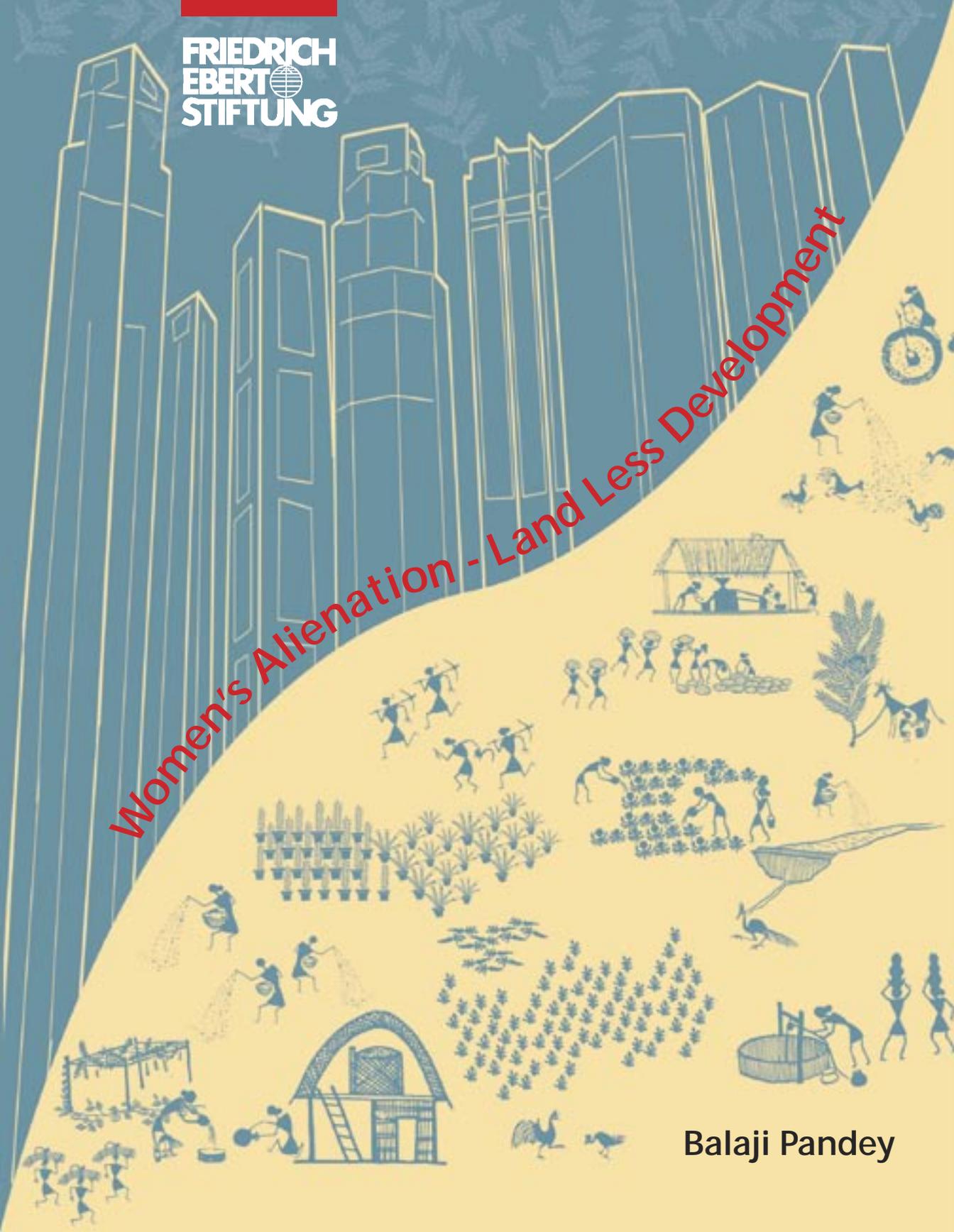


*Women's Alienation - Land Less Development*





# Women's Alienation Land Less Development

Balaji Pandey

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# Foreword

Projects varying from multi-purpose dams, reservoirs, power plants or any other industries have led to large-scale displacement, destruction of livelihood, cultures and also the physical environment. While local communities were adversely affected, the issue of women in such situations has never been considered. Women are the worst victims of displacement. They have no property rights on the land which provides their livelihood and thus they are not entitled to compensation when this land is no longer within their reach. Although women have participated in large numbers in the protest movements against the development projects inducing displacement, yet they have not been equal beneficiaries in the rehabilitation packages. The visible effect of this has been migration, violence and trafficking, disruption of culture, values and social practices.

In this context, it is very crucial to raise questions of equity, fairness, justice and equality before the law and in practice in the matter of distribution of benefits and burdens. Some projects like the Narmada Valley Project have received national and international attention due to sustained efforts of dedicated women and men and organisations. However, there are innumerable Narmadas which need similar attention. The present study is one such attempt to do so. Its main objectives are to document land alienation processes in the states of Chhattisgarh, Jharkhand, Orissa, Rajasthan and Uttarakhand, and its impact on women's livelihood. It highlights organised and peaceful efforts by women to resist land grabbing (own as well as common property) and assesses what coping mechanisms women have adopted for survival.



In order to facilitate the discussion on crucial issues related to the development process in India, the Friedrich-Ebert-Stiftung publishes a series of books and papers of which this publication is a part. The Friedrich-Ebert-Stiftung (FES) is a non-profit, NGO supported by the Government of Germany. Aiming at the strengthening of democratic structures, the FES promotes training and policy oriented research programmes in Germany and in cooperation with partner organisations - in more than 100 countries across the world. The India office of FES works with policy makers, academic and research organisations, trade unions, and NGOs. Within the overall gender approach the Women's Empowerment and Gender Equality Project of the FES aims at the economic and political empowerment of women. Facilitating workshops and round tables, action based research and publications are an integral part of this work.

Damyanty Sridharan  
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# Contents

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<i>Acknowledgements</i>	<i>iii</i>
<i>Foreword</i>	<i>v</i>
Introduction	1
Impact of Aggressive Growth	13
Organised Response	34
Process of Land Alienation	65
Jharkhand	65
Chhattisgarh	70
Orissa	77
Uttarakhand	85
Rajasthan	101
Summary, Conclusion and Recommendations	123
<i>Select Bibliography</i>	131
<i>Selected FES Publications</i>	140







# Introduction

Government machinery under the liberalised economy since the early 1990s, has become increasingly insensitive to the interests of the poor and powerless, as also to basic humanitarian values. For over a decade-and-a-half the government has been pushing the agenda of the corporate sector, resulting in unprecedented trauma to the peasantry and other marginalised people depending on land and natural resources, including forests and water, for survival. The liberal grant of mining leases to international and national corporate giants in the mineral rich states of Orissa, Jharkhand and Chhattisgarh, together constitute 145 memoranda of understanding (MoUs). Similarly, in agriculturally advanced regions of the country such as West Bengal, Punjab, Haryana, and western Uttar Pradesh a large number of special economic zones (SEZs) are being created, misinterpreting the 'public purpose' provision in the Land Acquisition Act.

In this era of globalisation, aggressive economic growth and development, a minister in the Rajasthan government has aptly said: 'rapid industrialisation is the stated priority and the Governments are committed to provide an environment that is business friendly and enabling in nature. Our focus on three core requisite components viz., roads, power and skilled human resources will ensure that investors get a highly conducive atmosphere for setting up their ventures across Rajasthan.'

The onset of globalisation and the opening up of world markets have led to a greater demand on resources. India's liberalisation policy and open market reforms have meant a growth opportunity on the one hand and a cause for greater marginalisation of the poor on the other. So-called "development projects" such as setting up industries, mines, dams, and shopping malls have induced large-scale displacement not only in India, but all over the world.



Thousands of acres of land have been taken away, in the name of "development", from people totally dependent on it for their livelihood. Rehabilitation plans (on paper) are shown to the displaced people. Policies are there to provide agricultural land or replace the livelihood of those displaced by large projects. However, these policies are meant to ensure the large-scale transfer of lands to private companies and corporate bodies. The policies are the means to legitimise this resource alienation and to strengthen corporate control over land. While the policy grapples with and articulates these most germane issues of the displacement and rehabilitation process, it provides no mechanism or framework to either assess the necessity of displacement, or to identify or compensate the ousted with livelihood. What is the reality of the compensation framework? Does it ensure that the ousted will actually receive agricultural land? Or is the concern about the non-viability of cash as a compensation instrument merely rhetorical?

The New Economic Policy (NEP) adopted by the Government of India in 1991, which targets aggressive

growth and development, has taken away whatever control women had over traditional occupations and also deprived them of upcoming better avenues of employment. At the same time, these policies have affected a shift in agriculture from food to cash crops which involve high capital inputs such as power, water, chemicals and fertilisers, and have prevented women from their role in the means of production. In the near future there will be further possibility of extreme food scarcity and cutbacks on women's labour. The ruthless exploitation of resources has led to increasing inequalities between regions, between men and women, increased feminisation of poverty and ecological degradation.

Agricultural reforms introduced in the name of increasing food production and minimising price risks for farmers, are actually aimed at destroying the production capacity of farmland and will lead to further marginalisation of farming communities. Encouraging contract farming, future trading in agriculture commodities, land leasing, forming land-sharing companies, direct procurement of farm commodities by amending the Agriculture Production



Minimum Cost (APMC) Act will only deprive the majority of farmers of even subsistence agriculture.

Contract farming has, therefore, become the new agricultural mantra. Not realising that private companies enter agriculture solely with the profit motive, these companies, if the global experience is any indication, bank upon still more intensive farming practices, drain the soil of nutrients and suck ground water in a couple of years, rendering fertile lands almost barren after four to five years. It has been estimated that crops contracted by private companies require 20 times more chemical inputs and water than do staple foods on an average. Sugarcane farmers, for instance, who follow a system of cane bonding with the mills, actually drew 240 cm of water every year, three times more than what wheat and rice require on average. Rose cultivation, introduced a few years back, requires 212 inches of ground water consumption per acre. Contract farming will, therefore, further exploit whatever remains of ground water resources. These companies would then hand over barren and unproductive land to the

farmers who leased them and move to another fertile piece of land. This has been the global experience so far.

A Planning Commission study has shown that 73 per cent of cultivable land in the country is owned by 23.6 per cent of the population. An increasing number of farmers are being displaced through land acquisitions for SEZs, food processing, technology parks, or real estate, accumulating land further in the hands of the elite and resourceful. With chief ministers acting as property dealers, farmers are being lured to divest control over cultivable land. Food security and food self-sufficiency are no longer the country's political priorities.

The World Bank has estimated that some 400 million Indians would willingly or unwillingly move from rural to urban centres by 2015. Subsequent studies have shown that massive distress migration will result in the years to come. For instance, 70 per cent of the population of Tamil Nadu, 65 per cent of Punjab, and nearly 55 per cent of the population of Uttar Pradesh is expected to migrate to urban centres



by 2020. These 400 million displaced agricultural refugees will constitute the new class of migrants.

According to the Ministry of Steel, the Government of India's target for the steel industry stands at 110 million metric tonnes by 2019-20, an achievable number if all the MoUs signed recently come through. Different state governments have signed more than 102 MoUs. This will add up to 103 million tonnes (mt) in steel capacity and investments of over 5,994 million dollars. Of these more than 40 are in Orissa alone – Jharkhand and Chhattisgarh are the other two states that lead in signing MoUs in the mining sector. Of the total investment committed, about 17.9 billion dollars form the FDI component coming from two large steel projects: the first by the South Korean steel giant POSCO in Orissa and the second from Mittal Steel in Jharkhand. Concerned civil society groups and NGOs have repeatedly pointed out that environmental damage caused by mining is irreparable, especially losses to tribals and other affected communities.

Setting aside the profit motive, what really rings alarm bells is the fallout

the new policy will have on natural resources and livelihood of many dependent on these mineral-rich areas, which are mostly forested and dominated by tribals and other indigenous populations. However, this has not acted as much of a deterrent for a country that is globalising its economy by exploiting its mineral wealth.

These projects have invariably led to the marginalisation and impoverishment of the affected people, creating an alarming situation particularly for those from the weaker sections. The manner in which these projects have been implemented has raised questions of equity, fairness, justice and equality before the law in the matter of distribution of benefits and burdens.

More than one lakh hectares (ha.) of forest land – almost 11 per cent of the total forest area diverted in the entire country since 1980 – has been diverted for non-forest use in the three mineral-rich states of Orissa, Jharkhand and Chhattisgarh, most of it for mining and related industrial and developmental purposes. Table highlights incidents of diversion of agricultural land for other purposes.



**Table 1: Diversion of Agricultural Land for Mining in Chhattisgarh, Jharkhand and Orissa**

State	Cases of diversion	Area in ha.
Chhattisgarh	247	65,232.71
Jharkhand	137	6,443.30
Orissa	344	36,072.26
<b>Total</b>	<b>728</b>	<b>1,07,748.27</b>

The development processes currently taking place in Jharkhand, Chhattisgarh, Orissa, Uttarakhand and Rajasthan have led to accelerated and systematic destruction of basic livelihood sources of the majority of the people. These resources include land, water and forests. The wanton destruction of the environment has been the offshoot of this new liberal development paradigm since natural capital does not figure as a source of capital in the realm of this model. For example forests, in the ongoing development programme, are considered just for consumption or for mining. Consequently, in the scheme of economic growth, forest as a resource does not exist. The current development model does not consider the need to strengthen the relationship between natural capital and economic growth

resulting in an acute livelihood crisis for the vast majority depending on these resources for survival. A large number of problems are emerging for the livelihood of poor people.

Tribals have faced displacement and extreme hardship since the early 1950s, when planned development was introduced with greater emphasis on infrastructure development such as dams, industries and power. While ad hoc rehabilitation resettlement policies have been enforced from time to time, most have virtually neglected women's issues and concerns.

Aggressive growth-centred development has affected all sections of rural people adversely nation-wide. States with a high tribal concentration such as Orissa, Jharkhand, Chhattisgarh and Rajasthan are faced with the worst scenario. The nature of consumption, access to goods and services, cultural forms etc. have all been adversely impacted. There has been a rapid collapse of stable livelihood among the peasantry, and a perceptible change is visible in the pattern of work that used to ensure minimal levels of income.



The traditional forms of protection, based on family and community groups, are fast receding and institutions created over the years for public protection are fast becoming redundant.

There has been a very significant increase in open unemployment rates; people are unable to find any kind of a job be it part time, a subsidiary job or even very small, low-paying one-off jobs. Another offshoot of this aggressive growth is unprecedented migration in search of livelihood, from rural to urban areas, and from rural to rural areas. Not only has there been a 'migration explosion' in the last two decades or more, but also women are moving more than ever before. Overall, women are the worst sufferers.

As mentioned above, the current development paradigm is aggressively reducing the ability of small-scale producers to survive, resulting in the collapse of rural employment-generation. The aggressive growth model being pursued violates the fundamental legal obligations of the State, regarding non-transferability of tribal land, for the benefit of corporate sector. Projects belonging

to the mining, industry, power, information technology (IT) and other sectors are causing total disruption of livelihood, cultures and the physical environment.

Over the years people have developed sustainable systems of utilising and maintaining natural resources. Communities, rather than individuals and governments, have been central to such a system. Principles of conservation and moderation, rather than exploitation and profit, have driven these systems. Free market economics, rooted in the concept of individual profit rather than in community sustainability, does not just disrupt such a system but creates new, inequitable and exploitative relationships between people and nature. It also creates a new system of governance distancing people from their natural resources and the governed from those who govern. In the process, the rights of the former are taken over by the latter, including the right to make decisions related to the use of natural resources. The rights of the people in any community are not very clearly defined and are often articulated broadly in the Constitution or legislations and customary sanctions.



The state of Uttarakhand has become the hotbed of people's resistance against displacement, thanks to the development projects such as the Tehri Dam, Balighat Hydroelectric Project, Beer Bhattee Hydroelectric project, Almora Magnesite, Nandadevi National Park and Biosphere Reserve, Rajaji National Park, Kedarnath Sanctuary, Sona River Sanctuary, Binsar Wildlife Sanctuary, and the Askot Wildlife Sanctuary among others. Aggressive, growth-centred development has seen the ongoing acquisition of land in Uttarakhand taking place while 21 per cent of the scheduled population does not have land of its own. Land has also been converted to reserve forest by the government. The entire development process has alienated the people from their livelihood and identity. Earlier, the people of the state did not have land for agriculture, now they do not have a place to stay. Increasing government control over common land has led to reduced private ownership with women being the worst affected – not a single woman in Uttarkhand owns land. The control of women over natural resources has also decreased considerably. Land, forest and natural resources were the main sources of

development in Uttarakhand, but were unfortunately surrendered to outsiders without any consultation or rehabilitation. The tragedy is people do not have information at the grassroots level with regard to the kind of development taking place in their own land.

Significantly, the new development paradigm has been to use State aggression to deprive people of their source of livelihood to create a congenial environment for corporate investment. Following the announcement of the new industrial policy in 2000, the state government received 450 proposals by 2004. Approved projects will be established on the industrial estates being developed at Pantnagar, Haridwar and Dehradun on 4,500 acres of land. The diversion of 23,099 ha. of forest land within a span of two decades (1980 to 2001), to accommodate several developmental activities is a major cause for concern owing to the fragile nature of the topography of the state, as also the high level of its people's dependency on forest resources for survival.

It may be mentioned that the local communities in Uttarakhand, since



ages, have been very diverse and have adopted different ways and means suited to local settlements for managing both their settlement and their affairs. Prior to the reservation of forests, communities were free to choose their settlements and could use natural resources according to their needs without any hindrance by administrative procedure. They lived and thrived in perfect harmony with natural resources. This was abruptly eroded by the introduction of the forest policy. The policy, allowing activities that have very little relevance to the communities and their diverse needs, instead started promoting the resource extractive development model depriving the communities of forest resources for their sustenance. The ongoing development processes in Uttarakhand have led to a significant diversion of forest land of industrial and mining purposes, for infrastructure development and for accommodating growing demand of new settlement. This has led to an alarming loss of bio-diversity and reduced community access to common resources.

The process of development in Rajasthan has broadly targeted

those who have, directly or indirectly, traditionally depended on forest, land, water and other natural resources for their survival. The socio-cultural and economic lives of such people have now been shattered affecting present and future generations. Notable projects to have caused greater livelihood damage over the years, include the Mansi-Wakal dam; cement factory; Bisalpur irrigation project, Tonk; Gosunda dam power project Chittor; Son Kamla Amba irrigation project, Dungarpur; Gandhi Sagar dam power project, Kota; Kodarna power and irrigation project, Dungarpur; Jakham irrigation project, Udaipur; Hindustan Zinc, Udaipur; Rajasthan atomic project, Kota; Mahibajaj Sagar power project, Banswada; national highway (NH) 8 and NH 76.

In the wake of globalisation SEZs are being planned for further acquisition of farmlands. The SEZ Act of 2005 is being invoked to acquire land from villagers. Three SEZs, two near Jaipur and one in Jodhpur have become operational. In addition, five others have received formal approval and 10 others (including as many as seven multi-product zones above 1,000



hectares each, five of them in Alwar district alone) await formal approval, having already acquired in-principle approval. The largest of these is the Omaxe SEZ planned in Alwar district and may occupy as much as 6,000 ha. of land, a good 1,000 ha. above the legally permissible limit, as per changes announced by the Government of India in April 2007. Memoranda of Understanding (MoUs) worth Rs. 1,62,079 crore were expected to be signed at the recently concluded Resurgent Rajasthan Partnership Summit 295. The state government is facilitating land acquisition for corporations, by amending or breaking existing land laws. The mood is restless and public anger is growing over the state's persistent failure to obtain economic justice for the poor.

In Rajasthan the agriculture department along with land resources department is vigorously promoting *Jatropha* cultivation for bio-fuel development. In fact, a bio-fuel development authority was constituted in 2005 to oversee this ambitious venture. The first task of the newly formed authority was to earmark 20,000 ha. of land for bio-fuel crops and 500 ha. for non bio-fuel crop cultivation under a

wasteland development programme. The land was proposed to be given to private entrepreneurs under lease initially for a period of 30 years, renewable for a further 20 years depending on the success of the programme. A large number of social activists and concerned civil society members view this venture as a land grab movement aiming to facilitate the appropriation of land by business houses, compromising the interests and needs of the small and marginal farmers.

While the state government has been blatantly promoting corporate interest, the administration is simultaneously engaged in denying the rightful claims of the adivasi people over forest land on which they have been surviving for several years. A series of circulars issued by the Ministry of Environment and Forests (MoEF), intends to facilitate resolution of disputes related to forest land between adivasis and the state government. While honouring the MoEF guidelines the Rajasthan Government issued a notification in early January 1990 for regularisation of forest land under people's possession prior to 1980, to be accomplished within a period of six



months. However, the government ensured that the notification was not made public till 1995 by which time its period of implementation had expired. It may be mentioned that had the notification been correctly implemented it would have changed the lives of over 70,000 adivasis in southern Rajasthan. There are several instances of adivasi women being abused by the forest officials while forcefully evicting them from land under their possession, which otherwise they would have owned, had the government taken genuine steps for resolving the disputes under MoEF guidelines.

In spite of 80 per cent of the people of Rajasthan depending on agriculture, there appears to be little concern for small and marginal farmers whose needs are often not addressed while formulating developmental policies. There is ample evidence of under-valuation of land categorised as wasteland or land under encroachment. The 1997 survey initially recorded only 11 encroachment cases. After a great deal of hue and cry by concerned civil society members the list was revised to 5000!

### **Studying Implications of Aggressive Growth-centred Development**

In view of this, Institute for Socio-economic Development (ISED) conducted a study covering the states of Jharkhand, Chhattisgarh, Orissa, Uttarakhand and Rajasthan to highlight the implications of aggressive growth-centric development on women's livelihood sources which are being taken away or are expected to be taken in the near future by the government to accommodate new ventures of the corporate sector. The study also examined the increasing vulnerability of women in the wake of the 'new opportunities' that have arisen as a result of aggressive investment. The objectives of this study were:

- to document land alienation processes in the states of Jharkhand, Chhattisgarh, Orissa, Uttarakhand and Rajasthan and its impact on women's livelihood;
- to highlight organised attempt by women to resist land grabbing (own as well as common property) by the corporate sector; and



- to assess women's coping mechanism for survival – migration; violence & trafficking; disruption of culture, values and social practices.

The methodology of the study is based on data collection from secondary as well as primary sources, and quantitative and qualitative data were collected for the study. Secondary data was collected through extensive consultation of specialised libraries Xavier Institute of Social Service (XISS), Ranchi University, Society for Participatory Research In Asia (PRIA) Resource Centre, Ranchi in Jharkhand; Women's Studies Centre at Utkal and Berhampur Universities, Nabakrushna Chaudhury Centre for Development Studies, SC&ST Research and Training Institute, Bhubaneswar, Agrabami and the National Alliance of Women (NAWO) documentation centre in Orissa; Ravi Shankar University at Raipur, document centres of Rupanter (Raipur) and Chhattisgarh Mahila Jagriti Sansthan (Mahasamud) in Chhattisgarh. Lal Bahadur Shastri National Academy of Administration, Rural Litigation and Entitlement Kendra

(RLEK) Dehradun, Himalayan Action Research Centre (HARC), State Industrial Development Corporation of Uttarakhand Ltd. (SIDCUL), Uttarakhand Mahila Manch, Aman and People's Science Institute (PSI) in Uttarakhand, Institute of Development Studies, Indian Social Action Forum (INSAF), Astha Sansthan, Centre for Dalit Rights, Committee for Protection of Public Properties and Mewat Shikshan Avam Vikas Sansthan in Rajasthan. This was followed by series of consultations with concerned academics and activists in the study states: Dr. Ram Dayal Munda, Prof. Ramesh Saran, Vasavi, Dayamani Barla, Ghanshyam, Shashi Bhusan Pathak and Rose Kerketa in Jharkhand; Vidhya Das, Prof. Asha Hans, Amrita Patel and Prof. K.C. Samal in Orissa and Shashi Behen, Illina Sen, Rashmi, Indu Netam and Gautam Bandyopadhyaya in Chhattisgarh, Ginny Srivastava, Kanchan Mathur, Virendra Vidrohi, Ashok Mathur, Bhanwar Singh, P.N.Mandola, Ajai Kumar Saini, Dr. Surajit Singh, Jitendra and Dr. K.N. Joshi in Rajasthan and Awadhesh Kaushal, Hema Kabadwal, Kanchan Bhandari, Hem Gairola, Sreedhar, Dr. Dinesh Pratap



Singh, Pushpa Chauhan, and Raghu Tewari in Uttarakhand.

In addition, a number of case studies were also prepared about women who suffered a great deal as a result

of alienation of their land or played a key role in the protest movements against land alienation. Similarly, six organised movements against land alienation were studied where women were at the forefront.





## Impact of Aggressive Growth

Growing evidence shows that, while development projects may create vulnerability through impoverishment, they disproportionately affect groups that are vulnerable to begin with, particularly indigenous groups and women. Evidence suggests that for a vast majority of the indigenous/tribal people displaced by big projects, the experience has been extremely negative in socio-cultural, economic and health terms. The outcomes have included assetlessness, unemployment, debt-bondage, hunger, and cultural disintegration.

As the current development thrust has been on mining sector the horrors of land acquisition in all the five states i.e. Jharkhand, Chhattisgarh, Orissa, Uttarakhand and Rajasthan are experienced by mining affected communities in a similar manner or perhaps more severe in nature, than that of dams and other big projects. When mining

leases are given, the immediate threat to local communities is displacement and land alienation, which is an inevitable feature especially with regard to large-scale mining. Minerals are considered national resources and sub-soil rights over lands belong to the state and not to the individual owners. The powers of eminent domain enjoyed by the state while acquiring lands for mining, renders local communities totally helpless.

Although, there are complex procedures for acquisition of lands and for obtaining mining leases for exploration, prospecting and extraction, in reality, mining projects are sanctioned more with the view of encouraging and catering to the interests of the mining industries, rather than to protect the interests of the local communities. The shifting focus of India's economic reforms are reflected in the series of recommendations to



the Mineral Policy as well as to push for amendments in other Acts which are related to mining activities like the Labour Laws, the Coal Nationalisation Act, the Fifth Schedule, the Land Acquisition Act, the Forest Conservation Act, the Environment Protection Act, the

Panchayat Extension to Scheduled Areas Act (PESA) and others, shows an increasing disrespect of the state towards the rights of communities.

In the context of gender positioning, mining has only multiplied the exploitation and degradation of

### **From Riches to Rags**

#### **An Interview with Saruna Devi**

Saruna Devi had just got married to Lal Ravindranath Sahdeo, a resident of Jagannathpur in Ranchi, when the Heavy Engineering Corporation (HEC) was being set up at Hatia. As a bride, she got everything – social prestige, lands, full coffer, workers to help her out in household chores etc, as her husband Shahdeo belonged to a zamindar family. But, as the HEC acquired the 20 acres of land the family owned, bad days for Saruna Devi started. “Initially, when the company promised jobs and other benefits, I dreamt that my family would have a life better than the earlier one. But, that never came. We were given some Rs 60,000 as compensation amount against our land that had been acquired, but this money disappeared in no time. My husband was not given a job in the HEC; instead a subsidiary biscuit factory that had come up on the HEC premises employed my husband on very low salary. After seven years, it closed down and we were left to earn our own livelihood by running errands,” remembers Saruna. She remembers how her husband and she had to face uphill tasks in bringing up their two sons. “As we were at threat that we would be thrown out of our households due to land acquisition, the thought of where to go, how to live etc. always put us in turmoil. We had lost our lands and along with it the social prestige and social security,” she says.

