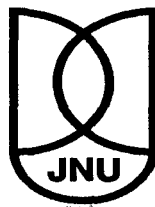


**DEVELOPMENT-INDUCED DISPLACEMENT: A CASE  
STUDY OF MINING PROJECTS OF KEONJHAR  
DISTRICT, ORISSA**

*Dissertation Submitted to the Jawaharlal Nehru University  
in partial fulfillment of the requirements  
for the award of the degree of*

**MASTER OF PHILOSOPHY**

**SHARADA PRASANNA ROUT**



**CENTRE FOR THE STUDY OF LAW AND GOVERNANCE  
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**DECLARATION**

Dated: 25.07.2011

I declare that the dissertation entitled **“DEVELOPMENT-INDUCED DISPLACEMENT: A CASE STUDY OF MINING PROJECTS OF KEONJHAR DISTRICT, ORISSA”** submitted by me for the award of the degree of **Master of Philosophy** of Jawaharlal Nehru University is my own work. The dissertation has not been submitted for any other degree of this University or any other University.

S. P. ROUT

**SHARADA PRASANNA ROUT**

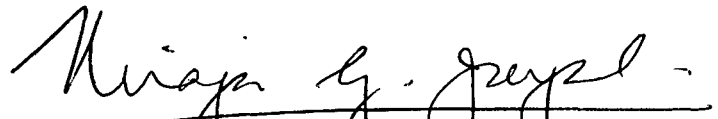


**CERTIFICATE**

We recommend that this dissertation be placed before the examiners for evaluation.

  
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(Supervisor)

*I Dedicate this Work to My Parents Whose Affection, Encouragement  
and Support Took Me to  
Carry Forward My Dreams*

*And*

*At the Same Time I Extend My Dedication to the Millions  
of Displacees, Who Have Been the Victims of  
Different Developmental Projects*

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*Though some names are missing here, they are not missing from my heart.*

*JNU New Delhi  
25.07.2011*

*Sharada Prasanna Rout*

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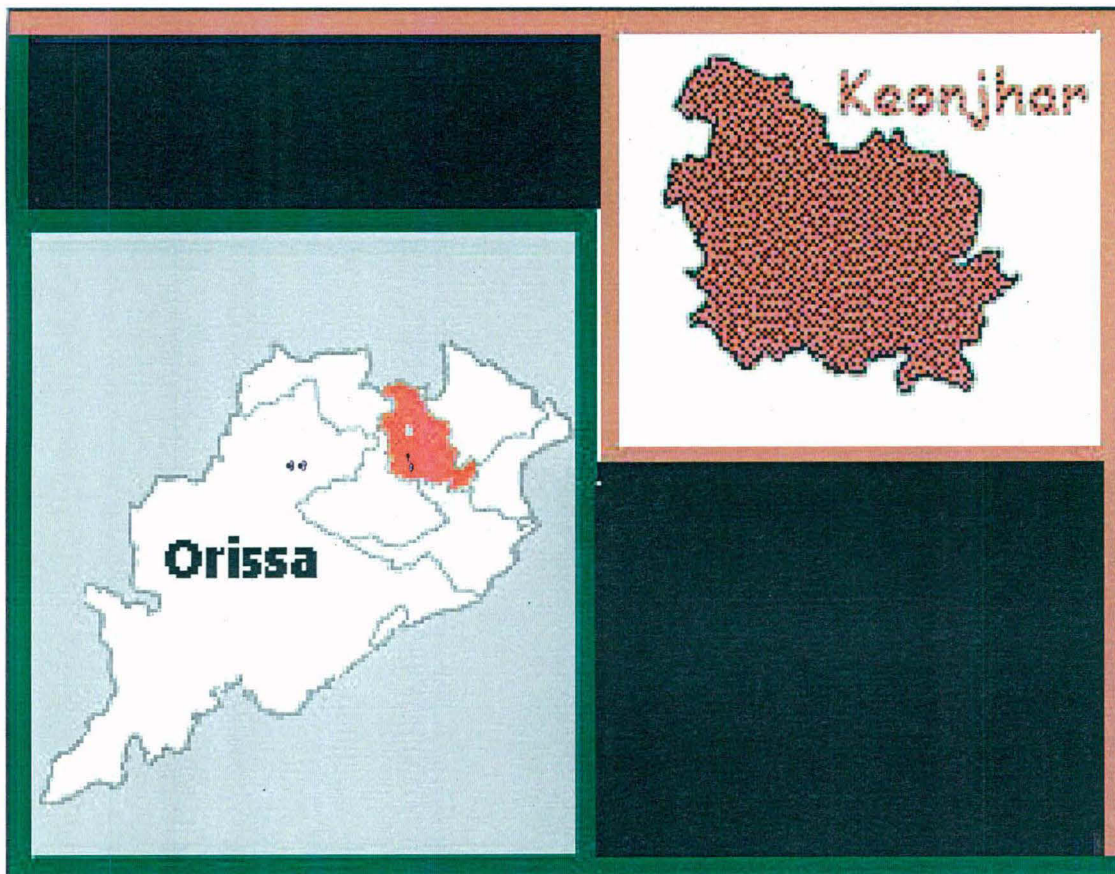
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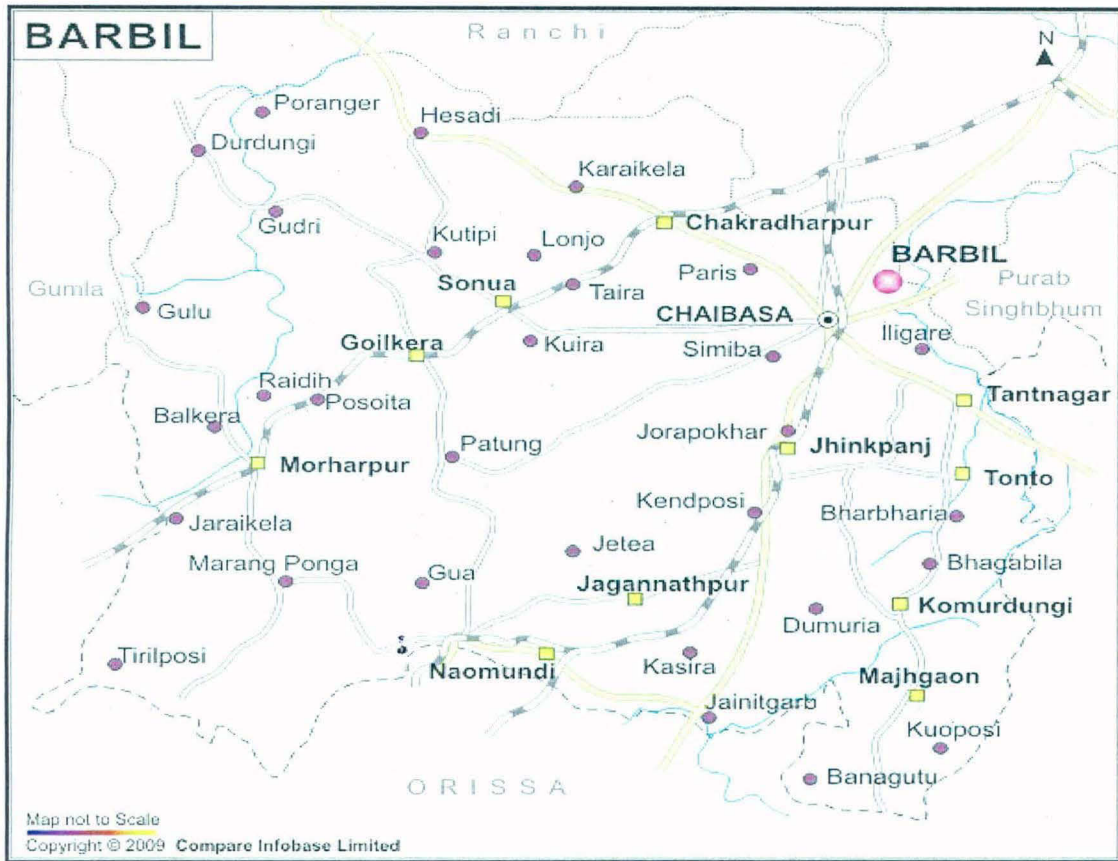
## Abbreviations

BDO	:	Block Development Officer
BJD	:	Biju Janata Dala
BJP	:	Bharatiya Janata Party
CIL	:	Coal India Limited
CPRs	:	Common Property Resources
DFID	:	Department for International Development
DID	:	Development Induced Displacement
DIDR	:	Development Induced Displacement and Resettlement
DWR	:	Department of Water Resources
DP	:	Displaced Person
DP	:	Development Project
EIA	:	Environmental Impact Assessment
GDP	:	Gross Domestic Product
GNP	:	Gross National Product
GoI	:	Government of India
GoO	:	Government of Orissa
HAL	:	Hindustan Aeronautics Limited
HDI	:	HDI Human Development Index
IAS	:	Indian Administrative Service
IGA	:	Income Generating Activities
IPR	:	Industrial Promotion Resolution
ME	:	Monitoring and Evaluation
MMDR	:	Mines and Minerals and Development Regulation
MOU	:	Memorandum of Understanding
MRD	:	Ministry of Rural Development
NAPM	:	National Alliance of People's Movements
NPRR	:	National Policy for Resettlement and Rehabilitation
NGO	:	Non-Governmental Organisation
NRP	:	National Rehabilitation Policy

NPRR	:	National Planning for Resettlement and Rehabilitation NPRR
ORPP	:	Orissa Rehabilitation Policy and Planning
ORRP	:	Orissa Rehabilitation and Resettlement Policy
OSPCB	:	Orissa State Pollution Control Board
PAF	:	Project Affected Family
PESA	:	Panchayat Extension to Scheduled Areas
PAP	:	Project Affected Person
PIA	:	Project Implementation Authority
R&R	:	Resettlement and Rehabilitation
SIA	:	Social Impact Assessment
UN	:	United Nations
UNDP	:	United Nations Development Programme









## Introduction

The concept of "Development" on the whole is an abstract term, which does not have any collectively acknowledged definition. The discipline even depicts discrepancy from one another and each of them tries to construct development in its own perspective. The concept holds opposing views from time to time and place to place according to the challenging circumstances. For instance, there is a significant difference in the understanding of the term among the developing and developed nations. Similarly, the term was understood as economic growth or rise in Gross Domestic Product (GDP) in the earlier part of twentieth century, but this definition has become more comprehensive in the present times. Presently it has been identified with human capabilities and capacities. But, much of confusion of the term (Development) seems to stem from the multiplicity of disciplinary perspectives, differing ideological premises, varying usages by international and national development agencies, and above all, the changing connotation of the term.

The problem lies not in the conceptual framework of development but in the way the implementation and the process of bringing the theory into practice is carried out and is wrought with so many issues like displacement of people, depletion of natural resources and pollution. Development both in matured developed as well as underdeveloped countries are loaded with a handful of economic criteria's. A developed country is one which is characterized by high per capita income and marked by less of inequity in contrast to poor, marginalized and underdeveloped countries. In 1970s, the concept of sustainable development has come to the forefront of international arena. This term had stronger connotations of self-reliance .It caters to the basic and minimum needs of the poorer sections of the society with the help of appropriate technology to achieve a minimum level of sufficiency in the village by being self reliant. This term advocated the use of village resources to enable prosperity for current and future generations. This idea of sustainable development has come up bring about increased economic growth and which would address the problem of inequality prevalent in the village community. (Fisher1997) It includes both inter-generational and intra-generational equity and equity between the so called 'developed' and 'developing' countries and also called for class

equity across class and gender barriers in the developmental discourse displacement is quite a usual observable fact. By enlarge; it takes place in every developmental project like; in the construction of Dams, Industries, Special Economic Zone (SEZ) and obviously in case of Mining projects. Those who have been displaced because of such developmental projects are not receiving appropriate rehabilitation and their condition is very despondent. Probably in this present aeon of globalization, the most baffling issue of human society is the necessity of development but it results in instantaneous and eventual fruits of chaos for innocent and inherent people. The development model has in many cases inevitably resulted in the displacement of millions so before knowing about the problems of displacement, let us try to conceptualize it.

Displacement basically means physical dislocation of people from their habitat and their social networks. This particular involuntary or forced displacement is usually a consequence of large development infrastructure including the construction of mega-projects, reclamation of public spaces, war and famine and also due to the setting up of mining industries. The displacement through these ways involves the loss of economic livelihoods and community life. Though this type of displacement may be temporary, but it is more likely to be permanent, especially when one's place of origin is no longer habitable or is given over to other uses. Subsequent phase of displacement occur when the people living in receiving areas are placed at risk usually with insufficient indifferent attitude of the state.

Displacement exacerbates or aggravates rather than mitigates economic insecurity, alienation from community, and rights to land and other forms of private and common property. While physical mobility may be voluntary and accompanied by economic security, but the displaced people reveal that such movement is fraught with questions about identity, personal insecurity and the lack of rights that usually accompany citizenship. The sense of belonging or rootedness in a place that provides the security of membership, resources and feelings is often displaced by a sense of isolation and alienation in the new location. (Fernandes 2009)

The causal factors of displacement are manifold and complicated. Activities undertaken in the name of development leads to the largest amount of displacement. Displacement always may not be physical displacement but it may be displacement from existing life styles and sources of livelihood without alternatives. Because of displacement induced by the developmental projects, people loose their habitat along with their socio-cultural and economic position. As the identity of these affected people is based on their socio-cultural position and simultaneously this particular aspect is really generation old, it really becomes difficult to restore immediately. People uprooted from their habitat and relocated into a new place are not able to restore their pre-displacement socio-cultural, environmental and economic status. (ibid.)

This particular work is based on the idea that the present pattern of development is deeply flawed as it does not take into account various aspects and hindrances which are so crucial within the development. It is flawed because the developmental model has caused massive uprooting of people from their habitat in many ways and mostly this kind of displacement is involuntary. Though there can be displacement, which is also agreed and approved by people, yet the kind of displacement that has happened in states like Orissa is involuntary. The displacement resulted not just in asset and job losses but also in the breakdown of social and food security, credit and labor exchange networks, social capital and kinship ties. It also evoked a sense of the affected people's social-political disempowerment and loss of cultural identity and heritage as well as economic impoverishment. (Baviskar 1995)

This dissertation would examine the various models of development, which is largely the offshoot of modernization model, and it would also trace the lacunae in this particular type of model, as it does not accommodate the historical specificities of the countries where it has been imposed. At the same time, this work is basically designed to look into the displacement that is being created by the mining projects which are considered to be harbingers of developmental model.

The concern for displacement arose because of a dramatic rise in development-induced displacement in the 1970s and 1980s propelled mainly by various developing

countries and coupled with painful and disastrous outcomes in resettlement experiences. A corresponding increase in popular resentment and a proliferation of public actions, campaigns, protests and resistance to displacement brought issues of participation, legitimacy, accountability and transparency to the fore and into the policy domain, by questioning the authority of planners and policymakers at different levels.

## **Review of Literature**

Scholars like Amartya Sen have described development as freedom from hunger, poverty and human suffering. His notion of development encompasses the idea of human capital and use of human capability through widening and deepening of human choices. However 'development is often followed by displacement of people from their homeland'. (Sen 1999) Barbara Harrell-Bond has given a picture of the weaknesses and flaws of the development paradigm as practiced both on an international and national level. Barbara Harrell-Bond's book deals with development-induced population displacement, the upheaval of communities to make way for large dams, industrial zones, transportation routes, game parks etc.

The people are uprooted from the geographical location of environments of trust. Even though well-documented evidence demonstrates the harm caused to the victims of resettlement, enormous number of people continue to be relocated every year to make way for development projects. Displacement in these ways involves the loss of economic livelihoods and community life. Though this type of displacement may be temporary, it is more likely to be permanent when one's place of origin is no longer habitable or is given over to other uses. Subsequent phases of displacement occur when the people living in receiving areas are placed at risk usually with indifferent attitude. As resistance to development-induced displacement essentially challenges the state and its hegemony over the territory and people within its borders. (Bond 1996)

For whom is this development for? And who decides this is for 'public purpose'?' (Patkar 1998) And most importantly, can the loss of resources of the affected people ever be compensated to them adequately? Participation of the people should be of utmost

importance as it directly affects their lives and livelihood. Such participation is not possible in the present legal structure of the developmental projects. (Patkar 1998)

Before moving on to discuss about the issue of displacement, it is important to study developmental discourse in relation to displacement. Displacement becomes unavoidable in the developmental discourse and hence the latest initiatives had been revolving around the displaced person's livelihood and life. The question also arises as to how development projects help common people, while simultaneously leading to the inevitable displacement of many people out of their homelands. It seems like two sides of the same coin, albeit one section of the population that is affected by development is rendered homeless while another section of the population gets to benefit from the same development. For instance the hydel power/natural resources generated as a result of huge developmental projects might actually benefit people of a whole country whereas there will be those who lost their homes and livelihood due to these same developmental projects. This duality is what defines the contemporary dilemma of developmental discourse. Though the development is seen as a problem solving process, where common man ought to get the benefit of these developmental projects, yet in reality it has opposite consequences on account of the State's inability to provide financial, technological and agricultural inputs and other facilities which are in fact more important for common people, than the attractive macro-economic statistical figures that these development projects could bring in. In the present time, many national and international financial institutions provide funds for these mega-developmental projects but common people hardly get any access to simpler projects like micro-credit which could bring about a substantial change in their lives. (Bharati & Rao 1999) The claim of the state, to justify the construction of large developmental projects is that they are for the larger benefit of the society and for the national interest. Using the language of 'common good', the state continues to justify large scale acquisition. The current patterns of economic development have been constantly invoked to justify forced eviction of people all over the country. These patterns have been equated with national progress where the terms "public purpose" and "national interest" have been used interchangeably. Since mostly tribal population are displaced due to developmental projects. These projects are carried out in

the name of national and global interest at the cost of millions of tribals. It has affected the livelihood and living conditions of the displaced people. (Kothari 1996)

Though a national development policy is needed what is more important is that the debate enters the public discourse and everyone gets to discuss and debate about the pros and cons of each developmental project. The Rehabilitation and Resettlement (R and R) policies prepared by ministry of rural development, Government of India, have two main objectives, firstly to place the issue of displacement within the Indian development model and secondly to identify the missing links in the policy drafts. Moreover such a massive displacement causes a disintegration of well established traditional and socio-cultural ties amongst the masses. Many of the relocation and rehabilitation policies are inadequate for tribal and other groups of displaced people, without any institutional and socio-cultural arrangement which could help their integration into the schemes more effectively. (Shah 1995)

