

## **Displacement and Resettlement**

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*To lose one's home is a deeply disturbing experience, almost equivalent to the loss of a loved person.*

### **Introduction**

*"I know today that I will never be able to return to my village. And yet, more than anything in the world, I wish I could go home. After all, my brother, one's village is one's village. Nothing in the world can replace it"*

Large-scale development projects result in massive displacement of population. Globally, it is estimated that approximately 10 million people are displaced each year as a result of development activities (Cernea 1999). Development-induced displacement in India has brought severe economic, social and environmental problems to the displaced people making it a matter of crucial concern. A review of existing literature on development-induced displacement reveals that there is a vast amount of literature available on development and its benefits but there is a striking paucity of data on the problems created by it especially displacement, resettlement and rehabilitation. There is also a conspicuous lack of any national policy regarding these issues.

Displacement is not a recent phenomenon. A great amount of dislocation of life had taken place even in the pre-independence era but the actual dislocation they caused was minimal as the land was in abundance. Displacement became a significant problem during the colonial period and got intensified after independence. And with the onset of globalisation, it has assumed larger proportions making it a serious concern of national significance (Murickan2003). It is an irony that there are no reliable official statistics of the numbers of people displaced by large projects since Independence. Many researchers place their estimates between 10 and 25 million. In an influential 1989 study, Fernandes, Das and Rao provide an estimate of some 21 million displaced persons. Scholar and administrator, Dr.N.C.Saxena places his estimate of persons displaced by big projects since 1947 at nearly double this figure — 50 million. This is also the figure quoted by celebrity writer Arundhati

Roy in an essay 'The Greater Common Good: The Human Cost of Big Dams'. It is worth quoting her persuasive reasoning "According to a detailed study of 54 Large Dams done by the Indian Institute of Public Administration, the average number of people displaced by a Large Dam is 44,182. Admittedly 54 Dams out of 3,300 is not a big enough sample. But... it's all we have... let's err on the side of abundant caution and take an average of just 10,000 people per Large Dam. 33 million... That's what it works out to... What about those that have been displaced by the thousands of other Development Projects? Fifty million people... I feel like someone who's just stumbled on a mass grave". (Roy 1999)

Development projects like dams, mines, thermal power plants, industries, roads, railways, ports, national parks, tourist resorts and the like necessitates the acquisition of private and community resources, deprives the family of the common property resources (CPRs) and forces people to move out of their home affecting their very life sustenance. In order to conceal the trauma displacement causes to the affected people, policy makers and international financial institutions use the term 'involuntary relocation', though in reality, it is nothing but 'forced eviction'. The UN clearly identifies 'forced eviction' as 'gross violation of human rights'. The policy makers even claim that the displaced persons are beneficiaries of the compensation and rehabilitation package. It is ironical that ones who suffer the most from the project are called beneficiaries.

The policy makers justify displacement by arguing that "some people will have to suffer if the Nation has to prosper". Nehru, India's first Prime Minister, while laying the foundation-stone for India's first major river valley project, the HirakudDam in Orissa in 1948, said to the tens of thousands facing the grim prospect of displacement: 'If you have to suffer, you should do so in the interest of the country' (Roy 1999). The same sentiments were echoed 36 years later by Prime Minister Indira Gandhi in a letter to one of India's most respected social workers, Baba Amte. She wrote 'I am most unhappy that development projects displace tribal people from their habitat, especially as project authorities do not always take care to properly rehabilitate the affected population. But sometimes there is no alternative and we have to go ahead in the larger interest...' (Kothari 1996)

### **Displacement and the Weaker Sections**

*"Some people will have to suffer if the Nation has to prosper"*

Studies show that it is invariably the weaker sections like the Tribals who are sacrificed again and again at the "altar of development". As Fernandes and Paranjpye (1997:3 cited in Murickan et al, 2003) point out,