Though Saruna has not been displaced from her ancestral house, thanks to the Jagannathpur temple to which premises her house belonged, her economic situation never changed for better. She probably is the oldest lady still alive in the area who has seen with her own eyes the disaster caused to the original inhabitants on the region. “Original inhabitants of this region had everything, they have nothing now,” says 85 year-old Lal Ravindranath Shahdeo. Almost all people of his age have passed away, several of them early due to the change that occurred in the region and the resultant lack of livelihood options.

Shahdeos, who held a respectable social position in the entire region, now run errands to eke out a living. Their two sons are still waiting for jobs to be given by the HEC.



women's rights with regard to land and livelihood. Historically and also in the existing legal framework, women have no legal rights over lands or natural resources. There is an invisible distinction between rural and tribal women with regard to control over lands in traditional land-based situations in mainstream India. Tribal women enjoy a greater social status with regard to control over resources. This ensures their active participation and decision-making with regard to land utilisation, agriculture and powers over cash flow in a tribal economy. Rural women in India enjoy this to a lesser extent. Yet, they have a distinct role in the agrarian society with regard to participation in agricultural work, livestock management, and access to common properties.

However, both rural and tribal women are completely alienated from these accesses and rights when the mines come. Testimonies of women from coal mining areas of Orissa (Talcher) show that displacement and loss of land were the most serious problems affecting their lives, as their link to livelihood, economic and social status, health and security all depended on land and forests.

Whenever villages have been displaced or affected, women have been forced out of their land-based work and pushed into menial and marginalised forms of labour as maids and servants, as construction labourers or into prostitution, which are highly unorganised and socially humiliating.

Women displaced by mining and other development projects have lost the right to cultivate their traditional crops, and with forests being cut down for mining, they are unable to collect forest produce for consumption (food, fodder, medicines or ceremonial needs) or for sale. The cash flow that tribal and rural women have access to, by sale of forest produce and by breeding livestock, is disappearing rapidly. They are forced to walk miles away from their villages leaving behind their children, either to collect forest produce or find wage labour and often sell away all their cattle. In many situations there is seasonal migration leading to work insecurity, breaking up of family relations and exposing them to various social hazards.

It has always been the men who received any form of rehabilitation



either in cash or as employment which has led to complete 'idleness' in the economic sphere for women while they wait the whole day long, for their men to return from the mine-pits. When some of the men received employment, the women were forced to manage the land (some of those lands still left under their control), and agricultural activities on their own. In such situations, their drudgery has increased manifold and has led to situations of sharecropping and gradually to mortgaging of land.

Women from land-owning communities have been forced into wage labour, which is a socially and economically humiliating shift. Women are also forced into petty trades or other businesses but the social taboos of participation in these sectors, their lack of literacy or skills, exposes them to further exploitation in these trades.

Tribal communities, as a result of ongoing mining and other projects are forced to migrate to bordering states in search of land and forests in absence of any mechanism to provide them alternative source of livelihood. A very clear example

is the migration of tribals from western Orissa districts of Koraput, Raygada, Bolangir and Nawarangpur to the neighbouring state of Andhra Pradesh where the Khonds had to occupy lands high up on the hills, or encroach onto forest lands at the risk of being harassed as 'criminals' by both revenue and forest departments. They have cut down vast stretches of forest for survival and are accused of practicing 'unsustainable' agriculture called podu or jhum (shifting cultivation). Women, old and young, have to keep moving with their little children due to frequent displacement. Some who have settled closer to tourist towns had to shift to construction work, petty trades or prostitution as a means of survival. A similar situation prevails in Chhattisgarh and Jharkhand where a large number of women are being pushed out to adjoining states in search of livelihood.

Looking into the problems of development, we find some studies on the impact of displacement on people in general. However, women, considering their status in society and also the fact that they are even more dependent on land close to



the natural resources, suffer more. Their right over land is not recognised and in compensation they are not considered equal partners. Most of the policies and laws related to rehabilitation have no provision for female-headed households or widows without adult sons or daughters. Compensatory jobs go mainly to men, and women have to go back to homes or look for wage labour work outside.

The impact of ongoing aggressive growth on women could be broadly

divided under two heads: (i) socio-cultural impact and (ii) economic impact.

### 1. Socio-cultural Impact

Rural society of Jharkhand, Chhattisgarh and Orissa is alive on a culturally networked web. Rural folk share joys and sorrows together as a community. Their sense of happiness and fulfilment does not rest on material prosperity but on brotherhood. The place where they live is imbued with the memories of their forefathers. Landed property

## From Plenty to Poverty

### A Case Study from Dorankocha village in Chandil

Until the age of 70 Somari Devi had a prosperous household. "With over 10 acres of land and five pair of oxen to plough the land, my family earned plenty from the land. Life was idyllic. The neighbours also looked up to my family when they were in need and I used to be gracious," remembers Somari. She also had three permanent workers (dhangars) in her household who helped her husband Sukhram Bhagat in his agriculture work. Then Chandil dam was constructed in 1980s and the situation went downhill. Somari's was one of the 116 villages that got submerged in the dam. Her family had to move to the present village – Dorankocha to start life afresh.

Sukhram was initially compensated with a meagre Rs 40,000 for his lands. The money was not enough even to construct a new house in the new village. Sukhram had thought of buying some land with the compensation money, but could not do so because he was left with little money after he constructed a new house in Dorankocha. "My husband took up the job of an agriculture labourer in the new village. The earning he brought every day was just enough to keep us going. We could not save any money. We also could not provide better education to our children," says Somari, with remorse at heart. Her two sons also later became agriculture labourers. Both of them are married, but economically poor.

*Somari has lost her husband Sukhram. Her life is a sordid saga of plenty to poverty.*



in tribal communities is understood as a sacred inheritance from the ancestors and the sons who inherit them are the custodians of this land. They do work on the land and draw their sustenance, but they also have a responsibility to safely hand over this property to the next generation.

When the onslaught of development projects uproots them from their ancestral place, they are socially ruined. They are deprived of the same social and cultural meaning when they start living in another place. As a result, the well-knit social fabric of the rural community, which was a treasured property for centuries, gets completely shattered. Their society breaks. They find it difficult and often impossible to begin a new society where they can live with their old values, old relations and old meaning of life and women are the worst hit group due to breakdown of society.

The social and cultural web or network gets dismantled after displacement and so does the support system the community has developed for years. The loss of land negatively contributes in the disruption of family bonds. The support and help the families provide

to each other is not available after displacement. Vulnerable people such as widows and the elderly are left without any social support. Landless poor families also lose any kind of support they might be getting from the community.

Women suffer the most due to displacement and the consequential breakdown of the social network. Men start drinking or increase drinking as a 'coping' mechanism. Violence against women at home also increases. As the man, who has lost his traditional occupation – farming, goes around looking for jobs, frustration builds up in him, which he takes out on the women of the house.

The influx of hordes of outsiders in the area affects their cultural and social values. The material culture that the outsiders bring in along with them affects the locals. They start feeling inferior about their own culture. The culture of the group perceived as superior who are now their neighbours, is superimposed on them and here begins a cultural crisis. In other words the local society, which earlier had a distinctive culture, faces a



peculiar problem hitherto unheard of – that of cultural identity. The processions taken out in the heart of the capital city of Jharkhand during the traditional festivals like sarhul (festival of flowers), karam, jitia and others, mostly celebrated by local tribals and the sadans, is a new phenomenon. These processions are recent arrivals, which are also seen in Chhattisgarh and Orissa. Earlier, the communities celebrated their festivals in their respective villages with their own people. These processions could be seen as a frantic effort by the indigenous communities to save their age old festivals and culture, which are on the verge of extinction due to recent arrival of other cultures.

At present, the traditional culture of Chotanagpur and also the tribal regions of western Orissa are passing through a very critical phase. Without caring for the local identity, new investors are forcing it to enter the domain of the exploitative 'mainstream'. It is feared that the local culture will not be able to survive long. It is facing a serious crisis – the crisis of identity and existence. If proper care is not taken promptly, it will face extinction. The

main factors leading to this pathetic situation are (a) abrupt uncongenial development plans, (b) land alienation and brutal exploitation, (c) hatred towards indigenous culture and (d) finance capital and capitalism.

### Homelessness

This is the worst effect of any displacement. Uprooted from ancestral villages and homes due to displacement, the families do not know where to go and often live in small temporary houses with insufficient space and lack of basic amenities. Due to complete social change post-displacement, women and children face uncomfortable situations given the large presence of unfamiliar men. The temporary houses, which they initially put up with a thought of up-gradation, very often become their permanent homes.

The displaced families were granted just Rs 20,000 as amount to build their houses. How big a house would a displaced person, whose family size is about five members on an average, make with this money? Some people who were better off especially non-tribals could build their houses,



others made small houses just to shelter themselves. Those who could not build their houses, opted for the government made Indira Awas Yojana homes, which generally broke down in a year or two.

### Increase in alcoholism among men

A sense of loss, neglect and, above all, frustration drives displaced men to drink. Psychologically unable to cope, they take to drinking to cope. Those who already drank, increase intake and the younger generation, aping their elders, take to this new habit. It is therefore, difficult to find non-drinking men in the region where the displaced people live.

The drinking habits of the men have a very bad effect on women of the household. As the man comes back home inebriated, the woman questions him. Enraged, he beats her up, unwilling to answer anyone for his act. Thus regular wife-beating by displaced men is a general feature in these households.

### Social dignity of women going down

The disintegration of the community network caused by investment

invaders affect the women more severely than men. A sudden increase in marriages breaking-up is reported because of unemployment and other problems. Tribal women who generally enjoy a better social status in their communities are now treated according to status of women in the host villages. They, in some cases, find themselves pushed, into following the purdah system that did not exist earlier.

Dignity of women, though unethically, is often associated with the wealth their family possesses. As the affected or uprooted family is robbed of its land and the wealth it generated from the land, it is usually poor. The dignity of women of the family also goes down in the eyes of the society. The new and dominant society that comes to the region after development expresses utter unwillingness to accord the same old status to the local women, as they deserved in their original society. This exposes them to various threats.

Besides, in the new arrangement, the women have no jobs except cooking and housekeeping. The men as a burden look down on them because they fail to play the same



role of breadwinners for the family, which they did, in the pre-investment phase. With land, forest, and social networks all gone, they finally lose their livelihood which are associated with these things. This consequently lessens their sense of worth both to self and in the eyes of others.

Most of the affected families live in hamlets that surround the mining area, or the industrial area. The unskilled labourers, who come for jobs in the mines or the industries, seek rented houses in these localities and often become a part of this displaced community. There have been several instances in industrial suburbs where these men have entered into sexual relationship with the women of the local displaced society in exchange for money.

According to a Kolkata based organisation, Durbar Mahila Samanway Samiti, an organisation which works for the rights of women who are in the flesh trade, the number of women in Jharkhand who are in this trade has seen an upswing over the years. The Samiti has recently begun working among such women in Jharkhand.

“In Ranchi alone, there are at least 1,000 such women who are sex workers. Dhanbad has the highest number of sex workers,” says Om Prakah Yadav, a functionary of the Samiti who has been charged with the task to begin work among these women in Jharkhand. Yadav reveals that these sex workers do not have a permanent place of operation but are ‘mobile’. According to a survey conducted by the Samiti, Jharkhand has at least 10,000 sex workers; a sizeable portion of these women have been direct victims of displacement earlier. Similarly in the mining areas of Keonkhar, Kalahandi, Koraput and Rayagada districts of Orissa incidence of women trafficking for sexual exploitation is rising.

#### **Problem of drinking water, sanitation and fuel**

In the local indigenous society, arranging drinking water and fuel for cooking has been traditionally thought to be the task of women. In the new arrangement after development and displacement, the men in the displaced families still think that these are tasks belonging to women.



However, arranging drinking water has emerged as the biggest problem for women forced to migrate by the aggressive investors and living in hamlets around the modern day developed cities. As the rich and those living in concrete buildings enjoy drinking water supplied through pipes, the Municipalities pay little attention to the problems of these communities. Women therefore have to literally wander here and there to seek sources of drinking water. Thus, collecting drinking water, which was a pleasurable activity for women before the arrival of 'development', is no more pleasant.

Uprooted women who earlier used to fetch water, collecting fodder and fuel from nearby places, now have to cover longer distances. Sometimes some or all of these resources are not available nearby, and women have to suffer most because these are considered to be their responsibilities. In some cases, they have to sell off their cattle because grazing land is not available near the new place.

Collecting fuel is an even more difficult task. Given their bad

economic condition, they cannot afford the luxury of liquified petroleum gas (LPG). They depend entirely on coal or fire wood, the latter being scantily available in the new location, the women expend much more time and energy searching.

Another problem seldom touched upon is the problem of bathing and defecation for women. The displacing agencies while rehabilitating families think little about this aspect. They think that a house is all that a displaced family needs. This problem, highlighted by women during interviews, has not received much attention. In the absence of a pond or forest close to the village due to land acquisition, women face a serious problem daily. Women complained that the project has rarely kept these problems in mind while acquiring the land or even while planning the resettlement of the communities at different places.

## 2. Economic Impact

The aggressive onslaught of investment leads to loss of land, loss of forest, loss of grazing land, loss of water bodies etc. thus brings loss



of livelihood. The affected people are pushed to a new economy, with which they are totally unfamiliar. For the local community – tribals and sadans who depend on land alone for livelihood – sudden change of occupation is just impossible. Thus, the indigenous community is silently going through the same process, which the traditional Indian society experienced during the initial days of the British Rule – silent destruction of traditional occupation. Even if they try to find a way out and get employment in the new economy, jobs are not adequately available.

Those who had no land earlier and were dependent mainly on sharecropping or rendering services to the community and/or solely dependent on common property resources, also lose their market and their access to the common property. Women face a new situation where jobs, if there are any, generally go to the men of the family, the compensation amount goes to men, and they are left with no work, find themselves pushed into their homes and have nothing else to do.

Livelihood of small time vegetable vendors, mostly women, who put

up their stalls on the road-side also are threatened due to the coming of chain of retail shops begun by big companies like Reliance and Spencer. As these retail shops offer vegetables and grocery on price relatively lower than the vendors, customers are attracted to them. If this trend of usurping the livelihood of small vegetable and grocery owners by big companies is allowed to continue, the time is not far when these vulnerable people too will be robbed of an occupation that sustained their families.

#### Migration of tribal girls due to loss of livelihood

Migration of tribal girls to other states in search of livelihood is probably the severest fallout of aggressive growth and displacement in modern era. Loss of land and resultant loss of work has pushed tribal girls to migrate. Machination of construction works – roads, buildings and others, has robbed them off their livelihood which they earned selling their physical labour. Though a small portion of the labour could still be used in these works along with machines, a big chunk was thrown out of work.



According to a survey conducted by Bharat Jan Andolan, a people's movement which is fighting against aggressive growth and forced displacement, it was found that no less than 1.5 lakh tribal girls of Jharkhand are outside the state working in posh households of metro cities as domestic help. The majority, 75,000, are said to be in Delhi. No wonder, these girls, away from their homes and working in the homes of strangers, are exploited physically and sexually. On several occasions, some of them returned home with babies in the womb, fathered by the men of the households where they worked as domestic help. Back home, their families disown these girls with babies, and they end up psychologically ill.

A Christian Order of the Sisters of Mary Immaculate, situated in South Extension, Delhi has began a centre in 1997 to help girls who have migrated to Delhi to work in households. Former in-charge Sister Margaret Fernandes said that the influx of such girls was increasing in a disproportionate manner year by year. From 1977 to 2003, the centre helped 8000 such girls through vocational training and rehabilitated them with other jobs. They also

opened another centre in a west Delhi colony Punjabi Bagh, which has so far helped 4,577 girls.

Sociologists opine that migration of tribal girls to metro cities to work as domestic help is due to the breakdown of the socio-cultural fabric of traditional society. When land and forest-based livelihood was shaken by modern aggressive development, this kind of problem emerged. Due to lack of sufficient rainwater, agriculture in rural areas suffered. This had an adverse impact on the girls who had to search for a livelihood outside state borders, some to work in brick kilns and others in posh households.

### **Women forced to produce 'rice beer' and sell for livelihood**

All across tribal areas and specially in hamlets that surround developed cities, women can be spotted selling rice beer on road sides, babies slung on their backs. Traditionally, tribal women have produced rice beer not for commercial use but for use during festivals. Now selling it seems to have become a new livelihood option for those women whose families have borne the brunt of aggressive development and loss of livelihood.



### Women are turning to construction labour

Construction work in industrial areas is cashing on availability of cheap labour created by the loss of livelihood as a result of aggressive growth through industrialisation. A very large number of women are seen to be seeking jobs as labourers. As per a report of the Labour Wing of the Communist Party of India (Marxist-Leninist) Liberation, the labour market in the entire Jharkhand alone is as high as three lakh, half of which is made up of women. A similar situation, more or less is found in Chhattisgarh and Orissa as well.

Women may find employment at construction sites, but they lose self-esteem in the process and become vulnerable to sexual exploitation by contractors. Instances of sexual exploitation occur more with women who are victims of aggressive development and displacement.

### 3. Other Impacts

#### On physical health

The health status of the affected families generally goes down. Improper and inadequate housing, lack of basic amenities and increased impoverishment affect

their health negatively. Given the high morbidity rate among women, it is likely that they will be worst affected by displacement-induced morbidity. Similarly, the nutritional health status of women, which is lower than that of men even under normal circumstances, is bound to proportionately go down in the event of an over all decrease in health status caused by displacement.

#### Uranium mining and health hazards to villagers in Jharkhand

Uranium mining in several villages of East Singhbhum of Jharkhand has let hell loose on the health and well being of the rural population in the region. If a person wants to know what price India is paying for uranium mining, one should visit the rural gentry of Jadugora region. The villagers of the region have been paying with their health and sometimes their lives. Uranium mining takes place in Jadugora, Bhatin, Narwapahad and Turamdih. No one knows how many adjacent villages have borne the brunt of the mining due to radiation, as the company does not bother to conduct a genuine study to appraise health hazards. All these four mines are underground mines. In addition,



three more mines are on the anvil and work has started and it is only a matter of couple of months before these mines are operational. These are the Banduhurang, Baghjanta and Mahuldih mines. While the first two are in East Singbhum district, Mahuldih is in Saraikela-Kharsewa district. Of the three, Baduhurang is proposed to be an opencast mine. Thus, there would be seven uranium mines all together.

Mainly five kinds of health hazards could be witnessed in the region – (i) anaemia in small children, (ii) new diseases that the local population is unfamiliar with (iii) skin diseases (iv) reproductive health system diseases and (v) increase in cancers.

**Anaemia in small children:** Several three to four year old were found by doctors to have a condition that necessitated blood transfusion. But blood transfusion becomes a necessary evil for the kids that need to be carried out at regular interval. In the end, the kids die before they reach adolescence.

**New diseases:** Patients suffering from lung cancer and tuberculosis are treated but the medicines and

treatment result in no improvement in the condition of the patient, perhaps due to inadequate nutrition, improper/irregular intake of medicines, or diagnosis when the disease is in an advanced stage. Since medicines do not work even after a disease is diagnosed and treated, people fear that they are suffering from strange diseases which even the doctors know nothing about.

**Skin diseases:** Skin diseases show up on every other villager, and do not disappear with medication. The villagers are forced to live with it to the end of their days.

**Reproductive health system hazards:** Instances coming from the region suggest that pregnant women are the worst sufferers of environmental pollution due to uranium mining. Cases of women bearing deformed children are growing every year. There have been instances where they are born without eyes.

Cases of miscarriages among women are on the increase. The polluted environment, including the drinking water, is producing infertility among men in the region.



According to a survey conducted by a doctor couple from Gujarat – Dr Surendra and Sangharika Gadekar, who write their findings in the magazine 'Anumukti' – instances of deformed children being born in the region is seven times more in comparison to the normal situation. The couple also has come out with startling figures with respect to health status of the people of the region.

As several private groups are conducting a survey of health status of the people of the region, the Uranium Corporation of India Ltd (UCIL) authorities also have come under pressure. They have asked Tata Institute of Social Science and Indian Institute of Mines, Dhanbad to conduct survey on the impact of uranium mining on people. But we fear that these institutions will come out with figures that will be far from the truth as countering the figures projected by independent organisations, seems to be the open motive of the UCIL," said Shri Prakash, an internationally famed documentary film maker of Jharkhand, who has made 'Buddha Weeps in Jadugora', the film that describes the plight of villagers due to uranium mining.

The massive and negative impact of uranium mining among villagers in

the region is an open secret and the situation becomes clear to anybody who takes the trouble of visiting the villages. But what is heinous is that the UCIL does not accept the gravity of the problem. "When we asked UCIL chairman-cum-managing director Ramendra Gupta about health hazards in Jadugora at a conference on environment in New Delhi, he just got up and left," narrated Shri Prakash about the irresponsible behaviour of the topmost official of the company. The conference took place on April 26-27, 2007 and had been convened by Centre for Science and Environment, a Delhi-based NGO.

A survey and scientific testing of samples from the soil and water in and around Jadugora mines by Hiroaki Koide of Kyoto University's Research Reactors Institute in July 2002, found high radioactivity. The permissible limit for radiation exposure by any 'artificial factor' is one millisievert per year (mSv/y), or 0.11 microSv/hr. In Jadugora, there are places where the external gamma dose by only the 'natural factor' exceeds this limit. The most dangerous source of contamination lies in tailing ponds, and here the amount of air-gamma dose



exceeds 10 msv/y (1.1 microSV/h),” writes Down To Earth, a fortnightly magazine published by Centre for Science and Environment, in its April 2007 issue.

The locals of Jadugora region are fighting for dignity and the right to a healthy life. But neither the company nor the Central Government or the State Government is willing to listen.

### Psychological impact on health

Involuntary displacement and relocation is not something planned or well designed. The people have to face it without any preparation, as it is forced displacement. Some dilemmas observed are: where to go to live permanently? The rehabilitation site? Or to another village where some relatives live? Or follow the other villagers to where there are possibilities of employment? What to do becomes the key question. Maybe the displacing company has promised a permanent job. Even though such promises often prove hollow, the expectation of getting a job ensures that people do not leave the area in search for another job.

Great psychological stress occurs, especially among women, because

of forced idleness, increased drinking by the husband and subsequent increased abuse and beating, and the shock of losing everything they had. A sense of insecurity – social, economic and family – puts deep roots into their lives. The breakdown of the social network deprives them of the opportunity to share their inner psychological stirrings with other women. Very often, it is a feeling of ‘worthlessness’ that they go through. Several of them could be seen sitting in a corner silently thinking something.

### Land Alienation and Women

Women are the cornerstone of sustainable natural resource management systems in the Himalayas. They are, therefore, the first and most vulnerable victims of processes that tend to destabilise the natural resource base. As such, they have therefore been the leaders of the ecological movements that have originated in the state.

Over millennia, the people of the mountains evolved sustainable community-based ways of using forest resources. The conversion of this common property resource into a state-owned or privately-



owned resource meant primarily for generating revenue, has destroyed the close links people had with the forest. As a result, forests were exploited and degraded, while people's needs went unfulfilled. This has also affected the floral and faunal diversity present in the forest, and led to numerous conflicts between people and animals, between people and the state and between communities. As usual, the worst victims of these conflicts have been women.

The current impasse that we are really faced with, arises out of the precarious situation where developmental activities of the past have had a massive impact on deepening widespread poverty, squalor and environmental degradation, but made only a feeble impact on sustainable development of local communities and their capacities to maintain/improve their environment and well-being.

Women are the backbone of hill farming and related sustenance activities. The selective male migration to join the armed forces and the numerous other service-oriented activities in the plains leave them to the harsh topography and the care

of their family. Several studies have been undertaken on the workload of women in the hills, particularly in Uttarakhand, so much so that it has almost become a cliché that drudgery and women in the hills are synonymous.

Agriculture is the mainstay of the people in the state, and women's contribution to agriculture is at all stages – preparing the fields, sowing, reaping, harvesting, threshing, transporting, and sorting the grain. They also look after the cattle; carry head loads of fodder, fuel, manure, flour, rock and clay (in case of house construction). They collect grass, fire wood, and often also graze the animals in the forests.

In addition to this, they have to continue with the daily household chores of cleaning, cooking, fetching water (often over long distances), weaving, knitting, stitching and so on. Thus their daily schedule is over 18 hours.

Women in Uttarakhand have to suffer in two ways. First, they don't have property in their name i.e. they don't have land rights. Second, they have to do all the work related with



home and hearth, besides working in the fields and grazing the animals. Though their responsibilities have increased, they still have no rights to the land they work in. They rarely hold land titles. They toil in the fields all year long, but once the crop is harvested, it is the men who take it to the market. Now more and more common and forest land being acquired by the government in the name of development has further made their life miserable. The control of women over natural resources has also decreased considerably, thus, making them vulnerable to the economic crises. In the hills, land is terraced and cannot be expanded. Land and forests are livelihood resource of the hill women and linked to their and their families' food security. If existing livelihood options are changed then there are no alternatives available in the area. Therefore, changes in land-use pattern affect women the most because land denotes food for the family, which women generate by collecting fodder, grazing cattle and cultivating land. This can be illustrated by the example of tea farming as it is being promoted by the government. As tea farming involves conversion of large areas, it

has a direct impact on the women and their livelihood as they are then shifted away from the sources of fuel, fodder and food sources for their own livelihood and get further marginalised.

### **Land Alienation being Engineered by Land Sharks and their Touts**

The above scenario underlines the process of land alienation being shamelessly forced by the State through legal instruments, but very few are aware of the land alienation being shrewdly managed by the wealthy land sharks through illegal means and by taking the help of touts who are their village fellows, relatives or even sons. This is particularly true in the areas where highway construction is being carried on. This is quite evident in a report prepared by a team of activists as part of the current study, which visited Dinkly village, Girwa Tehsil, Badgaon Panchayat Samiti in Udaipur, Rajasthan.

The report says that around 2004, ever since a highly ambitious national highways project touched upon these areas linking Udaipur to Ahmedabad, villagers, specially Bhils started losing



## Bhils and Land Grabbing Touts

### The Story of Tulsi Bai

A woman named Tulsi Bai said that alienation of tribal land is rampant in and around her village, which is being enforced in league with the kith and kin of the prospective sellers who operate as touts. She says that these touts are mainly Bhils and most of them are from the village itself. They are being promoted by hoteliers and other rich business houses from Udaipur city. These land sharks, in connivance with the local administration, are indulging in proxy land registration using touts or their accomplices, as law does not permit transfer of tribal land to non-tribal. These most trustworthy proxy candidates are being paid a token amount for their service.

While explaining the process of land grabbing, she told the team members that the prospective client is first separated from his family, then the tout works hard on him with several false promises inducing him to part with his land. He is being constantly cajoled to see the future, which promises prosperity, and well being once substantial cash is made available to him in lieu of sale of his land. Constant harping on these rosy promises influences his thoughts so much that he hardly cares to consult other family members and agrees to part with his land. Once the decision is taken, he behaves as a rogue with his family members, creates enormous tension and violence and dares them to stop him from selling the land.