Every year 15 million people are affected by development-induced displacement and resettlement projects and this is a ubiquitous fact. Therefore, Cernea (2009) highlights some fundamental issues, which have the following characteristics. Cernea argues that at the national and international plane, as much as at the local level, policies should restore the displaced person's livelihood and life. But the policies are seldom informed by these goals. Therefore the author proposes the concept of 'benefit-sharing-principle'. In a few countries the principle of benefit-sharing has been entrenched and made it functional in the R and R policies. It connotes that the amount of benefit will also be distribute amongst the project affected persons Project Affected Persons (PAPs). As a strategy benefit-sharing is a more evenhanded principle for PAPs since it generates the capacity of the displaced persons (DPs) livelihood and other capacities and helps give new aspirations to the resettler's life. (Cernea 2009)

All the development projects dismantle the economic, social and cultural web of the people and disrupt the lives of those people who belong to the affected families. No R and R policy can help a family gain back the social status that the family had built over



generations. Two projects – the Upper Krishna Irrigation project and Jawaharlal Nehru Port – are examples of the fact that, due to the inadequacy of R and R policies, they did not get compensation in the right manner. The R and R policy should be implemented in the initial stage of the project launch and the families should be rehabilitated properly. (Parasuraman 1996) The policies are flawed in various ways. In 2003 and 2006 National Planning for Resettlement and Rehabilitation (NPRR) made some stipulation for 'Project-Affected Persons' (PAP), which improve their capacity for livelihood and make the life status of the PAPs better than it was previously. The National Advisory Council (NAC) too mandated some conditions for the PAPs. However, Fernandes assumed that the NPRR as well as NAC, both were not dealt with in an apt manner for the PAPs' in the R and R policies. Therefore he has questioned the NPRR and NAC policy formulation and it's implication for the PAPs, and made many valuable recommendations for restoring the life and livelihood of the displaced, and also highlighted the way for them to gain a better life in the post displacement period. (Fernandes 2009) The government of India endorsed many laws in regarding the 'R and R' policies for the DIDR (Development Induced Displacement and Rehabilitation) and the other major steps too which are formulated by the policymakers, jurists, activists. On the contrary these policies are unable to promise provide the previous status of life and to protect people from the painful outcomes of displacement. Nonetheless, sensitive issues such as rehabilitation, resettlement, environment degradation and human rights violation etc. have taken a backseat. (Wed 2009)

The issue of gender inequity is highly significant observable fact in developmental discourse. Displacement is a painful experience for everyone, how does it affect women differently? Why should there be a need to focus separately on women? The study of displacement and rehabilitation reveals that women are treated differently than men in the R and R policies. Mostly women and female children are illiterate and malnourished because of intra-household inequality in access to education and nutrition that already exist in these areas even prior to the onset of displacement. The women are not taken into account as the property holders in the rehabilitation policies. In the earlier projects it has shown that the women did not get even compensation. The gender question

is important not only with respect to compensation rights but also important in relation to their lack of property rights. Their livelihoods are affected owing to the shift to a new location where it becomes an everyday struggle to search for food and water and sanitation is also a major problem for women, that is much ignored by rehabilitation projects. Therefore seeking another alternative is not possible without taking into account the gender dimension. (Thukral 1996)

Displacement occurs in many types of development projects such as, mining, dam, and SEZs etc. It leads not only to tremendous alienation from the homeland, but also from common property resources (CPRs). The tribal and other subaltern minority groups are totally dependent on the CPR land. Many report shows that the mining industry and thermal power projects are mostly constructed in tribal areas. Therefore the government acquires land for these development projects. But this R and R policy only provides compensation to the patta holders. The land laws recognized only individual pattas and the land acquisition Act of 1894 makes compensation for individually-owned land. According to this law CPRs are state property and no compensation needs be paid for those dependent on them. However generation over generation the tribal and other subaltern groups were dependent on the CPR for their livelihood. In tribal society the women have traditionally enjoyed a higher status in production system, which relies on CPRs. Moreover they depend more than men on CPRs for their economic well-being and social status due to the gender-based division of labour, which places the burden of fetching fuelwood and fodder on them. In the name of public purpose they are displaced from their homeland, and they lose their livelihood. Even without their consent the land is taken from them. The dependence on CPRs must also be taken into consideration in the 'RR' policy provisions for a Displaced Person's life. (Fernandes 2009)

Particularly in the developmental projects, among the displaced persons, the women are the most vulnerable section of the PAPs. Earlier the policies R and R did not take into account the compensation provision in term of division of labor. But after long struggle women got their equal right in the compensation provisions. Latha Ravindran and Babita Mahapatra have denoted this gender dimension. The development projects in

Orissa have not taken any special measures to handle this specific problems faced by the displaced women and children. After displacement from their homeland, they lost everything; they have even they have been forced out of their land-based work. In due course they are pushed into the daily-wage work and thus confront many challenges in the post-displacement phase. The authors have highlighted all the drawbacks of Orissa R and R policies, the particular setbacks for women, and how the women's issue should be resolve in R and R policy formulation. (Ravindran & Mahapatra 2009)

Today R and R policy remains overwhelmingly blind to gender justice. The present study seeks to analyze the gender dimensions in R and R policies determined according to the state government. In this regard few states have given some amount of benefits to the displaced women in the R and R policies. The Orissa draft policy on R and R project-affected people 2005 produced in collaboration with the United Nations Development Program UNDP and the British Department for International Development DFID, was adopted as a guideline for R and R policy document. It was more progressive than the 1994 Orissa R and R policy for the water resources sector. But it still does not correctly address the tribal groups' rights and those of women in particular.

After the Kalinga Nagar episode the Orissa Government convened a ministerial committee to adopt some new provision for R and R policies. However the Orissa R and R policy 2006 came out with some new amendments which had many significant policy provisions. It particularly emphasized women and other marginalized sections such as persons with disabilities; making widows and unmarried daughters entitled to compensation. Shankaran argued that the women must be given the space to make their claim not only on project-level committees during the course of resettlement, but also within the policy process. Then alone will it be a new milestone in the R and R policy document. (Deepa Shankaran 2009)

Land is a key component in the development discourse. Access to land is a very important issue for rural India. Because poverty is highly correlated with lack of access to land and now therefore the Land Acquisition Act is more debated across the country. The

present study seeks to evaluate how the rights of STs and other marginalized sections have been violated by land acquisition, because of many developmental projects, which take more and more land without any consideration of those dependent on the land. In the Land Acquisition Act, there is a clear provision for the possession of land. It was established in 1894 by British government, but after amendment in 1984 there was some change in the land acquiring process. The tribal inhabited land cannot be taken without any prior consultation, in all the developmental projects. According to the Panchayat Extension to Scheduled Areas PESA Acts 1996, land power has been handed to the Gram Sabha or Panchayat, which mandates that, there should be consultation before land acquisition for developmental projects as also before resettling or rehabilitating affected persons.

However all provisions and mandates are only on paper, while in fact what is lacking is its proper implementation. Many scholarly works have laid bare the blemishes and errors of the Land Acquisition Act.

In Usha Ramanathan's article, Displacement and Law written in 1996, she brings about how the applicability of laws, within the developmental discourse is also a major issue. Though people do get displaced and rendered homeless owing to mega construction projects, law of the land operates under the utilitarian philosophy of 'maximum of good of the maximum numbers' which means if more people get to benefit from a project than the sacrifice of a few, is not only legitimized but also expected from those affected. It is a sacrifice which in the eye of the law, people ought to take on willingly, considering the benefit gained by those millions of other people. This article recognizes that displacement and related issues of rehabilitation and resettlement, which affect the rights and lives of the displaced persons, are not familiar to law. No laws in the context of displaced persons are mentioned in the constitution. The main debate in this whole issue of displacement is with regard to land acquisition. The state enforced its power arbitrarily in the matter of land acquisition. Though displacement is an inevitable process in the developmental process, the impoverishment of the displaced and the incapacity of the state to rehabilitate them and avoid remedies actually delay the judicial

processes. (Ramanathan 1996) The Land Acquisition Act has not been capable of restoring the land ownership rights of the tribals and other marginalized group of the society.

Patnaik focused his study on the Orissa's land acquisition Acts and its implications on the R and R policy provisions. The development projects took place mostly in the tribal region and other backward areas and only these development projects acquired land for project purposes. Though tribal people lost their land due to these projects, no special provisions were made for them in terms of compensation policies. Further he gives the background of the Land Acquisition Act's provisions and makes some valuable suggestions for the R and R policy documents. ( Patnaik 2008)

Among the various man-made factors/developments (like mining, industrial use, timber extraction, etc.) responsible for spoiling this harmonious relationship between natural resources and human life, shifting cultivation has been alleged to be a significant one. The construction of mining projects has been questioned as these, like other mega projects, have caused displacement of millions of people and again it is being questioned because amongst the displaced people, most of them belong to scheduled castes and scheduled tribes who are regarded as disadvantaged sections of the society.

The impact of displacement in various regions of India also related to mining development. With several of case studies Fernandes (2008) examined issues and challenges that have been linked with mining development. Mineral exploitation has also had negative impacts on the sustainable livelihoods and rights of the people. Mining activities violated livelihoods and other means of sustainable life. Though, these activities have made people homeless, landless, jobless and insecure. But the affected persons have not achieved the previous status of their life through R and R policies, which still need to be addressed for the PAPs' livelihood. (Fernandes 2008)

In the name of development many public sector mining companies were started mostly in the tribal regions of the country. It displaced nearly 40 lakh people, mostly

tribal of the region. These companies extracted minerals from that region, without any consideration of the lives and livelihoods that were lost in the process. After liberalization, privatization and globalization, the government ignored other related issues like environment, human rights, looking only towards economic growth. Therefore mining companies got a good welcome to settle their projects more effectively in these regions. Though in many cases, the rehabilitation process has been initiated yet they are not rehabilitated suitably and properly and their earlier livelihood have not been restored. So the meager and dismal performance of the R and R schemes has aggravated the problem of displacement. This absence of full-fledged rehabilitation has pushed the affected people to marginalization, impoverishment and more backwardness. Debaranjan addresses these issues and emphasizes the proper rehabilitation of these displaced persons seeking an alternative model of development that is not only inclusive but also sustainable for future generations. (Debaranjan 2004)

National economic development is usually accompanied by increased interregional disparities. It may show up in the initial stage of development policy. But it is not mainly the market forces, but also deliberate policy measures that create interregional disparities. A number of studies indicate that the regional disparities have increased. There is a need for immediate attention to prevent such regional disparities from increasing. The new economic policy focuses only on industrial development and mining sector. Orissa is primarily an agriculture oriented state, and there is not even much attention given to the improvement of irrigation and facilities for agricultural development. If agriculture is included in the new economic policy, then the state might see a possibility of coming out of economic backwardness. (Nair 1983)

Orissa is one of the backward states of the country. Its GDP (Gross Domestic Product) and HDI (Human Development Index) report shows that it is economically less developed in relation to other states of the country. It has one of the largest concentrations of tribal population in the whole country with a number in more than 70 lakhs. The rural population is 85 percent and most of them are dependent on agriculture and forest for their livelihood. Manipadma (1998) raises some of these issues, while

giving a broader picture of Orissa's economic development through the adaptation of newer developmental policies. Orissa has huge amount of natural resources, minerals, marine and agriculture. In a way, it could be advantageous for economic growth of the state. Big companies like Masco, Larsen, and Turbo, Hidalgo, Tindal, Nalco all have invested money for various sectors. The state government provided land to these companies hoping for the betterment of economic growth. But what resulted was large scale displacement of people owing to such industrial developments on massive scale. All that they gained was suffering in the name of development. Moreover all these development projects displaced the people, but never provided proper compensation to those displaced families. Because of corruption where the middle men had taken all the benefits from that project, the people were ultimately affected. The developmental projects were launched to provide a better life for people but in effect, development had only gone the negative route, where people never gained from this development but ended up contributing everything they owned to this project. (Manipadma 1998)

There are various underlining concerns, mostly those concerning the R and R policy of Coal India Limit (CIL). The CIL made various steps for the R and R policy; which had many drawbacks on the policy documents and no special provision has been taken for restoration of the livelihoods and a better life for the PAPs. Against this background, Mathur analyzes the backgrounds of displacement and suggestions made on R and R policies for CIL. (Mathur 2009)

The issue of environmental degradation, which is a result of mining projects, challenges human life and livelihood in both direct and indirect ways. Kolhapur block of Orissa is one of the poorest regions in the country, where diseases due to malnutrition frequently occur. Various departments provide funds to this region for its development. Yet, unfortunately only a small percentage of this has actually gone into development. Recently, the government of Orissa has opened this Kolhapur region for public sector investment, since this region is rich in natural deposit especially bauxite. Therefore the government allows both mining and processing. The worst part of these projects is that they pollute air, water and agricultural land, contaminating nature beyond repair. From all

perspectives, these mining activities only create problems for the human society. It should be stubbed at its early stage and we need to look for some other alternative models of development. (Das 1995)

## **Purpose of the Study**

This work will help towards an understanding of the displaced people in the mining projects, study the resettlement policies and examine how far the policies will work effectively in Orissa. The purpose of the study will broadly be:

- To ascertain whether the project affected families have regained their pre-displacement status through various rehabilitative measures.
- To understand whether the welfare of women have been taken into consideration within the rehabilitation process and if their participation has been ensured in the designing of policy framework.
- To examine the various risk factors in the rehabilitation and resettlement process.
- To evolve strategies to counter and overcome the risks in future projects.

## **Scope of the Study**

The present study seeks to explore and identify the paradigms of development and the critiques of the model of development along with the issue of displacement. While examining the issue of displacement, the work will generally be restricted to important mining projects in Keonjhar District of Orissa. Though references would be made to other projects and infrastructure where displacement is more clearly visible and prominent, yet that will be only a context-specific reference.

The mining projects that are being undertaken for this study are quite important as it gives us an ideal setting to compare the problems of displacement in different sizes of projects. All the projects are also quite important as these are surrounded by a sizeable



number of tribal populations, and are located in the underdeveloped regions of Orissa. To explore the issue of displacement in these areas is also significant as the people who are affected by the projects are neither able to question the model of development nor do they have the capability to know about the intricacies of the developmental projects and also their objectives. Hence, for a thorough understanding of development, displacement and rehabilitation, this study will focus on mining projects of only Keonjhar district in Orissa.

## **Objectives**

The objectives of this study have already been analyzed broadly while discussing purpose of the study; still the specific ones are as follows:

- To study the policies implemented for the rehabilitation of the displaced people because of the mining projects in the Keonjhar district of Orissa and some of the important issues such as environment, health, education and livelihood of project affected people.
- To study the access and rights of Jal, Jungle and Jamin for the tribal life.

## **Hypotheses**

This work has the following hypotheses:

- The project affected families have overcome the risks; moreover induced development through state policy and civil activism, are all working separately rather than in synergy.
- Large numbers of Non-Governmental Organization (NGOs) have helped for the wide ranging rehabilitation and resettlement process.

## **Methodology**

This study is based on the survey of both primary and secondary sources. For this purpose, the work largely incorporates the thorough examination of government and non-government publications, books, reports, newspaper clippings, and relevant journals those are available at our disposal. The reports include, Council of Professional social Workers, Government of Orissa, Directorate of Economics and Statistics, Planning and Coordination Department, Gram Vikas and Independent Group, Ministry of Labour, Ministry of Rural Development (Department of Monitoring and Evaluation of Resettlement and Rehabilitation OWRC of Land Resources), The National Campaign for Peoples Resource, Director of Mines etc.

## **Chapterisation**

Besides introduction and conclusion, the work will be divided into four chapters. Though detailed chapterisation will be done in due course of time, the tentative one is as follows:

In the introductory chapter, an attempt will be made to understand the very concepts of development, displacement and rehabilitation. This part will also deal with review of literature, the main objectives, hypothesis and methodology. To get into the real thrust of this research paper, some relevant projects will be referred in the context of development, displacement and rehabilitation.

The first chapter entitled “Development Discourse: Models and Approaches in India” will deal with the aspect of conceptualizing development where the insights of development would be a major focus. However, the scope of this chapter will be limited in a sense that development will be strictly restricted to the mining projects. Along with this, the chapter will also make a journey to identify the antinomies or inadequacies while explaining about the nature and process of development that is followed in India.

The second chapter titled “Mining Projects, Displacement and Rehabilitation: an Experience of Keonjhar District in Orissa” will proceed with an understanding of the issues and concerns of displacement induced by the developmental projects more particularly the references in relation to the mining projects in Orissa. The second part of the chapter will look into the evaluation of issues on rehabilitation in Orissa.

The third chapter titled “The Orissa Resettlement and Rehabilitation Policies: A Critical Evaluation” will make a critical assessment of the Rehabilitation Policies in Orissa. In Orissa, there were no such rehabilitation policies till 2006. Earlier, the Orissa government followed the patterns of rehabilitation through the dictum of government orders that are not uniform to all the projects. The Department of water Resources has come up with this policy only in 1994 and since then it has been followed as the model for rehabilitation till 2006.

The fourth chapter entitled “Role of Civil Society in Resettlement and Rehabilitation of Project Affected People in Keonjhar District of Orissa” will make an analysis of the state strategies and people’s resistance to the various mining projects in India in general and Orissa in particular. It will also make an assessment of the various movements and Non-Governmental Organizations (NGOs) those are spearheading on behalf of people and their rights in Orissa.

The concluding part is suggestive one to minimize displacement in Orissa. It makes an attempt to redefine the concepts of development, displacement and rehabilitation in India in general and Orissa in particular.

## **Chapter – one**

### **Development Discourse: Models and Approaches in India**

The concept of 'development' differs from discipline to discipline and from place to place. For example, there is a major difference in the way the term Development is applied among the developing and developed nations. While development was understood merely as economic growth or rise in GDP in the earlier part of twentieth century, towards the later part of the century, this definition has become more inclusive. Presently it has been identified with human capabilities and capacities. But, much of confusion of the term 'development' seems to start from the multiplicity of disciplinary perspectives. Various ideological grounds and conflicting opinions seem to riddle the conceptual framework of development and mire it with controversies.

After coming out of the colonial experiences the newly independent nations have been encouraged to carry forward their socio-economic reconstruction by creating appropriate economic strategies. The newly formed nation-states also aim towards larger economic goals with a futuristic vision in order to improve the conditions of their people and also for rapid economic growth. The planners in India and like other third world countries understood development in terms of economic growth measured by the growth of GNP (Gross National Product) or increase of per capita income. To achieve this target they emphasized on 'big push model' formulated by P.N. Rosenstein Rodan (1961:57). The theory emphasised that under developed countries need large amount of investment to eradicate backwardness and launch upon economic growth. It also focuses on modernization, urbanization and heavy industrialisation like power, transport and communication for economic development in underdeveloped countries.

