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No.30/RN/Ref./December/2013

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**Displacement and Rehabilitation
of People
Due to Developmental Projects**

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Displacement and Rehabilitation of People Due to Developmental Projects

INTRODUCTION

According to UN guiding principles on Internal Displacement 'Internally displaced persons are persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border.

India has invested in industrial projects, dams, roads, mines, power plants and new cities to achieve rapid economic growth. This has been made possible through massive acquisition of land and subsequent displacement of people. Development Displacement Population is the single largest category among all Internally Displaced Populations (IDPs). In India around 50 million people have been displaced due to development projects in over 50 years. Around 21.3 million development-induced IDPs include those displaced by dams (16.4 million), mines (2.55 million), industrial development (1.25 million) and wild life sanctuaries and national parks (0.6 million)¹.

LAND ACQUISITION AND DISPLACEMENT

Studies of displacement and deprivation have been conducted in Orissa, Jharkhand, Andhra Pradesh, Kerala, Goa, West Bengal and Assam. These studies show that displacement is high. For example, Assam has 1,909,368 DP/PAPs from 1,401,184.8 acres and West Bengal has 6,944,492 from 4,764,000 acres. with data from ongoing studies, they point to an all-India figure of 60 million DP/PAPs (Displaced Person/Project affected Persons) during the period 1947-2000 from 25 million ha, including 7 million ha of forests and 6 million ha of other CPRs. For example officially, Assam has used 392,773 acres of land for development projects and has caused 343,262 DP/PAPs. The reality is four times this number. The official count of DP/PAPs at the Farakka Super-Thermal Power Plant in West Bengal affected no one, but the World Bank puts the project's DP/PAPs at 53.325 in 1994².

Number of DP/PAPs (Displaced Persons/Project Affected Persons) of some States where studies have been done are given below³:

¹ Indian Institute of Technology Roorkee, *Development Projects vs. Internally Displaced Populations in India: A Literature Based Appraisal*, February 2011, p. 6

² Lobo, Lancy: *Land Acquisition, Displacement and Resettlement in Gujarat 1947-2004*, New Delhi, 2009, p. 6&8

³ *Ibid*, p. 7

Number of DP/PAPs (Displaced Persons/Project Affected Persons)

State/Type	1951-95		1947-2000		1947-2004		1965-95		Total
	Andhra Pradesh	Jharkhand	Kerala	Orissa	Assam	Bengal	Gujarat	Goa	
Water	1,865,471	232,968	133,846	800,000	448,812	1,723,990	2,378,553	6,473	7,590,113
Industry	539,877	87,896	222,814	158,069	57,732	403,980	140,924	1,470	1,612,762
Mines	100,541	402,882	78	300,000	41,200	418,061	4,128	0	1,266,890
Power	87,387	0	2,556	0	7,400	146,300	11,344	0	254,987
Defence	33,512	264,353	1,800	0	50,420	119,009	2,471	285	471,850
Environment	135,754	509,918	14,888	107,840	265,409	784,952	26,201	60	1,845,022
Transport	46,671	0	151,623	0	168,805	1,164,200	1,356,076	43,164	2,930,539
Refugee	0	0	0	0	283,500	500,000	646	Nil	784,146
Farms	0	0	6,161	0	113,889	110,000	7,142	155	237,347
HR development	0	0	14,649	0	90,970	220,000	16,343	1,677	343,639
Health	0	0	0	0	23,292	84,000	0	3,716	111,008
Administration	0	0	0	0	322,906	150,000	7,441	1,453	481,800
Welfare	37,560	0	2,472	0	25,253	720,000	20,470	NA	805,755
Tourism	0	0	343	0	0	0	2,646	640	3,629
Urban	103,310	0	1,003	0	1,241	400,000	85,213	1,270	592,037
Others	265,537	50,000	0	100,000	18,045	0	15,453	550	449,585
Total	3,215,620	1,548,017	552,233	1,465,909	1,918,874	6,944,492	4,075,051	60,913	19,781,109

* The land and its management fall within the legislative and administrative jurisdiction of the State Government so the exact data of all States is not centrally maintained.