In certain cases the prospective client is given an advance ranging from Rs. 20,000 up to one lakh depending on size and quality of the land. She further says that the hapless simpleton Bhil is quite amazed to receive such a huge amount unseen for generations, succumbs to the allurements and decides to sell his land. Once advance is taken, he is contracted to repay four times the advanced money in case he refuses to sell, which is beyond his capacity. Hence, he surrenders to the greed of the land sharks. In the process, within a span of one-and-a-half years, Bhils of Wada hamlet received crores of rupees, says Tulsi.

their source of livelihood – mainly small pieces of agricultural land (average size holding 2.5 bighas) which has been their main source of survival. Now they are being engaged by contractors as labourers in the booming infrastructural development spree in and around Udaipur city from time to time. The report adds that talking to

people from different hamlets of the village revealed that they felt a sense of total loss, despair and helplessness. It was evident that their innocence, coupled with a free living, and merry-making lifestyle provided land sharks ample opportunity to dupe them and get their land at a meagre price. Kajod, Mega, Naru, Teka, Jamuna



and Mohan, all belonging to Bhil community, in Wada hamlet told the team that of the 200 households of their hamlet, nearly 150 families had already been duped by land sharks into parting with a part of or all their land holding.

The report cites another example. Umba had no idea that her husband Bhanwarlal received Rs. 10,000 by selling their half-acre land. She did not know when the deal was struck; under what circumstances their entire share of land was signed off. Her husband trusting his brother agreed to sign the deal papers, albeit for a small portion of land. However both the brothers being illiterate were duped and made to sign away Bhanwarlal's entire share of land. Umba approached many people to retrieve her only source of livelihood but nobody helped her. Though she continues to cultivate this land she is constantly scared about whether she will be allowed to harvest her crop, and whether she will be allowed to cultivate it the next year. She is contemplating a long-drawn out battle with the land sharks to save her land but is not sure if she will succeed. Umba is around 35 years old and has four teenaged children, two sons and two daughters, and is quite

worried about their upkeep. She lives in constant fear and tension, neither able to eat or sleep and suffers from frequent bouts of fever.

Another example is that of a Bhil woman, Gameri, from Gariawas Ki Talai. She has lost her entire 0.50 acre holding which included both agricultural and the homestead land. Her husband Nanda had sold their only source of livelihood and dwelling without consulting her. Had she been consulted, she would have definitely prevented him. Her husband, ailing for sometime, got carried away with ongoing spree of sale of land in the surroundings. When Gameri questioned the reason for such a deceitful decision, her husband scornfully replied "As the owner of the land I am free to decide and with the best available bargaining I sold." Gameri heard that the land was sold for four lakhs. However, she was not sure, as she did not see the entire money at all. A sizable part of the money was spent on the treatment of her husband who unfortunately did not survive for long. Her children grew into vagabonds and abandoned her to fend for herself after her husband expired. When only



Rs. 10,000 remained with her, thieves attacked her, raped her and ran away with the amount. Since then she is suffering with several ailments all alone.

Similarly, Puri Bai, a widow of Gayariawas village has survived all alone for the past ten years (widows, generally in this part of the world, are left alone). Her two sons have separated and their 1.25 acres of family land is divided equally amongst the three after the death of her husband who died ten years ago. Though she is separated, she still faces the wrath of her married younger son, an alcoholic, who sometimes beats her up severely with sticks. Her daughters-in-law curse her, blaming her for her son's violent behaviour and his debased upbringing. This son has agreed to

sell his portion of the land for which an advance of Rs. 50,000 has already been paid to him by the prospective buyer. However, the transfer deed is yet to be completed for which, all the three owners of the land are required to sign. The violent son is compelling the mother to sign but she is refusing. His wife is also against the sale. The son has already accepted the advance and spent most of it on alcohol. Should he fail to comply with sale deed he has to return four times the advance money, which is just not possible for him. The agent for this transaction is his neighbour, his own kin. Puri Bai is in deep trouble, she neither wants the land to be sold nor the headache of having to return such a large amount. She lives in constant fear for the safety of her son, and is anxious to keep their land holding intact.





## Organised Response

### Land Alienation

These development projects have raised questions of equity, fairness, justice, and equality before law, in the matter of distribution of benefits and burdens. Today the project affected people are no longer in a mood to suffer displacement along with its concomitant attributes such as occupational degeneration, social disorientation, pauperisation, loss in dignity and often getting cheated of the compensation amount, which serve to make the experience a trauma. This has given rise to protest movements, marked by growing militancy. An interesting feature of the growing protest movement has been the creation of a national awareness of the problem. Also protest movements of the displaced have played a major role in displacement becoming a key issue in the debate on development.

Of late, women especially those belonging to rural areas, have taken leadership in several of the movements against land alienation.

### Jharkhand

#### Koel Karo

At the Koel Karo project in the name of 'development' the government is desperately trying to grab land, displace people, to erect the monuments of development. The Bihar Government raised the idea of construction of the Koel Karo hydel power project in the Jharkhand region in the early 1950s, and baseline surveys started in 1955. However, the report on the survey appeared almost 20 years later, in 1973. The intention had been to generate 710 MW of power from two dams constructed on the Koel and Karo rivers. Later, due to paucity of funds, the Bihar State Electricity Board transferred ownership of the project to the National Hydel Power



Corporation (NHPC) in 1980. The NHPC planned to complete it by 1987. However, sustained people's resistance has ensured that work on several project components is yet to start.

To protest the proposal of Koel Karo Project the local people formed a Kendriya Jan Sangathan Samity, to strengthen the struggle. Half the members were women and in all the public meetings, women's participation was much more than men. A public meeting of the Kendriya Jan Sangathan Samity was called on 27 December, 1977 at Konabir. Women came walking from all the remote villages like Tena, Lookera, Kumbhari, Narekela, Tirri and Tengeria. Their active participation helped to strengthen the movement. A Swiss technical team reached Lohajimi to conduct a survey for the making of an underground tunnel. The villagers stopped the team at the outskirts of Lohajimi village for as long as eight hours. Women outnumbered men.

In a tribal setting women and men are at par and, therefore, any issue sees equal participation. During the movement the women actively

participated in the process, taking a lead role in organising meetings, rallies etc. For better understanding of women's role in the movement, following case studies are presented.

It is the effect of this successful movement that the government has decided to give up the hydropower project at Koel Karo, though a gazette notification with regard to this is yet to be published.

#### **Netrahat Field Firing Range**

Building of the Netrahat field firing range for use by the 23rd Artillery Brigade of the Indian Army is expected to remove 245 villages at a time from the tribal map of the country, leaving approximately 2,24,940 people landless and homeless. The government's slogan (that this is for the 'national interest') will actually translate into the biggest displacement of adivasis and the largest land losses for them. The government's stand is that as patriots the adivasis of the area should gladly accept homelessness, landlessness and the gift of multi-generational poverty. For field firing and artillery practices of the 23rd Artillery Brigade, the Indian Army is



going to occupy the ancestral land of the indigenous people where not a soul without uniform would be allowed to move. The area – in which lie the districts of Palamau and Gumla (which are to be brought under army occupation) – was the first entry point of the early Kerwas. Most of the population belongs to tribal communities such as Aurs Birhors, Korwas, Birjias and Asur. All of them speak the Munda and Santhali language. All of them are hunter-gatherers who largely depend on forest for their livelihood. If the project is implemented, they would disappear from the tribal map of India forever.

When the local people came to know about the Government's intention about establishing the project, without losing time, local leaders sounded the alarm in the area and began to search for capable leaders from among themselves to mobilise people against the impending displacement. They held a meeting on 25 September, 1993 and decided to oppose the displacement by forming Jan Sangharsh Samiti comprising people from the affected areas of Palamu and Gumla districts.

The Netrahat Field Firing Range anti-displacement movement is still on. The organisational and leadership role played by women such as Tarshila Xalxo, Ignatia Xalxo, Magdali Kujur, all in their fifties, in Netrahat is worth mentioning. They are educated housewives who had to plunge themselves into the anti-displacement movement as they realised that the role of women in the movement is as much important as that of men. "I have seen that women are the worst affected group in any displacement. It is this fear that pushed me and always led me to unite the women to fight against displacement," says Tarshila Xalxo.

Initially, their main task was to spread awareness among women against the hazards of displacement. It took them several years to sensitise the women. They then had to form women's groups in each village of Netrahat region, which they did after burning much midnight oil. The women of the Netrahat villages are now so aware that they come out of their houses in large numbers whenever a demonstration is required.



Jharkhand now has become a hot belt for protests against multinational companies which seek to exploit mineral resources under the garb of promoting the state's economy and all-round development. People are generally not in a mood to accept the false promises of these corporate giants. People are vehemently opposing Jindal, Mittal, Tata and several such companies who are eyeing the state for massive investment. For instance, there have been massive ongoing protests against Hindalco which wants to establish aluminium smelter plant at Lohardanga in Latehar, a tribal district, to produce 325 thousand tonnes of finished products annually. To achieve this, they are also planning to set up a captive power plant (CPP) with a capacity of 750 MW. Hindalco proposes to invest Rs. 78,000 crores. The project will take up 1000 ha. of land, which will certainly displace a large number of tribal families. This would add to the displacement Hindalco has already caused by mining bauxite in 33 mines in and around the district and its adjuncts. The tribals have set up the Aurangabad Birodhi Samity. There was a massive rally against Hindalco on August 9, 2005, which

destabilised the local administration which is already in league with the project management. Similarly, people are being organised against Jindal and Mittal in Singhbhum, against Tata in Saraikela-Kharsawma and against Jindal at Karra (Ranchi), against NTPC at Badkagaon (Hazaribag) and many other private investors. Several women are leading anti-displacement movements in various parts of Jharkhand. Women leaders such as Dayamani Barla, journalist-turned activist, Rama Xalxo, Vasavi Kiro, journalist-turned social activist, Valsa John, a nun belonging to Roman Catholic Church have all earned a noble reputation in this field.

## **Chhattisgarh**

**Chaurenga: A struggle against pollution caused by a sponge iron factory**

The pollution of dust and iron particles here by the sponge iron factory 'Raipur Sponge and Power Ltd.' has created a threat to humans, crops, water bodies and the air of Chaurenga village.

Land and a no-objection certificate from the panchayat was acquired by cheating the villagers. A woman



from Raipur came down and bought 50 acres of land from a local farmer for farming. Another purchased 110 acres of land close by at the rate of Rs. 12 to 40,000 per acre, again stating it was for farming. Until then there was no talk of setting up any industry here. The owner of Raipur Sponge and Power Ltd. then bought these lands, which were surrounded by lands of other farmers of the village. One day villagers saw an approach road being constructed by filling up a canal made in 1984 to bring water to their fields from the Gangrel branch canal. The canal had never done its job in the 25 years since it had been built. Perhaps there was some hope that one day it might. But then, the villagers learnt that the canal had been leased to the factory owner by the government to build approach road. Enquiries revealed that the factory owner had obtained a no-objection certificate from the panchayat. Further enquiries revealed that the industrialist had managed to leave some blank space in the gram sabha register by manipulating the sarpanch. This blank space was later used for registering the N.O.C. of the gram sabha.

The Industry Minister informed

the Assembly that a factory of the Taipur Sponge Iron Ltd. and Steel Apprentice Industries Ltd. was to be set up in village Chaurenga. He also informed that 31 people were present in the gram sabha on 20 April, 2004 and N.O.C. had been given unanimously. The presence of 31 people in the gram sabha of a village that has a population of 2500 raises the question of the validity of such a gram sabha.

The villagers of Chaurenga collectively decided to stop the construction of the sponge iron factory near their fields and habitation. They started a dharna at the site where the canal had been converted into an approach road for the factory. They made a shed at this dharna site and continued to keep watch on the entrance 24 hours continuously for nine months. Women, men, children all were involved in the protest and kept vigil at the entrance to stop construction work. Festivals and other village ceremonies were held at the dharna site only. Two committees were formed for the struggle against the factory in which one member from each family was involved. During these nine months of struggle the



factory owner and administration kept trying to break the unity of the villagers, but the villagers remained united against the factory. Nadi Ghati Morcha, a people's organisation kept pressurising the administration and the industrialist for a dialogue and also mobilised other mass organisations, academics, and concerned citizens to intervene in the interest of villagers and protection of the environment.

The villagers' struggle faced the brutalities of criminals hired by the factory owner and administration.

The factory administration announced work on the factory would start on 15 August, 2004. The entire village gathered at the dharna site from 14th August and blocked the road to the factory. Police lathi charged villagers to clear the road and help factory owner start work. Many villagers were injured. Leaders of the village were arrested. Later villagers demonstrated before the police station and forced the police to release those arrested. Despite using force work on the factory could not be started.

### **A Dam on Kelu River has Repercussions for Raigarh**

Construction of a dam and the exploitative use of water from Kelu river as well as underground sources has affected livelihood of the local people in Raigarh district of Chhattisgarh, and has also created a threat to the drinking water needs of the people of the Raigarh city and adjoining villages. The exploitation of Kelu river is a classic example of how common property resources such as water are being controlled by corporates, affecting livelihood and even basic human needs of drinking water critically.

Jindal Strips and Power Ltd., earlier known as Jindal Strips Ltd., started operations in Raigarh in the early 1990s with the construction of a 500,000 TPA steel plant. The company gradually increased its presence by acquiring coalmines, chromium ore mines and iron ore mines for captive use. For its industrial activities, the group also established a captive power plant. At the start, the 75 MW power plants were dependent on groundwater extraction through reservoir tanks and borewells. In 1995, the Jindal Group proposed to draw water from the river Kelu for its captive power plant requirements.

The Kelu, a tributary of the Mahanadi, is a 95-km-long perennial river in the district of Raigarh and the only source of water for the over 100,000 residents of Raigarh town and numerous villages spread along its banks. In 1996, the district water utilisation council denied the company access to the Kelu on grounds that the river would not be able to



meet industrial demand especially during the summer months, taking into consideration the drinking water needs of Raigarh town. In 1997, a state-level committee formed to assess the requirements of water for power and industrial projects in Madhya Pradesh granted permission to the company to build intake wells and a stop dam for consumption of 35,400 cubic metres of water per day.

Over the years, the extraction of water by the Jindal Group has had severe repercussions on the local population. Almost 250 families dependent on fishing in the Kelu have lost their only source of livelihood due to the construction of a stop dam that has drastically reduced their fish catch. The company's intake well at Bonda Tikra, from where water is drawn and supplied to the plant through a one-metre-thick pipeline, has directly affected water supply for irrigation purposes in nearby Gudgahan village. Farmers in this village had earlier mortgaged their lands for a loan to start an irrigation scheme that subsequently failed due to inadequate water; most of the water was being drawn by the steel plant. Besides using water from the river, the company has illegally diverted the Kokadi Talai irrigation canal to suit its own ends. It is also using water from the Tipakhol dam, depriving many farmers of irrigation water.

Jindal Steel and Power Ltd. (JSPL) proposes to build a dam for a 1,000 MW hydel power project in Rabo, a village near Kurkut in Raigarh district of Chhattisgarh. The dam is part of extension of the Jindal Industrial Project and will cater to the needs of power to the units of Jindal. The dam will submerge over 1000 acres of land and displace over 10,000 people. Rabo village is the nearest to the proposed dam. Apart from Rabo village, Gadgaon, Chharatangar, Dokarmuda, Dehridih, Vilaskhat, Vilaskhar, Timaudih, Gudgud, Amapali and Bachgawan villages would be affected. The protest to the dam started in August 2004 and since then there have been a series of demonstrations.

On January 29, 2005, the State Pollution Control Board organised a public hearing for environmental clearance for the proposed expansion of JSPL's existing steel plant in Patrapali, Raigarh. The hearing was conducted as a procedural formality by the local administration and District Pollution Control Board. Yet it turned out to be an historical one with almost 4,000 local people from Raigarh turning up to register their complaints and protest the expansion on the one hand, and the blatant manner in which the district administration and the Pollution Control Board violated the Ministry of Environment and Forests (MoEF's) guidelines on public hearings. In 1994, when site markings started, people from six villages along the banks of the Kurkut came together under the banner of the Majdoor Kisan Sangharsh Samiti to protest against the dam's construction. They sent appeals to the district administration, water resource department, chief secretary, Chhattisgarh, Prime Minister of India, National Human Rights Commission, SC/ST Commission and the MoEF, until finally, the district administration ordered a stay on construction. The protestors also initiated direct people's action by taking turns guarding the site and preventing further construction activity.



The state administration has arrested 12 villagers who were providing leadership to the struggle in the case of killing of two persons on 30 November, 2004. They expected to suppress the struggle by these arrests, but villagers got more united and continued their peaceful struggle. The villagers elected one of their leaders as Sarpanch while he was in jail, with a record number of votes. Villagers waited for fellow villagers to come out of jail while continuing their peaceful resistance. Victory finally came on May 1, 2005, a historic day in the history of peoples' struggle in Chhattisgarh to protect their livelihood, land, water and environment. A gram sabha was organised in village Chaurenga on the request of the factory owner. He offered to withdraw the factory from the village. The villagers accepted.

### **NMDC Iron and Steel Plant, Nagarnar**

The proposed National Mining Development Corporation (NMDC) Iron and Steel Plant at Nagarnar village is 16 kms away from Jagdalpur town towards the east. NMDC is a premier Government of India enterprise established in the year 1958 with a mission to explore and

develop all mineral resources other than those of fuel, oil and atomic minerals. NMDC is now operating two iron ore mines in Bailadila (Chhattishgarh), two in the Bellary-Hospet range (Karnataka), a diamond mine in Panna (MP), a limestone mine in Chawandia, Jodhpur (Rajasthan), a magnetite mine in Udampur (J&K) and a silica sand mine at Lalapur, Allahabad. With the intensive research and development work on effective utilisation of waste materials coming out of mining and production of iron ore, NMDC has been able to move into hi-tech products. It has set up an ultra pure ferric oxide plant at Visakhapatnam in Andhra Pradesh. The other connected products are pigment grade ferric oxide, ferric oxide and ferrite powder. The total land required for establishing the steel plant at Nagarnar is 416.96 ha. from five villages of which 292.89 ha. belongs to private land and the remaining 123.97 ha. to government revenue land. The land is mostly open scrub type.

It is prudent to mention that identified land is sufficient up to final stage. No additional land will be required for the plant in future except for a railway siding from



**Table 2: Distribution of Private Land and Government Revenue Land in Five Villages**

Name of the village	Private land (in Ha.)	Govt. land (in Ha.)	Total land (in Ha.)
Nagarnar	157.71	106.05	263.76
Kasturi	62.55	5.32	67.87
Chokawada	4.18	11.62	15.80
Amaguda	43.44	0.17	43.61
Maganpur	25.11	0.81	25.92
<b>Total</b>	<b>292.99</b>	<b>123.97</b>	<b>416.96</b>

Amaguda railway station to plant site (approx. 2 km.). With the present patch of land identified, the township will be located on eastern side of the existing village road leading to Nagarnar from NH 43 and steel plant will be located on the western side of the village road.

### **Genesis of the Movement**

The genesis of the ongoing conflict between the local administration and the local people, majority belonging to tribals, is due to acquisition of land from the villages of Nagarnar, Amaguda, Kasturi, Chokawada and Maganpura for plant at Nagarnar. The initial plan was to establish the plant at Hiranar (in Pantewar district) in 1996. The area of Hiranar was predominantly inhabited by the Madia tribals Primitive Tribal Group

(PTG). The present Industry Minister of MP Government, Mahendra Karma gave a lease of 300 acres of government land and 700 acres of private land for the plant. Since the estimation for levelling cost was very high, and expecting strong resistance from the tribals, the idea of establishing a plant there was given up. Again, in 1996, the Congress Government headed by Digvijaya Singh tried to set up the plant at Gurram in Dantewada district. In 2000 again the project was dropped due to high productivity costs. The land was not level and the levelling cost was estimated to be very high.

Finally in May 2001 NMDC decided to establish the plant at Nagarnar acquiring land from five villages. The area of Nagarnar fulfills all the basic requirements to set up a steel plant



i.e. mixed population, urbanisation, nearer to two state borders (Orissa and Andhra Pradesh), availability of raw material in Bailadila (which is around 150 kms from Nagarnar), connected with NH and railways, water facility from Indravati river, flat land.

The conflict between the government and villagers started with a chain of events. The first event was, though the tribals did not approve the proposal of land acquisition in the gram sabha for the steel plant, it was alleged that the Collector issued a press statement on High Way Channel (a local newspaper) stating that the villagers were in favour of the plant. On June 16, 2001 it was also alleged by the affected villages that subsequently the district administration manipulated the records of the meeting of the gram sabha. The villagers claimed that the minute's book of the gram sabha, which is normally kept in the panchayat office, was taken away by the nodal officer and then replaced some days later with some of the pages missing and a new set of minutes written. The people approached the National Commission for Scheduled Castes

and Scheduled Tribes (NCSS) asking it to inquire into the matter, and the local administration responded to the Commission's queries by levelling serious allegations against the people.

In spite of protests, complaints and subsequent investigations by the NCSS, NMDC in collusion with the state officials contrived acquisition of land in violation of the constitutional mandates and the provisions of the Land Acquisition Act itself. As the local administration was disturbed by the exposures a pre-emptive attempt was made to terrorise the people when activists were apprehended. As people resisted the move, there was a brutal lathi charge and even police firing, injuring 45 people mostly women. The administration was bold enough to deny the entire incident even though scores of people were admitted to hospital. The district administration along with the police had lathi charged and fired upon the people in order to make them abide the unlawful intention of the state.

The NCSS on the basis of an inquiry conducted under Article 338(5) of the Constitution came to the conclusion that the acquisition



process was in violation of the constitutional mandate for scheduled areas. They further stated that senior officials, including the Collector and the Chief Executive of NMDC were involved in a conspiracy and indulged in certain criminal offences such as destruction of public records and fabrication of false records. Further, national guidelines for establishment of industries in scheduled areas

(1974) had not been followed. The National Commission advised the state government and NMDC to restart the process honouring the spirit of the Constitution and legal provision as to who to take action against the concerned officials.

The advice of the National Commission was totally ignored and pressure was mounted to take over the land illegally. The people

### **Women Leaders Inspire a Struggle**

#### **Case study: Phulmati Kashyap & Kachra Bai**

I. Phulmati Kashyap wife of Basudev Kashyap, is a 65-year old resident of Nagarnar gram panchayat and belongs to the Bhatra adivasi community. When she came to know about the displacement she started participating in meetings and dharnas. When her son Samson Kashyap was jailed along with the leader, Satyanarayan Sethia of Kissan Sangharsh Samiti in October 2002, she sat up the whole night in dharna in front of the jail protesting the arrests. Around 1500 villagers took part in the dharna of which 50 per cent were women. The police beat her up. She works as a daily wage labourer in someone's field, so indirectly she stands to lose her source of livelihood due to the steel plant. A series of false court cases are also going on in her name.

II. Kachra Bai is 45 years old and an aggressive leader of the Kissan Sangharsh Samiti and a resident of Nagarnar village. She belongs to the Sundi community. Her husband Bansidhar Sethia is also an important figure in the whole movement. She is a direct victim of the steel plant. She lost her 9.18 acres of land due to the steel plant and got only 1,45,000 in all, instead of the promised 1,20,000 per acre. When she refused to accept the cheques she was beaten up by the police and things were thrown out of her house, her children were beaten up as were other women members of the family by the police force. There was extreme pressure by the administration and the police force on her to accept the cheques. She complained to the gram sabha and sarpanch to no avail and met the local politicians but failed to get justice.

(Source: ISED study–Displacement in Chhattisgarh: An overview)



insisted on a dialogue only after NMDC and the state government restarted the process on the basis of the recommendations of the National Commission, and the four concerned gram sabhas decided to hold a joint assembly on March 2-3, 2002 to which the concerned officials of the state and NMDC were invited. The invitation was also extended to a number of national dignitaries to come and proffer advice on the issue since it concerned democratic governance at the village level in scheduled areas. The concerned officials did not respond, neither did the police allow high dignitaries such as Siddhraj Dhadda, Vandana Shiva, Dada Geetacharya and senior journalist Manimala to attend. Nevertheless the joint assembly was held on March 2 but was adjourned on March 3 because of unseemly incidents.

The leader of the joint assembly of the gram sabha called a meeting and a resolution was adopted consenting to the establishment of the steel plant. However, the assembly resolved that the guidelines of NCSS must be followed and a complete rehabilitation package,

including land for land should be prepared for all those directly and indirectly affected in the likely zone of influence of the plant. It was also resolved that the agreements must provide safeguards against privatisation, as was done by Bharat Aluminium Company (BALCO) which offered shares to the community. The local officers conveyed to the people that all but two of their demands were acceptable. The people asked for a formal response, which could be placed before the joint assembly of gram sabha for their consideration.

Even as the people were hoping for a peaceful democratic resolution, the administration without any notice announced that those who had not accepted compensation cheques should do so immediately. Simultaneously, the police started using coercion and resorted to physical assault but did not succeed in breaking the mindset of the people.

On March 10, hundreds of policemen descended on Nagarnar while the senior officials lodged themselves at the police station. The police resorted to indiscriminate violence in



a bid to scatter the people who were sitting in a maidan at Nagarnar. As the news spread, the women folk started gathering. They had taken the lead right from the start. This was a natural response, since women are on par with men in the tribal setting. A cane charge followed and women were rounded up, pushed into a truck and dispatched to Jagdalpur police station. On the way, near Amaguda village on National Highway 43, people had already gathered and they stopped the vehicle and hijacked it.

The police in the meantime had spread out to arrest dissidents from their homes. Doors were broken open, women and children beaten up and a large number of people arrested. At about 9 pm more police reached Amaguda, again breaking open doors, ransacking homes and arresting people. This ruthless action continued in Kusturi village and also in Nagarnar past midnight. Frightened people fled their villages taking shelter in the forest and fields; some 169 were arrested and taken to jail. About 300 villagers, mostly women, were put in Jagadalpur jail. Some of them

were in a late stage of pregnancy and three women were reported to have left their new born babies lying outside, being taken away after arrest.

These people were arrested under preventive detention. Those who could not be arrested fled their homes leaving behind their children and animals. The villagers confirmed reports that the police severely beat up everyone including women, minors and in one case even a blind man Neelaram, since birth, was beaten up by the police till he fainted. He still bears the injury marks on his body. In another incident 81-year old Bhagwan Din was severely beaten up by the police.

The inhuman operation continued till March 11 with much larger contingents of police. As a large number of people had deserted the village the police picked the remaining dissidents one by one. The police terrorised the villagers, taking the help of goons to identify the dissidents and bringing them to Nagarnar thana where they were beaten up brutally and then handed over the cheques.



In sum, it was a total reign of terror by the police and the district officials with the deployment of about 500 civil and armed police. The whole operation was personally managed and co-ordinated by the Inspector General (IG) police, Bastar under the strict instructions given by the chief minister, Chhattisgarh to show the tribals their real position in their land.

The message was very clear. A conscienceless state government was so keen to invite foreign capital that it not only suppressed peoples' right over livelihood resources, but ignored constitutional provisions, overlooked the legality of its actions and even the criminal nature of its offences. This government was seen to go to any extent to suppress resistance and butcher dissidents. Any voice of dissent was silenced with the most brutal police force, and people subjugated to comply with the dictates of the state.

Eventually most of the affected villagers accepted the cheques under threat. They were clearly told that if they did not accept the cheques, they would be beaten up and sent to jail like their fellow villagers.

The land acquisition process had been pursued with force and terror, village people had been sent to prison indiscriminately, and compensation cheques in many cases were handed over by force. The due process of law was violated; democratic process centred on the gram sabha had been ignored in a Scheduled V area.