Though some progress was made in agricultural, economic and industrial front, development on the other side has pushed indigenous people and weaker sections of society into poverty and backwardness. From the moment of independence, the principles of development served to unify the Indian nation-state. For the poor and marginalized

classes, the state's development programmes promised the relief from their extreme impoverishment, even though development projects took a great toll on the poor. They were agreed to because of the widely accepted understanding that these were necessary to the very survival and growth of the whole country and the costs were unavoidable.

This chapter seeks to analyze the concept of development in the context of vulnerability in induced displacement. It takes the possible to limit in a particular way the typical impact that development is having on society and on human livelihoods. It also helps to explain the spontaneous reaction, which is fuelling among social groups in many parts of the different nations in general and particularly in India. The chapter proceeds in the subsequent three sections. The first section surveys that, how the concept of development has been understood historically. It further analyzes how it has been practiced in India through different models and approaches. Then it briefly explains the implication of the concept by describing some of the principal ways in which development is increasing risks. The next section discusses displacement as a consequence of the developmental model practised in India. It also makes try to understand whether displacement includes anything to our understanding of the social impact of development by analyzing in terms of the limitations of the concepts of rehabilitation and resettlement which are widely used.

### **The Concept of Development:**

The term development has held great appeal for huge masses of people gathering across the entire globe. Development is a multi dimensional, which has both qualitative and quantitative outcome and its effects. The development of some areas led to the neglect of others, which may precede to social delay and uneven growth among people and regions. However the development has to be considered in state of facilities and services. That all are available and the fulfillment of all the humans basic necessity in the forms of food, shelter, clothing, education and health and also freedom from poverty, disease, illiteracy, ignorance, unemployment and malnutrition. Development can also be understood as freedom from all manner of exploitation in the society and yet the term has come to hold

a negative connotation in the recent era. Development talk still charges not only in official declarations but also even in the language of grassroots movements.

Development is much more than a just socio-economic attempt and it is considered to be a perception that models of reality are a myth which relieves the societies, and imagination that releases desires perceptions, myths and fantasies. (Sachs 1997:1-2)

Several studies try to explain the concept of development from their own perspective. The development or evolution of living being, in biology, referred to the process through which organisms achieved their genetic potential. "It was between 1759 and 1859 that development evolved from a conception of transformation that moves towards the appropriate form of being to a conception of transformation that moves towards an ever more and more perfect form." (Estava 1997:11) During this period, evolution and development started to be used as inter-changeable by scientists.

Sometimes development has been credited with the idea of accelerating economic progress. Joseph Schumpeter's model of development underlines the importance of inflationary financing and innovations as the main factors in economic development (Schumpeter 1976:269-283). These changes in economic life arise by its own initiative from within the economy and appear in the realm of industrial and commercial life.

Development consists in the carrying out of new combinations for which possibilities exist in the immovable state and new combinations come about in the form of innovations. He assigns the role of innovator to the entrepreneur but not the capitalist. According to Schumpeter, capitalism can maintain itself only so long as entrepreneurs behave like knights and pioneers. But these innovators are destroyed by the capitalist system itself. Schumpeter's model of development certainly gives hints to problems that may arise in developing countries like India. However, the concept of 'development' claims different meanings according to the demanding situation.

## Changing Connotation of Development

A number of metaphors used throughout 18<sup>th</sup> century began to become part of ordinary language in the 19<sup>th</sup> century, where the concept 'development' explained in a variety of connotations. The critics on development, they did not agree to a particular meaning of development. Some prefer 'evolution' and some others put it as 'growth'. In the writings of early social scientists the term development was used to offer the course of 'social evolution'. The implication of this perspective was the metaphor of growth (Sharma 1986:1). Development was, thus, conceived as organic, immanent, directional, cumulative and irreversible. Also it claims the idea of structural differentiation and increasing complexity. This idea is also precise in writings of Emile Durkheim, Herbert Spencer, H. Tonnier, Morgan and other scholar's names are associated with evolutionary sociologists (Verma: 1989:16).

With the rise of industrial system and emergence of capitalism, the notion of development was defined in a more radical way. The central element of capitalist thinking of development was the idea of economic growth, measured by the growth of GNP or per capita income, industrialisation and urbanization. This shift in the meaning of development gained further inspiration during the later half of 1940s and the beginning of 1950s. Around this period, many third world countries gained independence from colonial rule and were beginning to shape their new economic policies. During this time, economic growth emerged as a new mantra. The third world becomes the favored recipient of large amounts of foreign aid and western technology and skill transfer. In a top down process and state led industrialisation to become modern. Thus, the term development acquires a strong economic connotation. So strong as to become synonymous with economic growth (Sharma 1980:65).

During this period, President Truman of USA also emphasized on the economic aspect of development and pointed out that, "We must embark on a bold new programme for making the benefit of our scientific advances and industrial progress available for the improvement and growth of under developed areas". In continuation to this, American



policy towards Europe put emphasis on economic reconstruction after the destruction of the Second World War. The best element in this policy was the so-called "Marshall Plan" through which loans and massive transfers of resources to Europe was proposed (Leys 1996:8.).

In the 1950s, the economists did not generally accept the distinction between 'growth' and 'development'. Rather they took economic growth as the supreme goal in itself. They believed that, it was economic growth that the poor countries needed. Thus, economic growth and its determinants were natural focus for theory formation. The work of W. W. Rostow possesses extensive statement to this. W. W. Rostow presented his 'Non-Communist Manifesto' in 1960 (Higgot 1983:156.). He has provided a historical approach to the process of economic development. He describes the five stages of economic development, namely, the traditional society, the pre-conditions for take-off, the take-off, the drive to maturity and the age of high mass-consumption. A traditional society is one whose structure is developed within limited production functions based on pre-Newtonian science and technology and on Pre-Newtonian attitudes towards the physical world. There were little economic changes in such societies. It lacked the tools and the outlook toward the physical world of the post-Newtonian era. The second stage is a transitional era in which the preconditions of sustained growth are created. The pre-conditions for take-off were initiated by four forces, such as the new learning or Renaissance, the New Monarchy, the New World and the New Religion or the Reformation. These forces led to the reasoning and skepticism in place of faith and authority, and the emergence of new nation states coincided with the emergence of reasoning and skepticism.

Rostow defines the third stage, i.e. take-off, as an industrial revolution, tied directly to radical changes in the methods of production, having their noteworthy consequence over a relatively short period of time. The fourth stage, the drive to maturity, is the period technology to the bulk of its resources. It is a period of long and sustained economic growth. In the age of high mass consumption. The fifth stage, the



balance of alienation of the society is shifted from supply to demand and from problems of production to problems of consumption and welfare (Srivastava 1998:216-218).

The development defined in terms of economic growth was the focus of development thinking in the 1950s. Having enjoyed growing importance in the fifties, this view has been facing rough weather since 1960s. This is because, despite economic growth, inequality and poverty remained higher in many countries. While the target of economic growth more or less met, the equal success was not at all achieved in the income distribution. It has been conjectured that in some countries increase in per capita and GNP have actually been performed by raising levels of absolute poverty among the lowest income groups.

Development is not undertaken to provide opportunities exclusively for any particular group. The purpose of development is to promote wider national interests for the benefit of all. In this manner, this way of defining development is unfair. The main achievement of the development decade of 1990-2000 has been to put people at the centre of the development discourse. During the last two decades of the previous century, the size of forced population displacement caused by developmental programmes has increased in a huge manner. Such projects include the construction of dams, irrigation schemes, and urban renewals and housing schemes, water or transport supply systems, energy generation projects, and open caste mining (Wet 2001:4637). The current development is problematic in its multidimensional form has also added new aspects to the state's responsibilities by focusing sharply on a wide variety of political issues such as democracy, social integration, human rights, human security and human existence.

Development is defined as much the same as modernization; a far reaching, continuous, and positively evaluated change in the totality of human experience. Development is much wider than modernization as modernization refers to just a position of something new with a pre-established order, where as development goes beyond this. Development in Third World requires fundamental change in attitudes, values and institutions, which have to be planned and organized. Conflict and struggles are inherent

in the process and both the people and the state must play their part. Thus while the modernization may be considered as an integral part of the developmental process. It is not necessarily the reverse, because ethical considerations and normative judgments are understood in the concept of development.

The problem of alternative development in the context of a plural and the divided societies of the post-colonial world highlight the inadequacy of the western construct of development incorporating the process of modernization from so-called traditional or old societies to the modern industrial nation-state. It is relevant to focus on modernization and its linkage with development as they are related to each other in various cases. The modernization model delivered easily by the west to the ruling elites of a majority of post-colonial states hardly leaves any scope for the different ethnic identities to shape their destiny as per their social and cultural ethos. The difference between the development and modernization is that while there need be no argument about modernization, about what is actually happening, there will be inevitably be strong disagreements as to whether or not development is also occurring. Development is always a valued state, which may or may not have been achieved in some other social context and which may not even be achievable. Modernization is what is "up-to-date" in a specific place at a given time, so any reference to modernization implies the juxtaposition of something new with a pre-established order. The continuous process of industrialization, capitalist or socialist, is a clear example of modernization and a key feature of development. Modernization theory emphasizes and approves of the trend towards western capitalist modernity. In the years following the Second World War, social scientists, planners and politicians, both in the west and the Third World, generally accepted modernization.

Acknowledging the increase of poverty, inequality and unemployment in the midst of growth-many development theorists, practitioners and institutions grew disillusioned with economic growth as a solution. They turned their attention to 'growth with equity' (GWE) and 'growth with justice' (GWJ). In 1962, the Economic and Social Council also recommended a kind of 'balance' between 'economic growth' and 'social

development'. That year, the proposal for Action of the first United Nations Development Decade (1960-70) established that: "The problems of the underdeveloped countries are not just growth, but development. Development is growth plus change, change in turn, is social, and cultural as well as economic, and qualitative and quantitative".

While the first decade considered the social and economic aspects of development separately, the second decade involved merging the two. A new paradigm i.e., the integration of the two, formulated after recognising the necessary interaction of physical resources, economic aspects and social change. The international strategy, announced on 24 October 1970, called for a global Strategy, based on joint and concentrated action in all spheres of economic and social life. The turning point, however, was not the strategy but in almost simultaneous United Nations Resolution establishing a project for the notification of a united approach to development and planning, which would fully-integrate the economic and social components in the formulation of policies and programmes.

In 1975, the seventh special session of the United Nation General Assembly, asked for an approach more effective than that of the international development strategy, adopted in 1970 for achieving social objectives of development. The conference on Employment, Income Distribution and Social Progress organized by the ILO in June 1976 offered the 'Basic Needs Approach' for social development, which focuses the achievement of a certain specific minimum standards of living. Development here defined as an endeavor to provide for the basic needs of the people. This approach specified the basic needs of the people included not only certain minimum requirements of family for private consumption such as adequate food, shelter and clothing, but also minimum levels of essential services provided by the government. This approach to poverty alleviation emphasizes that delivery of a basket of "basic needs of the target groups". (Fei and Raws 1997:345)

Though the basic need strategy figured significantly in the international debate in the later half of 1970s, it became controversial later. Some developing countries regarded

industrial countries support for "Basic Needs" as a means to divert attention from discussion of international policy and the need for a New International Economic order. (UNDP 1996:47) Secondly, the basic needs approach focuses on providing material goods and services to deprived human population rather than on enlarging human choices in all fields. (UNDP 1995:45) Whether or not these criticisms were valid, the Basic Needs strategy was soon over taken by events. In the late 1970s and early 1980s the slow down of growth, the debt crisis and worsening terms of trade in many countries pushed human-centered development to the background and the programmed of 'stabilization' and 'structural adjustment' took the centre stage. (UNDP 1996:48) Structural adjustment programmes emphasized on reducing the role of state, removing subsidies, liberalizing prices and opening of economies to flow of international trade and finance. During this process of liberalization, adjustment and privatization, concern for the poor was relegated to the background. Thus, many voices were raised in protest and called for adjustment with a human face.

In search of an inclusive and convincing definition of development, scholars are encountered with the complication and misrepresentation within the development itself. Development has been explained in various ways and lastly it has reached at a certain point. The scholar like Amartya Sen has interpreted development as freedom from hunger, poverty and human sufferings. (Sen, 1999) His idea of development also surrounds the notion of human capital and human capability by extending the human choice or range of choices. In his view a society's standard of living should not be judged only by average level of income, but by people's capabilities to lead the lives they value. Nor should commodities be valued in their own right, they should instead be seen as way of enhancing such capabilities such as health, knowledge, self-respect and the ability to participate in community life. (Ibid: 49) Sen also emphasized that the core of human well-being is freedom of choice. The expansion of human capabilities implies greater freedom of choice, so that people can explore a wider range of options that they find worthwhile. (Dreze and Sen 1995:10).

Sen has argued that freedom is not only the goal of development but also the means to achieve it. He called underdevelopment as unfreedom, which the people are enslaved with. Development is the path through which these unfreedoms can be removed and the capabilities of the people will be maximized which will lead them to live the manners of lives they value. This freedom of the people is the basic path of development and Sen criticises the contemporary economists who measure the term development through the growth of GNP and rising per capita income. As freedom is linked closely with the economic well-being, the study of this concept will not lead to flawed predictions. Sen in his theory develops elegantly, compactly and in an elaborate manner explains how economic development increases freedom by the expansion of choices of individuals.

Closely linked with Sen's approach, the UNDP published Human Development Report in 1990. The Report defined 'human development' as a process of enlarging people's choices. (UNDP 1995:46) Obtaining income is certainly one of the main means of expanding choices and well-being. But too often the expansion of income is confused with the enhancement of human capabilities. The Human Development Report also defines the relationship between human development and economic growth. It centered the conventional wisdom by asserting that there is no automatic link between the two. Economic growth is essential for human development but specific policy measures are needed to translate economic progress into human progress.

The above analysis shows that the concept 'development' has acquired different connotation with a change in emphasis from economic growth to human development over the last fifty years besides the dominance of liberalization and globalization. In spite of this gradual shift in the emphasis of development, in the underdeveloped third world countries, the concept of 'development' largely continued to be perceived as 'economic growth'. After getting political independence, various Afro-Asian countries put emphasis on economic development.

Since the economic growth and per capita income in all these countries happened to be conspicuously low, they decided to agree a high priority to programmes, which could realize the maximum possible growth rate under given condition. Though some other objectives were also listed in the development plans, the basic thrusts of the plans were consistent on sustained increase in the GNP. It was assumed that, once economic growth was achieved, other objectives, such as elimination of poverty, unemployment, and income inequalities would be realized automatically. The policy makers were also confident of the 'trickle down' effect of economic development and elimination of poverty and unemployment. Because of this conviction, the concept of development got identified with the concept of economic growth. (Mishra and Puri 1991:23)

There is no doubt that during past four decades newly liberated Afro-Asian countries have managed to break their stagnation. The record of some developing countries is quite impressive, as their rates of growth have surpassed the average growth rate, but these countries hardly made any progress in the goal of eliminating poverty. Income inequalities in some countries have increased. In most of these countries progress on the employment front is very disappointing.

Like other third world countries, Indian planners since independence have focused more on economic aspects of development. The subsequent section of this chapter will make an effort to discuss the choices made by Indian State to develop the nation and improve the lives of its people, followed by the issue of development. And also, its related problems of displacement and rehabilitation of people uprooted by various development projects.

### **Approaches to Development- The Indian Experience**

Unlike the other third world countries, from its beginning, the Indian state was confronted by two different versions of reconstruction: the Gandhian project of restoring the village economy as the basis of development and the Nehruvian plan for prosperity through modernisation and industrialization. Gandhiji was firmly of the opinion that,

India should not ever take to industrialisation in the manner of 'west' or western design of development. The central element of Gandhiji's programme was of revitalizing village communities and craft production by employing indigenous and simple technologies to provide jobs and decent livelihood to a predominantly rural population. (Singh 1997:59)

Despite the exaltation of Mahatma in the pantheon of nationalism, his vision eclipsed in independent India. Gandhiji's vision struck no chords in the mind of Jawaharlal Nehru, who thought, "A village, normally speaking, is backward, intellectually and culturally and no progress can be made from a backward environment". Most of the nationalist believed that India's reconstruction could only come about through an emulation of modern science and materially through the adaptation of large-scale industrialization.

Nehru's faith in modern science and industry led to the drawing up of the famous Nehru-Mahalanobis model (P.C. Mahalanobis was a key advisor to Nehru and architect of the second five year plan 1956-61). The model proposed a capital-intensive, heavy industrialization strategy run by the public sector. The public sector was to build key industries that would take the economy to commanding heights, leaving the private sector in this mixed economy to play a complementary role. (Ahluwalia 1985:147) This strategy was followed in subsequent five-year plans with little variations after independence.

Thus, to bring economic prosperity, to overcome the handicap of its colonial past and to catch up with the west, a euro-centric model of development was adopted by planners. In India itself the external sector reforms are as recent as July 1991, while an acceleration of the economy was noticed in the 1980s itself. The 1980s saw two significant developments. First, agricultural growth accelerated. Secondly the public sector, notably its infrastructure segment, began to perform better. There was some reduction of quantitative restrictions in trade but any significant liberalisation of the external sector was a long way away. The acceleration of growth in India precedes its intensified global integration. Along with that of China, the Indian experience presents us

with a question often raised in the debate on development. Between observed high domestic growth and openness measured by the share of trade lies the issue of causality.

Development was excessively defined in terms of growth of GNP, increase in real national income. (Bhambri 1994:3) The objectives and processes were viewed in economic terms and great reliance was placed on economic factors and centralised decision-making to achieve the result. So far as the problems of poverty, unemployment and income distributions were concerned, these were given secondary importance. It was believed that rapid economic growth could take place and the cumulative gains from the growth of GNP would automatically 'trickle down' (trickle down theory) is undoubtedly the most promise of post 1945 western economic theorizing. It states that "rapid gains in over all and per capital of jobs and other economic opportunities and creation of necessary conditions for wider distribution of the economic and social benefits of growth. In other words this national income growth trickled down to improve the levels of living for the very poor in the form of increased employment and income opportunities. But opposite to the expectations of the planners. The euro-centric model that was at the focus of the post-independence, failed to result in form of development due to three reasons i.e.: population and labour force grew at a faster rate than expected; adaptation of labour saving technologies in the urban capitalist sector only increased out put per man without creating additional job; and, Focus only a growth without equity.