The State-wise breakup of Resettlement and Rehabilitation (R&R) Plans cleared by Tribal Affairs Ministry and Persons affected due to Development Projects since 1999 is given below⁴:

The State-wise breakup of Resettlement and Rehabilitation (R&R) and Persons affected

Sl. No.	State	No. of Projects cleared	Total No. affected Persons	Total No. affected ST population
1.	Andhra Pradesh	15	316242	123946
2.	Arunachal	1	Nil	Nil
3.	Jharkhand	1	70820	21000
4.	Chhattisgarh	2	455	155
5.	Himachal Pradesh	1	836	9
6.	Kerala	1	20	20
7.	Maharashtra	11	151408	20534
8.	Madhya Pradesh	4	195081	12261
9.	Orissa	11	64674	42036
10.	Rajasthan	11	34452	4258
11.	Uttrakhand	2	6716	1489
	Total	60	665131	225708

⁴ Data received regarding displacement from the Ministry of Tribal Affairs dated 21.11.2013

DAM BUILDING AND DISPLACEMENT

Dam building is one of the most important causes for development related displacement. According to a report, 'during the last fifty years, some 3,300 big dams have been constructed in India. Many of them have led to large-scale forced eviction of vulnerable groups. The situation of the tribal people is of special concern as they constitute 40 to 50 percent of the displaced population'. The brutality of displacement due to the building of dams was dramatically highlighted during the agitation over the Sardar Sarovar Dam. It has been called 'India's most controversial dam project'. Medha Patekar, spearhead the anti-dam movement known as the Narmada Bachao Andolon. This movement for the first time systematically revealed how building dams can result in total dislocation of tribal societies. The beneficiaries of the dam are meant to be large landowners; but the tribal people are paying the price. The official figure indicates that about 42,000 families were displaced but non-governmental organizations such as the Narmada Bachao Andolan (NBA) puts the figure to about 85,000 families or 500,000 people. The Narmada Valley Development Project affected the lives of 25 million people who were in the valley and were alter the ecology of an entire river basin.

The Tehri project is a multi-purpose irrigation and power project in the Ganges valley, 250 km north of Delhi, located in the Tehri Garhwal district of Uttaranchal state. A working group for the Environment Appraisal of Tehri Dam established in 1979 put the figure of expected internal displacement to 85,600 persons.

Barring a few exceptions, most pre-1980 projects did not have a clear-cut resettlement plan. Resettlement was undertaken on a case-to-case basis. To mention a few, there were projects like the Nagarjunasagar, Hirakud, Tungabhadra and Mayurakshi dams; the Rourkela, Bhilai and Bokaro steel plants, several defense establishments, coal mines, etc, which did offer resettlement in the form of house sites to the displaced. Only National Thermal Power Corporation (NTPC) and Coal India Limited (CIL), two government undertakings have formulated a Resettlement and Rehabilitation policy (R and R policy) and constituted R&R departments to administer it. So it is clear that mega-projects would require the displacement or forced uprooting of substantial populations, particularly for hydraulic projects which entail large-scale submergence for reservoirs⁵. **The information regarding various tribal families displaced due to construction of big dams and ponds and still waiting their rehabilitation is not available at the Central level, the State/Union Territory wise and project-wise tribal families displaced due to construction of water resources projects is given in Annexure-I⁶.**

MINING AND DISPLACEMENT

In the global era, mining has become another very important source of investment and profit for the private sector. Mining-induced displacement and resettlement (MIDR) has

⁵ *Op.cit*, Indian Institute of Technology Roorkee, pp. 8-10

⁶ Lok Sabha Starred Question No. 198 dated 22.8.2013

become a major risk from the point of view of social sustainability. Scanty information on the MIDR indicates a very high displacement in the past and even increasing trend in the future due to rich mineral deposits which are found in areas with relatively high density of politically powerless populations. In India, most of the affected people are the tribal and other indigenous people⁷.