*Though involuntary displacement occurs at a point of time, it sets in motion a series of inevitable events, which often constitute several years of psychological trauma due to the disruption in the established pattern of life of the people displaced. Production systems are dismantled, close-knit kinship groups get scattered, long established relationships are disrupted, traditional sources of employment are lost, market links broken and customs related to child care, food security, intra-community credit*

*transfers etc., get dissolved. The obvious result of such sudden changes is impoverishment, both economic and social. The psychological trauma is profound, because people find themselves landless, jobless, without food and access to community resources.*

The tribal/*adivasi*s are predominantly located in forest areas rich in biodiversity. As these areas are culturally and ecologically sensitive areas, the Constitution of India has provided safeguards and legislation to protect both the people and the country's natural resources. The most important provision is the Fifth Schedule of the Indian Constitution, which has demarcated certain predominantly tribal areas as Fifth Schedule areas. Under this Schedule, the main legal protection for the STs is that no land or immovable property of the tribal people in the Scheduled Areas can be transferred to persons other than tribals (Mehta 2009). These scheduled areas and their tribal inhabitants are confronted by two kinds of land alienation situations. The first takes place due to the fraudulent occupation of tribal lands by non-tribal traders, money-lenders and landlords. The second threat concerns the transfer of tribal lands in the form of leases or sale to industries and commercial enterprises with the active support of the State. Some examples of such lease transfers that have taken place comes from Andhra Pradesh which includes paper industries like ITC Bhadrachalam, Birla Pericalse in Visakhapatnam district for mining, Orient Cements in Adilabad district for cement plants.

Hence, the most important serious consequence of development-induced displacement has been for the tribal people, the dispossession of land, both agricultural and homestead, along with the loss of their traditional occupation. The tribals are deprived of compensation and rehabilitation benefits as per the Land Acquisition Act, 1894 (as amended in 1984) because they do not possess any legal documents to prove their ownership right on their land they occupy and earn their livelihood even if for centuries together. Coming from politically marginalised and disadvantaged strata of society, these groups often end up neglected and impoverished. In India, the Adivasi or tribal people, although only representing eight percent of the total population, make up 40-50 percent of the displaced.

Another sad consequence of displacement is multiple displacements which have been documented in number of studies across the country. Multiple displacements of people is the successive displacement of the same families from one place to another following execution of development projects in those areas. The displaced people of Rihand dam, Hirakud dam and Hindustan Aeronautics Limited (HAL) are some of the examples in the country. In the early 1960s, the displaced people of Rihand dam had to face displacement from their new place of habitation for the second time in 1970s because of the coal mining projects, and again for the third in mid-1980s due to the setting up of a number of industries. In each time of their displacement, they were progressively pauperised (Thukral, 1996). Similarly, the displaced people of Hirakud dam, who were resettled in the mid-1950s in the upper catchments areas of the reservoir, faced displacement for the second time in 1980s due to the Ib Thermal power project that came up there and again in 1980-1990s due to the Ib valley coal mining projects. The displaced people of HAL, who were relocated in the early 1970s, were evicted for the

second time in 1980s due to the execution of Upper Kolab dam project. They apprehended further displacement due to the establishment of Naval armament depot and agricultural farm coming up in the area.

### **Resettlement and Rehabilitation Policy in Practice**

*“Forced displacement is always a crisis. By its nature, displacement is always an extraordinarily disruptive and painful process, economically and culturally”.*