As a result, the benefits of the economic growth have not 'percolated-down' to the vast majority of the people and this model of development due to globalization has disadvantaged more people. What happened in reality is that a substantial part of the development gains are concerned by the thin upper crust of society consisting of those who controlled the means of production, and a new exploitative class grew around it. While focus the straightforward of the new economic activity garnered tremendous advantage, the periphery remained untouched. The earlier included the masses that were at best minimal beneficiaries of the development. According to Rondinelli, the development theories of the 1950s and the 1960s, "was reflected in two somewhat different, but not mutually exclusive, approaches". (Rondinelli 1983:16)



One group of development theorists felt that policy implementation in the developing countries could be improved through the transfer of administrative procedures and techniques from industrial countries. It was assumed that these assumptions held for administrative viability. They followed the Weberian model. They attempted to establish within developing countries administrative procedures that were rational and politically neutral. They were concerned with methods used by governments to attain their development objectives through the implementation of national plans and policies. They emphasized the role of bureaucracy as an instrument of development.

The last quarter of the twentieth century has witnessed a growing trend towards recognising the political nature of the development process. Simultaneously, planners are being politically compelled to give greater weightage in their design for development to issues of interpersonal or intercommunity disparities within the country, especially in the last decade of the twentieth century since India began adopting policies of economic liberalization. (Marjit & Banerjee 2005)

Development theory was, thus, viewed as an instrument for transforming traditional societies into modern ones. The function of development was that of a tool or western development creating 'stable and orderly change.' The west would produce external motivations thought necessary to bring about the change. Thus, one group, as projected by D.A.Rondinelli, emphasized the need for transfer of administrative procedures and techniques, wherein they argued that political processes and administrative structures had to be thoroughly transformed and modernized before the developing nations could achieve economic and social progress. Known as political modernists, they felt that the transfer of the administrative procedures and techniques from western democracies, although necessary, was not sufficient. They looked at development as 'social engineering' and national government as 'the prime mover of change.' The other group laid stress on transformation of traditional societies into modern ones.

The paradigm of development that has found favour with planners makes displacement of large numbers of people, even whole communities, an unavoidable event. The theme of displacement is indeed quite central to the discourse on development. Hence I will be dealing with this theme in detail in the following chapters.

The feminist scholars also hold a different view regarding the process of development in India in terms of the rehabilitation of the women. According to their argument, one of the principal essential of post-independence development projects has been land acquisition. The ill consequences of dislocation have been documented in field studies by sociologists and anthropologists. The question that can be asked is, since displacement is a traumatic experience for anyone undergoing it, how does it affect women differently? In almost all analyses on displacement and in the policies on relocation, it has been assumed that the 'household' or the 'family' is the smallest unit of convergent interests wherein the benefits and burdens of existing policies are shared by all its members. Gender Bias in Ownership Laws Compensation and Rehabilitation is determined on the basis of ownership to land. In her paper 'Development, Displacement and Rehabilitation: Locating Gender', quoting her personal experiences Enakshi Ganguly Thukral argues "When we visited Singrauli in 1989, the women, complaining about their present circumstances said that, before displacement the life was so hard, but at least there was water available from the rihand river, and fuel and fodder was available from the forest. Sanitation is a major problem specific to the displaced women. It has been seen that whenever there is unemployment, i.e, jobs are scarce, the first ones to lose are the women. Dislocation and relocation in another area, unless very carefully executed, means a breakdown in community networks. "During our visit to Kohadiya a young man observed that there was a sudden increase in the incidence of break-ups in marriages in the village". (Ganguly 1996:1500-1503)

Clearly, rehabilitation policies so far have not arranged the displaced women a status equal to that given to their male counterparts. The current model of development allows for very little or no participation of the affected population. Since even under normal circumstances society has yet to treat women equally. The displaced women will

need some extra attention to cope with the changed circumstances; till such time that they can begin as equals.

The consequence of the existing conception of development as a process of growth of real national income under development has proved to be non-beneficial for the masses. For example, though India has registered a significant over all growth rates, poverty level fell little. In 1977-81, rural poverty declined from 40 percent to 37 per cent and urban poverty from 40 percent to 33 per cent. By 1994, rural poverty in India has gone up to 39 per cent, and urban poverty has reduced a little bit to 30 percent.

In agricultural sector, substantial achievement has been made in the increase of total food production but it failed to remove hunger and 53 per cent of children under the age remain under nourished. The efforts to achieve a more even distribution of land holding has failed and various land reforms measures have proved to be favourable for the promotion of a class, capitalist workers from previous landlords and relatively better section of tenants (Joshi 1988:445.). Similarly in the educational sector, in 1961-91 though literacy level has more than doubled, yet half of the population is still illiterate. And female literacy aged 7 and above, is 60.8 percent. Though the emphasis was given on per capita income, the growth over the year has not been satisfactory. In spite of the emphasis on growth of capita income, the growth of per capita income over the years is not encouraging. According to UNDP Report, 1998, the real GDP per capita income of India at 1995 level stood at 1, 422 which is much below than Pakistan (UNDP 1998:16) and among 174 countries the Human Development Report placed India at 139, which is just above Cambodia. To put it in another way even countries like Myanmar and Pakistan are placed ahead of India.

In India, the paradigm of development started with the Nehruvian model and secular ideological terms that regarded the dams as the temples of modern India. The old paradigm of development was based on the assumption of active involvement of the state and considered it as essential for economic development and poverty removal. Over the decades, this justified the intervention in and entry of state into every sphere of economic

activity and this has also been accompanied by the pervasive deterioration of governance. Though this deterioration started with specific areas of government operations and specific regions of the country, by now it includes the entire country. In some states and in some regions of other states, government failure has now reached a point at which government has become non-functional. It cannot even fulfill the basic role, the provision of public goods, which it has played for centuries; leave alone the grand development role envisaged for in the old development paradigm of the second half of the 20<sup>th</sup> century.

India sought to shape a developmental State through an ambitious strategy of economic planning wherein the State played a crucial role. An effort was made to give a certain amount of autonomy to economic decision making by establishing a prestige laden Planning Commission. The problem of development came to be perceived in technical terms and was largely seen as a problem of correct policy formulation and design. The Nehru-Mahalanobis strategy that became the trademark of the fifties and sixties was dominated by the discussion of privatization of investment allocation, trade and industrial strategies etc. It is not too much to say that Indian planning was notable in the early use that was made of planning models, the sophisticated development of those models which planning made, and in the extensive utilization of such models with respect to plan formulation.

The successive five-year plans took it for granted that the rationale of the plans would be accepted and people would behave accordingly. If difficulties arose, they were seen as difficulties of implementation. The development policy was seen to be designed as technocratically correct and failures were seen as those of social and political constraints and implementation. Even in 1991, it was being written that the 'primary failure in several developing countries, including India, has been in implementation (Jalan 1991: 87.). The technical argument was extended to implementation and the professional thrust of development administration immediately attracted attention of Indian planners and policy makers.

This was also the period when the potential of being a strong State was seen in terms of the State's dominance in the economic sphere and its 'ideological advantage as the presumed safeguard of collective interest and socialist purpose and as the economy of private and partial gains (Rudolph and Rudolph 1987 :13.). Rudolph and Rudolph point out that the Indian state has stabilised over the decades of sixties and seventies to isolate itself from the demanding pressure of mobilized society and suggest that the Nehruvian state of the 1950s provided a plausible if partial manifestation of relative autonomy (Ibid., 99.). On the other hand, Myrdal in *Asian Drama* saw the weak development record of Indian State by drawing a distinction between soft and strong state. He argued that if Indian poverty was to be overcome what was needed was a strong State that could deprive itself from the influence of special interests and enforce social discipline. The failure to effect structural changes in the Indian economy in the heyday of the Nehruvian State have been well documented. (Myrdal 1968:1310-1311) This has been described as the fundamental paradox of the Indian political economy: the commitment to radical social change and yet an equal determination to avoid a direct attack on existing structures.

Development is not undertaken to provide opportunities exclusively for any particular group. The purpose of development in terms of globalization is to promote wider national interests for the benefit of all. In this manner, this way of defining development is inequitous. The main achievement of the development decade of 1990s has been to put people at the centre of the development discourse. During the last two decades of the previous century, the proportion of forced population displacement caused by developmental programmes due to the impact of globalization has increased in a massive manner. Such projects include the construction of dams, irrigation schemes, and urban renewals and housing schemes, water or transport supply systems, energy generation projects, and open cast mining. (Wet 2001:4637) The current development problematic in its multidimensional form has also added new aspects to the state's responsibilities by focusing sharply on a wide variety of political issues such as democracy, social integration, human rights, human security and survival.

In post-independence India, economic progress was seen through a strategy of planned development. Such development took the form of rapid industrialisation and this involved the exploitation of the natural and mineral resources. One of the main points of these programmes was the maximization of productivity of land, water, forests and mineral resources. Dams for irrigation and hydel power and mines to exploit the mineral resources, were an offshoot of this approach. Hydel power and irrigation projects displace the largest number of people because they submerge vast tracts of land. In the absence of a national policy, whenever a new project is undertaken, an ad-hoc rehabilitation for the oustees of that particular project is formulated. This leads to severe economic and social disruption of the lives of the oustees. They result in important changes in the lives of the people who have till now depended on these resources for a living, since they are displaced or in other forms denied access to their livelihood. Lack of proper planning resulted in multiple displacement.

While the push of planned development was productivity, at the policy level the planners who were committed to national development were also aware of the possibility that their approach could destabilize the communities that have lived in the regions that were considered backward. Tribals mostly have been the victims of the threatening progress of development and their habitat has been broken through, forests have been moved down and thus leading to systematic deprivation.

The discourses about development increasingly reflect an interest in displacement in the conceptualizations about modernity and in understanding modes of economic, political, and social formations and altogether these experiences of third world propel to make displacement a crucial aspect of experience as well as challenging. The process of displacement is important as it characterizes the restructuring of states and economic livelihood, and the buildings of modern infrastructure or mega projects due to the impact of liberalization and globalization, which is not limited to dams and roadways. In India, while the state in its ongoing role as modernizer, inventor, and mediator has acquired an extensive administrative and institutional presence, it has demonstrated a remarkable weakness in defining the developmental agenda by taking into consideration of the issues

of displacement and re-location. Since Independence, Indian state has intervened extensively with an excess of policy packages aimed at promoting development and improving the living standards of its inhabitants, but in reality, the entire project of development does not add benefits to the people, at the cost of whom, the project is being carried out. While on the one hand, Development is meant to benefit large sections of people across social spectrums, on the other hand, the number of affected people might far outnumber the beneficiaries. This could very well be considered as the dual face of development.

### **Politicisation of Development Thesis**

The imposition of the West as the model of the 'developed' has come under strong criticism. Political analysts like Rajni Kothari emphasize that it represents a continuation of the culture of colonialism, while others reflect on the separated and atomized society of the West by insisting that it cannot be a model for the Third World. Changes across the world are constantly challenging the categories of development and calling into question not only what it does and who does it, but also whether it should be done at all. The decline of the state as the main agent of development has opened the field for new mechanism of development, including the NGOs, multilateral agencies and local social movements. (Robinson 2002:17-18) Such a model of development creates or adds to widespread inequalities in society, believes traditional source of livelihood, uproots people from their community way of life into separated individuals depressed against each other in an opportunistic economic system. It creates a consumer culture resulting in an impoverishment of natural resources, increases economic dependence on outside financial organizations, and reduces political economy of the host society. Thus non-sustainability of such a model of development, given the context of third world societal formulations and conditioning of the social order to suit the economic order emerge as two implications with far-reaching consequences. (Sharma 2003:908) Development undertakings should provide the affected people with an enhancement of their material circumstances and range of their choices or options and the control over their day-to-day affairs.

The critique of the development discourse has formed the basis of many new demands by the disaffected, such as sustainable development, participatory development, appropriate technology, basic needs, respect for indigenous knowledge, and gender sensitive development etc., which in fact demonstrates the contentious ground on which the discourse of development operates. The voices of argument have only multiplied in recent years and the high turn over of activists and workers in local level development projects witnessed to this. Through this rapidly increasing growth of various organizations and activists, the dominant discourse of development has changed to some extent and at least a space has been created for some kind of negotiation between various organizations, policy-makers and people at large. So, it seems that even huge developmental projects that are State controlled and intended for the benefit of the people cannot guarantee the social well being of the same people for whom it is intended. So, the project of development should be progressive, rather than exploitive. The role of various movements is really significant to the study of development hegemony because these have emerged through a process of conflict and contradiction with the institutions and ideologies of development.

The past few decades have witnessed rapid economic growth in the country and the process forms a part of planned development. This is manifested in the setting up of large scale projects in power generation, mining, industry, infrastructure development, irrigation and even in creating new urban settlements, which entails a large scale land acquisition and even demolition of homesteads. The project implementing agencies, which used to be mostly public sector organizations in the past but have recently included the private sector in a big way, opt for compulsory acquisition of land or homestead. The amount of such land acquisitions has grown so high that many rural communities are threatened with separation from their traditional source of livelihood and social networks. Rajni Kothari observes that the current patterns of economic development, which have been constantly enforced to justify the forced eviction of people all over the country, are themselves incompatible with the goals of creating wider conditions of equity and social security. These patterns have been identified with national progress where public purpose



and national interest have been used interchangeably and based on the political premise that nation-states are sacrosanct political entities and hold exclusive rights to political sovereignty and the power of eminent domain. The issue of displacement and resettlement has to be viewed within the broad question of distribution of power. (Ibid: 909)

The basic reason behind questioning the paradigm of development is that displacement is an outcome of the present pattern of development as the displaced pay price for the development. Probably, this is the reason, the debate on developmental strategy in India has mirrored and provided a lot of controversy. The reason for the suspicion of the project of development is that it impoverishes the already powerless people in the society. Though the compensation is given to them, yet that is woefully inappropriate and inadequate. Michael M. Cernea has over the past decade has developed a two level model, (a) of the various socio-economic impoverishment risks inherent in involuntary resettlement and of the ways in which they relate to and reinforce each other, and (b), of the ways in which these risks could be inverted and turned into opportunities for development and reconstruction. (Cernea 1995) While Cernea's model shows us how involuntary resettlement impoverishes the displaced people, it seems that the way the question about whether and to what extent impoverishment risks can be turned into opportunities for reconstruction, and how to set about achieving this, will in large measure hinge on how we understand why involuntary resettlement causes impoverishment and why the record for involuntary resettlement projects should be so much more positive. (Ibid: 4637-4638)

### **Displacement and Rehabilitation in the Context of Development Paradigm**

This section is based on the assumption that displacement is an outcome of the present pattern of development. It explores, analyses and examines the question of displacement that is caused by developmental projects. It is necessary to work on the displacement issue, as it has been ignored by the technocrats, who are assigned with the responsibility of acquiring economic progress through the construction of mega projects. A study of the

detailed Project Reports of most development schemes show that while the technical aspects of the projects are worked out particularly, the nature of displacement and the rehabilitation is studied only automatically. Development was considered to be a misconceived enterprise because even its promoters only to look for economic growth and people impoverished in this process. Development is not just only growth; rather it refers to growth plus change. In this stage, change refers to social, cultural as well as economic, and qualitative and quantitative. Eventually the ultimate objective of development is to improve the quality of people's life.

All forms of development and change seem to involve some measure of displacement, which in turn calls for readjustment and resettlement. While dams have been built primarily for the provision of electricity and drinking water for industrial purposes and urban growth, and for the supply of irrigation for agricultural development. They have also been seen as cornerstones of national and often even nationalistic projects. If Nehru has anchored the slogan of 'dams as the temples of modern India', then subsequently it has been seen that, the same dams have created massive displacement of people for whom the dams are being built. The development projects require displacement of people from their traditional habitats, and voluntary or involuntary resettlement in other locations. The process of disruption of life and traumatic experience of being marginalized begins not when the people are displaced physically but at the very first announcement of the scheme, with having psychological insecurity. They go through a lot of mental trauma. If they are displaced, then their resettlement should be reasonable and just.

The interconnection between displacement and development gives a basis for the idea of unavailability of displacement and thus a justification for developmental projects to be initiated without much thought for the displaced and their development. If development is seen as a problem-solving process, the attempt so far has been to locate the problems at the aggregate level rather than locate problems in the relations between people. (Bharathi and Rao 1999:1955-1966) Since displacement means redefinition of people's entitlement and access to socio-cultural, economic and environmental resources,

a clear assessment of what happens to families belonging to various sections of the population and to individuals within families is important. Dams, mines, power plants, industries, parks and sanctuaries cause shifting amount of the displacement people from their traditional habitats. Experiences from the Sardar Sarovar and other industrial, irrigation and power projects show that large-scale displacement, specific to the nature of project, cannot be sustained. When the people displaced are tribals and those primarily depended on agriculture, the R and R provisions should aim at land based alternative, besides inclusion of non- land based R and R provisions. (Parasuraman 1996:1529-1532)

The approaches of development lead to dislocation and in this sense development becomes so far-away and placed on such a high base that greed of only a few could reach it. Large numbers of people displaced by projects that are seemingly for national development. Lack of reliable qualitative and quantitative data on displacement has made the issue more problematic. Though no governmental data is available on degree of displacement, but there have been some private attempts to measure displacement caused by various development projects since independence. According to one conservative estimate various developmental projects have displaced about 213 lakhs of people and infrastructure programmes in India during 1951-91. (Fernandese and Paranjepé 1997: 53) Out of this, 25.5 lakhs of people have been displaced by mining operations, 6 lakhs by parks and wild life, 12.5 lakhs by industries, 164 lakhs by dams and 5 lakhs by other projects.

In the case of the state of Orissa, development poses a great threat for the people. A large number of people, more particularly the tribal people, are being displaced due to various development projects in the state. The development projects create deforestation and environmental degradation in the land for which the displaced people from tribal communities face many problems in earning their daily bread. Because they only depend upon the natural resources for their day to day livelihood. The two large export-oriented bauxite mining and aluminium projects coming up in the tribal areas of Orissa, have sparked off widespread protest from the local population. Kashipur block of Orissa is one of the poorest regions in the country where deaths due to malnutrition and disease

frequently occur. Women and her fragile ecosystem has been, described more vulnerable by large-scale deforestation. Completely detached from the miserable tribal people who are inescapable to make way for these high profile plans, what happens to the surrounding area? An even greater source of pollution, however, would be the red mud sludge which is the waste product of bauxite processing. (Vidhya 1995:1281-1282)

Kasia, a non-descript village in Keonjhar district of Orissa is not any border village. Nor it has ever faced the any problems of external threats. But the residents here live under the shadow of terror. The area surrounded by sounds of mine blasting and due to frequent noise from the crusher units and movement of hundreds of trucks, through out day and night the noise pollution level has touched its height. The entire village including trees, paddy fields, orchids, is virtually coated with red iron ore dusts. Even the natives have been feeling like a earth quakes everyday here. The existence of the village is under the threat. One will undoubtedly lose his brains if asked to live in this village. But the villagers have no option. This is only one example. Palasa, Katupalli, Khajuridihi under Joda block and Badabil, Murusan under Keonjhar Sadar block have been identified as high dispersive sensitivity area in the district followed by many villages under medium and low dispersive sensitivity. The villages like Juridi, Jajang, Sayabali, Jaribahal and Rasabeda are worst sufferers. (The Samaj(Oriya Daily), October 16, 2005)

Official sources say that the district now boasts nearly most polluting 18 sponge iron units, 110 iron ore crushers and 119 open cast mines. The mining activities began in Joda area nearly eight decades ago that stores high grade iron ore with iron content as high as 66 per cent. Extensive deposits of manganese ore are found in Joda east hills of Barbil with fairly rich quality having 26 to 58 per cent of manganese. In 1984, out of 92 mining leases, 72 were working. According to official sources, the mining activities have been compounded in last four years. While the number of total mines in 2001 was confined to 76, it is 119 in 2005. Though mining activities in the district is a "matured" practice, the situation has become severe. (Samaj 2005)

Mining projects have led to the displacement of large number of people. In effect, even though the process of mining itself might displace a very small group of people out of their land, the entire village becomes unlivable because of the excess pollution, dust, huge noise and contaminated water. Mining projects are carried out to meet the world's growing demand for natural resources but invariably a considerable number of original inhabitants of all these mining locations are totally affected by these projects.