The future of democratic institutions in Chhattisgarh seems under great threat.

### **Proposed Steel Plant by Tata Group in Dantewada District**

The issue of land acquisition for Tata Steel Plant in Lohandiguda block of Dantewada district has continuously been under dispute. It started on February 23, 2005 when higher officials of Tata visited Chhattisgarh to review the prospects for their project. On June 4, 2005 a MoU was signed between Government of Chhattisgarh and Tata for an investment of 10,000 crores rupees. Tata officials visited Lohandiguda area on October 20 looking for 4000 ha. of land. They identified 2160 ha. in Dabpal, Dhuragaon, Bade Paroda, Bade Dharaur, Belar, Badanji,



Takadaguda, Sirisguda, Kumhali, Chhindgaon villages to be acquired for the project, out of which 1861 ha. was private lands of farmers and 300 ha. was government land. Madia tribes are the main community of the area with agriculture as the main source of livelihood. The area has a plain and fertile land. In all, 225 houses of the villagers were expected to be affected by the project. Villagers started protest against acquisition of land in November 2005. Tata announced its rehabilitation package for the project in December on March 4, 2006. Overall, 2500 people from 10 affected villages protested against the proposed plant and forced land acquisition. When political leaders tried to talk to villagers in favour of the plant they were opposed and forced to withdraw. In April 2006 District Rehabilitation Committee passed a unanimous resolution to support the proposed plant and undertook several visits to the affected villages to mobilise people in favour of the proposed plant. Bastar Hit Sarankshan Samiti was formed to support the proposed steel plant. Nagrik Samitis were organised in all the 10 villages. These Samitis started convincing people in the affected villages to support the plant and

forced them for consent for land acquisition.

On April 12, 2006 farmers of 10 affected villages got mobilised under the banner of Sanyukta Sangharsa Samiti to protest the proposed plant, and declared, "We will not give up our land under any circumstances."

District administration announced a special meeting of gram sabhas on May 10, 2006 to discuss the proposed project and seek approval of the gram sabha. Information on rehabilitation package Rs. 50000/75000/100000 per acre of land according to the type of land was also given. Employment or cash payment equivalent to 500 days of agriculture wage to one member of the family, whose more than 75 per cent of land has been affected was offered. Villagers rejected this package and proposed an alternative package. As villagers refused to give their land and other lands of the panchayats the gram sabhas were cancelled. A gram sabha meeting was again convened on June 7, 2006, but cancelled due to resistance from the villagers. It was announced for a third time on July 20, 2006, and a tripartite discussion



was also organised involving samitis of 10 villages before the gram sabha, by the intervention of the district administration, but an agreement could not be reached. It was decided to hold a tripartite meeting again to discuss the villagers' demands. On July 18 and 19 the district collector held a meeting with people from all the villages and declared that all their demands had been accepted. Newspapers also carried this news. The gram sabha was to meet on 20th of July. However, to prevent the meeting the administration imposed 144 IPC on the day of the meeting, arresting several people.

Villagers from six villages announced a special gram sabha meeting on February 24, 2007. The government declared the meeting illegal and issued a notice that under the Panchayat Act holding an illegal gram sabha meeting was a punishable offense. However, the resolution against land acquisition was passed in the gram sabha.

### **Achanakmar Sanctuary (Bilaspur)**

Achanakmar Sanctuary falls in Bilaspur district and is around 100 km from Bilaspur city. The total

area of the sanctuary is 551.5 sq. km. in which 42 villages have been established. It is the only sanctuary where a primitive tribe, the Baigas, are settled. In addition, the Gond and Oraon tribes also inhabit the sanctuary.

The government has undertaken a number of schemes to preserve the Baiga community which solely depend on forest resources to meet their daily requirement. They rely on herbal medicine and their primitive agriculture system is based on something they call bewar khedi.

Forty Baiga families, whose primary source of livelihood stems from minor forest produce, are inhabitants of Boiraha village. Most of them are landless and lead a very miserable life. Since the village is situated in the middle of the sanctuary the government is neglecting their basic demands for a patta for about 50 acres of land, which they have encroached upon in a place called Kuselwar. Since this land too falls within the Sanctuary's boundary, forest officials have not permitted them to cultivate the land and have tried to drive them forcefully out of their huts. Forest officials have also



taken steps from time to time to evict the Baigas from the forest land.

### Incident of village Mahammai

Initially the Baigas were hesitant to oppose the brutality of forest officials, local politicians and Kuchaia (middleman) as they rely on them. But after the intervention of Ekta Parishad under Rashmi's leadership, they joined the movement. Generally the Baigas do not accept the outsiders so it was very difficult to convene them in the initial phase. Baiga men usually drink and forget about homes and families, leaving the onus on the women and

so the women launched the entire struggle for livelihood.

On December 10, 2000, a dharna was called at Lormi bus stand and approximately 2,500 men and women took part. Significantly, all the women leaders spoke but not a single male voice was raised. The next dharna was organised at Kotu railway station, which is 40 km away from Lormi block. The leaders of Ekta Parishad planned the whole dharna which finally ended up in Raipur in front of Chief Minister's office, where women forced the officials

## A Lifetime to the Cause

### Case study: Rashmi Dwendy & Sonari Bai

I. Rashmi Dwendy is a 37 year-old activist with Ekta Parishad. She belongs to Lormi block. She has devoted her whole life to strengthen the Jan Sangathan. Though not a Baiga, she has come forward to provide moral support to the Baiga women living in Achanakmar sanctuary and is known as "Abhyaran Ki Sherni." She has played a very important role in giving a voice to the concerns of the Baiga and in making them more aware and empowered. She has been fighting for their cause since the last 12 years, has learnt the Baiga language and feels very comfortable among members of the Baiga community. In the initial phase she faced so many problems in motivating people, especially women, but now the women are coming to the forefront and taking on leadership roles.

II. Sonari Bai at 70 years of age is one of the pioneer leaders of the Baiga movement and is still active in the movement. She is a resident of Ghamari village and has led from the front. To cite just one instance, when forest department officials came to destroy their huts not a soul in Ghamari village dared oppose them until she bravely came out of her hut told all the villagers to stay in their houses not allow any one to touch their houses. She created a scene reminiscent of the famous Chipko movement. Thanks to her courage, they were able to save their houses.



into a meeting. According to Rashmi many women from Baiga community took leadership and came forward to explain their sorrows in front of the officials.

## **Orissa**

### **Kalinga Nagar Industrial Complex**

#### **– An Ongoing Struggle**

It was in the 1990s with the advent of economic reforms in India, that the Orissa state government also proposed to set up an industrial complex at Kalinga Nagar. Since then, it has become one of the steel hubs of the country. With more than 40 MoUs that have been signed by the state, Kalinga Nagar, which comes under the Sukinda and Danagadi blocks of Jajpur district in Orissa, has been one of the most recommended sites. It is ideally situated since it falls on the NH-200, which connects the iron ore/chromite belt of Jajpur and Keonjhar districts, with the Paradeep port also close to the location. The industrial complex also has other benefits such as proximity to the Brahmani river (the second largest river of the state), as well as a lot of other rivulets and nullahs in the area. Agriculturally, an acre of land produces three to four quintals of

rice only. Some pulses are also grown in this region.

Industrial Infrastructure Development Corporation of Orissa (IIDCO) was entrusted with the task of developing the industrial complex. It started acquiring land during 1992-1994. Till date, IIDCO has acquired around 13,000 acres of land, of which 6,900 acres is private land and the remaining area is community/government land, which is being farmed by people who don't have pattas (land papers). According to the People's Union for Civil Liberties (PUCL) report on Kalinga Nagar, 'the land survey and settlement in the area was done since 1928. After the passing of the Orissa Estate Abolition Act in 1951, the estate of Sukinda King was vested with the government. But the tenancy rights weren't conferred upon the local people who were in possession of land. Even after the passing of the Orissa Survey and Settlement Act of 1958 (rules framed in the year 1962) no settlement has been done in the area. The continual promises made by the government on varied aspects of land reforms and land rights has never been brought forth into action thereby jeopardising the whole system'.



### **Industrial Advantage at Kalinga Nagar**

Kalinga Nagar is located near the chromite mines of Kaliapani, Kalarangi, Saruabila and Sukurangi and iron ore mines of Tamaka of Jajpur district. The chromite reserve is extended to neighbouring Dhenkanal and Keonjhar districts. In fact, Keonjhar has the highest concentration of iron ore and manganese mines. With the demand of steel reaching new heights in the international market, both domestic and global players are vying to set up their plants in Orissa.

Apart from being a mineral belt, two national highways passing through Kalinga Nagar connecting it with Kolkata and Chennai. It also boasts of a good railway infrastructure. There is a proposal to construct a port at Dhamara and connect it with Kalinga Nagar by road and rail. As mentioned above, the 'Bramhani' flows past Kalinga Nagar, meeting its water needs.

These advantages of Kalinga Nagar have made Tata Iron and Steel Company (TISCO), VISA industries, Jindal Stainless, Maharashtra Seamless, MAL industries, AML

Steel and Power, National Steel and Power, National Steel and Agro industries, Tube Investment India, Dinabandhu Steel and Uttam Galva Steels sign MoUs with the state government for setting up steel plants there.

Kalinga Nagar is thus emerging as a new industrial destination of Orissa comprising 12,000 acres of land covering 83 revenue villages of 10 gram panchayats of Sukinda and Danagadi blocks of Jajpur district.

However, the ongoing development programmes of the Orissa Government have had a negative fallout as far as the tribal people of the state are concerned. Development programmes generally associated with large-scale commercial exploitation of minerals, building of mega hydroelectric dams, industrial forest plantations etc. caused extreme hardships for tribal communities as most of these projects are located in tribal inhabited areas. In fact, the root cause of their sufferings is these development projects, which have invariably led to the destruction or loss of their ancestral territories, resources, values, political, economic



and socio-cultural systems. Protection and mitigation of the adverse impacts of development are not enough for indigenous people who did not opt for such projects in the first place. Fallout of these negative impacts, over the years, has forced them to build up their own distinct movement in order to survive.

While developing Kalinga Nagar the people of the area were never taken into confidence, perhaps they were not considered worthy of a dialogue, ever since the Government of Orissa decided to transform this backward forest tribal tract into an industrial hub of Orissa. Their reaction to the early ventures, therefore, was spontaneous and was guided largely by a survival instinct. The government stand has been totally legalistic, declared from a high pedestal reminiscent of the colonial era. Land has been acquired according to an archaic law taking no note of the changes above and the reality below. Those who held a land title were eligible for compensation. They could be considered for rehabilitation, that too as a matter of charity and not because they had any

legitimate rights. Those who had no titles could, at best, expect some token dole. While dealing with the resistance they offered to implement the project, the government showed no concern at all with the questions raised. No one cared even to learn from the experience of other enterprises such as the Rourkela Steel Plant (RSP).

What is never mentioned in a long list of measures to be adopted for implementing the projects is how a popular elected government of a free country would negotiate with the tribals about land acquisition. The state government had acquired around 12,000 acres of land in Kalinga Nagar during 1992-94 for allocation to steel projects. Those who owned these lands were then reportedly compensated at Rs. 37,000 per acre with some additional compensation later on which a tide of protests rose. Two companies implemented their projects, but neither met the promise of providing employment to one person in every household displaced from the land the projects now occupy. Then, in 2004-05, the government allotted 1,960 acres to Tata Steel, reportedly at nearly 10 times the



rate at which the landowners were originally compensated. There were serious grievances: extremely inadequate compensation for the land acquired, gross failures in resettlement and rehabilitation, and major shortcomings in the provision of jobs.

### **The Agitation**

The roots of agitation date back to early 1990s when the government started acquiring land in response to the promise of a London-based non-resident-Indian millionaire, Swaraj Paul, to set up a giant steel plant in the state. Though Mr. Paul backed out of his lofty promise without giving any reasons several other companies approached the state government to acquire the same land.

The tribals in the area have been cultivating mostly non-patta land in the absence of proper land records. Though they have been dependent on these lands for their livelihood, they were neither offered compensation nor land in lieu of the land cultivated by them. They continued to occupy the land that the government had acquired from them. Unsure of finding an

alternative source of livelihood, they protested whenever a new project was to be launched in the area. Subsequently, the government raised the compensation amount by another Rs. 25,000 per acre to pacify them and to ensure their parting with their land, but the tribals refused to yield. Having got a raw deal and the prospect of losing livelihood sources, they were angered further when they came to know that IIDCO, the nodal agency for development and rehabilitation in Kalinga Nagar, was selling the land to industrial houses at Rs. 3.35 lakhs an acre, almost five times what the government had paid them. While the government hoped that the people would leave the villages, the latter were ready for a confrontation.

On the May 9, 2005, the tribals faced the first onslaught of state brutality while opposing the bhoomi puja (a religious ceremony) for the setting up of a steel project of Maharashtra Seamless, which was to be graced by the state finance minister. They were disarmed before the arrival of the minister and were made to wait for a few hours. Soon, the situation became volatile leading



to a lathi-charge by the police. Not content with the brutality unleashed, a series of midnight police raids were conducted to search for the men who had fled into the nearby forests to escape police action during the lathi charge. The police arrested 26 people, including 25 women and 14 children in the wee hours of May 10th.

Tribal dissent became more strident when the Tata Group entered the area for the construction of a boundary wall on October 7 the same year. They vehemently opposed the move and demanded rehabilitation before displacement. The situation was somehow brought under control once the Tata Group abandoned the work for the time being. However on January 2, 2006 the Group returned, this time determined to complete the construction of the boundary wall. Their determination had the full backing of the state government. Tribals now became more aggressive. Anticipating trouble, the local administration had beforehand deployed massive paramilitary forces. However, the forces failed to deter the tribals numbering around 3000, who were armed with bows and

arrows. Strangely, without much provocation the forces resorted to firing, which led to the death of 12 persons on the spot and of another later in hospital.

The killings were widely condemned and put the state government in a spot. Initially the administration was totally clueless as to how to deal with the situation. The incident brought to the fore, the issue of the long overdue rehabilitation of displaced persons in various parts of the state. Incidentally, the state government was around that time engaged in preparing a comprehensive R&R policy. The incident hastened the process of policy formulation and a five-member ministerial committee was constituted to oversee the process of policy formulation and to finalise the document without much delay.

Tribals in Kalinga Nagar instead of becoming panicky after the killings became more determined to oppose any construction in that area. They resorted to roadblocks and immobilised traffic on one of the busiest routes of the state, which they continue to do till date. They have made it clear to the government that



they will withdraw only when their demands are fulfilled. The demands are: (i) no fresh displacement on grounds of industrialisation, (ii) five acres of land in lieu of land acquired, (iii) rights over possessed land, (iv) action against state finance minister and four senior officials directly responsible for the killings, (v) ex-gratia payment of Rs. 20 lakh each for families of the dead and Rs. 10 lakh for each of the injured, (vi) ban on entry of multinationals into the area and (vii) withdrawal of cases slapped against tribals. They have formed a Visthapan Virodhi Jana Manch (People's Forum to Oppose Displacement) to lead their agitation.

Kalinga Nagar agitation is still on, the roadblocks continue, and the victims' families have not accepted the government's ex-gratia amount (Rs. 0.5 million each, quite a big sum) except one woman whose acceptance is shrouded in controversy. In view of absence of an acceptable negotiation proposal from both sides – the agitators as well as the state government – the impasse seems set to prolong indefinitely. Agitation leaders are quite adamant that they will not respond to any gesture of

compromise by the government unless the compromise is on their own terms. The government is equally adamant it will not succumb to pressure. However, political bickering in the state especially between the ruling Biju Janata Dal (BJD) and the opposition Congress Party is the main reason for this continuous impasse. The fact that tribals have refused to accept the compensation, big money indeed, for those killed in police firing indicates the magnitude of their anger against the government. There is an apprehension that this may lead to a major explosion in future if the issue is not resolved at the earliest. Orissa has seen many instances in the past when the common people have resisted state efforts to terrorise them at Gandhamardhan, Baliapal, Gopalpur, Chillika, Kashipur, Niyamgiri and Lower Sukhtel.

Meanwhile, the state government has constituted a one-member inquiry commission under a sitting High Court judge on February 21, 2006, which was expected to submit its report on August 9, 2006. The commission has not been able to complete the inquiry, thus, the government has accorded another



six months extension to complete the inquiry. The commission is entrusted with analysing the sequence of events and circumstances leading to the police firing; measures taken for preventing or handling situations; responsibility for acts of commission and omission on part of the administration; the role, conduct, and responsibility of the organisations, group of individuals or persons influencing, precipitating or escalating the incidence. The commission has received 128 affidavits by concerned parties including the Tatas, however, proceedings for cross-examination of these affidavits are yet to begin.

A significant fallout of the tragic incident is that the state government came out in May, 2006 with an R&R policy, which has some very progressive features such as: avoid displacement wherever possible or minimise it exploring all possible options; recognise voices of displaced persons and empathise with the needs of the indigenous communities and vulnerable sections; ensure environmental sustainability through participatory and transparent process etc. The policy on the contentious issue of land

acquisition is quite liberal, it states, "The project proponent may opt for direct purchase of land on the basis of negotiated price after issue of notification requiring acquisition of land under relevant Act. If acquisition of land through direct purchase fails, other provisions of the relevant Act may be invoked. Land not utilised by the project within prescribed limit and for the required purposes shall be resumed." This is a distinct departure from the earlier policy. The policy also commits that no physical displacement shall be made before completion of resettlement work. The collector is required to issue a certificate of completion of resettlement work. The policy also talks about additional compensation to the extent of 50 per cent of the normal compensation in case of multiple displacements.

Regarding benefits to displaced indigenous families and primitive tribal groups, the policy promises that their socio-cultural norms will be respected while developing a resettlement plan for them, they will be given preference in land allotment, will be resettled in a compact area close to their natural habitat and in case of being resettled



outside the district, would be given 25 per cent higher R&R benefit in monetary terms.

Another fallout of the tragedy is that the Tata Group's venture looks uncertain till the commission of inquiry submits its report and the state government completes the formality of action taken on the recommendations of the report after due discussion in the State Assembly. Posco, the other major investor for a steel plant in the state (approximately 500 billion rupees) is facing stiff people's resistance at its project site, however, it has not gone the whole hog in acquiring land, but is trying to win people to its side. Posco is currently preparing a comprehensive plan of action on corporate social responsibility. Meanwhile the company has organised cleft lip surgery camps, selected meritorious students for scholarships, etc. and has envisaged a 'villager-friendly programme' to address the immediate needs of the displaced and affected communities in order to ensure peaceful co-existence. It proposes to establish a vocational training centre for the displaced in the near future. The current scenario in Kalinga

Nagar in view of women's role and participation in the struggle can be summarised as follows.

- i) Women have now taken over the reins of the agitation against the building of a Tata steel plant in Orissa's Kalinga Nagar area.
- ii) Women from the 16 villages have resolved to continue their fight for survival and human dignity, said Bini Soye, president, Women's Action Committee. "We don't fear death. We have lost 13 lives and are ready to sacrifice another 1300. But we will not allow any industry to come up here. That's a promise."
- iii) The adivasis under the Bisthapan Birodhi Janmanch (People's Anti-Displacement Front) are continuing their blockade on National Highway 20, which was initiated after the police firing in January, and a section of people are still refusing to vacate their land.
- iv) While women and adivasis continue their protests against the proposed Tata Steel plant, the Orissa government, which



did not include a leading protest group the Bisthapan Birodhi Janmanch in compensation talks, has announced a pioneering relief and rehabilitation package for all oustees of industrial projects.

## Uttarakhand

### Women's' Leadership and Participation in the Movements against Land-grab

The women of Uttarakhand are not only the backbone of the socio-economic set up but have also been playing a major role in the peoples' movements. Right from the Chipko movement to ongoing movements against the construction of big dams leading to taming of the rivers and displacement of people, Uttarakhandi women have always taken the lead and participated in large numbers. This can be seen in the movement against the Lohaghat Cement Factory and in various movements on the issues related to water, forest and land. It is said about the women of Uttarakhand that 'everybody by now knows about the Chipko Movement but not many know about the women of the Uttarakhand region who have made it their lifetime mission to leave

undestroyed forests for their children and grand children." The leadership role of women during various movements can be identified by such names like Pushpa Joshi, Kamla Pant, Bishuli Devi, Gaura Devi, Uma Bhatt, Radha Behan, Bhuvneshwari Kataith, Vimla Behan, Prabha Pandey, Kamla Negi etc. Some important struggles against land occupation showcasing women participation are as follows.

### Phalinda Movement

Phalinda is a village situated at the bank of Bhilangana river, three kilometres from block headquarters at Ghansali in Tehri district. When Uttaranchal was part of Uttar Pradesh (UP), 75 hydroelectric projects for this region were given to companies from other states and some foreign companies, and the UP state had taken the revenue as lease amount. The 11 MW Phalinda dam was leased, in December 1994, to Chandra Babu Naidu's brother's company 'Swastik Constructions' for a period of 40 years. Later when separate state was created, Swastik was asked to pay a fee of two crore. Swastik said that since they had already paid that amount to UP government, they don't have to pay once again. So the Uttaranchal government demanded



that they increase the capacity of the project to 22 MW and pay the government two crore rupees as part of our share of the fees. The government increased the capacity to 22.6 MW and transferred 4.929 ha. forest land and the company occupied the benap and arid land. In August 2004 Chetna Andolan created an organisation named Bhilangana Ghati Bandh Virodhi Sangharsh Samiti along with the locals. Vikrma Devi and Mayadevi Semwal were part of this committee and took active role. Saudadevi Negi and Shubh Dhyani Devi were the other two women who took up the leadership role.

On March 10, 2005 a total of 120 protesters were arrested, 62 were women. Vikramadevi along with her husband, three-year-old daughter and one-year-old son was put in Tehri prison. An 85-year-old woman was also among the activists. Due to public pressure, the government was forced to release all of them without any conditions on 13th February. The story of protest by women is not confined to Phalinda only; local women are leading struggles with the same spirit and vigour against Chani Dam being constructed on

Banganga and the Beena Project on Bhilangana.

## **Rajasthan**

### **Resistance and Movements**

The class character prevailing in the state pervades resistance movements against land acquisition. Big and rich farmers, owners of forts, and palaces are keen to hand over/sell their lands, marginal farmers are up in arms against this policy. The rich class is viewing the sale of land as an opportunity to progress and prosper; the marginal and landless farmers' community is in despair and anger over the prospect of losing their only source of livelihood. This can be seen in the actual behaviour of these classes. Whereas former Royal families have struck a friendly chord with the foreign investors and corporates, giving their bungalows, forts, palaces on lease for developing into hotels, tourist lodges etc., dalit-advocates have opposed the anti-people changes being brought in land acquisition Act and land laws through their conferences, movements and pro-poor people stands.

An indefinite sit-in was organised at Udaipur on 16th of July 2007 by Jangal Zameen Jan Andolan



## Land Acquisition: The Government Unveils the Truth

The largest incidence of alienation of the tribal land was made at the hands of the Government through the legal process of land acquisition. Land is being acquired in the country in exercise of the powers of 'eminent domain' for avowed public purposes. This has led to large-scale industrialisation, infrastructure projects, dams and irrigation projects, forest sanctuaries and environmental protection projects, commercial farming and agricultural products and expansions for urban habitation. Land being a basic factor of production, these process have triggered off large-scale acquisition through the instrumentality of the Land Acquisition Act. The acquisition is made for public purposes, which are nowhere defined. The joint sector or the private companies are also entitled to acquire land through this acquisition process. Acquisition is often far in excess of requirement and with a view of appreciation in the prices of the real estate. Large areas of acquired land had remained unutilised and are put to usage other than that for which they have been acquired or have been disposed for a profit.

*Report of the Expert Group on Prevention of Alienation of Tribal Land and its Restoration  
Ministry of Rural Development, Government of India, October 2004.*

protesting against the Government's undemocratic attitude, distributing arid untitled land and degraded forest land to corporates, other institutions and organisations in the name of plantation of Jatropha and other seed plants, demanding repeal of SEZ Act etc. On the first day, people from Girva tehsil sat in protest. Afterwards a memorandum was handed over to the SDO of Girva in which the demand was raised that the Forest Department should not stop them from sowing the crop because they have very old occupation on the land. People also raised the demand for immediately stopping the cultivation of Jatropha

in the area. The sit-in continued till 28th July and every day people from different places came there with the problems being faced by them.

## State-level Public Hearing on Land Rights of Dalits

Working for the last many years on the problems faced by the Scheduled Caste people, the Centre for the Rights of Dalits discovered many cases of illegal encroachment on or transfer of their lands. Taking a serious note and with deep understanding of this problem, the Centre organised on 26th November 2006 a state-level public hearing to highlight this problem and to get



justice for the scheduled castes who are being denied their human rights and being displaced from their lands. Former judges, human rights activists, journalists and common folk were invited to it. This public hearing has kindled hope among those dalits who have been forced to lead their lives as landless labourers, despite their being owners of lands, just because the influential rich people have encroached upon their lands.

### **High Court Ban on Mandana SEZ**

Rajasthan High Court has put an

interim ban on the process of the land being acquired for setting up an SEZ in Kota. It is to be noted that Rajasthan State Industrial Development & Investment Corporation Limited (RIICO) had proposed to set up a SEZ in Mandana area of Kota district. For this purpose 300 beeghas of artisans' land was being acquired.

As soon as the Rajasthan government declared it would set up an SEZ in Mandana, the voices of protest were raised immediately. The farmers also launched a movement under the

### **Forestry Official Abuse Adivasi Women**

About 40 km from Udaipur, the adivasi villagers of Jhali ka Gula in Girwa Block have lived in the Kurabur forest area for more than 70 years. They built houses, dug wells and developed cultivation plots. On May 30th, 1995, Forest Department Officials started to build a boundary wall around their village, restricting access to the village. Villagers asked Forestry Officials to stop construction, to no avail. The next day, some 20 village women went to the construction site and sat along the boundary line to prevent further construction in order to initiate dialogue with the Forest Department officials. The Forest Ranger, who was already drunk, started beating the women. He told the other Forest Officials to beat and abuse the women as well. Most of the women managed to run away and save their lives. However five women were unable to escape. Two of these women had small children. The other three were badly beaten and abused, causing bloody injuries to their genitals. The Forest Ranger told his workers to bury the women in the wall. They moved Navalibai, wife of Kamalaji Meena, beside the wall and started piling rocks around her upto her neck. When she tried to stand up, the Foresters grabbed her by the hair, threw her down and started beating her again with sticks. Later, the villagers found the three women unconscious. The half-built wall remains standing today.

For Forest Land and A Way of Life – The Study of the Adivasis' Struggle in Southern Rajasthan, Astha Sansthan, 2007



banner of 'Save Mandana Struggle Committee'. Later an appeal was filed in the High Court. The Court order placed a ban on the Mandana SEZ in October 2007.

### **Dalit Land Rights March**

The Government of Rajasthan has taken a decision to amend Section 42 B of the Rajasthan Tenancy Act 1955 which prohibits transfer of land belonging to the Scheduled Casts and Tribes to the general category persons. In fact this Section prohibits sale, purchase, transfer or possession of the SC/ST land by those from the other categories. Once this amendment is done, anybody will be free to purchase the lands belonging to SC/STs. This would lead to SC/STs becoming landless and will have to face the crisis of earning livelihood.