What makes this problem graver is the fact that there is no national legislation or policy on Resettlement and Rehabilitation (R&R) so far for the development-induced displaced people in the country though the displacement of people from their land and livelihood has been a part of India's history even before the advent of British. Sadly, the use of land has always been defined by the needs of dominant groups, and displacement of other subservient groups has often been justified and rational. Prior to British rule, highly skilled agriculturalists displaced tribal cultivators from their land, in response to the pressures of land scarcity and high population density. In Medieval India, private ownership of land was not prevalent. The *riyats* had rights to land they had cleared and tilled, while those who were granted service tenures (jagirs) only had conditional grants and were dependent on the state. Surplus extraction from socially and economically weaker sections took the form of rent, labour, gifts and services. Eventually some groups lost their access to land as they were unable to meet the demands for payment. The advent of British caused further displacement of people from their land and livelihood. The British introduced the legal and taxation systems institutionalising the exploitation of peasants. Further, in 1793, Lord Cornwallis, the Governor General of India, introduced the Permanent Settlement Act, which conferred private property rights on individuals who were not *riyats* but non-cultivating landlords (Habib, 1963 cited in Parsuraman 1999).

Legal instruments such as the Land Acquisition Act (LAA) of 1894 further consolidated state power and legalised all forms of state-sponsored acquisition. Vast expanses of forests, land, water-bodies, etc., otherwise used by the people, became the property of the state. Thus, the state established and consolidated its authority over ownership of land and other natural resources. Colonial economic and political intervention condemned the marginalised segments of the population to impoverishment and deprivation, dividing the community and exploiting some groups with the help of others thereby giving rise to unequal distribution of wealth and resources, especially land. People who were displaced migrated to other areas, thus causing further displacement. The collapse of colonialism meant a 'shift' from one type of 'development' to another. After independence the system of permanent settlement was abolished, tenancy reforms were enacted and land ceilings imposed to rehabilitate those displaced or affected by earlier systems. However, the effectiveness of these policies in altering access and ownership of land in favour of the dispossessed was limited in most parts of the country. Impact of these policies on the rural poor was largely negative as the post-colonial system facilitated the consolidation of resources by certain dominant groups through

the displacement of people from land and other resources. The consequences therefore are as harmful as in the colonial period.

The Land Acquisition Act, 1894, amended in 1984 is the only legal instrument available in the country to address the issue of development-induced displacement that places no legal obligation on either the project authorities or the state, beyond a limited conception of adequate 'compensation' thereby showing that government has made too weak an effort to minimize the extent and trauma of displacement and to comprehensively resettle the displaced. The people have been left to fend for themselves in a world about which they know nothing. Even when development is planned, its impact on the people is ignored, the consideration is strictly in economic terms, which lack genuine concern for social consequences and does not take into account the infringement of rights. As a result, there has been much greater displacement after independence resulting in further impoverishment of the already poor. Surprisingly, the country does not have a rehabilitation policy or law though millions have been deprived of their livelihood and there has been an enormous increase in the number of displaced persons (DP) and other project affected persons (PAP). Hence, it is obvious that decision-making about 'development' is not exclusively, or even primarily, technical or managerial in nature, but essentially political, reflecting power to impose costs on some groups and to benefit others.

Various draft policies have been under preparation by the Government of India since the mid-1980s, but none ultimately saw the light of day. The draft National Policy, Packages and Guidelines for Resettlement and Rehabilitation, 1998 (NRR 1998) was prepared and widely debated by the Government of India, including with people's movements, though it is reportedly still stalled at the level of the cabinet. The draft NRR 1998 is still used in this paper as a benchmark, because it constitutes the most comprehensive official draft policy so far, and its preparation involved wide consultations including with people's movements and social scientists. But it is important to bear in mind that it has not received official sanction so far, and the prospect of this happening in the near future remains uncertain, even remote. The NRR 1998 considered by the Government of India, states as its initial objectives:

*To minimise displacement and to prevent state-induced impoverishment of people on account of compulsory acquisition of land for the State, semi-government or private interests, leading to loss of livelihood and shelter, and to search for non-displacing or least displacing alternatives to people displacing projects. (NRR 1998)*

Since the World Bank has funded a significant proportion of mega-dams in India, and therefore has considerable influence on official policy, it is important to throw light on the relevant clauses of the 1998 World Bank policy. The first overall objective of the World Bank's policy on involuntary resettlement is stated to be that