The size of the mines at present is taking a gigantic leap as compared to over the years. Coal caters to a third India's energy needs. Coal mines have expanded from an average of 150 acres in the 1960s to 800 acres in the 1980s over the last three decades due to shift from underground to opencast mines for exploiting lower quality coal that resulted untaking over some 1500 acres of land as open cast mines require more land and induce displacement of more persons without even creating jobs to absorb people. Industries and mines give a job each to the families they displace but ever since the mechanization process starts, the scope of absorbing people subtly begins shrinking⁸.

Company-wise Status of Land Acquisition by Coal India Limited (CIL) and its Subsidiaries in India upto June 2007 (Area in Hectares) is given below:

Company	Total Land Acquired	Total Tenancy Land Acquired	Tenancy Land in Possession
Eastern Coalfields Limited (ECL)	13093	12022	9145
Bharat Coking Coal Limited (BCCL)	4280	3857	1937
Central Coalfields Limited (CCL)	35736	12758	4883
South Eastern Coalfields Limited (SECL)	20538	12812	11873
Western Coalfields Limited (WCL)	19785	17089	14330
Northern Coalfields Limited (NCL)	15948	5612	5275
Mahanadi Coalfields Limited (MCL)	19965	9180	4252
North Eastern Coalfields Limited (NECL)	25041	41.47	41.47
Total	154386	73371.47	51736.47

INDUSTRY AND DISPLACEMENT

Acquisition of agricultural land for industrial purposes in India is not new. Heavy industrialization is at the core of India's planned development and hence large areas had to be acquired. The proximity to market-cum-physical infrastructure for location of industries means people settled by housing are displaced. While landowners give up land in the process of acquisition by the State, landless people are deprived twice, once by not getting

⁷ Deogharia, Parkash Chandra: Development, Displacement and Deprivation, New Delhi 2012, p. 7

⁸ *Ibid*, pp. 7-8

the opportunity to work on land as agricultural labourers and the other by not being in the net of compensation. Obviously, the landless people are mainly dependent on Common Property Resources (CPRs) and are outside the purview of compensation of any type. The land area required, in turn, is directly proportional to the type of projects undertaken. Some examples are cited below:

- (i) In the power sector, the NTPC Ltd. and Uttar Pradesh Rajya Vidyut Nigam Ltd. (UPRVUNL), on the 22 November 2007 signed a Memorandum of Understanding (MoU) to set up a thermal power plant of 1,320 MW at Kohrarghat of Meha Tehsil in Allahabad District of east UP. The government of UP acquired a total land area of 2500 acres for setting up the plant that affected the livelihood of 469 settled households. This adversely affected agricultural output and food security.
- (ii) To set up a 3500 MW gas-based power plant with an estimated project cost of Rs. 25,000 cr in Dadri Region in Ghaziabad District, Hapur Tehsil, in western UP, the Government of Uttar Pradesh acquired about 1,011 hectare of land in the year 2004. Most of the land acquired was earlier used for agricultural purposes. The major assets covered in land acquisition were canals, ponds and wells. Land acquisition in Dadri was estimated to have led to displacement of over 6,000 families.
- (iii) Posco, the world's fourth largest South Korean steel company, had signed a MoU with the Government of Orissa in 2005 to set up a plant, near Paradip Port in Orissa's Jagatsinghpur District that produce 12 million tons of steel per annum. Approx. 3,000 people were displaced. The people, resisting land acquisition, opined that the project would destroy their livelihood that thrives on shrimp farming and cultivation of betel leaves, a highly profitable crop. The strugglers, against Posco's proposed plant, rejected the rehabilitation package for the displaceable, announced by the Orissa Government⁹.

Displacement due to SEZs

With a view to attract larger foreign investments in India, the Special Economic Zones (SEZs) Policy was announced in April 2000. This policy intended to make SEZs an engine and accelerated force for economic growth, supported by quality infrastructure, complemented by an attractive fiscal package, both at the central and state level, with minimum possible regulations. The imminent displacement of thousands. The imminent displacement of thousands of people and livelihoods in the countryside, where these SEZs are slated to come up, shall lead to lassive protests. It is worth noting that, while a fact sheet on SEZs on the Government of India website, give details of the number of approved and proposed SEZs, their land requirements as well as export and employment potential, there is no mention of the number of people to be displaced by these zones, leave alone how the government intends to attend the issues of displacement. The increasing role of the state as the promoter of corporate-led economic growth is underlined by the acquisition of land for SEZs and the transfer of ownership of this land to 'developers'. Displacement thus gets pushed to a private arena with compensation, potentially negotiated by the market and