Involuntary displacement makes deep economic and cultural interruption to the people affected by it, and the social fabric of the communities of the area also gets disturbed. In as much as relocation involve the movement of communities from one place to another environment. It brings about a modification of the physical and social environment in which people find themselves and to which they have to adapt after relocation. The kind and degree of physio-cultural environmental modification that relocates undergo, seem to hold a part of the clue to the total understanding of the stress and strain they undergo; a complete submergence of settlement, land and other immovable assets involve greater stress than partial submergence of agricultural lands. The nature of modification of the physio-cultural environment determines oustees' new demographic, economic and social circumstances. This turn will influence in the behaviour patterns that develop in the new setting, as the relocates, having gone through the more stressful phase of relocation.

The nature and range of modifications brought about through resettlement seems to provide hints to an understanding of relocatees' post-settlement behaviour and style of life. But the problem is that individual relocatees find the course of their life transformed in different ways. Circumstances of the life of the people and the environment of the project area change through displacement and involuntary relocation. But these occur in conection with other ongoing wider processes of social change, which are in operation in the area. Nevertheless, the major factors that affect the life of the oustees are their displacement and relocation.

In the issues like displacement and rehabilitation, which are clearly associated with the enterprise of development, has conditioned for an urge to re-examine and redefine the concept of development itself in this era of globalization. In this context, development is referred as a overall process of change that is economically developed, materially progressive, politically participative, socially just, ecologically sustainable, culturally compatible, morally and aesthetically fulfilling. The issues like displacement and rehabilitation are not new, but the issues have gained encouragement because of recent increase in the movements, which are constantly engaging themselves in redefining the concept itself by incorporating the issues of people's rights.

Among the displaced people or project-affected people (PAP) often called a very large number of people belong to Scheduled Tribes, Scheduled Castes and other backward communities of the society. Particularly, the Scheduled Tribes are the worst affected by the construction of mega projects such as, mining, dams and industries ETC, since they live in the region of rich natural resources. Though they share only 7.5 per cent of the total population of India, the percentage of their displacement is as higher as 40 per cent of the total oustees (Ministry of Home Affairs, *Report of the Committee on Rehabilitation of Displaced Tribes due to Development projects*. (Government of India 1985: 18-19) In the case of India's development models, displacement caused by large projects has actually resulted in a transfer of resources from the weaker sections of the society to more privileged ones. Mega dams, in particular, create victims of development, mainly tribals who never share the gains of development. This is what Xaxa says "the legitimization of domination of Indian State". (Xaxa 2005) He says that in the name of development and extending political reservations to the tribals, the State legitimizes its systematic control over their land and resources. Similarly though the Scheduled Castes form only 15 per cent of the country's population and their proportion among the displaced people (DPs) are much higher, though the exact figure is not available. So the 'temples of modern India', as projected by Jawaharlal Nehru, become 'the temple of doom' for the forced uprooted people.

Even it is a national problem that there is lack of awareness of the situation. Policy makers and planners do not know the extent and seriousness of displacement. It is a cruel joke that for 50 years the state did not wish to promulgate a National Policy on Rehabilitation and Resettlement (R and R) and skilled institutions to carry out adequate resettlement for those who have been displaced for Nation's prosperity. It needs to be highlighted that there is neither special federal legislation nor explicit policy statement to define country's general resettlement norms. Within the federal structure of government resettlement has been regarded as a state, not a federal matter. Nevertheless, most states in India are still lacking state-level resettlement policy. Till date, rehabilitation and resettlement are being done project wise and on ad hoc basis. Nearly 50 years after the departure of the British, this shameful legacy of social injustice continues to exist. After 1947, displacement continues under the same colonial law of 1894. This Land Acquisition Act of 1894 has till recently been used to provide only cash compensation to the PAPs whose lands have been claimed for public purpose. Though this Act was amended in 1984, which allowed the state to provide alternative land as compensation, this Act was not legally binding. Both of the colonial government's act and its recent amendment do not acknowledge the rights of the landless (e.g. those who do not have formal land titles or pattas but have been customarily cultivating the land, actually landless but with user right to land) and wage labourers, artisans and communities and castes that are not impendent on agriculture.

Thus lack of national policy on rehabilitation and resettlement, skilled institutions and above all, lack of commitment on the part of the state to rehabilitate uprooted people causes a thoughtful solving of the existing patterns of social organization, impoverishment and brutal violations of human rights. (Cernea 1995:265) This implies de-facto lack of social justice and equity involuntary resettlement process. This is nothing but pathology of development. The displaced people who are already poor and living in a backward region of the country end up worse off people for a long period of time. The over all result is that some people enjoy the gains, while displaced share only their pains from the development. Even though some degree of population relocation is at times unavoidable, this inequitable distribution of gains and pains, benefits and losses, it is

neither unavoidable nor justified. It is in fact contrary to the exact goals of development. This scenario raises the fundamental question: "Development for whom". (Mohapatra 1991: 271-287)

In the process of displacement, it is the poor more particularly the tribals who carry its burden most at all. The dislocated of the life of the poor is total deprived from their ownership rights. And they are compelled to move in search for livelihood to unknown destination. On the other hand, the wealthy groups do not lose so completely. They are in a better position to adjust to the change. (Mathur 1995:20) In sharing benefits from development also the poor lag behind the rich. The rich are quick to grab the opportunities, which open up with the inauguration of development project, while the poor carry the cost of development. Since the poor who lose most from displacement, critics see development projects are some kind of conspiracy to promote the interest of the rich at the expenses of the poor. In their view development projects that cause displacement and hence disruption in the lives of the people, reflects the interests and power of an elite minority. It is a model of development in which there is no place for poor majority. The way development has been carried out by the state over the years is making the rich richer and poor poorer.

The UN Department of Economic and Social Affairs devoted its *Report on the World Social Situation* in 2003 to the topic of vulnerability. It wrote: While vulnerability, uncertainty and insecurity in the life of people are not new, what is new is that their causes and manifestations have multiplied and changed extremely over the last decade. Examples include civil conflict and the rise of tensions, growing inequalities within and among countries further emphasized by globalization, mixed outcomes of poverty reduction efforts, increased mobility of populations and changes in family structures.

Of the impact of globalisation on society over the 1990s, Joseph Stiglitz writes: 'Even many of those who are better off feel more vulnerable'. This refers not only to the increased risks they have faced but also to the erosion of people's ability and to manage those risks. This is what constitutes vulnerability. While what is presented here does not



form positive evidence that vulnerability is increasing, it does highlight trends in that direction. If this analysis gains anything of the forces shaping our world. It would be strange to claim that people are unaffected by these, even if their own physical, human, social and environmental assets continue as resilient as ever. For there is a strong collective dimension to vulnerability, affecting the fragile bonds that constitute society and thereby unavoidable affecting the resilience of society itself to risks. From this social vulnerability, no one can remain resistant.

Thus, all over the country, more and more people are being disadvantaged by this version of development. Among the people marginalised in this way of development are many indigenous communities, the inhabitants of forest and rural poor. Hence, the western path of development has not only produced a more and more wasteful civilization, but also it has given rise to an increasing iniquitous and conflict ridden social structure. The model that our planners are following bears no relation to the real needs of the majority of the people. In fact, it has given rise to a techno-economic progress that played millions of human being obsolescent, unnecessary and has greatly deteriorated resources and opportunities that could have sustained productiveness in countless human settlements. The model thus has not only uprooted millions of people from their ancestral homes but it has widened the gap between rich and poor people. Consequently, throws up grass-root movements, organized, marginalized and subaltern groups against the statist policies of the state. The anti-dam movement for instance has captured the deep-rooted resistance of indigenous people against big dams all over the country. The marginalized people have shown that "damming a river is damming the poor". Big dams are not 'temples' that Nehru promised, but 'burning ghats' (cremation ground) for the indigenous people. (Parajuli 1991:180) The anti-dam movements are not luxury of the rich but are a survival impetus for the majority of the tribal whose survival is not taken care by the state. (Bandopadhyaya and Shiva 1988:1223)

## **Chapter - Two**

### **Mining Projects, Displacement and Rehabilitation: An Experience of Keonjhar District in Orissa**

#### **Introduction**

Displacement, resettlement and rehabilitation have been serious concerns for all developing countries including India. A large number of development projects such as dams, factories, mines, etc, have been initiated and established in the last five and a half decades resulting in eviction of 40 to 50 million people approximately, mostly tribal and rural. Only about 25 per cent have had some sort of rehabilitation, the quality of which is far from satisfactory. (Ota 2010) Projects have been poorly formulated and inefficiently implemented resulting in an undesirable impact on environment and leading to deterioration in the quality of people's lives. Disruption in the established pattern of life of displaced people is traumatic, and results in a spiral of impoverishment, economically, socially, culturally and politically. It results in landlessness, homelessness, joblessness, marginalization, food insecurity, increased morbidity, loss of access to Common Property Resources (CPR), and social disarticulation. Most displaced and project-affected people belong to the marginalized and powerless classes: assetless poor such as landless labourers and small and marginal farmers.

In a way, human displacements has now become an unavoidable part of the present mode of economic development. However, when development-induced displacement occurs in a largely populated and developing economy like India, the problem becomes more severe and it gets even more distressing in the case of backward regions of undeveloped states like Orissa. (Ota 2010: 47)

The focus of this chapter will be on displacement as a result of mining in Orissa and particularly in Keonjhar district. In this context, the present chapter would discuss about the displacement caused by mining projects and issues and concerns like

Rehabilitation and the rights of the people in Keonjhar district. Here the discussion would be on how mining projects have displaced the indigenous from their home land, and also how it has been affected by the socio-economic conditions. This has been done taking into account the facts from my field study in the villages of the Barbil Tahasil in Keonjhar district of Orissa. However, as far as the structure of the chapter is concerned, it begins with a brief introduction on the mining activities of Orissa since colonial times till today. It is followed by a discussion on the questions of displacement, rehabilitation and rights and risks of the indigenous people of the four villages of Barbil Tahasil of Keonjhar district of the proposed study area. Then it discusses briefly the profile of the four villages where the study was carried out. The chapter concludes with a detailed field report.

### **Debating Mining Project in Orissa**

Orissa has one of the largest concentrations of tribal population in the whole country with a number in excess of 70 lakhs. The rural population is 85% and the population of the State is 36.71 million people approximately. (Census of India 2001 Provisional). Most of them are dependent on agriculture and forests for their livelihood. Orissa occupies a substantial portion of the mineral rich zone in India. It is home to a large number of Central Projects with a substantial number of them being related to the mining sector.

The state of Orissa lies along the eastern coast of India. Geologically, two thirds of Orissa is Precambrian rocks that are known to harbor many metallic and non metallic minerals. Besides large reserves of chromium, bauxite and manganese, Orissa has the largest reserve of superior quality hematite iron ore in the country. (Orissa State environment report: 2006) The recorded forest area in Orissa in 2003 was 4.84 million hectares, which constituted 31.06% of the geographic area and ranked third in the country in terms of forest cover 3.4 million hectares. However, in comparison with 1995, forest cover had decreased by almost a million hectares. The mining areas are in close proximity to the remaining forest. According to the Human Development Indicators for sixteen major Indian states in 2004, Orissa falls below the national average and ranks

eleventh. Per capita income in Keonjhar district of Orissa close to the forests is lower than the state average. Residents of this district depend on forest products for consumption, medicinal use and income. Previous studies have shown that forest products provide 25 – 60% of total income in villages close to forests with large tribal populations. (Das 1995; Samaja 2005; Samata 2003) Mining for iron ore began in the 1950s, and some of the planned new mines fall in Keonjhar district. The district had a relatively high percentage (42.7%) of forest cover in 1999. (Forest Survey of India 1999) But analysis of the land cover data reveals that 13.4 square kilometers of vegetative cover were replaced by mining activity between 1989 and 2004. Although per capita income in the district is just above the state average, the district is ranked 24th among the thirty districts in Orissa according to the overall human development index. (State environment report 2006: 122)

Orissa was identified by development planners as one of the most resource rich states and hence attractive for undertaking development projects many of which in different sectors have been undertaken so far. A conservative estimate reveals that on account of the completed development projects in the state of Orissa, more than 10 lakh people have so far been physically displaced while more than 50 lakh people have been adversely affected without getting physically uprooted. Displaced tribals, who constitute more than 35 per cent of the total displaced population in Orissa, are the worst sufferers. (Fernandes 2008, Debaranjan 2004, Cernea 2009) The most serious consequence of displacement for the tribal people has been the dispossession of land, both agricultural and homestead, along with the loss of their traditional occupation.

The tribals in most cases have been deprived of compensation and rehabilitation benefits. (Parasuraman: 1996, Fernandes: 2009, Wed: 2009) as per the Land Acquisition Act, 1894 (as amended in 1984) because they often do not possess any legal documents to prove their ownership right on the land they occupied and from which they earned their livelihood for centuries together. Already from the 19th century onwards, the colonial administration started coal mines in Jharkhand, tea gardens in Assam, coffee plantations in Karnataka and other schemes elsewhere. Also legal changes were

introduced to make land acquisition easy and at a low price . It began with the Permanent Settlement of 1793 and culminated in the Land Acquisition Act 1894 that is based on the principle of the State's eminent domain. This principle asserts, firstly, that all biodiversity and natural resources as well as land without individual titles belong to the State. Secondly, the State alone has the right to define a public purpose and deprive even individuals of their land. (Fernandes 2007: 1-2)

Mining of minerals and extraction of metals were practised in ancient Orissa. In modern times the mining started as per available records in 1909. When coal was first excavated in the Rampur area of Ib valley. The TISCO mines for iron ore at Gorumohisani and manganese mine in Goriajhar (Gangpur State) were started in 1910 followed by dolomite and limestone mining in 1914 at Panposh and Bisra respectively. Mining of chromite in Baula area started much later, in 1942. After independence, rapid growth of mining activities in the state was witnessed upto early 80's. Iron and manganese ore mining spread over extensive areas in Keonjhar and Sundergarh districts to meet the demands of new industries and for export. Chromite mining at Baula and Sukinda increased with establishment of ferroalloy industries and scope for export. Bauxite mining in large scale started at Panchpatmali hills in Koraput district in 1984. Besides growth of limestone and dolomite mining in Sundergarh district, new limestone mines came up at Dungri in Baragarh and Sunki in Koraput district with new cement plants. Beach sand mining at Gopalpur, lead ore mining in Sundargarh and mining of tin ore in Koraput started in 1980's, while the lead and tin mining has stopped later on. Other minerals mined in the state are graphite, china clay, fire clay, quartz etc. Besides mining of gemstones, small mines for minor minerals like morrum, decorative and dimensional stones and stone quarries with crushers came up at many places in the state in a very unorganized manner. During the period of 1985-2000, when mineral development in the state was very slow, bauxite production by NALCO in Koraput and coal mining by MCL in Ib valley and Talcher area have increased. But even without development of new mines, sudden increase in production of iron ore, chromite, coal and bauxite have been seen recently. (Orissa State Pollution Control Board, 2006)

In the post independence era, the development and exploitation of minerals in India became the shared responsibility of the State and Central Government in accordance with the broad parameters as laid down in the Seventh schedule of the Indian constitution. For the purpose of law, in India, minerals are divided into major and minor minerals, a distinction based on strategic importance of the mineral and its nature of usage. A lease for mining a major mineral is given by the central government while that for a minor mineral by the state government. The Mines and Minerals and Development Regulation (MMDR) Act, 1957 (henceforth referred to as MMDR Act, 1957) lays down the legal framework for the regulation of the mines and development of all minerals. The Mineral Concession Rules (1960) have been framed, under this act, for regulating grant of prospecting licenses and mining leases. (Samata, 2003: 6-7) In 1993, the Government of India announced a National Mineral Policy. The policy acknowledges the lack of "adequate contribution to economic development" of the tribals due to mining activities in their region. It spells out a need to focus on involving them as part of the development of projects in the scheduled areas, even going to the extent of saying that they should be given preference in the case of small deposits. (ibid: 8)

A strong argument of opinion cutting across scholars and social activist circles of the State that persists to this day believes that Orissa has become a victim of the national industrial policies and industrial licensing policies pursued till the launch of the new economic policy and the policy of globalisation in 1990s. The theory of localisation of industries (leading to production efficiency and least cost production) was sacrificed in the name of regional balance and economic growth. Had there not been such an industrial policy all the major mineral-based industries such as iron and steel, aluminium etc. If all these industries would have been located in Orissa, it might have made Orissa as one of the most developed States of the country. (Debaranjan 2004) But of late in the context of the new settings of globalisation, a large number of mineral based industries have either been started or proposed in the communication of understandings MOU (Memorandum of Understanding) signed between various foreign and private companies and the State government. Quite a number of mining and industrial giants of the world and country

have lined up for establishing their units in the State largely because of the cheap availability of minerals.

Quite many mining and industrial giants of the world and country have lined up for establishing their units in the State largely because of the cheap availability of minerals, the basic raw materials necessary coupled with an over-enthusiasm of the State Government in welcoming them and entertaining their requests on easy conditions. (Manipadma: 1998)

The mineral resource base of Orissa is mainly concentrated in the districts dominated by tribal communities. In the past several years, Orissa has emerged as a dynamic state that is poised to turn around its development fortunes by utilizing its mineral resource. Mineral-intensive growth is known to create significant environmental problems and this is clearly observed in mineral rich districts of the state. This chapter seeks to explore the impact of mining on the surrounding environment and how it has a deleterious impact on the most vulnerable sections of society.

