displacement and post displacement scenario. Here wealth is used as proxy variable for income as many households depend on kind compensation. Here wealth can be measured by an index of assets, property ownership and housing conditions. Subjective well being offers insight that goes beyond monetary compensation. Higher economic compensation may not always reveal higher well being. Maintaining social and familial network was an important determinant of well being. The preservation of local support system like remaining near family or friends is also an important determinant of subjective well being. We can also explain the variables like wealth and well being included in regression analysis, stratified by whether the household received compensation.

X. Conclusion:

It is true that people do not want to migrate from their locality and from the human right perspective every individual has the right to stay at that place where they want to live. So displacement due to development is related with the violation of human rights. The issue of displacement is seen as a necessary evil in order to fulfil the “greater good” objective or national interest. In this regard the local government of the country has to discharge some duties and responsibilities. Efforts should be made to keep the local economy functioning by creating employment and generating supplement income in the new place. Policies should be driven not only to cope up with economic shock but also physical and psychological shock so that they can improve their economic health as well as be able to maintain their cultural and social continuity which helps to overcome their social disintegration. Alike development, resettlement is also a multidimensional phenomenon and all the aspects of life that were affected due to resettlement should be taken care of. Monetary compensation even it is based on market value is rarely inadequate as it does not provide payment equivalent to the value of the lost land. So this raises a debate between development and its evil. In this regard it is not only important to implement resettlement policies but how can the resettlement practice be improved that also matters. The impact assessment and project appraisal plays an important role. This paper intended to raise awareness especially to people who are not familiar with the need of impact assessment before the land acquisition. Under right condition resettlement after correct impact assessment (mainly social impact assessment) can increase well being. Land conservation policy for agriculture is also important along with land grabbing policy for industrialization so that small and marginal farmers can maintain their income security.

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