⁹ Mishra, Nihar Ranjan: *Displacement and Rehabilitation – Solutions for the Future*, Bhopal, 2012, pp. 280-283

without the state's responsibility for rehabilitation. Considering that these SEZs will acquire thousands of hectares of land with little regard to land ceiling provisions, with upto a minimum of 1000 hectares for multi-product and 100 for service sector SEZs, the displacement and disruption of livelihoods to be caused by SEZs and their grave implications are emerging, even as the country witnesses steadfast resistance by peasants; and state violence and repression in West Bengal, Orissa, Andhra Pradesh of Maharashtra. The protest in Singur in West Bengal by affected farmers, due to the Steel Plant and Port – Erasama Block, Kujang Tehsil, Jagatsinghpur District, Orissa and Displacement and destruction of livelihoods in Nellore District, Andhra Pradesh due to SEZ and expansion of Port are some burning examples of absence of R&R policy¹⁰.

So, dams, mining industries and other developmental like SEZs projects have displaced people from their homestead and the total number of displaced and affected people runs into millions¹¹. Between 60 and 65 million people are estimated to have been displaced in India since Independence, the highest number of people uprooted for development projects in the world. In India, "This amounts to around one million displaced every year since Independence," says a report released in 2012 by the UN Working Group on Human Rights in India (WGHR). "Of these displaced, over 40 per cent are tribals and another 40 per cent consist of dalits and other rural poor¹²".



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The need to avoid such large scale displacement, particularly of tribals and in case of unavoidable displacement, their ultimate resettlement and rehabilitation has become central issues of the developmental process itself. The failure of rehabilitation and resettlement

¹⁰ *Ibid*, pp. 321, 325-327

¹¹ *Ibid*, p. 12

¹² Times of India, New Delhi dated 6.4.2012

¹³ *Ibid*

(R&R) of the project affected families (PAFs) of the big dams can be attributed to many factors, which are sometimes under the control of project management and sometimes beyond their control. The different factors responsible for poor state of rehabilitation includes; poor planning of the project, poor data base, insufficient allotment of fund on R&R by a technical persons who has no insight for the problem, lack of participation of Projects Affected Families (PAFs) and improper Rehabilitation and Resettlement (R&R) policy, its planning and implementation¹⁴.

GOVERNMENT'S ENDEAVOUR TOWARDS REHABILITATION AND RESETTLEMENT OF INTERNALLY DISPLACED PERSONS (IDPS)

In India, the problem of land acquisition and payment of compensation is handled by the colonial Land Acquisition Act 1894. The land acquisition procedure has become a complex one, prohibiting the payment of fair compensation to project ousters. The operation of the said Act has given the state the authority to abuse power and fix the rate of compensation in a most arbitrary manner¹⁵.

To address various issues related to land acquisition and rehabilitation and resettlement comprehensively the Department of Land Resources has formulated a National Rehabilitation and Resettlement Policy, 2007. The new policy has been notified in the Official Gazette and has become operative with effect from the 31 October 2007, based on which many State Governments have their own Rehabilitation and Resettlement Policies.

- The National Resettlement and Rehabilitation Policy (NRRP) 2007 is applicable to all development projects leading to involuntary resettlement of people.
- The policy aims to minimize displacement and promote, as far as possible, non-displacing or least displacing alternatives.
- The policy also aims to ensure adequate rehabilitation package and expeditious implementation of the rehabilitation process with the active participation of those affected.
- The policy also recognizes the need for protecting the weaker sections of the society especially members of the Scheduled Castes and Scheduled Tribes¹⁶.

To give legal backing to the policy, the Cabinet also decided to bring legislation on the lines of Resettlement and Rehabilitation Policy and to suitably amend the Land Acquisition Act 1894. In this direction, Government has introduced two bills on similar lines in Lok Sabha in 2009 named as the Land Acquisition (Amendment) Bill 2007 and the Rehabilitation and Resettlement Bill, 2007. Both of the Bills lapsed with the dissolution of the 14th Lok Sabha¹⁷.