Despite its natural wealth, Orissa is one of India's poorest states, with a per capita income approximately half of the national average. A relatively weak economic performance is reflected in a high range of poverty, high levels of illiteracy and inadequate sanitation (Thukral 1996). A large section of the population lives below the poverty line and the state occupies one of the lowest positions on the human development index, when compared to the rest of India. In recent years, the state's growth has accelerated but it still lags behind the rest of the country. Poverty is further growing along with the lines of social groupings and marginalized sections, specifically tribals, dalit and other backward sections of the state.

### **Mining and the issues of displacement**

The official literature such as the Orissa State Pollution Control Board (OSPCB's) Report on the State of Orissa's Environment openly admits that there is displacement of people and their habitations by mining in different ways. However, they do not maintain any systematic body of data in this regard. Sri Kundan Kumar of Vasundhara, Bhubaneswar

provides approximate figures for the land acquired (in Hectares) and villages displaced by projects on irrigation, industries, mining and parks and sanctuaries. Out of a total of 125679 hectares of land acquired for all types of projects, 101947 hectares (or roughly 255000 Acres) has been acquired for mining projects. Mining projects have displaced roughly 500,000 people in Orissa. There is no exact number available in the official records. (Kumar 2005)

An interesting finding comes to notice in this regard. While juxtaposing the figures given by Mr. Kundan Kumar (101947 Hectares) and the one given by OSPCB (about 9453, Hectares), there is only a difference of about 694 hectares between the two, which is not a big difference. The cause of this difference might be the fact that the OSPCB had compiled the figures in 2002 while Mr. Kundan Kumar compiled his in 2005.

It is a proven fact that a sizeable proportion of families displaced and affected by development projects belong to the tribal communities. It is also an admitted fact that the problems encountered by tribal families are quite different from those of non-tribals for more than one reason. No R&R Policy – whether it is the 1973 Rengali Dam Project policy or the 2006 Orissa State Comprehensive R&R Policy – has fully addressed the core issues of the displaced tribals. (Ota 2010) Besides, there has been a paradigm shift in recent times, especially after the promulgation of the Industrial Promotion Resolution (IPR) 2001. Earlier, more than 75% of the displacement was caused by dam/irrigation projects. Since such projects, by and large, are located and feasible in the coastal plains areas, which are mostly inhabited by non-tribals, displacement of tribal people was comparatively less (about 35% of the total displacement). But in recent times, more than 80% of the ongoing development projects are either in the mining or industrial sectors. Such projects have been constantly coming up in tribal regions since almost all the mineral wealth of the state is concentrated in these areas.

According to A.B. Ota, conservative estimates based on the current trend put the percentage of tribals among displaced families in future development projects at as high



as 80 percent. It is crucially important to examine and assess the livelihood restoration status of the displaced and the factors responsible for non-restoration of their livelihood as well as the poor resettlement and rehabilitation of the displaced tribal families in case of completed projects so that the lessons learnt can be used as important tips by the planners and implementing agencies for ensuring a better deal for the displaced tribal families in future.

Exploration of minerals through open cast mines results in displacement of human settlements, cutting of forests and acquisition of agricultural land. There is no official record of the total numbers of displacement caused due to mining projects in the state estimates. But going by the thumb rule that one mine affects the livelihood of an average of around 50 to 100 families in the project area. The number of people displaced by the 600 mines in the state must have been around 50,000. Worse still, a majority of those displaced belonged to the most marginalized section of the society. As reported, operation of 79 mining projects in Orissa in the period 1950 to 1993 caused displacement of 3,143 families, accounting for 3.37% of the total displacement in the state. It also required acquisition of 2,427.03 hectares of land in the forthcoming mining projects. (Ota 2010: 110)

### **Rehabilitation Issues and challenges in Orissa**

Wherever development projects are implemented, the acquisition of land is must. Though millions of people have been displaced by various planned developmental projects since independence, the State has not taken the issue seriously. It is only recently that it has promulgated a National Policy on Resettlement and Rehabilitation for those who have been or are going to be displaced on account of development projects for the nation's prosperity. In the absence of a National Policy till recently, the whole process of dealing with the issues of displacement and rehabilitation remained *ad hoc* and piecemeal. Various case studies done by scholars show that as many as 75 per cent of the displaced people have not been rehabilitated suitably and their income sources and livelihoods have not been properly restored. The displaced, who generally belong to the most

underprivileged and disadvantaged communities of the Indian Society, are pushed into impoverishment, marginalization and further backwardness in the absence of proper resettlement and rehabilitation policy.

Most of the mineral deposits of state are in forests that are inhabited by tribal populations including a number of primitive tribal groups, who are heavily dependent on forests for livelihood and have lower adaptive capacity to social changes. Mineral extraction often leaves an "ecological footprint" which adversely impacts the communities. For tribal people of the schedule districts like Keonjhar, Sundergarh, Koraput and Raygada, for those who depend upon the forest for their livelihood, the takeover of their lands for mining purposes is depriving them of their basic livelihoods. Those tribal people who depend on various forest goods for their livelihoods are the major losers due to transfer of the forest for mining activity. After the commencement of mining, the family income has been found to have reduced significantly. (Kumar 2005) Mining industries in Orissa are mainly of open cast type. It has been found that majority of the area presently used for mines was previously used for cultivation of various types of crops. It has been found that only a small number of displaced persons are provided employment in the mines, with a majority outsiders are being employed in these mines. It has been found that the agricultural lands surrounding the mines area become infertile due to air, water pollution and disposal of huge amount of toxic waste. Due to pollution of water bodies and choking of natural streams, the agricultural activity and irrigation of the surrounding area gets affected. This affects the livelihood of the tribal people inhabiting the area. (Orissa State Environment Report 2007: 212)

When people are displaced, the oustees lose their land (in full or in part), their residential dwellings or both. So, successful restructuring of income and livelihood of the displaced persons needs to be given due importance through proper implementation of rehabilitation plan and packages. When people are displaced from their homeland, their economy and social relationship and bonds get affected to a great extent and the effects of such displacement on oustee population, according to Cernea (1996), may get reflected in the form of landlessness is the main form of decapitalisation and pauperization of

displaced people, through loss of both physical and man-made capital and assets. Expropriation of land by the project authority destroys the principal foundation upon which the production systems, commercial and trade activities and livelihood are based. Joblessness particularly affects urban people. In rural areas, displaced landless labourers, service workers, artisans and small businessmen often have to engage in non-farm activities. Homelessness is temporary for most oustees. Marginalisation occurs when families lose economic power and their economic position moves downward. Loss of access to common property resources (forestland, grazing land, ponds, tanks, riverbeds, etc.) leads to a fall in income and livelihood for poor people, particularly the landless and assetless. The great impact of displacement is that the income of oustees is affected to a great extent due to dislocation of economic activities. Similar arguments have been made in the past by Fernandes (2009) and Mohapatra (1999).

As discussed earlier, most development, displacement and resettlement studies have focused on the deteriorating living conditions and pauperization of the displaced: the inadequacies of resettlement and rehabilitation, lack of basic facilities for the displaced families in the relocation site, lack of opportunity to earn a livelihood for the affected families, loss of community life, breaking of kinship ties and above all non-restoration of the livelihood of displaced families in the post-displacement stage. Very few empirical studies have been conducted on the displaced tribals, who constitute a significant chunk of the population displaced due to development projects. In the early years of the planning and setting up of many large development projects in India, the displaced people, mostly tribals, suffered a lot due to the lack of a proper rehabilitation policy and the failure to address the adverse effects of such projects, mass illiteracy and lack of awareness among them. However, increasing public awareness and governmental concern about the problems of massive involuntary displacement in recent years have forced the project authorities to take steps at least to show as if they were concerned about ensuring better living conditions for the oustees and restoration of their social, economic, cultural as well as religious life. Yet, mostly the project authorities as well as the government officials have not contributed to any substantial improvement in the livelihood of affected people. Displaced people have been rendered homeless, without

proper facilities for educating their children, hygiene or livelihood options. Ignoring the resettlement problems is in a way a blatant violation of both the Fundamental Rights (the right to settle and reside anywhere in the country [Article 19 (1) (e)] and the right to life and livelihood [Article 21]) and Human Rights. (Sengupta 2001:2533) This also implies *defacto* lack of social justice and inequality in the involuntary resettlement process. In a welfare state like India, it is an irony that the benefits of development have not been shared by all sections of society. In the development process that has been pursued in the country, the displaced people only share the pains of development while others share the gains. Needless to say, it is completely contrary to the very goals and spirit of development.

The projects undertaken to promote development often cause ecological disorder, displacement of human population from their home on the one hand and economic prosperity of the elite and privileged sections at the cost of the poor and downtrodden on the other. Some eminent scholars are of the opinion that, among all such issues, displacement of human population and their resettlement is the most painful process.

However, modern development projects in both developed and developing countries have caused massive involuntary displacement of human population while the rehabilitation measures adopted for the oustee populations in the new resettlement areas leave a lot to be desired. Evidence from the findings of many studies in India and other developed and developing countries analyzed by various scholars confirms that resettlement rarely worked well (Wet 2009). This is mainly due to the absence of a well defined resettlement and rehabilitation policy of the authority responsible for the implementation of the development projects in these countries. After independence, India has carried out many development projects such as big dams, water reservoirs, thermal, hydel and atomic powerful plants, excavation of mines for exploration of minerals and metals, setting up of large and key industries, and so on.. With a view to achieving the plan goal of balanced development of regions, many such development projects have been promoted in backward and tribal areas of Bihar, Orissa, Madhya Pradesh, Assam, Uttar Pradesh, Rajasthan, etc. Unfortunately, the people who had to sacrifice everything

in the name of development had no option but to agree to resettle in the new areas with the compensation package offered by the Government, and have ultimately become the worst victims due to the *ad hoc* resettlement policies and casual approach of the authorities (Fernandes 2008). The main reason for the failure of the resettlement measures is that they deal too much with the technical and economic aspects and ignore the cultural, sociological and ecological aspects of rehabilitation. Even the technical and economic issues relating to resettlement of the displaced people are taken up in a hurry at the top level without any involvement and participation of the affected group in the policy making process. (Shankaran 2009)

As mentioned earlier, after independence, several developmental projects including major dams, power plants, mining-operations etc. have been implemented to accelerate the tempo of economic development displacing millions of people in the process. Despite the magnitude of displacement and the multiple traumas that most oustees face, one of the most glaring examples of successive central governments shunning their constitutional responsibility has been the lack of a national policy for those who have been forcibly displaced in the 'national interest' (Kothari, 1996). In the last five years, only a Draft of National Rehabilitation Policy has been prepared by the Ministry of Rural Development (MRD) and Water Resources Department (WRD) of Government of India, which is yet to be made into a law.

In the past, compensation for land and houses was distressingly inadequate and no displaced person was paid for loss of job/employment or disruption of livelihood other than farm land. Many such development projects in the past affected the livelihood of small and marginal farmers; landless labourers, share croppers, tenant cultivators and the collectors of minor forest produce. The displacement of village artisans and other servicing castes also caused occupational displacement and threatened the survival of such categories of population in the absence of a clear cut R and R policy. The displaced families were harassed and condemned to a condition of destitution by corrupt elements, including project officials. (Parasuraman: 1996) Their illiteracy and ignorance often brought untold miseries and sufferings. The case of Srisailam Project is a case in point.

Though the law provided for compensation at the market rate according to the latest land deals in the area, the compensation was arbitrarily fixed by the authorities. In the case of the Sardar Sarovar Project, it is argued that terms of acquisition and other procedures were never orally explained to the people and in the process. The unlettered people were cheated by the officers and their intermediaries. (Ota 1999: 104) To make matters worse, there were no clear cut guidelines for the partially affected persons such as individuals who lost whole or part of their agricultural land and houses without being physically displaced.

### **The Issue of Mining Displacement and Rehabilitation in Keonjhar District, From Field Experience**

As has already been discussed, the main consequence of the Mining projects was the impoverishment of the indigenous. The mining activities are primarily operating in the tribal regions, where the tribals are not enabled to lead a harmonious life after displacement. Consequently, the objective of the R and R policy is to ensure a better life for the displaced persons. Even though the R and R policy does not include within its ambit all developmental projects, it becomes one of the important mechanisms for ensuring a better livelihood, health, education and good environment for the life of the displaced families, especially since neither the government nor any other agencies are also not able to provide a better rehabilitation package. If the government takes initiatives in this regard, then there is a possibility of an egalitarian society being created in that region. In this context, the focus of my study is on the Mining and its related projects, and displacement and rehabilitation policy in the state taking Keonjhar district as my study area. The study is based on primary as well as secondary data.

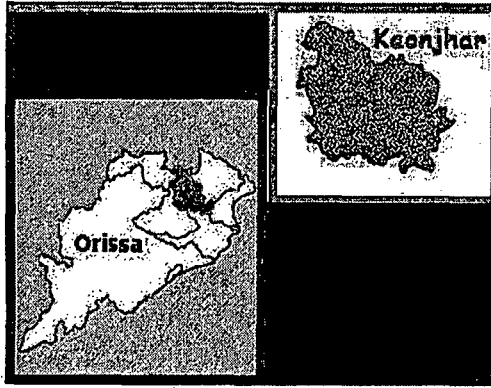
For the purpose of data collection and to understand the grassroots reality, four villages of Barbil Tahasil of Keonjhar district were selected for extensive survey. Interview schedules were also conducted of different persons who have lost their land due to mining projects and with the public authorities who are dealing with the land acquisition matters. Besides these, a questionnaire was also administered to find out

about the nature of land acquisition process, the authorities' attitudes at the time of acquiring land for mining projects, and about rehabilitation policy and its implementation etc.

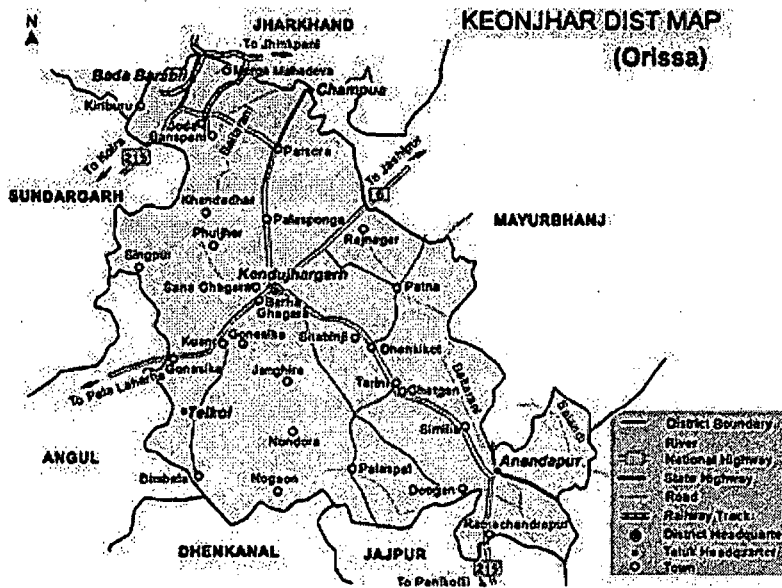
However, before dealing with these issues, it is necessary to know about the officials who are dealing with land acquisition and R and R matters at the grassroots level all the way to the higher strata of the government machinery such as the Tahsil, Block and District Collector's office and higher authority of the state government who provide the land leases for mining projects. The Keonjhar district falls under a schedule 5th area, and according to central guidelines the PESA act is quite significant for the land acquisition matters in this region. This study also looks at how the PESA act is functioning in the matters of land acquiring process at the Pali Savha and Gram Sabha in these four villages.

### **Keonjhar District**

The district of Keonjhar, lying between 21°1'N and 22°10'N latitude and 85°11' E to 86°22' E longitude presents a panorama of millennia, both from the geographical and anthropological point of view. Spread over an area of 8,240 Sq. Kms. It is as varied as the whole of Orissa with water-falls roaring gorges, mountains and minerals. The manifold expressions of nature in this district are unique in Orissa. Anthropologically, its two main tribes, namely (the Juangs and the Bhuyans) carry a distinct and unique past. The Juang claim themselves to be the most ancient tribe of the world. In spite of their modern ways of living, many aboriginal practices are still prevalent among them. (Source [www.Keonjhar.nic.in](http://www.Keonjhar.nic.in)) According to the latest Human Development Report, 2004, Keonjhar stands at 24th position in the 30 districts of Orissa in the Human Development Index (HDI) chart. Per capita income is pegged at only Rs 5286 in Keonjhar against the state's per capita income of Rs 6487. Similarly, Keonjhar stands at 22nd position of the HDI in health sector. Health and sanitation has taken a back seat in the district.



[www.keonjhar.nic.in](http://www.keonjhar.nic.in)



(Source: Source [www.Keonjhar.nic.in](http://www.Keonjhar.nic.in)).

Keonjhar district occupies an important place in the mineral resource map of eastern India. High quality iron & manganese ore deposits are found to be located under large tracts of forestland, rich in bio-diversity & water catchment areas of Baitarani river one of the large rivers of the state. The forest land of Keonjhar constitutes one of the major parts of forest resource of Orissa. Apart from this, it is home to a sizeable tribal population, including some of the most primitive tribes, those who are totally dependent on forests and agriculture for their livelihoods and survival. According to the latest Human Development Report, 2004, Keonjhar stands at 24th position in the 30 districts of Orissa in the Human Development Index (HDI) chart. Per capita income is pegged at



only Rs 5286 in Keonjhar against the state's per capita income of Rs 6487. Similarly, Keonjhar stands at 22nd position of the HDI in health sector. Health and sanitation has taken a back seat in the district.

### **Minerals of Keonjhar**

Keonjhar is endowed with a variety of rich mineral deposits thus occupying a prominent place in mineral profile of State. Abundant reserves of high-grade Iron ore, Manganese & Chromites are found along with other minerals such as, Limestone, Dolomite, Nickel, Granite, Pyrophyllite, stone, Gold, platinum etc. The reserves of iron ore deposit are estimated as higher than 1000 million ton and places of deposit are found at Joda, Thakurani hills, Banspani Hills, Sasangoda hills and Gandhamardhan hill range, which is densely populated by tribal people. Iron ore formations occupy most part of the district which can be traced from the Jharkhanda Border in the North to the Jajpur district boarder in the South of the district. Extensive deposits of manganese are found in Thakurani hills and Joda East hills of Joda Block. (Sorcer, Directors of mines, Orissa)

Keonjhar is thus endowed with large deposits of iron and manganese minerals. According to the Report of the Director of Mines, Government of Orissa,, the district now boasts nearly 18 most polluting sponge iron units, 110 iron ore crushers and 119 open cast mines. In Joda, which stores high grade iron ore with iron content as high as 66 percent, the mining activities began nearly eight decades ago. . Extensive deposits of manganese ore are found in Joda east hills of Barbil with fairly rich quality having 26 to 58 per cent of manganese. In 1984, out of 92 mining leases, 72 were working. According to official sources, the mining activities have been compounded in last four years. While the number of total mines in 2001 was 76, it had grown to 119 by 2005. Though mining activities in the district has become an everyday reality, the environmental crisis -- including water issues, pollution -- and lost livelihood is a harsh reality. Keonjhar also bears large tract of forest covering 2,525.08 sq km, which is mainly confined to mineral areas of district. River Baitarani, one of the large rivers of the state also originates in this

district. Numerous perennial springs originate from mineral deposits like Gandhamardan Hill, Malangtoli and from Thakurani Hill area, which finally join to form this river.