*'involuntary resettlement should be avoided, where feasible, or minimised, exploring all viable alternative project designs'. It lays down that in financing projects, the Bank should satisfy itself that the borrower has explored all viable alternative project designs to avoid the need for involuntary resettlement and, when it cannot be avoided, to minimise the scale and impacts of resettlement (for example, it is pointed out that*

*realignment of roads or reduction in dam height may reduce resettlement needs).*  
(World Bank 1998)

It is possible to state this principle even more categorically, that forced relocation must be avoided, except in very exceptional circumstances. In such cases, all necessary measures must be taken to minimise the scale and impact of displacement. However, the problem is not so much the statement of principle, however enunciated. The principle itself, from the viewpoint of developmental equity, is no doubt a massive step forward from the position that has actually informed decision-making regarding development investment so far, both by the Government of India and the Bank. The principle is in conformity also with the resolution in the Programme of Action adopted by the World Summit for Social Development in Copenhagen in 1995, which advocated

*‘wherever possible, development schemes that do not displace local populations [must be preferred], and [emphasis must be placed on] designing an appropriate policy and legal framework to compensate the displaced for their losses, to help them to re-establish their livelihoods and to promote their recovery from social and cultural disruption’* (quoted in Oxfam 1997).

In 1990, the World Bank developed guidelines to protect those displaced by development projects. The basic principle of the World Bank’s Involuntary Resettlement Policy is that the displaced should enjoy some of the benefits of the project and their standards of living be improved or at least not degraded. The Asian Development Bank formally adopted an involuntary resettlement policy in 1994. Like the World Bank policy on which it was modelled, it seeks to avoid involuntary resettlement, if possible, to minimise displacement where it is unavoidable, and ensure that the displaced people receive adequate assistance to restore their living conditions to at least the pre-project levels. A review mechanism (called the Accountability Mechanism) was also created in 1995 to address concerns of persons affected by ADP-assisted projects. In a 1997 resolution, the Sub-Commission on Prevention of Discrimination and Protection of Minorities affirmed “the right of persons to be protected from forcible displacement and to remain in peace in their homes, on their own lands and in their own countries”.

The NRR 1998 states as its goal the endeavour ‘to minimise the trauma of displacement on account of compulsory acquisition of land’, and to establish statutory minimum standards for packages and benefits to ensure that displaced persons are better off as the result of the project. The Bank policy states that

*‘where displacement is unavoidable, resettlement programs should be conceived and executed as development programs, providing sufficient investment resources to give the persons displaced by the project the opportunity to share in project benefits’.*

It also mandates that the affected people should be

*‘offered opportunities to participate in planning and implementing resettlement programs’; and that ‘displaced persons should be assisted in their efforts to improve their former production levels, income earning capacity and living standards, or at*

*least to restore the production levels, income earning capacity and living standards they would have achieved in the without-project case'* (World Bank 1998).

The advantage of this formulation is that rehabilitation is not merely reduced to a set of palliative measures for welfare and relief; it is an integral component of the development project ensuring that all affected persons actually benefit, and are not pauperised by it. As pointed out in a thoughtful and constructive critique of Bank policy by Oxfam (Oxfam 1997) the formulation should be further strengthened to state that displaced persons should *directly* benefit from the project, in ways to which entitlement of land-for-land,

### **Theoretical Models on Displacement and Resettlement**

*“what is most important for the success of a settlement is that newcomers should want to go on living there”*

There are many theoretical models that seek to define the precise contours of the responsibility of the state, and what constitutes 'just rehabilitation'. The two most influential theoretical models (which have not been developed specifically in the context of India but are widely applicable) are those of Scudder and Cernea. Scudder states that the goal of dam-induced resettlement should be that both the resettled and host populations become project beneficiaries. This means that *'the income and living standards of the large majority must improve to the extent that such improvement is obvious both to themselves and to external evaluators'* (Scudder 1997) To achieve this objective, he suggests reliance on his four-stage model. 'Briefly, the four stages are characterised by planning; efforts by the re-settlers to cope and to adapt following removal; economic development and community formation within resettlement areas; and handing over and incorporation'. According to him, the responsibility for successful resettlement is not a one-shot affair—'at minimum, it should be implemented as a two-generation process' (Scudder 1997)