¹⁴ *Op.cit*, Deogharia, Parkash Chandra, p. 13

¹⁵ *Ibid*, p. 40

¹⁶ *Ibid*, p. 30

¹⁷ Lok Sabha Unstarred Question No. 3305 dated 13.12.2012

THE RIGHT TO FAIR COMPENSATION AND TRANSPARENCY IN LAND ACQUISITION, REHABILITATION AND RESETTLEMENT BILL, 2012

In May 2011, the National Advisory Council recommended combining the provisions of Land Acquisition and Rehabilitation and Resettlement (R&R) within a single Bill. In this direction, the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Bill, 2012 (formerly known as the Land Acquisition, Rehabilitation and Resettlement Bill, 2011) was introduced in Lok Sabha on 7 September 2011. The Bill was passed on 29 August 2013 in Lok Sabha and on 5 September 2013 in Rajya Sabha. In the next few months, the Centre will be framing rules under the Act and it would be notified early next year¹⁸.

The landmark Bill on the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement 2013 brings an end to the era of forced land acquisition. Integrating land acquisition with rehabilitation and resettlement and bringing transparency in the process of acquisition, compensation, and rehabilitation as a matter of right is a historic step. It was important to have a law to prevent forcible land acquisitions which have increased during the last few decades due to big industrial and development projects. Providing fair compensation and R&R to the farmers, land-owners and livelihood losers in all acquisitions becomes critical in the context of increasing alienation, displacement, deprivation, and disentitlement to the resources of livelihood¹⁹. Some salient features of the Bill are as under:

Salient Features of the Bill

- Consent of 80 percent of landowners required in case of land acquired by private companies and 70 percent for land acquired under Public Private Partnership (PPP) model for public purpose
- Compensation up to four times the market value in rural areas and twice in urban areas
- Mandatory Social Impact Analysis (SIA) to assess nature of public interest and estimation of socio-economic impact prior to acquisition
- Land cannot be vacated until the entire compensation is awarded to the affected parties
- Companies can lease the land instead of purchasing it .
- Private companies to provide for rehabilitation and resettlement if land acquired through private negotiations is more than 50 acres in urban areas and 100 acres in rural areas
- Affected families include farm labour, tenants, sharecroppers and workers on the piece of land for three years prior to the acquisition

¹⁸ www.sustainability.com dated 17.9.2013

¹⁹ Mainstream, dated 14.8.2013, p. 23

- Compensation should be house, one time allowance and (either Rs 5 lakh or a job or inflation adjusted Rs 2,000 per month for 20 years) for the affected family.
- Compensation of four times the market value in rural areas and twice in urban areas will be given to affected families. The market value of the acquired land shall be based on the higher of:
 - ✓ market value specified in the Indian Stamp Act, 1899 for the registration of sale deeds
 - ✓ average of the top 50 percent of all the sale deeds in the similar type of land situated in the vicinity
 - ✓ or the amount agreed upon as compensation for acquisition of land for private companies or PPPs.
- The value of the assets (trees, plants, buildings etc) attached to the land being acquired will be added to this amount. The Bill proposes that in cases where the ownership of an acquired land is sold to any person, without any development made, 40 percent of the profit made shall be shared among all the persons from whom the land was acquired²⁰.

CONCLUSION

Thus, in recent years rehabilitation and resettlement of project affected families has turned out to be the most vital and sensitive issue for the development projects, either it be Pan Mong Dam in Thailand or Bakun Dam in Malaysia or Narmada Sagar or Subarnrekha Multipurpose project in India. Different development projects are being opposed by the inhabitants of these areas and being delayed because of the opposition from the PAFs(Project Affected Families). This has been primarily due to the bitter R&R (Resettlement and Rehabilitation) experience of PAFs. In the post independence period, the development projects deemed to be temples of progress, ultimately turned out to be “graveyards” for millions of these PAFs. Although these projects did bring development but the cost has been enormous. There is no denial of the fact that if the quality of life of people is to be improved, development projects are a must but there is general consensus now that development should not be at the cost of people and their environment, while the social activists and the academicians have put the issue of R&R on the national agenda²¹.