Taking note of this, Centre for Dalit Rights organised a dalit land-rights rally which simultaneously started from two places of Rajasthan on 10 December, 2007. The first covered the districts of Jhalawar, Kota, Boondi, Sawai Madhopur, Karoli, Dholpur, Bharatpur, Dausa and reached Jaipur, and the second reached Jaipur after passing through

the districts of Abu Road (Sirohi), Jalore. Pali, Ajmer and Tonk. Both reached Jaipur on 10 December 2007, International Human Rights Day, and presented a memorandum to the Governor.

These rallies, apart from opposing the anti-dalit attitude of Rajasthan Government and increasing the incidence of violence against them in the state, also made an effort to create awareness about these issues among the dalits of the state.

### **Legal Initiatives**

Apart from the individual cases on the matter of acquisition of land and its use being pending in the court, appeals are also being filed in the common interest of the community through the Public Interest Litigations (PILs).

In this context, on the basis of the Sections 14, 19 and 21, an important PIL for the protection of public lands, grazing lands and culverts by challenging the contradictions inherent in Jaipur Development Authority Act and Land Revenue Act is pending before the Rajasthan High Court. This petition has been filed on behalf of Property Protection



Committee (Sampatti Sarankshan Samiti), Jaipur.

By giving detailed accounts of these lands, the Petition underlines the way Jaipur Development Authority has brought changes in the nature of the use of these lands and has sold off, auctioned or distributed for residential and commercial purposes the lands identified under the categories like green belts, grazing lands, agricultural lands, parks, playgrounds, culverts-ponds, hospitals and schools.

### **Initiatives Undertaken by the Joint Forum of Citizens and Organisations-Institutions**

Formed under Section (51) A of the Constitution related to the exercise of duties by the citizens, this joint forum of citizens has tried to take an initiative on the following points by giving memorandums to the Governor, Chief Minister and Human Rights Commission.

- This should be declared publicly as to in what condition, today, those lands and properties are which had come under the control of Rajasthan Government

at the time of merger of Kingdoms of Rajasthan into Indian Union.

- Plots in the Industrial area should not be distributed for non-industrial purposes.
- SEZ should not be set up on fertile lands.
- All the forest boundaries must be fortified.
- What is the basis for justifying the possession of farmhouses or agricultural land by those citizens who are engaged in industrial business?
- What is the justification of many families keeping five to 300 hundred plots with them?

The Committee for the Protection of Public Property has even demanded the Rajasthan Governor dissolve Jaipur Development Authority and has said that since the Authority is continuously bypassing the instructions issued by the Hon'ble High Court, therefore it would be justified to dissolve it.





## Process of Land Alienation

### **Jharkhand**

Jharkhand, the youngest unit of the Union of India, is the richest geographical part of the country. With one-third of the country's mineral deposits in this state, it is the hot destination of every investor's dream projects. Alongside domestic investors, multinationals are also queuing up to partake in the aggressive growth that the government of Jharkhand seeks.

Jharkhand has a total of 7,9,71,400 hectare of land, including forest cover, nearly half of which has already been occupied by industries, mining, dams, roads, military stations, parks and sanctuaries. Mining activity has increased manifold in the liberalised phase and more private players have appeared on the scene today. After the state was formed in 2000, the government's industrial policy was

one of aggressive growth. Given its rich fertile ground industrial houses understand that Jharkhand has a lot to offer and can fulfil their lust for wealth. As a consequence, over 55 big corporate giants including Mittal, Essar, Jindal, Bhusan, RPG Goyanka group, Ballabh Steel, Neelanchal Iron and Power, Pawanjay Steel and Power and several others, have signed MoUs with the state to set up industries here. All want land, mineral and water and power. This surely promises magnificent growth of the region, though not so much for its original inhabitants who are still agrarian and rural in nature. While on the one side, the stage is set for a big 'economic picnic' for the industrial giants; it might well be the most crucial phase of the sad saga of displacement and disaster for the common man here, a sample of which has already



been witnessed by the previous generation. Displacement threatens them. Over the years the total land acquired in Jharkhand for various projects is 15,45,947.04 acres or 6,259 square km. A brief scenario of land situation in the state is as follows.

**Table 3: Land Situation in Jharkhand**

Total area of Jharkhand	79,714.00 square km.
Total forest cover	23,417.00 square km
Non-forest land area	55,297.00 square km
Land occupied by projects	06,295.00 square km

*Remaining land available for living and agriculture 49,002 square km (as against 79,714 square km of total land of the state).*

Soon after the formation of the state of Jharkhand, the Bharatiya Janata Party-led National Democratic Alliance (NDA) government took decisions that proved to be milestones in the development of industries here. During Babulal Marandi's stint as Chief Minister, the state came out with Jharkhand Industrial Policy, 2001. The policy focused on the maximum

exploitation of mineral resources, water and cheap labour available in the region. "The newly carved out resource-rich state of Jharkhand is widely acclaimed as the region of the future," said the opening sentence of the policy. "The Industrial Policy aims at making Jharkhand one of the most preferred destinations for investment, both from inside and outside the country and to ensure accelerated implementation of infrastructure-related projects, increasing employment opportunities, improving productivity, ensuring homogenous and balanced development of the geographical region of the state with emphasis on development of small, tiny and cottage industries."

According to the state forest reports of Jharkhand, between 1997 and 1999, about 3,200 ha. of forest was lost in the Singhbhum region alone. Between 2001 and 2003, some 7,900 ha. of dense forest were lost in East and West Singhbhum districts (which is known as the iron-ore belt of the country).

In 2002, Jharkhand received mining proposals worth Rs. 1,200 crore. In 2004 more than 44 mining proposals



## Interview: Dr Ram Dayal Munda

Former Vice Chancellor, Ranchi University

Dr Munda, who has immense knowledge about the history of tribals in Jharkhand, their life and culture; and has seen an erstwhile sleepy Jharkhand convert into an industrial hub, is concerned about the 'existential issue' of tribals in their own heartland.

He observes that Jharkhand as a region may be developing, but not the original inhabitants of the region. The phenomenal growth in migration of tribal population from Jharkhand to other states in search of livelihood, their marginalisation in their own state and the collapse of tribal social system, is a 'warning bell'. He is not against development, but "the process should uplift the economic condition of the local people, which it is not doing," he says.

"Even if half of the fifty-odd MoUs signed by the state with business houses materialise on the ground, the entire region would be plundered. The region has already lost almost half of its geographical area in mines, industries, urbans, roads, military stations and wildlife sanctuaries," says Dr Munda. With globalisation, liberalisation and privatisation has become the reality of the day, every investor, Indian or foreign, is looking at Jharkhand as a region with plenty of minerals waiting to be exploited. The betterment of the original inhabitants of the region is nowhere in the investors' plan of action, Dr Munda observes. Consequence of this type of aggressive development would be disastrous both for the region as well as the people of the region, he feels.

came in. At present, in 2009, investments of more than Rs. 52,000 crore are under consideration. Coal contributes 88 per cent to the total value of mineral production in the state, while iron ore puts in 5.0 per cent. The state has 25 per cent of India's coal reserves, 16 per cent of its iron ore and 18 per cent of its bauxite reserves.

The government's comprehensive industrial policy, formulated in

2000, is aimed at 10 per cent industrial growth, ending regional imbalances and finding new growth centres. The investor-friendly government approved six power projects, four thermal and two hydropower stations; it was only on the infrastructure front that the government apprehended problems in handling potential growth. The investor-friendly approach began in January 2002 with a "goodwill meeting" in New Delhi between



potential investors and ministers of Jharkhand. During the 'Bombay Road show' in September the same year, domestic and global investors expressed interest in mining. By the time the World Mining Congress was held in November 2004, Jharkhand was more than ready for large investment. The state government cleared 20 mining proposals worth Rs. 12,000 crore and is considering another 22 proposals worth Rs. 40,000 crore.

For people displaced by mining, the government plans to table a rehabilitation bill in the Assembly, to tackle displacement, livelihood, pollution, health, education and overall development of those affected. The policy also states that "The state shall constitute a 'Land Bank' at district level to make available the required land for intending entrepreneurs to overcome the delay in land acquisition process." It further proposes to convert some State Highways into four-lane roads, including the 333-km long Hazaribag-Behragoda via Jamshedpur highway. A 'High Specific Road' between Ranchi and Sahebganj via Govindpur, Jamtara, Dumka is also underway, as noted in

the Policy. The table below indicates future land acquisition proposals to accommodate various projects in the state.

**Table 4: Future Land Acquisition Proposals**

Project name	Volume in acres
Highways	39,53,680.00
Netarhat field firing	45,41,095.00
MoUs, 2005	60,000.00
Coal sector	1,14,714.00
<b>Total</b>	<b>86,69489.00</b>

### **Special Economic Zones (SEZs)**

The government intends to set up an SEZ on either side of the roughly 180 km Jamshedpur-Ranchi National Highway corridor, within 5 km of it. Both sides of the highway are at present under a rich forest cover where tribals, the original settlers of Jharkhand, live and eke out a mostly agrarian living.

Besides, the government is also contemplating an SEZ in the Gamaria region of West Singhbhum. Several companies will set up establishments here. "The SEZ will be paradise for investors. The investors are made



available land, power, water and communication facilities. A number of tax concessions by the state government and the Central government are also offered as incentives," promises the Jharkhand Industrial Policy. Though activity towards the SEZ proposals is yet to begin, the proposal threatens to evacuate several villages.

### **New Capital Area**

In March 2007 the state government identified 26,300 acres of land to

set up a new capital area. The 12th Finance Commission has already allotted a sum of Rs 200 crore for the purpose. Over 25 villages around Ranchi including Sangu, Hurhuri, Cheri, Manhu, Sukurhutu, Gagi, Khatanga, Patageni, Nawadih, Echapirhi, Hetkunki, Jidu, Burku villages will be relegated to oblivion. Of the 26,300 acres, the government owns 1803.72 acres; the rest of the land has to be acquired from farmers, whose main livelihood depends on the land.

### **Interview: Rajaram**

Central Committee Member CPI (ML) &  
Kishan Wing In-charge

Rajaram, actively involved in uniting farmers to fight for their political and other rights, sees the corporatisation of the agriculture sector in Jharkhand as a 'danger' for the agrarian community here. Having seen sleepy rural Jharkhand converted into an industrial region, Rajaram points out that the monsoon, on which the average Jharkhandi family depends for its agro-based livelihood, has become erratic over the years.

"After liberalisation, agricultural land is rapidly shrinking due to the advent of industrial units which want to plunder the rich mineral deposits of the state. The environment is also witnessing an imbalance. As a consequence, occurrences of natural calamities and hailstorms in rain also have become more frequent," observes Rajaram.

The effort by some business houses such as Reliance, Spencer and others to corporatise the agriculture sector will add to the woes of the agrarian community. Hitherto, farmers had some say in the market prices of vegetables. This will be lost to the corporate houses once they successfully enter the sector, feels Rajaram. He also feels that farmers will take more bank loans in order to produce bumper crops to sell to the corporate houses, which have been promising to market agro-produce. "This new development would bring along with



it more farmer suicides, as has been already happening in some states of the country," he notes.

He agrees that women would be the worst affected, as the majority of rural women are solely dependent on family land for sustenance. The roadside 'sabjiwali' (woman vegetable vendor) or the woman selling vegetables at the local market will slowly be eradicated by the new economy.

If some of the MoUs signed between the State Government and the business houses translate into reality, Jharkhand's social and economic map will be further drastically changed. Farmers of the Kolhan region are expected to be the worst hit.

East and West Singhbhum districts alone have a proposed 28 industrial ventures on the anvil, of which 10 are huge industrial proposals that belong to Jindal, Mittal, Tata, Essar, Bhusan Steel etc. Most of these will come up in tribal areas. Tribal groups love the land that nurtures them, but will have to part with their ethos and land, if the projects are to come up.

### **Aggressive Growth Post-Liberalisation**

Soon after the formation of the state of Jharkhand, the Bharatiya Janata Party-led NDA government decided to develop industries in the state. The table on the next page indicates list of names of various industrial houses, which signed an agreement with the government after the formation of Jharkhand.

The list gives names of some of the industrial houses including multinational companies, which have entered into an MoU with the state government. Many more have already signed MoUs with

the government and some more are in the queue to do the same. Initially, some of the houses waited for the government to arrange land for them. But owing to the steep opposition from villagers, the government did nothing. After a frantic wait of two or three years, some corporate houses have approached the villagers directly.

### **Chhattisgarh**

Chhattisgarh the land of forest, rivers, minerals, fertile land and hard-working people is paradoxically poor. The resultant migration and displacement have been the two most painful phenomena the people



Table 5: Private Investment for Industrialisation in Jharkhand

Name of the Company	Place of choice	Rs (crore)
1. Monet Ispat Ltd., Delhi	Hazaribag	Rs 1400
2. Ballabh Steel Ltd., Ludhiana	Gamharia	Rs 288
3. Adhnik Aoly and Power, Tatanagar	Kandra	Rs 55.17
4. Nilanchal Iron and Power, Kolkata	Chandil	Rs 250
5. Pawanjay Steel and Power,	Lohardaga	Rs 200
6. Chhattisgarh Electrical Ltd., Raipur	Chaibasa	Rs 1000
7. Narveram Gas Pipe	Tata Nagar	Rs 100
8. Jharkhand Ispat Ltd.	Ramgarh	Rs 400
9. Balaji Metal and Sponge	Chaibasa	Rs 160
10. Abhjit Infrastructure, Nagpur	Hazaribag	Rs 300
11. R G Steel, Kolkata	Patratu	Rs 400
12. Corporate Ispat Alloy Ltd.	Hazaribag	Rs 300
13. Prasad Group Resource Ltd.	Patratu	Rs 400
14. Horizon Ltd.	Chaibasa	Rs 74
15. Prakash Ispat	Chaibasa	Rs 71
16. Spectrum Mercantile	Chaibasa	Rs 74
17. AMI Steel and Power	Saraikela	Rs 1944
18. Chaibasa Steel	West Singbhum	Rs 74
19. Annpurna Global Ltd.	West Singbhum	Rs 500
20. Electro Steel Castings Ltd.	Chandil	Rs 1422
21. Balaji Industrial Products Ltd.	Chaibasa	Rs 61
22. Rungta Pvt Ltd.	Chaibasa	Rs 517
23. Raj Factories	Bundu	Rs 68
24. Sunflag Iron and Steel	Saraikela	Rs 937
25. High Grade Pallets Ltd.	West Singbhum	Rs 4285
26. Anindita Trades and Investments	Ramgarh	Rs 300
27. BMW Industries Ltd.	Chandil	Rs 591
28. Goyal Sponze	West Singbhum	Rs 67
29. Hindalco Industries	Latehar	Rs 7800



30. T. All Corporation (USA)		Rs 6500
31. Jindal Steel and Power	Patratu	Rs 11500
32. County Steel Ltd.	Chandil	Rs 1560
33. Kohinoor Steel		Rs 410
34. Bhusan Steel	Asanboni	Rs 6510
35. Kalyan Steel Ltd.	Silli	Rs 1834
36. Tata (Green Field project)	Manoharpur	Rs 42,000
37. Tisco (Extension)	Jamshedpur	Rs 11000
38. Mittal Group	–	Rs 40,000
39. JSW (Sajjan Jindal's)	Manoharpur	Rs 35000
40. RPG Goyenka Group	–	Rs 5000
41. Tata Power	–	Rs 13500

of Chhattisgarh have been forced to bear. The exploitation of resources at the cost of lives and livelihood, culture and environment, to further the interests of a small elite, started during the colonial rule and has not only continued, but also increased. The development model alienates resources from the common people, destroys nature, and makes the lives of local people even harder. This model of development has always been questioned by the people of Chhattisgarh through their struggles for the protection of their natural resources, livelihood, dignity and culture. They have also begun searching an alternative to the 'violent development model'. Success

stories include the fight against 'semi-mechanised mining' in Dalli Rajhara iron ore mines where workers protested and successfully fought against the (BSP's) move to fully mechanise the manual mines and retrench people from their work. The polity of "*Sangharsa ke liye Nirman aur Nirman ke liye Sangharsa*" [Struggle for Development and Development for Struggle] that evolved in the struggle of these mine workers under the leadership of Shankrar Guha Neogi has inspired many across the country.

The new economic policy regime adopted by India since 1991 and formation of the state of



Chhattisgarh in 2000 needs to be seen in the context of aggressive development and its violence on people and nature. People, particularly in resource-rich areas like Chhattisgarh are exposed to the threat of displacement, resource alienation, destruction of livelihood opportunities and their socio-cultural identities. In many cases they have been forcibly evacuated by the state, while in many others resource restrictions are forcing people to migrate to seek out an alternative source of livelihood. Over-exploitation and pollution of rivers and other water resources has seriously affected livelihood of communities in basin areas. Industrial pollution is hampering agricultural production around industrial areas. Fast degradation of forest resources is further aggravating the lives and livelihood crisis. Aspirations that they would be involved in the development and prosperity of the new state have proved futile; people have experienced the violence of development even deeper and closer after formation of new state, than they did earlier.

Chhattisgarh government with 328 mining leases, 14 prospecting

licences, and 1853 quarry leases in 2004-05 alone considers the state's natural resources underutilised and plans to double the contribution of minerals to full form (NSDP) from the sum of Rs. 12,000 million inked in its present vision document. The vision document identifies forest cover and lack of policy initiatives to be the main reason for underutilisation of minerals in the state and plans for still more investor-friendly policies. Approximately, 85435.551-hectare area was under mining lease in the state in 2005-06. But the ongoing and pending lease *patta* (LPs) indicates the onslaught of mining activities in the offing. Nearly every corner of the state is under the scanner, be it agricultural areas, forest areas or inhabited areas. The impact of mining on livelihood of the people, environment and natural resources have already become unmanageable causing total breakdown of the society and environment in the state and there is no possibility of retrieving the situation unless the ongoing aggressive paradigm of development and growth is redesigned, putting the people at the centre. Following tables indicate the onslaught on land for various projects in the state.



**Table 6: District-wise Area Leased for Mining in Chhattisgarh (As on 1st April 2006)**

Sl. No.	District	Area under lease (ha.)
1	Raipur	3429.533
2	Mahasamund	67.701
3	Rajnandgaon	213.667
4	Kawardha	680.257
5	Durg	4371.246
6	Bastar	261.991
7	Kanker	76.615
8	Dantewada	7498.953
9	Bilaspur	277.628
10	Korba	30073.696
11	Janjgir	821.406
12	Raigarh	4743.962
13	Jaspur	64.731
14	Sarguja	13289.157
15	Koria	19565.008
<b>Total</b>		<b>85435.551</b>

**Table 7: District-wise Ongoing Lease Pattas (LPs) in the State**

Sl. No.	District	No. of LPs	Area	Minerals
1	Raipur	5	426.81	Lime stone
2	Rajnandgaon	1	5.094	Lime stone
3	Durg	2	49.97	Runner Molding sand, Limestone
4	Bastar	1	57.000	Iron ore
5	Kanker	8	278.14	Iron ore, Latterite and other
6	Bilaspur	2	10.624	Lime stone
7	Korba	2	5.633	Fire clay, Quartzite
8	Janjgir	2	8.2999	Fire clay
9	Raigarh	1	2.467	Quartzite
	<b>Total</b>	<b>24</b>		



**Table 8: Proposed New Large Industrial Growth Centres in Chhattisgarh**

District	Area (ha.)	Status
Raipur	1632 ha.	Land selected, acquisition underway
Durg, Rajnandgaon	2074 ha.	Land selected, acquisition underway
Bilaspur	795.920 ha.	Land selected, acquisition underway
Raigarh	1465.847 ha.	Land selected, acquisition underway

### **New Industrial Areas**

Apart from the above mentioned large-scale industrial growth centres, a few more industrial areas are being currently developed.

**Table 9: Land Acquired for New Industrial Projects in Chhattisgarh**

District	Area (acres)	Status
Dhamtari	81.62 acres	Land selected, govt. land 22.07 acres acquired
Mahasamund	238.25 acres	Land acquired
Sarguja	128 acres	Land selected
Kabirdham	51.74 acres	Land acquired

**Table 10: Special Economic/Industrial Parks**

Project	Location	Area	Status
Aluminium/Metal Park	Rawabhat, Raipur		Project proposal being prepared
Apparel Park	Dhansuli, Sakri Raipur	84.395 ha.	Land acquisition underway
Herbal/Medicinal Park	Banjari (Balod) and Kurud (Dhamtari)	200 acres	Land acquisition underway
Food Processing Park	Indawani (Rajnandgaon)	75 acres	Land acquisition underway
Gems and Jewellery Park	New capital area	70 acres	Land acquisition underway



**Table 11: List of 41 Villages Notified for the Project**

1	Serikhedi	12	Temri	23	Jhonjh	34	Cheria
2	Mandirhasaud	13	Banarsi	24	Tuta	35	Banjari
3	Chhatauna	14	Ramchandi	25	Mana	36	Kendi
4	Nawagaon	15	Barauda	26	Nimora	37	Jhanki
5	Umaria	16	Chichi	27	Bendi	38	Mudpar
6	Parsada	17	Kayabandha	28	Parsatti	39	Khandwa
7	Palaud	18	Kotrabhata	29	Upparwara	40	Pacheda
8	Sendh	19	Kotni	30	Khapri	41	Kuru
9	Reko	20	Tandul	31	Nawagaon		
10	Nakti	21	Kuhera	32	Tendua		
11	Dharampura	22	Rakhi	33	Ponta		

### **New Capital Area Development Project**

Chhattisgarh government notified 61 villages in the Raipur district for the new capital area development project. In 2007 the government excluded 20 villages and kept 41 villages under the project and developed plan. Approximately one lakh people will be directly affected by this project.

The total area of these notified villages is 237.42 sq. kms. In all 23742.63 ha. is to be acquired in these villages. Present day land-use is given in Table 12.

**Table 12: Land Use in Chhattisgarh**

<b>Land Use</b>	<b>Area (ha)</b>	<b>%</b>
Agriculture	20004.68	84.26
Water bodies	1846.70	7.78
Transport-roads and lanes	1131.44	4.77
Public and semi-public and public services and amenities	302.65	1.27
Residential	257.48	1.08
Entertainment	107.73	0.45
Industrial	65.34	0.28
Commercial	26.61	0.11
<b>Total</b>	<b>23742.63</b>	<b>100</b>



The table shows clearly that the land being acquired and to be acquired is mostly agricultural land. It also shows that the population is mostly dependent upon agriculture for their livelihood. There are no major alternative means of livelihood for the people of these villages.

### **Orissa**

Although development activities began in Orissa in the late forties, it gained real momentum in the early fifties after independence with the introduction of planned development. Notable projects in the fifties were the Rourkela Steel Plant and Hirakud Multipurpose Dam. Hindustan Aeronautics Limited (HAL), Talcher Thermal Power Station (TTPS), and the Balimela Dam came up in the sixties. The seventies saw the establishment of the Rengali, Upper Kolab, Upper Indravati and Subarnarekha multipurpose dams. The Ib Thermal Power Station (ITPS), Talcher Super Thermal Power Project (TSTPP) and the National Aluminium Company (NALCO) were set up in the eighties. Sequential exhaustion of minerals and other natural resources began in the 1990s. Along with these mega projects, open-cast mining

operations also began in the State from the sixties. All these resulted in the large-scale appropriation of land – mainly agricultural land. These projects were executed in resource-rich regions, which had been inhabited for generations by the tribals and the rural poor. This has led to large-scale displacement of people in the resource-rich interior areas. This was due to encroachment of land not only for extraction of raw materials, but also for the establishment of factories, reservoirs and residential complexes.

The indirect consequences of these activities was the destruction of the habitat of the rural poor and the loss of their means of livelihood, which is mainly agriculture and utilisation and sale of forest produce. The groups displaced are mostly from the Scheduled Castes, Scheduled Tribes and Other Backward Classes.

In Orissa, till about the year 2000, approximately 20 lakh people have been directly affected by development projects in varying degrees out of which about five lakh have been physically displaced losing their home and hearth from



their original habitat. Dam/Irrigation projects alone have displaced nearly 3.5 lakh, or roughly 70 per cent of all those displaced. Industrial projects have displaced about 60,000 people which is 12 per cent of the total displaced, mining has displaced 3.37 per cent, urban development projects 12.86 per cent, thermal projects 2.60 per cent and wildlife sanctuaries 0.5 per cent. A host of other projects, which are still in the process of being finalised, and further displacement will push up these figures. The number of people who have been indirectly affected is far greater than those mentioned above who have been directly affected.

### **National Development and the State's Resources**

Orissa contains 24.5 per cent of India's manganese reserves. It is a veritable dream destination for steel-makers, containing 25.3 per cent of India's iron ore reserves, 24.5 per cent of its coal reserves, 17.5 per cent of its dolomite reserves and 1.4 per cent of its limestone reserves. Bahplimali is just one hill where the state boasts 57.5 per cent of India's bauxite reserves. There's more, the state also has 87.5 per cent of the nation's nickel

and 89.9 per cent of its chromite reserves.

In 1994 the Union government amended the Mines and Minerals (Regulation and Development) Act, 1957, allowing the inflow of private capital, both domestic and foreign, to explore and exploit 13 minerals including iron ore, manganese, nickel, and bauxite. The coal sector was subsequently, and completely deregulated in 1997. Orissa opened the floodgates to foreign and domestic investment.

Projects worth Rs. 2,50,000 crore are likely to be implemented in the state in the next five to ten years, a majority of them mining projects. In the last two years, government has also signed MoUs with 25 steel industries; if all of them go through, the state will produce a whopping 24.91 million tonnes of steel each year. A little over a decade ago (during 1995-1996), Orissa had already received the largest amount of private investment in India, both foreign and domestic. It now ranks among the top ten states in terms of investment. Till 1995 there were only two steel plants. Following marginal growth between 1995 and 2000,



the period from 2000 onwards witnessed a rapid growth in the iron and steel sector in the state.

The state has been the perfect facilitator for entrepreneurs. It acquires land around mining sites, however truculent the population may feel. It manages permission for companies from the Union government. The lease procedure has also been simplified for quick processing. In fact, it has committed 18 rivers and reservoirs for exclusive use by industry for its water-intensive activities.

Steel industries are now coming up in the river basins of the Mahanadi, Brahmani and Baitarani. According to a report by the state water resource department, by 2051, the Brahmani river system will have to import 2,288.47 million cubic meters from the Mahanadi to meet water demands. The Mahanadi's water needs for industrial use will double by that date. So it is doubtful whether Orissa will be able to meet water needs as committed to the steel sector.

Keonjhar, a district bordering Jharkhand is a classic example of

excessively mined areas. It is part of the iron ore belt and has the largest iron ore mines in Asia. This is the district that supplies the colossal amounts of iron ore required to produce steel for POSCO. About 105 mining companies spread over an area of 33,000 hectares have already set up base here, producing 2.4 lakh tonnes of iron ore everyday. Most of this is being exported to Brazil, Australia and other countries from Paradip port. All the other iron ore mines in the district are open field mines covering the entire landscape with huge heaps of soil dug out for mining, which are left there once the ore is finished. Road sides are piled up with slag as well as other solid waste from sponge iron plants. Health problems are rampant; children and mine workers are worst affected. A recent environment report has indicated the poor health status of mineworkers in the area and rise in incidents of water-borne and respiratory diseases.