Cernea (1998) proposes a 'risks and reconstruction' model of rehabilitation. He believes that *'targeted measures – economic, technical, legal and cultural — must be undertaken to orient from the outset the planning of resettlement towards the reconstruction of livelihood, so as to prevent impoverishment'*. When the state takes up a project entailing displacement, 'the people who will be displaced are subjected to huge risks, typically without their knowledge, participation or consent' (Cernea 1998) Cernea in his 'impoverishment risk reconstruction' (IRR) model, contended that 'all forced displacements are prone to major socio-economic risks, *but not fatally condemned to succumb to them'*. Cernea argued that although there is a high possibility of potential impoverishment, such transformation is avoidable. He outlined three core components of the relocation process, namely 'risk, impoverishment, and reconstruction' and argued that a reconstruction process that takes measures to deal with 'risks' could defy 'impoverishment'. He has outlined eight impoverishment risks—landlessness, joblessness, homelessness, marginalisation, food insecurity, increased morbidity, loss of access to common property resources and community disarticulation (Cernea 1998).

For example, in the case of people displaced by the Tehri Dam, a number of these impoverishment risks were experienced across the spectrum of the displaced population. Growing 'landlessness' is evident. 'Joblessness' is also apparent. Artisans have lost their jobs because their traditional skills have become redundant. 'Homelessness' is not quite apparent. However, in many cases people have had to either sell land or get into debt, indicating the relatively high cost of building houses. A new form of 'internal marginalization' has emerged driven by competitiveness, a phenomenon not known in the original villages. Although economic inequalities existed before, these have become more pronounced and are affecting social relationships; economically marginalized people are also becoming socially marginalized. 'Health risks' are also increasing. Re-settlers talk about increasing obesity, lack of physical stamina, indigestion and the like. They find that the different climatic conditions are having an adverse effect on their health. Although 'food insecurity' is not evident, people's dependence on the market for food items has increased and food variety has been compromised. 'Social disarticulation' is also evident. Not only have social and cultural institutions been rendered redundant, political institutions, such as the village *panchayat* (local governing bodies), are no longer functional. Another form of disarticulation results from the lack of legal ownership of land, making it difficult for re-settlers to engage in various reconstruction activities. For example, re-settlers cannot apply for a bank loan to start a business because they do not have legal ownership of the land to use as collateral (Bisht 2009).

Cernea's hypothesis is that the state can reverse the risks by the following reconstructive actions:

- from landlessness to land-based resettlement;
- from joblessness to re-employment;
- from food insecurity to safe nutrition;
- from homelessness to house reconstruction;
- from increased morbidity to better health care;
- from social disarticulation, marginalization and deprivation of common assets, to community
- Reconstruction and social inclusion.

Against this background, Cernea defines clearly the role of the state for rehabilitation, "The state assumes a responsibility when it forces people to relocate and it has a responsibility for not leaving them impoverished. For the state, the recovery of re-settlers' livelihoods is first a matter of political will and financial resources. Resource allocation is a political matter, not just an economic one. My simple argument holds that, because government agencies employ the weight of the state and the force of the law to impose expropriation and displacement, it is incumbent upon the same government to also enable those displaced to get back on their feet and benefit from the development for the sake of which they are displaced". (Cernea 1999)



Therefore, what these development models require are precise policy guidelines and legal and institutional mechanisms required to secure the goals of just rehabilitation such as sustainable livelihoods and an equitable sharing of project benefits.