²⁰ www.sustainability.com dated 17.9.2013

²¹ *Op.cit*, Deogharia, Parkash Chandra, p. 13

Annexure - I

**The State/UT-wise and Project-wise Tribal Families Displaced
Due to Construction of Water Resources**

Sl. No.	Name of Project	No. of ST population displaced
	Andhra Pradesh	
1	Vamsadhara st-II Hiramandalam (Niradi Barrage)	2068
2	Priyadarshini Jurala	65
3	Vengalarayasagaram	127
4	Maddigedda Reservoir	75
5	Kandalleru Reservoir Project	200
	Assam	
6	Lower Subansiri	443
	Bihar	
7	North Koel reservoir	2579
8	Durgavati	1233
	Chhattisgarh	
9	Barnai	153
10	Kosareteda Medium Irrigation project	2076
11	Kelo Major	767
12	Kara Nala	58
13	Suka Nala	08
	Gujarat	
14	Sardar Sarovar	62223
15	Panam	5382
16	Sipu reservoir	290
17	Venu-II	23
18	Und-I Irrigation	145
	Himachal Pradesh	
19	Renukaji	40
	Jharkhand	
20	Subernarekha MP Project	17252
	Karnataka	
21	Ghataprabha Project Sta.-III	1759
22	Hemavatthy	1759
23	Karanja Irrigation Project	364
24	Bennithora	365
25	Amaraja Irrigation Project	201
26	Manchanbele	537
27	Lower Mullamari	383

28	Hirehilla	295
29	Yagachi reservoir	193
	Kerala	
30	Kallada Irrigation project	15
31	Kanhirapuzha	1100
	Madhya Pradesh	
32	Ban Sagar	32830
33	Tawa	2618
34	Rajghat (MP+UP)	5920
35	Indira Sagar (Narmada Sagar)	4405
36	Upper Wainganga	1160
37	Kojar	609
38	Kodar	2479
39	Mahi	7599
40	Omkareshwar	776
41	Dholawad Tank	1534
42	Dejia Dewada	1390
43	Bah	157
44	Bariyarpur Left Bank Canal	900
45	Mahan (Gulab Sagar)	1667
46	Rajiv Gandhi	2598
47	Rampurakhurd Medium Project	760
	Maharashtra	
48	Msjalgon Dam St-II	2738
49	Warna	93
50	Waghur Irrigation Project	1320
51	Bawanthadi	2294
52	Dimbhe	3955
53	Pimpalgaon	3240
54	Gosikhurd	1673
55	Wadgaon dam	2246
56	Lower Terna	286
57	Upper Pravarna	2960
58	Karwa	19
59	Waki	579
60	Bhawali Dam	1841
61	Dham Dam	1708
62	Chilewadi Irrigation Project	347
63	Alandi	105
64	Kar River	85
65	Jam River	316
66	Punad Irrigation Project	1034
67	Shivam (Virchek)	450

68	Dhamni	9672
69	Khadakpurna	167
70	Madan Storage Tank	158
71	Chapdoh	505
72	Issapur Dam	2890
73	Sapali Dam	396
74	Lal Nala	224
75	Sapan River	889
76	Lendi	501
77	Kalapathari	162
78	Lower wardha	1630
79	Sambarkund	670
80	Dehraj	1084
81	Bewartola	267
82	Jigaon	3805
83	Bembla River	2553
84	Lower Painganga	11076
	Manipur	
85	Thoubal	2755
86	Kuuga	3723
	Odisha	
87	Subarnarekha	13841
88	Rengali	24
89	Hariharjore Irrigation	835
90	Harabhangi Irrigation	741
91	Upper Jonk	1123
	Rajasthan	
92	Panchana Irrigation Project	106
93	Chhapi Irrigation Project	200
94	Lhasi	563
	Tamil Nadu	
95	Kodumudiyar Reservoir	200
	West Bengal	
96	Subarnarekha Barrage	2180

Source: Lok Sabha Starred Question No. 198 dated 22.8.2013