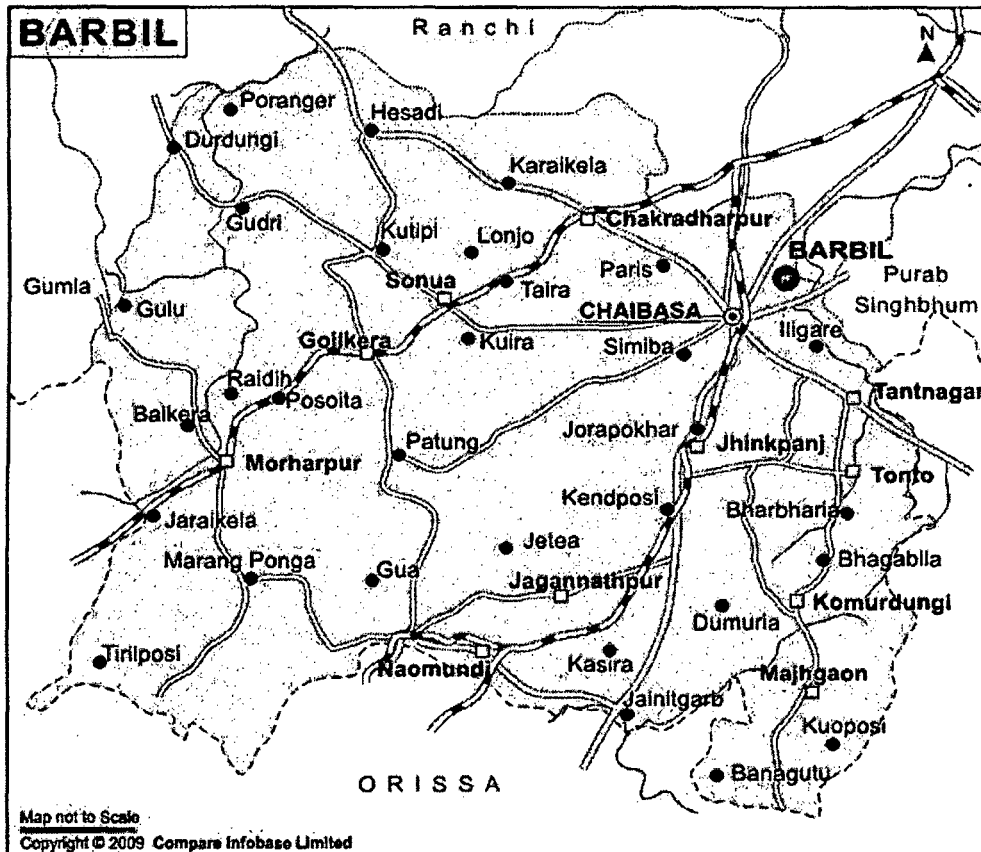
According to the Report of the Director of Mines, the entire forest range of Keonjhar is dotted with several surface iron ore and manganese ore mines of varying production capacities. Apart from a few large mechanized iron ore mines, there are several small and medium-sized mines found scattered over the entire district.

The above study found that all the mining operating in these areas are mostly open cast, it involves various activities like blasting, operation of large machinery and movement of heavy vehicles. These activities are leading to deforestation, generation of huge amount of overburden. As per the local's point of view, it is creating instability in hill slope and alternation in recharge zone. The overburden dumps carried by rain water chokes, the recharge zone as a result, it is affecting the flow of perennial springs.( Report of the Director of Mines, 2006)

I have selected Barbil Tahasil for my field study with a special attention to four villages viz. Jurudi, Kalimati, Dabuna and Sarabali of Thakurani hilly area, in the Barbil Tahasil of Keonjhar district, Orissa. In these villages I took interviews and gathered data from 50 respondents: 10 from Jurudi, 10 from Dabuna, 10 from Kalimati and 10 from Sarabali village of Thakurani area and 10 more have been taken as sample for the study from the Government officials and local activists in the Keonjhar district. The study found that out of 50 respondents, a majority of them were involved in a variety of professions ranging from daily wage labour (due to displacement) to local activist, local politician, Government official and company personnel.

The field study also examined the impact of displacement and how it has adversely affected the tribals and their means of life and livelihood, and the issues and challenges with which they are confronted.

## Map of Barbil



(Source: Source [www.Keonjhar.nic.in](http://www.Keonjhar.nic.in))

## FIELD OBSERVATIONS AND FINDINGS

There are number of mining projects running in these villages. The companies like TISCO, Birla SL mining, Zindal, NESCO, OMC, Sree Metaliks, OMDC and BPME and also other mining industries have been running in the respective villages of Barbil Tahasil of Keonjhar district. Due to these companies, thousands of peoples were displaced directly as well as indirectly from these villages. Indirectly displaced people are those who were indirectly affected by the mining projects, wherein they had to flee the land due to unbearable pollution caused by mining dust, or in cases where the farming land became damaged due to the red dust from mining projects. These people are also forced to move out of the locality looking for alternate livelihood options. But they are not even counted as 'displaced people' both by the government officials and also the companies. The study

found that the adivasi people were residing in the secluded areas, away from the main village. As all the mining operating in this area are mostly open cast, it involves various activities like blasting, operation of large machinery and movement of heavy vehicles which I learnt about during observation and study. These activities are leading to indirect displacement. I also went to one of the mining sites, which is located at Thakurani hill near Sarabali village. The name of the company was Zindal Limited Corporation. I met the DGM of this company Sunil Singh. He allowed me to visit the operational mining site. It covered an area of 7 sq. Km.. I myself heard a huge noise and in the surrounding areas the dust was covering the ambient environment like a cloud. Several perennial springs which are central to the lives of the tribals are also affected by the mining projects. The localities of Sarabali said that, due to this mining activity, all of their farming lands were damaged by red dust, making farming activity impossible. They also told me about the expansion of previous Orissa Mining Corporation projects in recent years (in 2005) for the sake of highest turnover, what gave an adverse effect to the lands, mostly cultivated land. Hence, due to the blasts and other activities and the movement of heavy vehicles and machineries, the ambience even became worse with an aggravation of the index of the noise pollution. Owing to the adverse effects on the water and environment, the entire belt became insalubrious for habitation. For the mindless lobby of industrialists, contractors, the authorities and other like minded partners in this whole business, it may be only a simple money making business. But for nature, and for the poor people who live in and around the mines as well as for the future generations, it is not less than the end of their civilization and life.

The local people's view about the indiscriminate mining activities going on in recent years on a large scale in the Barbil region, is that a large number of perennial springs originating from the hill tracts of Barbil area have been affected due to ongoing indiscriminate mining activity. The locals have noticed that in the near future, this will have a drastic impact on the water security in the Barbil region.

There are many issues involved here, including but not only insecurity around water. Some other issues are also equally significant. All the villages are facing the

same problems as other affected villages of the Keonjhar District. There are no proper roads, electricity, drinking water, medical facilities, schooling, and no place for cremation, grazing and worshipping and other community activities in the relocation areas. Health has indeed become a major issue in the Barbil region. When I visited the four villages during my study vis, Jurudi, Kalimati, Dabuna and Sarabali, the people of those villages shared their experience related to health issues. Due to mining projects, diseases like, Malaria, Bronchitis, Tuberculosis and also the number of RTI (Respiratory tract infection) patients are increasing significantly in the surrounding areas of mines which indicate that, the pollution load of environment create severe health problems. According to the District Health Report, life expectancy to the surrounding area of mining is 45 to 50 years only. (Sambada 2005)

According to the local newspaper, (Sambada 2004) the district also tops the list of malaria deaths in the country. And there is no sign of decline in the morbidity rates. During 2003, malaria mortality was 28 which increased to 34 in 2004. But the health activists claim otherwise, putting the malaria toll over 300 per annum. The village is surrounded by iron ore and manganese mines from four corners. "We do not get a drop of pure water or a fresh air to breath," complains Sunkara Champia of Dabuna.

But there was no such arrangement of medical facility in these four villages from the government side. Only the mining companies arranged a temporary medical facility in their surrounding places. According to the locals, only they get free consultancies from these medicals. In emergencies, they visit Barbil town for medical treatment. In many cases the people were dying before reaching the hospital. Purna Chandra Bodra, a native of Juridi village, by sharing his experience he explained that because of improper medical facility he tried to reach the Barbil Government Hospital to treat his ailing 9 year old daughter but he did not manage to reach the hospital in time due to the absence of even a minimum facility for transport; thanks to all these the child died on the way. It was not merely Purna who lost his daughter, but many of them who lost their family members due to lack of proper medical facility and communication. Every day they are trying to be familiar with a range of such news in the newspaper.

During my days in Barbil area the survey and observation were challenging due to transportation problem and my visual impairment made matters worse, because I had to always rely on others to know whether am boarding the correct bus route. Getting a public transportation was so difficult that I had to manage to cover some of the areas by walking, often 6 to 7 km from the connecting junction. In some of the places I got lift from personal vehicle. The roads were in a dispersed condition. Even in some places walking on the road was so difficult and every day thousands of loaded trucks are running on those roads. The study found that, there was no better transportation and the conditions of roads were abysmal. The other three villages were 60 km away from Barbil town and there was no facility to even get food and water, so I had to spent some of my days with unhygienic water and snacks only. The hospital, school, electricity, sanitation and water facility all were in a poor condition due to excessive corruption. Some other issues also in the surrounding areas like livelihood are also significant in this respect.

The sanitation facility is a major issue for these regions, especially for women. During my discussion, the indigenous women of these villages, agonized over their problems of sanitation. Earlier they used forest for refreshment, but after mining projects settlement all the trees were cut down by these industries. Now they have shifted to a new location, but there were no forests in the nearest place, and these are areas in which all, especially women, have to go to places far from their home in lieu of a toilet. Often they are sexually assaulted by the outsiders. But they do not have any other option for their problem. But according to R and R policy provisions the project authority should provide all the basic facilities including toilet in the settlement areas. Yet neither the Government nor the mining companies have made any attempt to solve this crisis. They are all only planning to reap personal benefit from these areas.

When I asked about their livelihood, the people told me that earlier they were completely dependant upon the forest but due to mining projects now their agricultural lands were lost. And also they shifted into a new location where the livelihood became a serious issue for them because some time they are not even able to get minimum food for

survival. The contractors are hiring manual workers from outside of Orissa viz. from Chhattisgarh, Jharkhand and Bihar. Therefore the indigenous are not preferred in the mining companies and they remain unemployed. As a result, their income source is very precarious and eventually, the entire family is only working to keep starvation at bay.

Though many aspects of their life and livelihood are being adversely affected due to mining industries, the study also shows that people were, for the most part, indirectly displaced due to open cast mining. Generally this open cast mining is located on the mountains and hilly regions, hence direct displacement is a rare, but we cannot ignore the indirect displacement wherein people felt the need to evacuate from the place owing to excessive pollution or due to affected water tables etc.,. Moreover, some other activities also caused human displacement viz. blasting, loading, unloading, red dust in the environment and huge noise pollution. According to local people, before the commencement of mining projects, people were cultivating that land and a few families were also residing there for the purpose of taking care of their farming land and cattle for livelihood. Once the mining projects began, there was a massive drive for land acquisition leading to the loss of the residents' farming land and their livelihoods. This naturally became a major challenge for them and they shifted to a new location to search for food. Hence, there was no R and R policy to restore their livelihood and previous life chances. Only the mining projects are responsible to the displacement whether directly or circuitously for the tribal.

The R and R policy is essentially indispensable for the displaced person. But in many cases it has been noticed that the R and R policy is not appropriate and does not fulfil the minimum needs of the displaced families. The project authorities and government officials do not consider R and R as an important part of the project. In most cases the R and R was started only after the World Bank or some other external agency pressurized them to do so. The callousness and indifference of senior responsible officers who handled or were in-charge of R and R activities have led to serious lapses in the implementation level in the past. In the conduct of my study, I learnt about some of the cases related to R and R policy implementation. Rabin Munda is a indigenous of Jurudi

village; he shared his views about the R and R policy implementation, explaining that he had to sacrifice his land for the Tisco mining project though in return his family only got an inadequate and poor compensation. The company is giving Rs. 1650 in every month to his family, but the family consists of his five brothers and therefore the per capita compensation is Rs. 330 per month only. No one is concerned for their survival and livelihood, neither the company nor the Government. Rabin's is not the only family facing these challenges, many other families are also facing similar kind of problems. These people are even not able to get food twice in a day. Therefore, they use "Handia", (a type of alcohol made with fermented rice) as their food, because it is cheaper than dal and rice. But it is largely alcoholic in nature, and has adverse effects their health. Their lives have turned utterly miserable post displacement.

The non-availability of education does not help. The people of the village complained vehemently to me about the lack of proper education facilities. One of the respondents named Sebaty Munda, a tribal of Kalimati village, conveyed his opinion that "education is a rich man's job", not their work and it has no value in their life and the future of their children will also be same with no change or improvement. Hence education has no role in their life. The future of the children will be same like that of their parents with no escape from the prospect of manual work. There are barely any facilities of schooling provided by the company or by the government. There were limited number of schools which are situated inside the residential campus of the company, and outside the reach of the people.

When I interviewed Munna Khan, a Labour Union General Secretary of Orissa Mining Corporation Limited near Seravali village, he explained about the mining companies Corporate Social Responsibility initiatives. According to their own internal CSR framework, these companies ought to have ensured the peripheral development of the mining areas. Peripheral development means 5% of their profit they ought to contribute to the betterment of the areas affected by these mining projects. The key areas to be ensured were education, hygiene, livelihood and creating employment opportunities for local youth. The companies ought to have invested for the peripheral development.



and create new livelihood opportunities through various schemes, improve community life and also provide all the basic needs such as roads, electricity, schools, hospitals, sanitation, drinking water facility and so on, for the indigenous people of that region. This will enable the tribal and other marginalized sections of the society to come forward, and enable them to get a livelihood and be included in the mainstream of the society. If only all these companies make an attempt to follow the guidelines proposed under the CSR Act, the problems of displacement can begin to show some abatement. The study however shows that, as of now, this provision is only on paper and not a functioning scheme in reality.

While, the country increases its GDP due to mining projects these have produced a negative impact upon the marginalized sections of the society mainly to tribals. Hundreds and thousands of the tribal people have been directly or indirectly displaced from their indigenous land because of mining projects. In recent years this number is increasing. It has also adversely affected their means of livelihood and their socio-economic position.

### **Displacement by Mining**

The Scheduled Areas of India are home to a bulk of the mineral resources and forests and also tribals. The emphasis of the various five year plans on industrial development and development of these resource based (mining) industries has taken its toll on the tribals who are residing in the scheduled areas. Of the total persons displaced due to various industrial projects almost forty percent have been tribals. Exact estimates of the tribals displaced are difficult to come by, however the mid term appraisal report of the Ninth Five Year Plan puts the figure at 2 crores. (Samata 2003)

This is partly because the development process is entirely top-down and does not involve the tribals. To encourage a more participatory nature of development where the tribals have more rights to self-determination, the Government of India passed the Panchayati Raj Extension to Scheduled Areas (PESA) Act, 1996. The Act makes

important conditions relating to land acquisition and awarding of mining leases, two factors most responsible for this alienation of the tribals from the development process. The exact provisions state that a gram sabha has to be consulted prior to acquiring land and its recommendation is required for awarding a minor mineral lease.

But all these provisions are only on paper and have never materialized in the process of policy implementation due to rampant corruption. The mining companies have influenced the government apparatus, the local petty politicians and in addition to this, with the help of mafias, the mining companies have acquired land for getting mining leases. At the same time, tribals are mere victims in the entire process of development, where everyone else has gotten a chance to 'develop' except the tribals themselves.

When I was trying to learn more about the implementation of the PESA act in the process of land acquisition and after displacement, I conducted extensive interviews with government officials, local activists and also some local people, and asked about what sort of benefit they have provided as a prerequisite of the R and R policy in the four villages of my study areas.

My first interview was with the Barbil Tahsildar, Mr. Sasank Kumar Dash who said that there is no issue of displacement due to mining projects. Whatever land was acquired by the mining projects and its related industries were all non-tribal land, according to him. Some of the companies directly bought land by the concerned land owners, according to the market value of that land. Moreover, he stated, as per the PESA act if any tribal land is been acquired for mines or any other developmental purpose, we move forward with the approvals of Pali Sabha as well as Gram Sabha.

The actual picture however was totally different to what Mr. Dash said in his interview. Nilakantha Mishra is a coordinator of Sarbashiksha Abhiyan in the Joda Block of Barvil Tahasil. Moreover he is a local activist as well as scholar in that region. In his interview he said that, many issues are involved in the mining projects, which have never come to the forefront of the public domain. The PESA act is only on paper and never

implemented due to widespread corruption. The land is also acquired forcibly with the help of government officials and the police force and in some cases the local mafia was also involved in the land matters. In almost all the cases, neither the companies nor the government were bothered about the rehabilitation of the displaced tribal families. Even the state government has not been taking any steps in this direction for the betterment of the tribal families.

Tuloshi Munda also expressed the similar view like Nilakhanta Mishra. She has been working since 50 years for many issues, viz, livelihood, education, health, rehabilitation and also fights for tribal rights and dignity and other such issues. In recognition of her outstanding contribution for the upliftment of the tribals, she has been awarded Padma Shri by the government of India, and also honored with the best civilian award by the Orissa State government.

In her interview she said that, all the problems of this region were due to mining projects. The mining companies have established hegemony over the government through money power. Now the tribal society is divided on the basis of political parties, and there is also a lack of coordination at the village level. Hence now, they are even not capable of launching a fight against corruption and exploitation or speaking for their own rights. In turn they have been victimized by the government as well as mining companies.

When I visited the district collector's office I met with many people, including Rama Chandra Bichungu, a Land Acquisition Officer, who deals with the land acquisition matters. During the interview I asked him about the land acquisition procedure for mines and how the R and R policy has been implemented in the previous projects for the betterment of the displaced tribal families.