### **The Double Bind: Impact of Displacement on Women**

*“In our villages, women had freedom. We could go to any place, anywhere. Men and women used to work together in fields; they would go together to the forests. There was no parda. Women used to respect elderly [men]; for example, if a new bride came to the village she would use ghunghat”*

A review of existing literature on development-induced displacement reveals that there is a lot of evidence available on the socio-economic impact of displacement and resettlement on the communities but there is very little empirical data available on the issue of displacement from gender perspective. The burden of displacement may affect women differently because of the fact that there exist gender disparities in the country. Only recently the links between gender and development-induced displacement are slowly being made in bit and pieces (e.g. Parasuraman, 1999; Thukral, 1996; Mehta, 2009; etc).

Michael Cernea's Impoverishment Risks and Reconstruction (IRR) model shows how displacement goes hand in hand with physical, social and economic exclusion that culminates in a broad range of impoverishment risks. This model is now widely used in resettlement research and one of its aims is to operationalise a just planning process around resettlement as discussed earlier. But this very important work fails to adequately incorporate gender concerns systematically.

Similarly, gender rarely receives a mention in developmental policies, either of the state or donor agencies. By law and by custom, women in India have been by and large excluded from owning or inheriting landed property. Men determine the control over land in terms of its management, use and disposal. The lack of ownership makes women vulnerable, dependent and at a greater risk of being excluded from the decision making process during displacement because it is this 'ownership' of land which governs one's entitlement to compensation. There has been a complete oversight of this aspect in most of the government policies and programmes. There is no national legislation or policy on Resettlement and Rehabilitation (R&R) so far for the development-induced displaced people in the country. The Land Acquisition Act, 1894 (as amended in 1984) is the only legal instrument available in the country to address the issue of development-induced displacement. The National Perspective Plan for Women (1988), the National Policy on Women and the 10<sup>th</sup> Five- Year Plan (2002-2007), merely reinforces a situation of women's lack of ownership of land and property. The World Bank which is the largest donor in most of the developmental projects also has no mention of gender in its policies and similar is the case with other donor agencies.

Indian society is intrinsically patriarchal and the travails of displaced women stem from the already existing gender inequalities within the Indian society and family. Displaced women are often forced to bear a greater burden and are often caught in a double bind: first, the

widespread nature of male biases in Indian society helps perpetuate gender inequality in terms of unequal resource allocation and distribution; and second, biases within social institutions, structures and policies help perpetuate these societal inequalities.

Displacement also deprives the family of the common property resources (CPRs) and the resultant deprivation alienates the woman from the very source of her economic autonomy and high social status. The process of displacement and rehabilitation marginalises women in terms of their employment opportunities too as all new opportunities are usurped by men. The employments that are generated by the projects come with hazardous working conditions and low wages, without job security, thus pushing more and more women into the informal sector. All this has a direct impact on the food security and health of displaced women.

### **Conclusion**

*“next to killing a man, the worst you can do is to displace him.”*

Historically all development projects have caused displacement and displacement has been a saga of marginalization, yet, given the growing needs of modern society, all projects cannot be stopped. What is required is to consider the larger implications of displacement while assessing the viability, social, environment and economic, of a project as a pre-emptive measure to tackle the problems. Though cost-benefit analysis is undertaken presently too, but the credibility of the methods adopted is questionable as the authorities fail to evaluate the social and environmental costs. The "public" who is going to be affected is never consulted before finalizing the projects and the oft-mentioned formula of 'people's participation', which has become part of almost every project document, has become a travesty of people's lives. The condition of all projects, completed or those in pipeline, have been same from BhakraNangal on Sutluj to Indira Sagar on Godavari. Thus, the complexities and difficulties of involuntary resettlement will still be experienced. Every major programme that necessitates resettlement must therefore explore all options to avoid displacement, if possible, or reduce the number of people affected.

Development dilemmas do have solutions. The need of the hour is to find them. Development is necessary and inevitable but its social costs are not inevitable. Hence, the social costs should be reduced purposively and mitigated systematically and if it cannot be eliminated fully, they should be carried by the society and not just the victimized group.

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