The *Orissa Economic Survey, 2002* shows that the employment potential of the mining sector has actually reduced. In Dhenkanal, Jajpur and Keonjhar districts, chromite mines



employed 8,886 people in 1995-96 but only 6,679 in 1999-2000. This is also the case in the coalmines of Angul, Jharsuguda and Sundergarh districts.

At present, 20 lakh people in the state are unemployed while another 20 lakh are underemployed. Will mining and industries change things? The entire investment in Orissa will create an employment potential of only 1,75,000. Consider the proposed refinery at Kashipur. It has an employment potential of only 1,000; that too for only 20 years. Yet it will affect the lives of nearly 20,000 people in 82 villages. Tribal people are both uniquely targeted by and uniquely vulnerable to corporate globalisation. They are targeted because their land, on which they have preserved biological diversity and rich natural resources, present great opportunities for profit. And they are vulnerable because their sovereignty is not recognised by international trade agreements or by most states. As a result, corporations are not required to compensate or even consult tribal communities before cutting down forests, drilling for

oil on their land, mining their mountains or displacing them from their homes. According to the 2001 census, about six million indigenous people accounted for over a quarter of Orissa's total population, and 12 per cent of India's total adivasi population.

The exploitation of the state's water, forest and mineral resources for varied use has increased manifold. This has been done in the name of national development. The process of exploitation that began a couple of decades ago had intensified in the 1990s with the implementation of the New Economic Policies. This is relatively true for districts with a larger tribal population and is the reason that a large number of tribal people have joined the ranks of the displaced. Since the liberalisation of India's markets in 1990, the incorporation of India into the global economy is on the fast track. Orissa, particularly, has emerged as the mineral hotspot of the subcontinent, and foreign investors are queuing to get a look in. The state also supports one of the largest adivasi population of India.



## New Projects Need 1,31,000 Acres in Orissa

Even as the influx of new projects continues in Orissa, the state is facing the herculean task of allotting land, which almost compares with the area envisaged for residential purposes in the master plan for 67 towns. The estimated land sought by different industries including Reliance Energy Limited (REL), Posco-India Pvt. Ltd. and Vedanta Resources, would exceed 1,31,000 acres.

The land earmarked for residential area in the master plan of 67 towns including Bhubaneswar, Cuttack, Sambalpur, Paradip and Jharsuguda, has been estimated at around 1,34,000 acres. Different companies have so far signed 42 MoUs for setting up steel projects, 13 MoUs for thermal power plants and four for alumina complexes. The land required for steel projects alone will make a whopping figure with 40,300 acres land. Power projects with 17,593 acres and alumina complexes with 12,062 acres of land follow this.

Bhushan Steel and Strips Limited (BSSL) had sought additional 3,500 acres of land adjacent to its 2,000 acres in Dhenkanal district. Anil Ambani-led REL at Hirma had proposed a 12,000-mw thermal power plant, near Jharsuguda town and sought 15,000 acres to put it up. It would be the world's largest coal-fired power project at a single location. If this 12,000 mw power project materialises, it would create another town of the size of Jharsuguda, for which the Directorate of Town Planning (DTP), Orissa, had earmarked 17,767 acres of land.

Similarly, Posco needs 4,004 acres near Paradip town to set up what could be India's largest steel project. However, the residential area for this port town was envisaged at around 5,500 acres. Kalinga Nagar, dubbed as the next steel-manufacturing hub of the country where six steel projects are coming up, would overshadow the nearest Jajpur Road town in the coming days. The DTP had earmarked 1,082 acres for residential purpose and 5,527 acres for commercial, industrial, transport, park and open spaces and other land use for the town. However, the project area would alone require 7,565 acres of land. If the townships of all the projects come up, the proposed land use would touch an astronomical figure.

Districts likely to witness pressure on land are Jagatsinghpur, Jajpur, Jharsuguda, Sundargarh, Dhenkanal, Keonjhar and Angul. Demand is likely to rise further when mining work starts in Keonjhar, Sundargarh Jharsuguda and Angul districts. Land stress will get critical when all the infrastructure is erected to support the 'unexpected' industrialisation that will take place in next six to seven years. (PTI 2006)



Following tables highlight the aggressive land transfer to accommodate projects:

**Table 13: Area Diverted for Non-forestry Purpose (Ha.)**

1980-1991		1991-1999	
Irrigation	4906.494	515.07	5421.564
Mining	1538.053	7433.899	8971.952
Roads	202.726	6.5069	209.2329
Railways	901.53	680.1447	1581.675
Power Transformer	929.219	639.8012	1569.02
Others	5265.142	4441.906	9707.048
<b>Total</b>	<b>13743.164</b>	<b>13717.3278</b>	<b>27460.49</b>
Number of Projects			
	1980-1991	1991-1999	
Irrigation	38	5	
Mining	8	50	
Roads	11	4	
Railways	1	3	
Power Transformer	13	14	
Others	16	18	
<b>Total</b>	<b>87</b>	<b>94</b>	

Source: Annual Report of Forest Department & Records of Forestry (1980-1990)

**Table 14: Land Acquired and Transferred by IDCO**

Project	Acre	Place
Paradeep Phasphet Ltd.	750.00	Paradeep
OSWAL Chemicals and Fertiliser Ltd.	1000.00	Paradeep
Indian Oil Corporation	3237.00	Paradeep
Mid-East Integrated Steel Ltd.	5310.00	Dubri (Jajpur)
Nilachal Ispat Nigam Ltd.	2500.00	Dubri (Jajpur)



Pherrochrom	130.00	Jajpur Road
Nayagarh Co-op Sugar Mills	140.00	Nayagarh
Larsan and Tubro Cement	164.00	Jharsuguda
Serelite Industries Ltd.	1096.00	Jharsuguda
INDAL	99.00	Hirakud
INDAL	22.43	Khinda
Orissa Sponge Iron Ltd.	440.20	Palaspanga
Mangalam Timber	109.00	Nabarangpur
Orissa Sugar	89.00	Nabarangpur
Balarpur Industries	249.00	Jayapur
Utkal Alumina International Ltd.	2145.00	Kashipur
TISCO	3735.00	Gopalpur
Konark Paper	82.00	Baripada

Source: NCAS

**Table 15: Continuing Land Acquisition**

Project	Acre	Place
Ari Steel and Power	400.00	Athagarh
Shyam Dri Power	119.00	Rengali, Sambalpur
Bhusan Steel	1265.00	Rengali, Sambalpur
Bhusan Steel	326.00	Jharsuguda
Arth Minerals Ltd.	100.00	Lakhanpur, Jharsuguda
Monet Ispat Ltd.	672.00	Chhendipada, Angul
Sterelite Industries (India) Ltd.	1768.00	Langigarh, Kalahandi
International Sea Port Ltd.	4100.00	Dhamra (Bhadrak)
Jindal Steel and Power Ltd.	237.00	Badbil

Source: NCAS



### Some Key Issues

With regard to mining in Kashipur, the government declared that three villages would be displaced. However, the land of 50 villages was grabbed; not just agricultural land, but also forests, mining, water resources etc.

In Gopalpur, Orissa, the Tata Group is in the process of acquiring 10,000 acres of land to establish a steel plant (as per estimates, more than 40,000 acres of cultivable land would be acquired for industry). One family ekes a living out of one acre, coupled with the Tata Group's requirement this presents a loss of livelihood for 50,000 families. The proposed plant will also cause a sharp drop in agricultural production in the area, which will lead to chronic food insecurity.

Mining proposed in Lanjigarh, Kalahandi by Vedant Pvt. Ltd. will take place in a forest reserve which happens to be the source of two rivers: Bansdhara and Nagabali. Bansdhara flows more than 200 kms into Andhra Pradesh and has created rich cultivable land all along its banks. Once mining commences Bansdhara will dry up. People will

sell their land due to continuous drought and industry will acquire land at cheap rates.

Posco's proposed oil refinery in Paradeep needs 60,000 acres plus another 1000 acres to build a port. If it goes through then a huge fertile coastal tract, used for paddy, nut production, fishing cultivation etc will be lost and livelihood gone with it.

### Uttarakhand

#### Post-independence scenario of land grabbing

People's right over land and natural resources has continuously been diluted and even divested in the name of development in Uttarakhand (formerly part of Uttar Pradesh). The process of forcible acquisition of land was started during the British rule and continued after independence, further accelerating in the current era of globalisation.

Uttarakhand is spread over 55,845 km<sup>2</sup> of which 80 per cent are hills and 20 per cent plains. As with the rest of the country, agriculture accounts for the livelihood of more than four-fifths of the working population, even though land



under agriculture accounts for only 12.5 per cent of the total land. Total cropped area in the state accounts for 23.5 per cent. The net area sown is around 14.5 per cent]. Only 11 per cent of the total area is irrigated and almost 64 per cent is fed by natural springs.

Prior to British conquest of the area in 1815, the hill peasantry effectively exercised direct control over the use and management of cultivated land and uncultivated commons, with little interference from their rulers. Resident communities regulated use within customary village boundaries, which defined communal property rights, by evolving their own rules rooted in cultural norms and traditions. Agriculture and animal husbandry comprised inseparable components of hill farming systems dependent on spatially and temporally integrated use of cultivated and uncultivated land.

A number of interventions during colonial rule permanently altered this landscape of integrated local resource use and management with progressive transfer of ownership

and control from villages to the state. Among other things, this trend has been characterised by:

- dilution of customary resource boundaries defining communal property rights;
- state enclosure of common property as reserve and protected forests;
- fragmentation of holistic resource management into individual rights/ concessions;
- conversion of common property resources into open access; and
- progressive reduction of villagers' access to critical livelihood resources.

From 1823 to 1947, through various settlement acts, land and forest laws, people's rights to their land were greatly diluted and reduced. At the time of first land settlement conducted by the British in 1823 only 20 per cent of total land was under cultivation. During the next 179 years, while land under cultivation increased considerably in all other parts of the country, it



reduced in the Uttarakhand hills to a mere eight per cent of the total land. Even the post-independence scenario remained the same. Land statistics on the Uttarakhand government web site state that 2.5 thousand hectares were transferred to industries in 53 years (1947 to 2000). Thus it can be said that till 1990 the land transferred by the government was marginally less than 47.17 hectares every year. These included 100 hectares given to Birla Group near Lal Kuan for Century Paper Mill, for the Hindustan Machine Tools (HMT) factories at Bhawali and Ranibagh; Bharat Heavy Electricals Ltd. (BHEL) at Rishikesh and Dehradun; the vast campus of the Oil and Natural Gas Corporation (ONGC) at Dehradun; Belwal Spinning Mill at Ramnagar; Almora Magnesite at Almora and Chadak Magnesite at Pithoragarh.

Apart from the government land, thousands of hectares of agricultural and other types of land were also made available to these industries. Moreover, thousands of hectares of land were earmarked for developing infrastructure in the region including roads, government offices, schools, hospitals etc. During the post-

independence years when the Uttar Pradesh Zamindari Abolition Act was implemented, the right of enforcing a ceiling as well as the management and distribution of barren and fallow land was allocated to Gram Panchayats throughout the state. But within the same state, a different Zamindari Abolition Act was enforced in the hills of Uttarakhand in order to take away this right from gram panchayats here. This Act is called Kumaun Uttarakhand Zamindari Abolition Act. This Act has been in force in Uttarakhand since 1960. In this Act clause 117 to 128 of UPZA Act have been removed. These clauses had conferred on gram panchayats the right of managing and distributing land. When the latest land settlement took place during 1958-65 only the land under cultivation was allotted in the name of peasants while the land kept for the purpose of cattle grazing and fodder was termed as *benap* (unmeasured) land and was taken over by the government in a conspiracy against the hill peasantry. Thus a majority of peasants was evicted from a large part of their own land.

Then a shift in the development paradigm occurred. This was the time



when capitalism and imperialism had made the Latin American countries a testing ground for globalisation. In India also the period between 1981 and 1990 marked as the period of introducing big projects. So the Uttar Pradesh Government, too, treaded this path and introduced big hydroelectric projects in the hilly region of the state in the name of structural development and multipurpose projects. The year 1991 is the starting point of introducing the processes of globalisation, capitalisation, liberalisation and privatisation in India which meant the opening up of the doors of Indian economy to foreign capital and introducing structural adjustment (under World Bank's Structural Adjustment Plan or SAP) to facilitate the entry of this capital and the role of the private players.

In Uttarakhand too this process started leading to the dumping of old customs, practices and laws related to land. World Bank funding greatly increased in Uttarakhand after 1990 which was reflected in the sudden increase in natural resource-related big projects. There was a sudden spurt

in the process of transferring land for construction of roads and dams. Notable projects leading to greater displacement and loss of livelihood include Tehri dam and the Balighat hydroelectric project. Existing gardens were leased out to private institutions, and builders got busy converting thousands of acres of agriculture land into residential housing every year. Since 1990 hundreds of resorts constructed by taking local people's land in the name of tourism. Locals have been employed as guards.

In 1996, the then Uttar Pradesh Government started an ambitious tree plantation programme, which was to be spread across 12,000 hectares. It included a series of tea estates to aid the state's economy and to provide farmers with an additional source of income. More than 10 years have passed but only the Kausani Tea Estate has become fully operational. The estate has spelt doom for 180 marginal farmers in 152 villages of Kausani. What to talk about additional income, their basic livelihood stands threatened. They have lost agricultural land for a paltry sum and now draw wages for working



in their own fields. The state now plans to hand over leased land to private players for tea, tourism and real estate development.

In 1997 the then Uttar Pradesh Government reinforced the defunct British Act of 1893, which had declared all *benap* (unmeasured) arid land as forest land. Thus by revival of this dead Act, thousands of hectares of land belonging to the local populace was converted into forest land over which they had no rights. The rights of people over forests and their land were further snatched away when the BJP government passed 'Uttaranchal Forest Panchayat Regulations 2001' and 'Forest Ordinance Amendment 2002'. Further two Forest Land Amendment Ordinances were brought in September 2003 and January 2004 and an Ordinance by the then Khanduri government in May 2007 have displaced people from their land and have paved the way for land grabbing by corporate giants and the capitalists from outside the state.

In the last few decades, a considerable areas of land and forest resources throughout the region

have been excluded from people's use in the name of biodiversity conservation – a chain of national parks, sanctuaries, biosphere reserves and other such means of protection have been created without any discussion or debate with the people affected. This has led to a situation where communities which are critically dependent upon the natural resources of an area for their survival, are often seen as law-breakers.

In the current era of globalisation and rapid transformations in the economy, particularly in the developing countries, there is an ongoing threat to the livelihood and survival of people who are dependent on the availability of natural resources and traditionally having their rights and control over these resources.

In a situation where the wealth of the state is equated to the revenue earned by the state, and there is constant pressure on the state to earn even more revenue, there is deepening of the erosion of people's rights over natural resources. More often than not, these resources, which people are



barred from using, are used by the state to generate further revenue, such as large capital-intensive projects including dams, large-scale mining and power projects and exploitation of resources for industrial development.

The wave of globalisation and liberalisation has clearly favoured the large corporate sector to consolidate their hold over mega interventions such as the power sector, and thus over the natural resource base. The nature of corporate controls are also a matter of concern as the complexity through which corporate ownership and control is exercised and the growing ability of the small segment of corporate speculators who alter the control of resources lends supports to the credence that in the marketplace, it is the profits that matter and not the long-term health of the resource base.

Such a process of enclosure of rights of rural and indigenous communities and the rapid transfer of the controls to the market forces is becoming the prime cause of poverty. The urgency with which the World Trade Organisation

(WTO) regime is being brought to bear upon local communities suggests that this round of exploitation and establishment of rights on control will go beyond the physical resources of the indigenous communities and encroach their traditional knowledge base. Under such alarming circumstances, an appraisal of the rights and the de jure and de facto control over natural resources becomes imperative.

It was hoped that control by the state would increase the quality of utilisation of resources, but almost all natural resources, such as water, land and forests have degraded in quality and diminished in quantity paving the way for private investors to take control over natural resources and totally alienate local communities – a trend being propounded by the new wave of liberalisation. The market economy is already transferring to private investors a very significant proportion of resources in the form of rights and privileges in various guises, control over the management of many public and private sectors through the stock market, giving rights to extraction



of forest resources and making it easier for them to overlook several constitutional and legal provisions to ensure local participation.

Forces displacing local communities adopt a plethora of tools to gain control. Divisions of local communities in the name of the religion, caste, political, economic and other social groupings are subtle measures to undermine collective capabilities.

### Ecological Damage

Among various industries, mining causes the most ecological damage. Table 16 shows that a large area of forest land has been transferred for mining since the enactment of the Forest Conservation Act in 1980. In the absence of any clear statement of priorities of the country on the exploitation of resources, corporations are devising new ways to grab the wealth of the nation for small short-term gains. The rapidity with which the global interests want to usurp these resources is reflected in the stock markets today. It is with the same rapidity that mining is devouring land and livelihood of many communities.

**Table 16: Land Transferred for Mining Purposes**

Year	Land transferred (in ha.)
1983-84	2.2
1984-85	2.0
1988-89	1547.0
1989-90	4089.0
1990-91	208.7
1999-2000	2455.0
2000-01	58.8
<b>Total</b>	<b>8362.7</b>

The exploitation of minerals in Uttarakhand has come at a price. The ecological damage caused by mining of minerals can be best illustrated by impact of limestone quarrying in Doon Valley. Quarrying has disturbed the ecological balance of the valley, which is geologically unstable due to the existence of a tectonically active zone and a geological thrust

The extraction of minerals disturbs the land-soil-vegetation system as it removes vegetation and the top soil, for surface quarrying. The precipitous slopes and high rainfall accentuate this locally, which add to the land's instability.



## **Breeding Farm Violates Specific Legal Provisions**

This case is cited to highlight ground realities. The establishment of this particular breeding farm has not just violated several legal provisions in force in the state, but has also denied local people their basic Constitutional rights. The specific list of violations and the context of violation provides an insight into the potential for redressal.

### **Violation of the Land Acquisition Act**

The provisions of Land Acquisition Act have been violated totally by the enforcement of the premise that the land did not belong to the villagers but was state property. Since it was state property, no acquisition notice was deemed necessary, nor was compensation provided to the people. The Land Acquisition Act 1894 as applicable to Uttar Pradesh clearly states that those who have a stake in the forest are its trustees and beneficiaries. Members of the Van Panchayat are the true trustees and beneficiaries of the acquired area. They also have been denied foot-tracks and other easement benefits without any compensation.

### **Violation of the Forest Conservation (FC) Act**

The farm has violated the FC Act by destroying parts of the forest while laying the road and constructing buildings, all of which have been specifically recorded by the Van Panchayat. The provisions of compensatory afforestation have not been applied in the case of the farm. The damage to trees, particularly felling green trees is an ongoing activity of the farm, which is not being charged with such offences.

### **Violation of the Environment Protection Act**

The activities of the farm violate the provisions of the Environment Protection Act in several ways. The foremost among them is the discharge of effluents into the stream, polluting water resources, destroying productive agricultural fields and affecting the health of the people and cattle.

### **Other Violations**

Land encroachment, over the above, could attract proceedings on the provisions of land acts.

The careless disposal of carcasses by the breeding farm could attract wild animals and invite injunctions under the Wildlife Act.

The farm also grossly violates the provisions of the Labour Acts by employing local people on daily wages despite their having put in several years of service.

The Right to Life is denied when the fundamental source of livelihood is negatively impacted. The breeding farm also denies the people the Right to Development, which is also emphasised by several Supreme Court decisions in recent years. The people have been also restrained from performing their fundamental duties, particularly the protection of the environment, as no notice is taken of their complaints regarding the environmental impact of the farm.

Adapted from *State of Environment Report for Uttaranchal*, Uttaranchal Environment Protection & Pollution Control Board, Government of Uttaranchal, November 2004



The actual process of extraction of limestone thereafter creates the second ecological impact on land resources. The use of explosives to remove the rocks further weakens the already weak rock structure. Explosives also activate faults in the dislocation zone of the main boundary thrust, where the quarries in the Mussoorie area are located. The result is induced slope failure and landslides, which are increasing in the region since mining operations began. After a great hue and cry by concerned citizens, civil society organisations and experts, the operations have been finally shut down. The Supreme Court bench justified the closure stating: "It is a price that has to be paid for protecting and safeguarding the right of the people to live in a healthy environment with minimum disturbance of ecological balance and without avoidable hazards to them and to their cattle, homes and agricultural land and undue effect of air, water and environment."

Landslides raise the beds of streams and rivers, by piling up debris in these drainage channels. The combination of heavy monsoons, bare slopes, and silted riverbeds,

lead to flood in a valley once endowed by nature with excellent drainage.

A less visible process of destruction has been associated with the water resources of the Doon Valley, which is served entirely by rain-fed streams originating in the Mussoorie Hills. Limestone deposits, besides being natural water reservoirs overlap the catchments of these streams. The ecological crisis generated by limestone quarrying is reflected by the fact that, in a valley with abundant rainfall, areas affected by mining no longer have enough water available for the sustenance of crops or humans.

The destruction of the internal hydrological system is reflected in the fact that the spring sources of all villages surveyed in the local catchments have registered an average decrease of nearly 50 per cent in their lean period discharges over the last two decades. Such disturbance of the hydrological cycle resulting from human intervention in the limestone belt in the processes of quarrying seems to be the unavoidable and expensive impact of quarrying.



## Proposals Galore for Industries in Uttarakhand

The break-up of proposals received shows that the maximum units have been proposed in steel manufacturing, food processing and general manufacturing units followed by electrical goods manufacturing, pharmaceuticals and textile units. Interestingly, the emphasis is towards nil discharge of effluents into water bodies, thereby preventing water pollution. Wherever such discharge is unavoidable, the manufacturing unit should have integrated waste water treatment facilities.

**Table 17: Proposals Received for Industries**

Industry Type	Number
Steel factories	54
Food processing units	52
General Manufacturing units	50
Electrical Goods	45
Pharmaceutical units	35
Textile Factories	29
IT units	13

## Environmental Implications

### Deforestation

Road construction has been a major force of change for mountain people

and their forests. Since the enactment of the Forest Conservation Act 1980, a total of 2311 ha of forest land has been used to build roads; mostly for the expansion and widening of many existing roads, as the forest laws make it very difficult for new roads to be established.

**Table 18: Forest Land Transferred for Building Roads**

Period	Land Transferred (ha.)
1981-1990	665.28
1991-2000	1223.07
2000-2001	422.85

Source: State Forestry Statistics, Government of Uttarakhand, 2001

Construction of roads received an impetus after the formation of Uttarakhand. At the same time, several projects under different categories were brought under the head of National Highways, and this gave further impetus to road construction. This makes it imperative to evaluate the environmental impact of road construction, especially the handling of debris.

It is often seen that cut-and-fill technology used in road construction in Uttaranchal,



entails more powerful blasting than usually required. This leads to huge pits being created which then need to be filled. The debris is often thrown down the mountain, destroying the forest on the slopes of mountains. The natural inclination of the hill face is also disturbed by road cutting operations. Destabilising the terrain has resulted in many roads getting buried during recent earthquakes beneath rubble that was initially loosened when the roads were blasted through the mountains. Additionally, road construction, together with quarrying has greatly disfigured the mountain landscape, and the ensuing traffic pollution is expected to affect wildlife severely.

At times the construction of roads frequently cuts across debris-flow tracks. The result is that debris is dumped on the roads in every surge, particularly during monsoons. When enough debris has accumulated to block the road, it is pushed down on to the lower slopes to clear the road. Besides causing traffic hindrance, this also destroys the natural vegetation-ecosystem on the lower slopes.

As a result of ecologically unsound methods of constructing roads, a large number of roadside trees are falling down. Improper road construction results in soil erosion, which, in turn, leads to uprooting of large trees and degeneration of lower plants. This can cause serious ecological imbalance, adversely affecting run-off factors, temperature gradient, surface radiation etc.

### Exploitation of Forests

Historically, roads have been developed with the objective of providing access to valuable resources hidden in a region. Even when the roads are not built primarily to provide access to valuable resources such as forests, they often lead rapidly to new pressures on resources by implication, if not by design.

There is growing realisation that roads not only destroy the environment but also provide little financial return for locals in exchange for a heavy ecological price. Local groups and one regional political party have begun to protest such development priorities.



Table 19: Diversions of Forests for Different Developmental Activities in Uttarakhand

Years	Irrigation Projects	Hydropower Projects	Road Construction Projects	Communication Projects	Mining Projects	Drinking water schemes	Other schemes	Total (in ha.)
1981-82	4	-	2	-	-	-	768	774
1982-83	14	-	134	111	-	1	414	674
1983-84	11	85	92	32	2	4	6	232
1984-85	7	0	70	39	2	3	1878	1999
1985-86	1	-	61	18	-	-	2	82
1986-87	332	1303	210	49	-	4	137	2035
1987-88	5	3050	4	0	-	0	50	3109
1988-89	7	155	2	3	1547	10	6	1730
1989-90	19	0	88	1	4089	24	7	4228
1990-91	7	3	114	203	209	3	2	541
1991-92	3	2	7	3	-	3	1	19
1992-93	1	-	18	3	-	2	248	272
1993-94	7	-	102	-	-	7	706	822
1994-95	2	-	174	1	-	6	4	187
1995-96	6	0	123	-	-	8	2	139
1996-97	3	449	113	21	-	17	3	606
1997-98	1	-	76	2	-	14	1	94
1998-99	1	-	188	50	-	10	18	267
1999-2000	5	10	308	671	2451	12	147	3604
2000-2001	2	29	423	1	59	18	1210	1742
<b>Total</b>	<b>438</b>	<b>5086</b>	<b>2309</b>	<b>1208</b>	<b>8359</b>	<b>146</b>	<b>5610</b>	<b>23156</b>

Source: State Forestry Statistics, 2001



### Land Grab

A real estate boom in the state has raised land prices across the valley especially in the Kumaon region including places like Rudrapur, Nainital, Bhimtal and Naukuchiatal. Most of the government land is already sold or is up for sale. Now private players are targeting farmers' land. Since Uttaranchal Land Reform Act, 2003, does not permit the sale and large-scale leasing of farmland (only 400 sq. m can be leased out) to the private players from outside the state, the land law is likely to be amended soon to ensure a smooth entry for private players. Even plans are afoot to hand over four tea estates at Kausani, Champawat, Bhimtal and Nauti to private players. However the proposal was shelved as the Kausani tea workers' union opposed it. The bitter truth is that except villages like Pingalkot, five kilometres from Kausani, many villages have given up village land to cultivate tea. But majority of these villagers continues to suffer as the much promised bright future is nowhere around.

### Categories of Land Grab

Grabbing of people's land can be categorised as follows:

1. Development Plans
  - a. Roads
  - b. Drinking water
  - c. Irrigation
  - d. Transmission lines
  - e. Mining
  - f. Hydroelectric projects
  - g. Others (related to infrastructure development)
2. Sanctuaries and reserved forests
3. Privatisation of parks and gardens
4. Eco tourism
5. Schemes for housing

### 1. Land grabbing in the name of development

While on the one hand people are being deprived of their natural rights over forests, on the other hand forest land is increasingly being leased to private operators at throwaway prices for a period ranging from 15 to 20 years. Out of 27 under-construction and 88 sanctioned hydroelectric projects 26 and 57 projects respectively have been given to the private players. Table 20 details the main players who have been leased forest land for 30 years.



Table 20: Land Grabbing in the Name of Development

Sl. No.	Project	Area (Ha.)	District	Lease Period (Years)
1	Lohar Khet Hydroelectric Project	2.876	Bageshwar	30
2	Rishi Ganga Minor Hydroelectric Project	2.9158	Chamoli	30
3	Shree Badrinath G-2 Minor Hydroelectric Project	0.0092	Chamoli	30
4	Bhilkhet Minor Hydroelectric Project	3.44	Chamoli	30
5	Mujant Ganga Hydroelectric Project	2.15	Chamoli	30
6	Bishnuprayag Hydroelectric Project	0.199	Chamoli	30
7	Bishnuprayag Hydroelectric Project	0.401	Chamoli	30
8	Dewal Hydroelectric Project	2.86	Chamoli	30
9	Banala Minor Hydroelectric Project	6.83	Chamoli	30
10	Birahi Ganga Minor Hydroelectric Project	4.658	Chamoli	30
11	Tapovan – Bishnugaud Hydroelectric Project	75.999	Chamoli	30
12	Kali Ganga Minor Hydroelectric Project	2.879	Chamoli	30
13	Bishnugaud – Pipalkoti Hydroelectric Project	2.393	Chamoli	30
14	Baunk Minor Hydroelectric Project	0.424	Chamoli	30
15	Baund Minor Hydroelectric Project	0.219	Chamoli	30
16	Ghes Minor Hydroelectric Project	0.118	Chamoli	30
17	Chetting Minor Hydroelectric Project	1.78	Chamoli	30
18	Bhikhutia Minor Hydroelectric Project	4.312	Pithoragarh	30
19	Motighat Minor Hydroelectric Project	4.254	Pithoragarh	30
20	Tanga Minor Hydroelectric Project	3.619	Pithoragarh	30
21	Kali Ganga 1 <sup>st</sup> & 2 <sup>nd</sup>	4.1	Rudraprayag	30
22	Madmaheshwar 1 <sup>st</sup> & 2 <sup>nd</sup>	4.999	Rudraprayag	30
23	Kali Ganga 1 <sup>st</sup> & 2 <sup>nd</sup>	3.129	Rudraprayag	30
24	Bhilangana Hydroelectric Project	3.182	Tehari	30
25	Gunsola Power (Office & Store)	0.027	Tehari	30
26	Koteswar Hydroelectric Project	338.932	Tehari	30
27	Faleda & Baheda Bhilongana Hydroelectric Project	4.929	Tehari	30
28	Agunda Thati Minor Hydroelectric Project	2.3328	Tehari	30



29	Swichyard & Approach Road for Faleda & Baheda	2.282	Tehari	30
30	Assi Ganga 1 <sup>st</sup> Minor Hydroelectric Project	0.923	Uttarkashi	30
31	Assi Ganga 3 <sup>rd</sup> Minor Hydroelectric Project	0.921	Uttarkashi	30
32	Loharinag Pala Hydroelectric Project	139.029	Uttarkashi	30
33	Bariyagarh Minor Hydroelectric Project	2.730	Uttarkashi	30
34	Palam – Maneri Hydroelectric Project	53.5315	Uttarkashi	30
35	Royal Hydroelectric Project	4.385	Tehari	30
36	Kot – Budhkedar Hydroelectric Project	0.594	Tehari	30
37	Srinagar Hydroelectric Project	338.86	Tehari	30
38	Malakoti Hydroelectric Project	2.219	Tehari	30
39	Bhilangana 3 <sup>rd</sup> Phase Hydroelectric Project	1.368	Tehari	30
40	Bhilangana 3 <sup>rd</sup> Phase Hydroelectric Project	8.33	Tehari	30
<b>Total</b>		<b>1039.1393</b>		

May be, once completed, these projects contribute to the development of the state but one thing is sure that the people on whose name these development activities are being carried on will be seen nowhere as they will be forced to migrate to other states in search of livelihood. The following two case studies bear out this truth.

During the 1980-90 decade 4,594 hectares of forest land was transferred in the name of development. Further 464 hectares was transferred during the 1991-2000 decade and post-statehood years have seen an unbridled impetus given to this process.

### Principally Approved (Pending) Cases

There are cases of forest land transfers approved by the Central government in principle, but awaiting issuance of government orders which have not been issued because the proposed department has not yet deposited the lost plantation/NPV money. These are thus pending at the Central level.

**2. National Parks and Sanctuaries**  
According to *Uttarakhand Forest Statistics 2006-2007*, the area of the protected zone in Uttarakhand is 9861.382 ha. or 18.48 per cent of the total area. Of this 1664.04 ha. falls in the Kumaon zone and 8197.342



ha. in the Garhwal zone. There are six National Parks and six Sanctuaries in Uttarakhand which come under protected zones. In 1990 472.08 sq. km. land for Govind National Park, in 1993 another 10.82 sq. km. for Mansuri Sanctuary and in 1995 4227.9 ha. of land for the Govind

Ballabh Pant Wild Life Sanctuary was declared a protected zone. Similarly in the Chakrata and Haridwar forest divisions a total of 4227.9 ha. land belonging to Aasan Wetland (near Chakrata) and the Jhilmil waterfall in Chidiapur region of Haridwar was converted into protected-reserved

## A Story of Unfulfilled Promises

### Case studies from Village Pala and Chai

I. Village Pala is the worst hit due to Loharinag Pala and Pala Maneri projects being constructed in the reservoir at Bhagirathi River valley. Major and minor landslides have already occurred at 150 spots around the village, particularly in the Burari and Tolani Tok areas. Blasting during the making of the tunnel had such an impact that the entire village felt the vibrations and cracks developed in many houses. For this 480 mw project, 53.5315 ha. of forest land has been leased out for 30 years and 6.803 ha land of 72 families of Auna village, 22 of Sej, 41 of Bhatwari, four families of Pala village and three of Jaunkari. Four *nail* land of an SC villager Satru was acquired long ago at the rate of Rs. 4000 per *nail*. Now he is landless and without any work.

II. Chai village in Chamoli district of Uttarakhand had 135 families and made the headlines when Alaknanda river waters, diverted through a tunnel during the construction of Vishnu Prayag Hydroelectric Project, completely destroyed the village. This 400 MW electricity project is being constructed by a private company Jai Prakash Industries. The tunnel passes under the area where the village once stood. Former Van Panchayat sarpanch Shri Bhupal Singh says "Earlier the artisans used to earn their livelihood by selling milk, fruits and vegetables to Badrinath temple committees but with the starting of work for Vishnu Prayag project in 2004-05 began an endless process of difficulties. Initially the company made tempting declaration of constructing roads, good schools and providing water and electricity to the villagers. It did construct the road upto the half distance and a Sabarmati bus service was introduced to take the children to Joshimath, a distance of 10 kms. But as soon as the work for the project was over, all such facilities were withdrawn. People objected to the construction of the tunnel and demanded protective measures against seepage endangering their homes and land. No steps were taken by the authorities and finally the land caved in displacing 124 people of 25 families and destroying 68-room hutments made of thick bamboo." Thirty-five families from the village migrated to other areas and 13 cases have been filed at Joshimath tehsil against social activists agitating against the project.



zone by the government in 2005. Interestingly since 2002, a Corbett Country Project is being run in the Jim Corbett Park, under which 805 acres in Hempur (between Kashipur and Ramnagar areas of Nainital district) is being used to establish a tourist hub. The project is solely being developed by private capital. Earlier, in 2000 the area of Nanda Devi National Park was also increased.

The fallout has been severe: ever since forest land has become 'protected', all rights of people over this protected land have ceased. Moreover, there are now increased incidents of wild animals killing people and destroying crops. Many have left farming due to the fear of animals and most of the farms have become arid. No longer having access to forest produce, people are migrating for survival.

### 3. Privatisation of Parks

As per 1953 data, parks and gardens, in Uttarakhand, were spread across 26,000 acres of land. Later, this area increased to two lakh acres. When Govind Ballabh Pant was the CM of Uttar Pradesh, the government made special efforts to promote horticulture and floriculture in the hilly region. That's why a separate fruit industry

department was created for the region to undertake activities like seed preservation and distribution, opening of nurseries providing a variety of quality fruit and flower plants and also exporting them to neighbouring countries like Nepal and Bhutan. But after the creation of new state, the successive governments sold off these nurseries and parks to big corporate houses at throwaway prices. In 2001, a plan was hatched to privatise 154 parks spread all over the state. Seven such parks covering 130 hectares of agricultural land were handed over to private institutions and corporates including Dabor India, TERI, L.R.Brothers, Himcon etc on a meager lease amount which was worked out as 2.5 per cent of the land cost for the first ten years and five per cent for the next 15 years.

### 4. Industry

The stated objective of Uttarakhand's Industrial Policy 2003 is to speedily make available land for industrial units and projects. It also laid stress on the development of infrastructure to cater to the needs of the upcoming industrial units. At the time of acquisition of land, people, at large, were given the impression that industrial development will generate



lots of employment opportunities for them. But how much opportunity was really created is known to everybody. On 18 July 2002, full form (SIDCUL) was created with an initial share capital of Rs. 50 crore in which the government's contribution was Rs. 20 crore. It developed 800 acre of agricultural land located in Haridwar, Pant Nagar, Dehradun and Kotdwar. Industrial units running here are being provided all sorts of concessions and exemptions. On the other hand, no serious efforts are being taken to revive closed factories such as IDPL, HMT, Stardia Chemicals etc.

### 5. Tourism

Activities being undertaken in the name of promoting eco-tourism have given impetus to private occupation of land. This can be seen in the sudden rise in developing tourist resorts, entertainment parks, hotels, water parks etc.

### 6. Religious, Spiritual Trusts, Ashrams etc.

Since Uttarakhand is called 'Dev Bhumi', religious, spiritual institutions and ashrams are found in great numbers here. Thousands of acres of land have been given to these

ashrams at heavy concessional rates. Some of them are listed below.

- Swami Ramdev's Yoga centre at Haridwar
- Shanti Kunj, Haridwar
- Radhasoami Satsang, Beas
- Illegal occupation of hundreds of acre agriculture/forest land at Muni Ki Reti by Onkaranand Trust
- Hundreds of acres of land has been occupied at Haridwar-Rishikesh in the name of developing the Kumbh area.
- Land given to Asaram Babu
- Land given to the Brahma Kumaris

### Rajasthan

With an area of 34,2240 sq km Rajasthan is the largest state of India, constituting 10.41 per cent of the total area of the country. For a population of 5,65,07,188 (as per 2001) of the state availability of per capita land is about 0.060 hectare. Rajasthan is a predominantly agrarian state where agriculture contributes more than 40 per cent of the state's domestic product and over 70 per cent of the total population depends on it.

Forests that are highly degraded and mostly in the form of shrubs, cover



Table 21: Land Use in Rajasthan (2001-02)

Sl. No.	Land Use	Area in ha.	Percentage
	Reported area	34265309	100.0
(i)	Forest	2645097	7.72
(ii)	Land Put to Non-agricultural Uses	1751549	5.11
(iii)	Barren and Un-culturable Land	2520654	7.36
(iv)	Permanent Pasture & Other Grazing Land	1698554	4.96
(v)	Land Under Misc. Tree Crops & Groves	13180	0.04
(vi)	Culturable Waste	4730528	13.80
(vii)	Current Fallow	1819241	5.32
(viii)	Other Fallow Land	2321424	6.77
(ix)	Net Area Sown	16765082	48.92
	Area Sown More Than Once	4033229	11.77
	<b>Total Cropped Area</b>	<b>72563847</b>	<b>211.77</b>

Source: Statistical Abstract of Rajasthan, 2004

only 7.71 per cent of the area, which is a matter of great concern in view of stated ecological requirement according to the policy guidelines of the country. Table 21 above indicates land-use patterns in Rajasthan.

The state has a total scheduled area of 19,508.43 square kilometers spread across five of the 32 districts, Banswada having the highest tribal concentration followed by Udaipur and Dungarpur. Table 22

indicates details of tribal population concentration in the state.

The population of dalits in the state 17.29 per cent, which is higher than all India population of around 15 per cent and that of tribals is 12.44 per cent of the total population of the state. The Dalit and Adivasi population is mainly dependent on agriculture and allied activities and more than half is still below the poverty line in the rural



Table 22: List of Districts, Area and Population under Scheduled Areas

District	No. of blocks	Area (in sq. km)	ST Population	ST %	Villages
Udaipur	6 fully, 1 partly	7853.13	777030	68.85	1511
Banswara	8 fully	5076.95	849050	73.47	1435
Dungarpur	5 fully	3565.34	575805	65.84	847
Chittorgarh	2 fully	2153.9	145092	51.81	493
Sirohi	1 fully	859.11	54734	67.90	81
<b>Total</b>	<b>22 fully, 1 partly</b>	<b>19508.43</b>	<b>2401711</b>	<b>327.87</b>	<b>4367</b>

areas. Rajasthan, having a feudal past, the target groups, the dalit men and women are the worst sufferers of the Indian caste system which not only perpetuates social hierarchy but also institutionalises discrimination and social exclusion. The key issues are untouchability, susceptibility to physical violence, barriers to participate in decision-making processes and access to basic services. All these lead to extreme levels of marginalisation and dehumanisation of dalits and women. Increasing land alienation has further forced them into penury.

There is also a sizeable tribal population living in different parts in the state but not included in the

Tribal Sub-Plan (TSP) Area. In fact, the scattered tribal population lives in 30 districts of the state. Total population of the scattered tribal was 17.31 lakhs in the 1991 census. The agriculture: man ratio in tribal areas is low and farmland holding sizes have been getting increasingly smaller over a period of time in the tribal sub-plan area. Total utilisation of agricultural land is about 26 per cent of the total geographical area in TSP against state percentage of 47. Tribal farmers cultivate on hill slopes where irrigation is difficult. As such only 33 per cent land is irrigated. This has forced tribals to adopt low farm technologies. The massive deforestation taken place in tribal areas has already led to soil erosion, lowering of the water level



and to other forms of environmental deterioration in the state. Due to the over-exploitation of forests, tribals are getting marginalised day by day.

In Rajasthan, the Sahariya tribes live in a state of pre-capitalist mode of production while Bhil, Danor and Garasia, living in the plains within the proximity of urban-industrial sector, are in a state of capitalist mode of production in agriculture. Therefore, the economic system among the tribals is both pre-capitalist and capitalist. In both situations, the dispossession of land or process of de-peasantisation presents a case of land alienation. This process of alienation has already taken place where there is intensity of development and modernisation process but where the economy is at a pre-capitalist or semi-feudal state, this land alienation is steadily but increasingly emerging. In other words it can be said that in the tribal villages close to district headquarters, the tribals are experiencing the pangs of land-alienation. Similarly the villages in the interior continue to remain in a semi-feudal situation and their experience of land-alienation has already started.

This is despite the Rajasthan Tenancy Act of 1955, amended from time to time, providing legal protection to tribal people against alienation of their land. The act prohibits the transfer of tribal land to non-tribal people. Under section 42 (3) any transfer of tribal land by sale or gift or bequest is void. Under section 43 (2) no tribal landowner can transfer his rights to his holdings to a non-tribal in whole or in part. Section 46 (A) forbids letting or sub-letting of whole or part of holding by a tribal to non-tribals. Section 49 (A) prohibits exchanges of tribal land with that of a non-tribal. Section 183 (B) provides for summary inquiries to be conducted in the event of instances of infringement being brought to light. Anyone who has taken or retained possession, without lawful authority, of land held by a tenant belonging to SCs and STs is likely to be ejected on an application in a summary manner under Section 183 (B) of Rajasthan Tenancy Act of 1955. The proceedings under this section are to be concluded within three months. There is no such provision for non SCs-STs. General tenants have to bring suits of ejection to a court. For the protection of the



economic rights of Scheduled Castes and particularly against the encroachment on their land by the upper cast people, section 3 (1) (IV) (V) of Central Government's SC/ST (Prevention of Atrocities) Act 1989 provides that if any non-SC/ST person encroaches upon the land

of Dalits, then he is likely to be imprisoned for a minimum period of six months and a maximum period of five years and a fine. These laws were of tremendous significance to tribal people because of their dependence on land and forests for their livelihood.

### **The Planning Commission's Aspirations for Indian Women**

Women need to be given priority, Women tend to be the most commonly landless and are the poorest even among poor households. At the same time, in the rare cases where women have land or a house of their own it is found to make a critical difference to them and their family's welfare. For instance, such women face less risk of destitution and domestic violence, and improved economic well being. The welfare of their children also improves, mother's assets are found to have a greater positive effect on children's nutrition, education and health than the father's assets. Women also tend to spend more of their income on the children's needs than men. Allotments made to women would therefore benefit both poor women and their families

Allotments given to groups of families in a consolidated space would be more beneficial than scattered allotments, for several reasons. One, allotments that are all together will help create a community in which people can socially interact and help each other. Two, it is easier to provide infrastructural support – such as drinking water and sanitation, primary school, primary health centre etc. – to a consolidated group. In fact such support services should be a part of the initial plan when land is distributed to the landless.

A women's resource centre, catering to women especially of poor communities, could also be planned alongside. At present, village women have no designated public place where they can comfortably go to obtain information and learn about livelihood opportunities, and about their rights and laws. A resource centre catering only to women, with a particular emphasis on poor dalit women would go a long way in fulfilling this need. It should provide relevant information relating to government loan schemes, employment schemes, their legal rights, legal aid, farm technology, health care, and so on. This information could be given through written material as well as electronic media.

Excerpted from *Report of the Working Group on Land Relations for Formulation of 11<sup>th</sup> Five Year Plan*, Planning Commission Government of India, New Delhi; July 2006



With the introduction of economic reforms in India in 1991 under the global neo-liberal dispensation, vast changes took place in the nature-human relationship in the various states including Rajasthan. People's control over their natural means of livelihood started being diluted or snatched away with the introduction of new Acts or due to sweeping changes in the existing Acts under the dictates of World Bank, IMF and WTO. As the new economic policies started introducing market reforms, profit became the sole motive of all the economic activities. Even agricultural activities, in India, became a victim of this global mantra. Obviously this led to the opening up of sectors for private players and the state governments increasingly adopting the role of facilitator for them. Thus to push forward and facilitate the processes of buying and selling land, sweeping changes were effected in land-related laws such as the Land Acquisition Act, Ceiling Act (Urban and Rural) etc. The result was that economic and commercial activities such as the construction of malls, SEZs, international airports, express highways, tourist centres, educational institutions, big

hotels and adoption of corporate farming and jatropha farming led to the acquisition of large tracts of agricultural land, thereby snatching away the means of livelihood of farmers and forcing them to migrate to other areas in search of alternative livelihood.

The changes brought about in various Land Acts are the following—

*Rajasthan Land-Revenue (Biofuel Plantation and Biofuel based Industrial and Processing Units) Rule 2007*

On May 7, 2007, the Rajasthan Government passed rules under its powers conferred by section 261 of the Land Revenue Act of 1956 to create a new law called 'The Rajasthan Land Revenue (Allotment of Wasteland for Bio-fuel plantation and bio-fuel based Industrial and Processing Unit) Rules, 2007. These rules allow 1000 ha-5000 ha of village common land to be transferred for 20 years from the village community to bio-fuel industry. The land allocation is for bio-fuel plantations, especially Jatropha, and bio-fuel based industry and processing units. Village community pastures are common



resources in Rajasthan, having potential for equitable accessibility to all classes of the rural population. Rajasthan has 1.94 million hectares of common pasture land and common land form, more than 70 per cent of the total geographical area. *Jatropha* cultivation severely limits the ability of the commons to support rural livelihood comprehensively. Livestock is the major source of livelihood for the poor and they are heavily dependent on the common pastures for the grazing of their cattle. The destruction of the livelihood of pastoralists and livestock herders such as Gujjars have already led to major riots in Rajasthan.

There have been other changes that endanger local communities such as permitting the wasteland to be leased out to private companies and government enterprises for up to 20 years and the abolition of both the maximum size of a plot that can be held by an individual or company as well as the provision of ban on the sale of tribal land. Under these rules 30 per cent of benami or degraded forest land, known as wasteland, in the district can be given to corporate houses, while the rest can be given to others. By making these rules,

Rajasthan Government has facilitated the handing over of grazing lands in villages to institutions; self-help groups of BPL families, village forest protection and management committees, village panchayats, agriculture co-operative societies, societies, government undertakings and companies or corporate houses. Here Rule 3 section (2) says that preference will be given to those Government undertakings and companies which undertake to Plant *Ratanjot* (*Jatropha*), *Karaj* and other similar bio-fuel plants and to establish processing units, refineries, composite units, value addition of such bio-fuel plants and processing and establishing nursery for high quality plants and seeds.

Under Rules (6) I, II, III, the wasteland shall be allotted to Government undertakings, companies and the societies on leasehold basis, while it shall be allotted on *ghair khatedari* basis to all the persons i.e. self-help groups, forest security committees, village panchayats and cooperative societies. In this group, excluding the village panchayats all other groups are non-registered. With rich and powerful persons getting registered themselves in BPL lists,



most of these groups will leave out the poor and landless. In fact a few influential people of the village have formed the groups and these people already have substantial amount of land with them. If they are also allotted land under these rules then most of the village land will come under their possession. On top of it, the companies can be allotted up to 5000 ha. of land. Thus most of the village land will be in the possession of companies and influential people with the result that people dependent on such land for their livelihood will be deprived of their land and will be pushed to a severe economic crisis. There is no provision of making it compulsory to allot the land of a village to the local person alone, thereby, leaving ground open for influential people of any village to get allotted the land of any other village in their names.

It is now possible for a special government committee to approve up to 1000 ha. of land to be given to private companies for Jatropa plantations. Such relaxing of controls makes land investment a far more attractive proposal for large companies like DMC International, a real estate developer.

Further, the rules say that land in tribal areas may be allotted to non-tribal members as well which is in violation of such laws like Rajasthan Tenancy Act 1955, and Rajasthan Land Revenue Act 1956.

### **Special Economic Zones in Rajasthan**

India seems to be the only country in the developing world which is going overboard in serving the interests of the corporate world at the cost of the interests of the farmers by creating hundreds of SEZs. Rajasthan took an early lead in acquiring farm land for SEZs by invoking SEZ Act, 2005. According to the Ministry of Commerce, Govt. of India, three SEZs – two near Jaipur and one in Jodhpur – have become operational in Rajasthan. In addition, five others have received 'formal approval' and 10 more (including seven multi-product zones above 1000 ha. each, of which five are in Alwar district) await formal approval, having already acquired "in-principle approval". According to the changes announced by the Government of India in April 2007, the largest of these is the Omaxe SEZ planned in Alwar district which proposes to occupy as much as



Table 23: Approved Sezs in Rajasthan Till July 10 2007

1.	RIICO	Jaipur	Gems and Jewellery	Figure not available
2.	Mahindra World City	Jaipur	I. T	262.14 hect.
3.	R.N.V. Infrastructure	Bikaner	Wool	101.17 hect.
4.	Rockman Project	Jaipur	Multiproducts	1012.00 hect.
5.	Omax Limite	Alwar	Multiproducts	6070.40 hect
6.	Ansal Properties	Jaipur	Multiproducts	1012.15 hect.
7.	Parshvanath Developers	Jaipur	Gems and Jewellery	45.60 hect.
8.	Jainpet India	Jaipur	I. T.	10.00 hect.
9.	Adani Exports	Alwar	Multiproducts	1000.00 hect
10.	Sun City	Alwar	Multiproducts	3000.00 hect
11.	S.R.M	Alwar	Multiproducts	1000.00 hect
12.	Society for Innovative Education and Development	Alwar	Multi Services	323.89 hect.
13.	D.L.F.	Alwar	Multiproducts	2024.00 hect
14.	Mahindra Gasco	Jaipur	I.T.	49.00 hect.
15.	Vatika	Jaipur	I T	20.23 hect
16.	Somani Worsted	Alwar	Electronics	20.00 hect.
17.	Mansarovar	Jodhpur	Handicrafts	131.00 hect.

Note: RIICO, Jaipur and Mansarovar, Jodhpur are govt. SEZs while work is in progress for Mahindra World City, Jaipur. Rest have not been allotted land yet.

6000 ha. of land, a good 1000 ha. above the legally permissible limit. The total land being acquired for these zones will be around 16081.58 hectares, which, in turn, will lead to the displacement of around 10,000 farmers. In Jaipur Mahendra Group of Company's

SEZ is being set up on the Jaipur-Agra road over 3000 acres of land, though a PIL is pending in Rajasthan High Court against it. The facts mentioned in the PIL say that the market cost of the land given to Mahindra & Mahindra is Rs. 5000 crores.



In Rajasthan, approved SEZs are to be set up in Alwar, Bhilwada, Ajmer, Kota and West Rajasthan. The state government is propagating these zones as its success story by saying that they will invite direct capital investment and will lead to creation of employment opportunities. But it chooses to ignore the facts that (a) there are many plots, land and industrial units lying unproductive in the already developed industrial zones. In Alwar's 11 industrial zones alone, 500 acres were taken away from farmers in the name of industrial development but the few units that were started are now lying closed. Moreover RIICO has a substantial amount of land, which would have been sufficient for setting up the SEZs. (b) the government is unable to say how many families were displaced due to such large-scale acquisition (c) it also does not have solid figures about the employment generated.

Thus it is clear that the government does not have any clear picture about the current development status, yet is clamouring to set up so many SEZs. On the other hand

it is also bent upon displacing the poor farmers in the name of colonisation. In almost every big city in the state, the big colonisers, colluding with the state bureaucracy, are acquiring lakhs of acres of land belonging to poor farmers. In Alwar 1600 beeghas of land of Diwakari, Ghegoli, Belaka villages are to be acquired but the whole process of acquisition is believed to be unconstitutional. Sparing the land of big farmers and builders, the government is acquiring the land where 90 per cent of dalits live. For instance, Lotus City and Veera Garden have been granted permission to acquire 90 beeghas of land near Ambedkar Town Plan. Similarly, Omway City Housing Society has got the permission near the proposed Aravali Vihar Phase II. Obviously, these housing projects will benefit the big builders.

### **Rajasthan New Hotel Policy, 2006**

During the last few years, there has been great increase in the number of tourists visiting the state. However the infrastructural facilities have not been matching the tourist inflow. At present there are 3,600 rooms available for the



tourists and by the year 2012 an additional 20,000 rooms would be required for tourism in the state. With this objective in mind, government had in 2006 announced a New Hotel Policy proposing several concessions to the hotel industry. These concessions were to be extended to the Star category of Hotels only.

Under New Hotel Policy 2006, Jaipur Development Authority created a land bank for hotels. Under this plan 39.61 ha. of land belonging to 16 villages of tehsils (sub-divisions) Amer, Chaksu, Sanganair and Chaumu had to be acquired.

#### **Rajasthan Tourism Unit Policy – 2007**

In 2006, the State Tourism Department announced a New Hotel Policy for Rajasthan. This policy has been replaced by Rajasthan Tourism Unit Policy-2007. Under this, Tourism Unit as defined in rule 1AA of Rajasthan Land Revenue (Industrial Area Allotment) Rules, 1959, and Rule 2 of Rajasthan Land Revenue (Conversion of Agricultural Land for Non-Agricultural Purpose in Rural Areas), Rule, 2007, includes all types of hotels, heritage hotels,

holiday resorts etc. In view of the new definition of Tourism Unit, it has become essential for tourism development not only to include classified hotels in the Hotel Policy but also to include all other category of hotels, heritage hotels and other tourism units.

The Policy 2007 says that the State Government would make land available for establishment and development of all types of Tourism Units, including all types of Hotels.

#### **Conversion of Agricultural Land in Urban Areas**

State government has launched a new Township Policy vide Notification No. F 19 (1) UD/3/2002 dt. 29. 03. 2007. As per Para A (13), a provision has been made for conversion of agricultural land into non-agricultural land for different purposes. Under this policy commercial conversion rate of agricultural land in Jaipur city has been kept at Rs. 400 per sq.m. while rates are different for other cities. There is no separate rate for Hotel and other Tourism Units.

The policy document says that the government intends to provide



Table 24: Land to be Reserved for Hotels

Sl. No.	Category	Minimum Land Area	Maximum Land Area
1	Budget Hotels (1, 2 & 3 Star)	Up to 1200 sq,mtrs.	Up to 4000 sq. mtrs.
2	4 Star Hotels	Up to 6000 sq. mtrs.	Up to 12000 sq. mtrs.
3	5 Star & Deluxe	Up to 18000 sq. mtrs.	Up to 40, 000 sq. mtrs.
4	Other Tourism Units		As per requirement/ availability

full relaxation to Hotels and other Tourism Units for conversion from agricultural land. Therefore a new provision would be included in the Township Policy by which conversion charges/ fees would be exempted for establishment of hotels and other tourism units.

Under this Tourism Unit Policy, provisions for abolition of the development charges are also being proposed by adding a new proviso (iv) to Para 6/c of the new Tourism Policy.

### **Conversion of Agricultural Land into Non-agricultural Land in Rural Areas**

**Relaxation:** Under Rule-7 of Rajasthan Land Revenue (Conversion of agricultural land for non-agricultural purpose in rural areas) Rule, 2007, a provision for

conversion for different purpose has been made and Rule 8 mentions about provisions for relaxation. According to the provisions of Sub Rule 2) & (4) of Rule 8, a maximum area of 2000 sq.m. and 1200 sq.m.respectively for tourism units and hotels has been earmarked. Similarly under Sub-Rule (3) & (5), 50% exemption in fees has been made. It is proposed that for different types of hotels and other tourism units in rural areas, full exemption from agricultural land conversion fees will now be made, for which necessary amendment in Rule 8 will be effected.

### **Land to be Acquired by Jaipur Development Authority**

In 2005, Jaipur Development Authority proposed a Land Bank comprising a total of 14016.16 hectares of land for various uses.



**Table 25: Land to be Acquired by Jaipur Development Authority**

Residential	L – 3595.96 hectors
Commercial	I – 1320.28 hectors
Institutional	2923.40 hectors
Farm House	4189.64 hectors
Encroached land from which encroachment is to be removed	1986.88
<b>Total</b>	<b>14016.16 hectors</b>

**Table 26: District: Jaipur, Land Bank Details**

Tehsil	Area (in Hectors)
Bassi	1544.08
Sanganer	3262.79
Chaksu	606.04
Chaumu	106.75
Fagi	717.39
Jaipur	1718.01
Jamwaramgarh	1322.61
Aamer	2751.61
Acquired Land from which Encroachment is to be removed	1986.88
<b>Total</b>	<b>14016.16</b>

Besides, JDA is now to make residential use of rural and ecological land of 119 villages in seven tehsils. The Jaipur Master Plan of 2011 envisages that a total of 3365.44 ha. of land will be utilised for residential purpose significantly, out of this land, 266.46 ha. land is the one which was earlier kept for the development of the Green Belt.

Apart from this, the land, which JDA will acquire for commercial purposes, is 1320.28 ha. land of 57 villages in seven tehsils and out of this, 390.67 ha. of land is the one which was earlier reserved for ecological purposes.

In addition to this the government is also contemplating the acquisition of 4189.64 ha. of land belonging to 109 villages in seven tehsils for creating Farm Houses, of this, 2201.73 hectors of land was reserved for ecology but now this land will be used for farm houses.

In the Land Bank made according to the Master Plan 2011 by JDA, a total of 2923.41 ha. of land of 165 villages of eight tehsils is to be utilised for institutional purposes. Of this, 1629.45 ha. is ecological land.



Table 27: Land Acquired for Residential Purposes

Tehsil	No. of Villages	Land use (as per Master Plan)	Purposes of land acquisition	Area (Ha.)
Bassi	9	Rural	Residential	423.47
Sanganer	51	Rural Recreation	Residential	1072.49
Chaksu	9	Rural	Residential	383.42
Fagi	7	Rural	Residential	680.00
Jaipur	30	Rural	Residential	340.59
Jamwaramgarh	2	Ecological	Residential	34.45
Aamer	11	Rural Ecological	Residential	431.02
<b>Total</b>	<b>119</b>			<b>3365.44</b>

Table 28: Land Acquired for Commercial Purposes in District Jaipur

Tehsil	No. of Villages	Land use (as per Master Plan)	Purposes of land acquisition	Area (Ha.)
Bassi	2	Rural	Commercial	42.86
Sanganer	30	Ecological, Rural Recreation	Commercial	677.26
Chaksu	7	Rural	Commercial	133.69
Fagi	1	Rural	Commercial	35.12
Jaipur	5	Ecological, Ware House	Commercial	38.52
Jamwaramgarh	3	Ecological	Commercial	96.17
Aamer	9	Ecological	Commercial	296.66
<b>Total</b>	<b>57</b>			<b>1320.28</b>

Under Jaipur Master Plan 2011, JDA has made a Land bank in which 4488.31 hectares of land

which earlier was to be developed as Green Zone for protecting the environment will now be used for



Table 29: Land Acquired for Farmhouses in District Jaipur

Tehsil	No. of Villages	Land use (as per Master Plan)	Purposes of land acquisition	Area (Ha.)
Bassi	18	Ecological Rural	Farm House	983.79
Sanganer	33	Industrial Rural Recreational	Farm House	1032.45
Chaksu	6	Rural	Farm House	84.35
Fagi	1	Rural	Farm House	2.27
Jaipur	13	Ecological	Farm House	522.56
Jamwaramgarh	19	Ecological	Farm House	741.67
Aamer	19	Ecological	Farm House	822.55
<b>Total</b>	<b>109</b>			<b>4189.64</b>

Table 30: Land Bank for Institutional Purposes in District Jaipur

Tehsil	No. of Villages	Land use (as per Master Plan)	Purposes of land acquisition	Area (Ha.)
Bassi	12	Rural	Institutional	93.96
Sanganer	63	Ecological Residential	Institutional	770.86
Chaksu	10	Rural	Institutional	121.76
Chaumu	3	Rural	Institutional	106.76
Fagi	3	Rural	Institutional	38.18
Jaipur	23	Ecological	Institutional	365.40
Jamwaramgarh	15	Ecological	Institutional	390.41
Aamer	36	Ecological Rural	Institutional	1036.08
<b>Total</b>	<b>165</b>			<b>2923.41</b>



**Table 31: Land Earmarked for Green Zone Now to be Used for Residential, Commercial, Farmhouse and Institution Purposes in District Jajpur**

Tehsil	Land use as per (Master Plan)	Residential (Ha.)	Commercial (Ha.)	Farm House (Ha.)	Institutional (Ha.)	Area (Ha.)
Bassi	Ecological	-		159.61	0.10	159.71
Sanganer	Ecological	-	2.60	118.03	75.44	196.07
Jaipur	Ecological	-	38.07	522.56	245.19	805.82
Jamwaramgarh	Ecological	34.45	96.17	741.67	390.41	1262.7
Aamer	Ecological	232.01	253.83	659.86	918.31	2064.01
<b>Total</b>		<b>266.46</b>	<b>390.67</b>	<b>2201.73</b>	<b>1629.45</b>	<b>4488.31</b>

residential, commercial, farm house and institutional purposes.

#### Details of the land to be acquired by Town Development Board, Udaipur

The Town Development Board proposed a land bank of 1884.55 hectares of land in the year 2006-07 for various use. This land bank is being formed by pooling-in the land of 43 villages of Udaipur district.

**Table 32: Details of Land to be Acquired by the Board, in Girva Tehsil, Udaipur District**

For residential purpose	258.16 ha.
Paridhi Niyantad Patti	57.76 ha.
Truck Transport Depot	29.93 ha.
Truck Transport Depot (T. P. Nagar)	44.32 ha.
<b>Total</b>	<b>390.17 hectors of 13 villages</b>

**Table 33: Tehsil: Girva, Town Development Board, Udaipur**

Purpose of Land Acquisition	No. of Villages	Area (in Ha.)
Residential	10	258.17
Paridhi Niyantad Patti	2	57.76
Store & Godown	1	5.855
Public Conveniences (Residential)	1	0.75
Industries	2	3.84
Open Area, Gardens & Playgrounds	5	12.575



Gardens & Playgrounds Residential	3	12.91
Plantation/Open Area	1	12.715
Plantation	1	6.685
Public Conveniences	1	0.38
Residential/Commercial	1	9.75
Road	3	8.31
Residential/Store& Godown	1	17.5
Commercial	2	9.583
Open Area	1	0.21
Truck Transport Depot	4	29.935
Retail Business & General Commercial	1	1.67
Truck Transport Depot (T.P. Nagar)	1	44.325
Proposed Road	2	0.025
Commercial & Investigative Institutions	1	13.39
Wholesale Business	1	1.31
District Centre	1	6.7
Govt. & Semi-Govt. Offices	1	17.39
Govt. & Semi-Govt. Offices Residential	1	2.55
Other Community Conveniences	1	3.27
<b>Total</b>	<b>49</b>	<b>520.17</b>

Details of the land to be acquired by Town Development Board, Alwar

Town Development Board proposed a land bank of 1903.67 ha. of land for use in various purposes in the year 2006-2007.

**Table 34: District: Alwar - Land Bank Scenario**

Tehsil Names	Area (Ha.)
Alwar	1568.89
Ramgarh	334.78
<b>Total</b>	<b>1903.67</b>

Thus out of a total 1903.57 ha. of land to be acquired, the use for various categories is as follows in the table.

**Table 35: Use of Land for Various Categories**

Residential	342.30 ha.
Commercial	2.81 ha.
Institutional	1469.20 ha.
Encroached Land (From which encroachment is to be removed)	89.26 ha.
<b>Total</b>	<b>1903.57 ha.</b>



The basic change which is being effected regarding the land laws is that whereas earlier under the Land Acquisition Act, while acquiring land the Government had to prove that the land is being acquired for public good and is required to be acquired immediately, but this compulsion is now no longer there. The second change, which has taken place, is that whereas earlier there was a clear defined process of land acquisition, it is now governed by the needs and vested interests of the governments in the name of land bank, development and tourism. It is no longer necessary to serve the interests of the people.

Third basic change has taken place in the sense that the compulsion of the maximum size of the land has been given a go-by. The provision like Ceiling Act has either been dumped or has become ineffective. Fourthly, the practice continues of using acquired land for other purposes than the ones originally slated for like putting industrial units, the forest land left out for the purpose of environment protection or land left out as green zones. Fifthly, the existing constitutional provisions to safeguard the land

of marginal farmers, scheduled castes and scheduled tribes are also being negated by passing new ordinances, orders and policies. It is very clear that the government has dumped its role of a welfare state and is increasingly catering to the interests of the corporates and land mafiosi. The constitutionally declared principles of socialism, democracy and equality have been given a go-by.

This is reflected in the way the lands acquired by JDA, Town Development Boards of Udaipur and Alwar are being used for purposes other than originally declared. Even land reserved for ecological purposes has been diverted to other use. This is so when the government is spending crores of rupees on various schemes in the name of protecting the environment. Even the necessity to keep some space as an open area and maintain parks in residential areas is not being respected.

The biggest source of income for JDA is the auction of the land, meaning that if JDA has to prosper it should acquire maximum land of maximum number of farmers and auction it for earning maximum profit out of it. It



is not only the JDA but the whole state which is engaged in the role of a middleman and is busy acquiring farmers' land cheap and selling it to big capital investors for a profit.

The result is that the agricultural land is being acquired and auctioned for making big malls and hotels. The laws are being changed to facilitate this. A rosy picture is being drawn to prevent the people from resisting this design. This is leading to marginalisation of the agenda of agriculture and livelihood. The peasantry which leads an honourable life is thus being forced to take the course of migrating to metropolis and is forced to live in slums.

We must seriously think:

- whether the ownership of the land acquired by the govt. and given to a businessman or industrialist rests with the govt. or the industrialist;
- what kind of human, social or constitutional basis underlies the giving of land belonging to tribals, SCs, minorities and marginalised farmers to the rich and to industrialists.
- will the acquired land, after being freed from the Ceiling

Act, remain in the possession of industrialists or will it be distributed among the landless by bringing it under the Ceiling Act?

- is land a commodity to be sold or is it a source of earning a livelihood?
- these are some of the main questions that are the matter of debate among the people in Rajasthan.

How the whole system is increasingly getting anti-people is clear from the stand being taken by the Indian Judiciary on matters affecting the people. Take the instance of the apex court on the question of land acquisition. The Supreme Court, in one of important judgments, has said that if the Government acquires land, the notification of this acquisition cannot be challenged in a court. The Bench comprising Justice Ashok Bhan and Justice Dalvir Bhandari said that once the land is acquired, any petition filed against it shall not be tenable in the Court. Dismissing the petition filed to challenge the judgment of Rajasthan High Court which upheld the acquisition of land by the Govt. in Rajasthan, the Bench ruled that in



the present case also, the petition has been filed after land has already been acquired; therefore it is being dismissed on the ground of being late. The Bench said so by referring to its earlier judgments in many similar cases.

The petition was filed by Swaika Properties Private Ltd. whose land was acquired by Rajasthan Govt. and handed over to Jaipur Development Authority in February 1987.

If we look carefully at the Rajasthan Land Revenue (Conversion of Agricultural Land for Non-Agricultural Purpose in Urban and Rural Areas) Rule 2007, its provisions say that any agricultural land can be converted into non-agricultural land-use by paying a fixed fee. Going one step forward, the government of Rajasthan has proposed that full exemption from agricultural land conversion fees will now be made in rural areas for different types of hotels and other tourism units, for which the necessary amendments will be made in Rule 8.

Earlier, steps such as the identification of the land to be acquired, the purpose of acquisition

and fixation of the price and conditions on which the land is to be given to any company, factory or the government department used to be taken by the Government, and people's representatives used to be the part of this decision making. But now people's representatives, legislatures etc. are being sidelined and the bureaucracy increasingly is taking over command. The fact of the matter is that bureaucracy is never directly accountable to the people.

In this dirty game of land-transactions, the elected governments are getting exposed before the electorate. For them these governments are playing touts in the hands of land mafias and foreign investors.

The changes made in the rules, sub-rules etc. regarding land use also serve the interests of the rich class and the land mafiosi. For instance, if we go through the pages of Rajasthan Municipal Corporation (Land Utilisation Conversion) Rule 2000, we will find that if anybody wants to make commercial use of residential land or heritage property then he or she



will have to deposit 40 per cent of the reserved cost of the residential land/house. This means that in Jaipur city the person living in a 25 sq m hutment will have to deposit thousands of rupees as a fee if he wants to open a general store on his property.

Thus, the Government of Rajasthan is not only shirking its responsibility of protecting, promoting and sustaining agricultural activities but on the contrary promoting the non-agricultural use of agricultural land and even changing land laws to facilitate this. That's why the government is increasingly withdrawing subsidies given to fertilisers, diesel, seeds and agricultural implements. The result is that farmers are increasingly looking reluctant to pursue farming, which is becoming unprofitable, day-by-day, and are looking forward to take up other profitable ventures. On the other hand opportunities to earn quick money are also weaning them away from agriculture. That's why it is seen in the cases of land acquisition that the farmers, instead of sticking to the stand, of 'not giving their land', for a longer

period of time, they take the short cut of starting a protest or legal battle with the aim of extricating the maximum compensation.

In fact, farmers in Rajasthan are today in a dilemma. On the one hand, due to the neo-liberal economic policies being followed by the state government they are in constant danger of losing their agricultural land under the Land Acquisition Act, on the other hand not much is being done by the state government to make agriculture sustainable and profitable for them. Moreover, there has taken place a clear class division among the farmers here. Those farmers whose land is fertile and full of irrigation facilities want maximum compensation. They go to the extent of releasing newspaper advertisements for selling their land collectively. While poor and marginal farmers are raising their voice against measures like land acquisition and creation of land banks since they are either not supposed to get the compensation or are only getting a small amount which will not be sufficient for their future planning.



### **Land for NRI Scheme by JDA**

Through a notice published in the newspapers of Rajasthan on 16 June, 2007, JDA announced its intention to acquire land at Balawala for an NRI scheme. The scheme envisages

that 91.40 ha. of land of village Shri Rampur, 28.33 ha. of village Balawala, 4.15 ha. land of village Achrawala and 1.70 ha. in Tehsil Fagi. Thus total 125.58 hectares of land would be acquired.





## Summary, Conclusion and Recommendations

In the mineral rich states of Jharkhand, Chhattisgarh and Orissa it is unimaginable not to expect heavy industrialisation and mining in the region. From the numerous MoUs signed between the state and the investors, it appears that the next decade is going to witness rampant setting up of industries and mining centres. In the process, displacement also is expected to be doubled. Agitation of villagers against displacement and repression by the state is on anvil.

With national and global investors eyeing the spoils in the region, the process of aggressive industrialisation cannot be avoided. To tell the investors to 'go back' and to think they will, is 'wishful thinking' for sooner or later, legally or illegally; they will go ahead with their goals. Further industrialisation of the region cannot be stopped. Given that more

than 145 investors might be allowed to set up shop, about half are going to establish mega industries. Can the environment of the states remain healthy in the maze of massive mining? Will the original inhabitants, who have already lost half of their land, give in to further industrialisation?

These are some questions that loom large over the industrial sky of the region and states need to re-examine their priorities. The states ought to be and indeed are required to promote many cottage industries, for this will not only avoid large displacement, which people abhor, but also absorb a large number of skilled labourers in the process.

Now the question is, which of the several willing investors should be given the upper hand. Every group has the right to establish its industry.



This is a question that should have been asked by the states before signing MoUs with the investors. The present scenario appears pretty messy.

However, in case a business house starts setting up its industry, fulfilment of a 'popularly evolved public demands vis-à-vis displacement' should be ensured. Women should necessarily form part of any rehabilitation and resettlement policy that the states try to evolve.

Industrialisation and mining cannot be at the cost of environment. In the last decade, it has been witnessed that environment has deteriorated considerably due to heavy mining and industries, due to which extreme heat during summer or extreme cold during winter is being witnessed. Proper and timely monsoon has taken a beating due to environment change, which is affecting the agrarian community.

The most important thing – the states are losing the 'top soil' of the region due to heavy mining. The coal companies and other mining companies in their greed think that

coal, gold, aluminum; copper, etc. are more valuable as compared to the 'top soil'. Though mining rules remind them about the value of the 'top soil' by making it a rule to fill the mines with 'soil' after excavation of minerals, this is hardly being kept. As a consequence, the dug up land remains 'plundered' forever and it could not be further used for any purpose, including agriculture. The top soil is that portion of the earth's surface that produces food for the sustenance of human beings. We can live without gold, without aluminum, without copper or such, but not without top soil. It appears from the way mining in the states is progressing that they are preparing themselves to exist without top soil. This disaster will unfold in the coming decades.

In the context of gender positioning, the aggressive growth model being pursued in these states by the corporate giants has multiplied the exploitation and degradation of women's rights with regard to land and livelihood. The worst sufferers are the tribal women because it is their habit that is currently being targeted for mining. It is significant to note that the central as well as



state governments are promising all kinds of facilities to the investors as bait. This investment has no human touch as a result tribal women face unprecedented impoverishment and marginalisation. In the absence of any mechanism to protect their interests the majority have become quite vulnerable. There has been rising incidence of trafficking in women in the mining belt in Jharkhand and Orissa. Right from truck drivers to the managerial staff of the mining companies freely indulge in sexual exploitation of tribal women, girls, and even minors. Unfortunately, this aspect has not been studied thoroughly neither have policy makers looked into this so far.

Women's active participation in almost all agitations against land alienation in these states is quite commendable, be it in Kalinga Nagar, Nagarnar, Koel Karo, Achanakmar Sanctuary, etc. The spirit of challenging the might of the corporate giants aided and abetted by the state's apparatus indicates growing political consciousness among semi-literate or totally illiterate women. This phenomenon is yet to be accorded full recognition

by urban intelligentsia, members of the civil society and academicians.

It is a matter of great concern that the laws formulated for protecting the interest of the tribals in these states especially the PESA Act is being violated by the nexus of mine owners, administration and politicians. There have been a large number of instances of manipulated gram sabha resolutions favouring land alienation. Any voice of dissent is ruthlessly suppressed by this nexus. Women have demonstrated greater resilience and faced the brunt yet continued to challenge the might of this nexus. PESA needs to be strengthened in letter and spirit so as to protect the interests of tribal communities. A massive campaign is required, involving all concerned citizens, in rural as well as urban areas. If PESA is not accorded its due the chances of saving whatever resources still remain with the tribals will vanish in no time.

Civil society members are expected to join various *jal, jangal, jamin* struggles not for the sake of tribals but for their own sake in order to prevent environmental degradation which is looming in monstrous



proportions. Government guidelines for environmental protection are drastically compromised by the state in order to protect interest of the corporate sector. Various interest groups urgently need hand-holding to enforce the implementation of the environment policy to save the people and the nature.

Aggressive growth-centred developments since the 1990s have resulted in an unprecedented crisis in the lives of rural all over the country. Collapse of stable livelihood among the peasantry is the most significant impact of the development scenario, which has adversely affected their pattern of work, nature of consumption, access to goods and services etc. The traditional forms of protection based on family and community groups are fast receding into oblivion and institutions created over the years for public protection are fast becoming redundant.

The current development scenario is aggressively reducing the ability of small-scale producers to survive resulting in the collapse of rural employment-generation. All sections of women in the countryside, including women who belong to

landed households and landless women too, have been affected adversely as a consequence of corporatisation of land and the sale of huge parts of peasants' land forced by the aggressive growth-centric development model.

The wave of globalisation and liberalisation has clearly favoured the large corporate sector in consolidating its hold over mega interventions such as the power sector, and thus over the natural resource base. The nature of corporate controls is also a matter of concern as the complexity through which corporate ownership and control is exercised and the growing ability of the small segment of corporate speculators who alter the control of resources lends supports to the credence that in the market place, it is the profits that matter and not the long-term health of the resource base.

This degradation in quality and quantity is paving the way for private investors to take control over natural resources and totally alienate local communities, a trend that is being propounded by the new wave of liberalisation. The market economy



propounded and being put into practice is already transferring to private investors a very significant proportion of resources in the form of rights and privileges in various guises, control over the management of many public and private sectors through the stock market, giving rights to extraction of forest resources and making it easier for them to overlook several constitutional and legal provisions to ensure local participation.

In Uttarakhand, the ongoing liberalisation and corporatisation process has led to dumping of old customs, practices and laws related to land. Increased World Bank funding after 1990 is reflected in the sudden increase in natural resources-related big projects. There was a sudden spurt in the process of transferring land for construction of roads and dams. Notable projects leading to greater displacement and loss of livelihood include Tehri Dam and the Balighat hydroelectric project. Existing gardens were leased out to the private institutions and builders got busy constructing residential colonies by converting thousands of acres of agricultural land into non-agricultural every

year. Besides hundreds of acres of land have been purchased by rich outsiders in places of tourist interest and they are now engaging local people as guards under the garb of employment-generation. Since 1990 hundreds of resorts have been constructed by taking local people's land in the name of tourism. In addition, in the last few decades, a considerable amount of land and forest resources throughout the region have been excluded from people's use in the name of biodiversity conservation – a chain of national parks, sanctuaries, biosphere reserves and other such means of protection have been created without any discussion or debate with the people affected. This has led to a situation where communities critically dependent upon the natural resources of an area for their survival, are often seen as law-breakers.

After the announcement of its new industrial policy in 2003, the Uttarakhand government has received 450 proposals to set up industries in the two new industrial estates and an IT park at Haridwar, Pantnagar and Dehradun. If these proposals materialise, the state



would get investments worth nearly Rs. 3500 crore in the next few years. Around 4,500 acres of land is being developed at Pantnagar, Haridwar and Dehradun.

Women in Uttarakhand are suffering in two ways in the wake of ongoing aggressive growth model. First, they don't have property in their name i.e. they don't have land rights. Secondly they have to do all the work related with home and hearth, besides working in the fields and grazing the animals. Though their responsibilities have increased, they still have no rights to the land they work in. They rarely hold land titles. They toil in the fields all year long, but once the crop is harvested, it is the men who take it to the market. As an increasing amount of common and forest land being acquired by the government in the name of development, has made their life more miserable. The control of women over natural resources has also decreased considerably, thus making them vulnerable to economic crises. Women being the keystones of the sustainable natural resource management systems in the Himalayas, they are therefore

the first and most vulnerable victims of processes that tend to destabilise the natural resource base.

India seems to be the only country in the developing world which is going overboard in serving the interests of the corporate world at the altar of the interests of the farmers by creating hundreds of SEZs. Rajasthan is one of those states that have taken early lead in acquiring farmlands for SEZs by invoking SEZ Act, 2005. According to the Ministry of Commerce, Govt. of India, three SEZs – two near Jaipur and one in Jodhpur – have become operational in Rajasthan. In addition, five others have received 'formal approval' and 10 more await formal approval, having already acquired "in principle approval". The existing constitutional provisions to safeguard the land of marginal farmers, scheduled castes and scheduled tribes are also being negated by the state by passing new ordinances, orders and policies. It is clear that the government has dumped its role of a welfare state and is increasingly catering to the interests of the corporate and land mafiosi. The constitutionally declared principles of socialism, democracy and equality have been given a go



by. The result is that the agricultural land is being acquired and auctioned for making big malls and hotels. The laws are being changed to facilitate this. This is leading to marginalisation of the twin agendas of agriculture and livelihood. The peasantry, which leads a honourable life, is thus being forced to take the course of migrating to metropolis and is forced to live in slums.

Thus, the Government of Rajasthan is not only shirking its responsibility of protecting, promoting and sustaining agricultural activities but on the contrary promoting the non-agricultural use of agricultural land and even changing land laws to facilitate this. That is why the government is increasingly withdrawing subsidies given to fertiliser, diesel, seeds and agricultural implements. The result is that it is becoming increasingly unprofitable, and farmers are looking to take up other profitable ventures. Opportunities to earn quick money are also weaning them away from agriculture. The Government of Rajasthan has taken a decision to amend Section 42 B of the Rajasthan Tenancy Act 1955 which prohibits transfer of land

belonging to the scheduled castes and tribes to the general category persons. In fact this section prohibits sale, purchase, transfer or possession of the SC/ST land by those from the other categories. Once this amendment is done, anybody will be free to purchase the land belonging to SC/STs. This would lead to SC/STs becoming landless and will have to face the crisis of sourcing a new means of livelihood.

In Rajasthan class character also pervades the resistance and the movements on the issue of land acquisition. The rich class is viewing the sale of land as an opportunity to progress and prosper; the marginal and landless farmer community is in despair and angry over the prospect of losing its source of livelihood. As a result the dalit-advasis have been opposing the anti-people changes being brought in land acquisition Act and land laws.

The current trend of land acquisition is forcing women to migrate from their native place in search of livelihood to urban areas as domestic workers because establishment of SEZ cannot provide jobs/engagements to all the



displaced or affected people/land losers. on other hand if the supply of labourers in urban areas will be more the migrants may not get a

decent wage. As a result sexual exploitation will increase. So, at the planning stage women's issues should be addressed properly.





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