He said that, according to Land Acquisition Act of (1894, 1984), the state government has been acquiring land for the public purpose. But there was no specific R and R policy for mining displacement before 2006. Earlier there was an R and R policy for displacement caused by water projects in 1994. It was generally followed by all the

developmental projects by the government of Orissa. In 1997, another policy called Rehabilitation Action Plan (RAP) for industrial development was made. But it was a temporary policy for industrial displacement as well as other developmental projects. The 2006 R and R policy clearly covers all the developmental sectors.

When I asked about displacement, he said that, as such they do not have any record to know about the total number of displacement due to mining. They maintain official records from 2006 onwards. But in these days, if there is any land acquisition for developmental projects, there must be a pre verification i.e. socio economic survey. After this survey, land is allowed for lease. The R and R policy also must be implemented at the beginning of the projects. He also explained that they are currently planning to give a lease to the Arya Steel Mining, and as per the survey report, 44 families will be displaced in this project. But according to 2006 R and R policy guideline, they will have to rehabilitate the 44 families before the land acquisition takes place.

I then continued my observation further by paying visits to several Government offices relating to mining and its displacement, but they were simply unwilling to give any details and also tried to justify their refusal by saying that no such displacement occurred due to mining projects. Most surprisingly there were no NGOs relating to displaced persons not even for their enlistment.

I had visited all the four villages of study areas of Barbil Tahasil of Keonjhar district of Orissa. My observations helped me analyse and understand the stark ground realities of the villages and I found that civil society is totally absent and the tribals do not have their own voice to raise their concerns in the public sphere. All the companies have strong lobbies working on the government apparatus. As a result all the mining companies have been exploiting the innocent tribal people, in the name of economic growth, while the tribal has lost even a basic right to a decent everyday life. This has become a serious issue, because the mining companies are violating all the constitutional provisions which had been made for the protection of tribal rights in the fifth schedule of the Indian constitution. In many cases the Supreme Court also gave its judgment in

favour of the tribals. But still in many cases these developmental projects, whether in the mining industry or any other, have frequently violated all the constitutional provisions. But so far neither the state government nor any NGO has looked into this matter seriously in order to ensure the protection of the tribal citizen's rights as well as their welfare measures in Keonjhar district.

### **Conclusion**

The displacement and loss of livelihood of a large number of people, mostly adivasis, was viewed by both the state government as also the mining companies with detachment and disinterest. Also there has not been any serious debate on R and R policies about the impoverishment of the displaced tribal person's life. The project authorities and the government officials do not consider R&R as an important part of the project. In most cases the R&R was started only after the World Bank or some other external agency pressurized them to do so. But still the R and R policy does not include the other DP's in this regard, such as(CPR- dependant and occupational classes such as barbers, washermen, and other such groups, in the R and R policy. In almost all the projects, the oustees life was miserable. Nowhere has their life improved or even remained equivalent to that of their pre-oustees position. The situation is only one of hand-to-mouth survival. The livelihood opportunities have been reduced or completely lost. In many cases they have migrated to nearby and sometimes even distant places in search of jobs. Among them women, aged and the children are the most affected. Since the health facilities are denied to them and there is not sufficient food to eat, the women and children were suffering from malnutrition. The DPs said that they were totally alienated from their culture and felt as if they were in a foreign land, living in a rented place. They also mentioned that they lost their "ownership feeling" in the new place, which they enjoyed in their original villages.

Other issues that are also quiet significant in this regard include the destruction of forest cover, natural habitat, wild life, discharge of toxic effluents and dumping of toxic wastes. The implication of extractive industries on the environment has not been a matter

of great interest. The villagers and local officials have no information regarding any feasibility study being done, public hearing or consultation with the local people. No clear public document exists on the proposed displacement and rehabilitation process. But it is a serious issue on which the government, the mining companies and civil society should focus their interest and make attempts to improve the DP's life quality. - Who is development for? Who is the target beneficiary? Who will benefit out of development? Why has it at all, if so much destruction and disillusionment results from it? This is the central question I carried back from the field of my study.

## Chapter - Three

### THE ORISSA RESETTLEMENT AND REHABILITATION POLICIES: A CRITICAL EVALUATION

Development projects come into existence after a long period of planning. The problem of displacement caused by such projects is acknowledged even among those private companies that commenced the projects. Despite this prior knowledge of the extent of displacement, that in-charge of development projects pays little attention to the processes of resettlement and rehabilitation of the displaced people. Rehabilitation - primarily the process of reconstruction of the livelihood of displaced persons - has never been a guiding principle of development policy, which continues to be governed by the 1894 Land Acquisition Act, emphasizing cash compensation for loss instead. (Mohapatra 1995: 320) The government has even sought to take away the right of appeal by those whose land stands to be confiscated by making the Supreme Court the only appellate forum.

It is quite unfortunate that till 2006, India had not formulated a comprehensive national policy on rehabilitation. In 1985, a committee was appointed under the chairpersonship of Dr B. D. Sharma, the then SC and ST Commissioner, to formulate a rehabilitation policy for the displaced persons. The committee suggested a national policy to cover all displaced persons, tribal or otherwise. Eight years later, in 1993, the Ministry of Rural Development prepared a draft and revised the same in 1994. Both drafts point out the need for Resettlement and Rehabilitation (R and R) but do not mention rehabilitation as a *right* of the project affected people.

Subsequently, an alternative policy prepared by a group of more than 1500 social activist groups was presented to the Secretary, Rural Development in October 1995. This draft emphasized equal justice to all displaced persons and suggested regional planning to avoid multiple displacements. It made a case for rehabilitation being a right of the displaced persons. Only in November 1997 the Committee of Secretaries approved a new draft but it could not be finalized till 2003. Because the new draft assumes that

displacement without the prior consent of those displaced is to be taken for granted, the affected people and those active among them do not accept the draft which does not also make any provision for minimizing in the first place the displacement itself.

In January 1999, there was to be a dialogue between the Minister for Rural Development and the NGOs active in R and R field but before the process could begin the then Government was voted out. Finally, the Government of India has come up with a National Policy on Resettlement and Rehabilitation (NPRR) for Project Affected Families-2003, which was published in the Gazette of India on 17<sup>th</sup> February 2004. But unfortunately, this policy was not also sufficient to deal with all the issues adequately. After huge pressure from civil society organizations, government came up with a new policy in 2006. The civil society had hoped that the National Rehabilitation Policy (NRP) of 2006 would deal with the shortcomings of NPRR (2003), but there are only minor differences between the objectives and definitions of NPRR (2003) and NRP (2006). The former merely stated the need to minimise displacement. The NRP (2006) says that it should be minimised 'as far as possible' (Clause 2.1a). The addition of this clause represents deterioration from the NPRR (2003) as it provides an additional escape route for the administrators.

During the past fifty years, about 5 lakh of the rural poor (nearly 86,110 families) have been displaced as a direct result of large-scale development projects in Orissa (hydro dams, mining projects, forestry or industrial schemes). Most of these were tribal people, with relatively little political or economic power. The problem of displacement upsets not only the tribal population but also the general population who come within the submergence of acquisition.

L. K. Mohapatra's study shows that in some villages of Koraput, the tribal people were originally displaced by Hindustan Aeronautics Limited (HAL), and were again displaced because of Upper Kolab Multipurpose Project (Mohapatra, 2000, p. 131). The issue of compensation and rehabilitation of the displaced communities emerged in many individual projects as an important one over this period. Yet there has been no comprehensive study of the effects of development and displacement.



The larger objective of this chapter is to explore the genesis of the rehabilitation policies that exist and to examine the merits as well as deficiencies within the policies of Government of Orissa in relation to resettlement and specifically 1994 and 2006 policy. An attempt has also been made to understand and explore whether the policies by the government in case of few projects particularly Rengali and Kalinganagar incident are the only solution or any other progressive measures are essential by other agencies by taking into account the intensity of displacement. Are these policies sufficient to restore the pre-displacement quality of life of the relocated people? Before making an attempt to analyze these policies, it is essential to know the constitutional provisions related to these issues.

### **Constitutional Provisions**

The Constitutional perspective, which is related to the problem of displacement and resettlement as seen by the policy, refers to Schedule VII of the constitution of India, Article 19 (i) (e) of the constitution and the decision of the judiciary in relation to various cases related to this issue. The policy also refers to human rights and international law, the universal declaration of human rights, the two declarations of political and civil rights as well as the International Labor Organization revised section 107. (Chatterji 1997: 83)

The Constitution has also provided for certain basic approaches to these issues through the Directive Principles of State Policy in Article 39 (b), which states: "The ownership and control of the material resources of the community are so distributed as best to subserve the common good" and the Fundamental Rights in Article 21 which has been juridical interpreted as ensuring a life with human dignity in association with clauses (e) and (f) of Article 39 and Articles 41 and 42. Thus, the deprived and displaced, have adequate constitutional protection under Article 31A, the acquisition of land, building or structure provides for payment or compensation at the rate, which shall not be less than the market value thereof. (Bakshi 2003: 29-31) All these factors make it imperative according to the policy to formulate a comprehensive National Policy on Rehabilitation of Displaced persons as a consequence of acquisition of land.

## **Department of Water Resources: 'Rehabilitation of Project Affected Persons' Policy, 1994**

In states like Orissa, there was never an inclusive policy on Rehabilitation and Resettlement or even a sector-wise policy for rehabilitation the way it was already there in West Bengal. But apart from West Bengal, Madhya Pradesh, Maharashtra, Punjab and Karnataka had already enacted their state wise R&R policies. Prior to 1994, and particularly between 1977-1993, Orissa had developed and issued only Government Orders and Resolutions. But in 1994, the Government of Orissa formulated a policy for the Water resources consolidation project, which was to be used in water resources development within the state. But the state government followed the same policy for all the other sectors such as canals, flood control works, power stations, industries, mining, urban housing and shopping complexes, slums clearance, roads, railways, airports, seaports, conservation, parks/bio-reserves/sanctuaries, sports complexes, amusement parks, and defense establishments. The genesis of 1994 policy can be traced to the earlier circulars and resolutions as the concepts and definitions were already there in the earlier circulars. This policy has evolved from the Government of Orissa policy of mere compensation for acquired land in the 1948 Orissa Act. Though the Rengali Dam oustees disturbed over decades, still the policy was not formulated after that, but the 1994 policy forms the shape on the basis of agitation though in late.

In 1994, in consultation with the World Bank and the NGOs, the State government presented a revised version of the 1990 policy for R&R in water resources projects. This policy pertains to projects of water resources development. Its implications for other departments are undeniable. (Mohapatra 1995:318). The Act introduced the concepts of 'affected person' and 'affected zones'. Affected persons means a person who is affected in respect of his/her land including homestead land and structures thereon, trade and occupation due to construction of the project within the affected zone. A displaced person is a project-affected person, but a project-affected person may not necessarily be a displaced person. Affected zone means the area comprising the lands already acquired under Land acquisition Act, 1894 or through other procedures as determined by the Govt.

by notification for the purpose of project activities. Along with this, villages isolated due to construction of any water resources projects and thereby becoming socio-economically unviable may be declared as affected village (Department of Water Resources, Government of Orissa 1994:1). This policy recognises that economic compensation for lost assets is not enough when it lays down land-for-land as the core of rehabilitation measures and also supplemented by a host of other rehabilitation options.

Government of Orissa narrowed down the definition of PAPs, to include only those project-affected persons (as eligible for R&R assistance), who are either physically displaced or landless labourers. This category also included those who had lost businesses and trade livelihoods. Any villages that became socio-economically non-viable or isolated because of the projects, could be declared as 'affected zones'. PAPs were to include unmarried daughters aged 30 or more, widows with no livelihoods, sharecroppers, and even 'encroachers' (Department of Water Resources, Government of Orissa 1994:2). Also for the first time, the policy emphasized the need for socio-economic baseline data, identity cards and project information handouts. Norms were set for the prompt payment of compensation.

### **THE ORISSA REHABILITATION & RESETTLEMENT POLICY, 2006**

In order to ensure sustained development through a participatory and transparent process, the Government of Orissa has framed a comprehensive resettlement and rehabilitation policy in May 2006 which is known as the Orissa Rehabilitation and Resettlement Policy (ORRP). On 6 January 2006, four days after the massacre at Kalinga Nagar, the Orissa government convened a Ministerial Committee to adopt a restored Resettlement and Rehabilitation (R&R) policy. Such an action was necessary in order 'to cleanse its image stained as a government that trampled over its own poor to bring in industrialisation'. (Jena 2006) As Orissa Chief Minister Naveen Patnaik declared, 'We are contemplating revising our resettlement and rehabilitation policy to make it more sympathetic and more humane'. (Ramanathan 2006) R&R policy had set minimum guidelines for resettlement applicable to all the 11 project sectors wherein displacement is the likely by-product of

development. It was thus more comprehensive than the 1994 Orissa R&R Policy for the Water Resources sector, which, though an improvement on previous ad hoc project-specific instructions, was still too weak to prevent widespread impoverishment among tribal groups and women in particular. It covers displacement resulting from dams, canals, flood control works, power stations, industries, mining, urban housing and shopping complexes, slums clearance, roads, railways, airports, seaports, conservation, parks/bio-reserves/sanctuaries, sports complexes, amusement parks, and defense establishments. The policy strongly recommends that all R&R needs to take into cognizance the needs of women affected by displacement. In 'Creating Dispensable Citizens,' Usha Ramanathan observes that, 'Every time a rehabilitation policy is mooted by the State, it is in fact an admission that the process of development has got too lopsided and cannot do without a correction'. (Ramanathan 2006)

Most principles of 2006 policy are an improvement on those of the previous rehabilitation policies. The 2006 policy accepts the need to minimise displacement. It adds that the consequences of displacement and deprivation of resources, particularly for the weakest sections like the tribals are traumatic and that the policy should remedy it. It recognises that monetary compensation is inadequate to get over this ordeal, and therefore, goes further than the earlier policies and affirms that resettlement and rehabilitation should be intrinsic to the development process. It acknowledges, in particular, the need to rehabilitate 'those who do not have legal or recognised rights over the land on which they are critically dependent', especially those who cannot continue their occupation once the land is lost. An equally heartening inclusion is the one that makes social impact assessment (SIA) mandatory for projects that lead to displacement. It thus recognises that the DP/PAPs should pay not merely an economic but a social cost as well. It adds that where a large number of DPs are tribals, 'a tribal development plan should be put in place'. However, its starting point is the state's eminent domain or its right to deprive people of their assets without their consent. Like the previous policies, it limits DPs' involvement to the preparation of the rehabilitation package and excludes them from the discussions and decisions on minimising displacement by land acquisition, though these decisions have a direct impact on their livelihoods. Thus, the process of the

2006 policy is not transparent or democratic. It also continues with the ambiguities of the earlier policies. It affirms the need to minimise displacement without specifying the implementation mechanisms for the same. It is meant to prevent abuse of some existing provisions such as acquisition of excess land. It states that decisions on emergency acquisitions can be taken only 'after recording the full justification for taking recourse to this provision. It also stipulates that land acquired for a project 'cannot be transferred to any other purpose without the consent of the oustees'. If it is not utilized within 10 years, it is to be offered back to the displaced families at a nominal price. These clauses can reduce displacement and the provision for SIA can reduce the shock of displacement but none of them can minimise displacement.

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

The availability of state policy is not necessarily an indication that it will deal more successfully with the rehabilitation and resettlement issues, because states not having explicit policies can and do follow rehabilitation issues more carefully. The national policy may not be sufficient as different states are having problems at different levels. So common policy might amount to failure.

Any kind of R&R activity of the project affected families will depend on the reliable and adequate socio-economic details of the affected area and population by taking into account the ethnic composition, educational level, occupation, skill possession and different sources of affected families.

Orissa is the poorest state in the Union of India. It is also the state with a huge proportion of tribal people. (Census of India 2001) It has an unusually good set of policy resources by the standards of other states. It had the most detailed of all state level policies for DIDR - specifically for the water resources development sector, a sector in which a state's irrigation engineering department provides the Project Implementation Authority (PIA). It had also evolved a set of District Administration/Revenue Department Guidelines on R&R - mainly for the various mining developments in the state.

A completed irrigation project may ultimately lead to crop diversification, as also increased agricultural intensity, more wage per day while mining projects may lead to economic growth and industrial development, but not necessarily the improvement of local livelihoods. But often there is a time over-run in project completion and the time gap becomes a significant factor contributing to traumatic condition of the displaced people. The project-affected people are acknowledged by policy makers as those who had endured a loss of livelihood caused by natural resources extraction. Yet, there is another type of displacement which is called as secondary displacement - those whose livelihoods are adversely affected either as a direct and indirect consequence or as a short-term and long-term result of development and are not acknowledged as 'project affected peoples' (PAPs). (Mohanty 2005:1318-20) Cernea's model is also quite significant to understand the intensity of sufferings and helplessness that occurs as a result of displacement in Orissa. Unfortunately while the Orissa government is handing land, forest and water resources on a platter to transnational corporations for mining and processing, it is ruthlessly suppressing right to livelihood of thousands of tribals in those regions, rendering them refugees in their own homeland.

### **Rehabilitation and Resettlement Policy Practice in Mining Projects: A Case Study**

The Planning Commission's Report shows that out of the total number of displaced persons in Orissa, about 40 percent are tribals. (Orissa Development Report, Planning Commission of India 2002: 466) Though the affected people have lost their land, yet land as a means of compensation was not considered as a viable option as most of the displaced people merely moved to other livelihood options like mat-making, Dairy, and Bamboo work when it appeared to them that land would no longer yield them any livelihood. In my interactions with the displaced population, it became evident that the government nor the agencies concerned had never consulted them regarding the compensation for land acquisition. This particular area is undulating and, hilly and the terrain is difficult in this area. So it will not be possible for the displaced tribals to get either suitable government land or purchase private land in the vicinity.

Barbil is the largest area with more than 119 mining projects running in several villages. The study with a close observation of four villages namely Juridy, Kalimati, Dabuna and Sarabali village of Thakurani area in Barbil Tehsil of Keonjhar district in Orissa, shows mining industries viz. TISCO, Birla SL mining, Zindal, NESCO, OMC, Sree Metaliks, OMDC and BPME, and also many mining industries have been running in the respective villages (Das, 2008). The field study shows that there are no Government records for the displacement and thousands of people directly or indirectly were displaced for such mining projects. Even the study shows there is inadequacy of implementation of R&R policy. The Orissa R&R policy 1994 and later policies for rehabilitation and resettlement were not primarily concerned for mining displacement. In the previous chapter it is mentioned due to the TISCO project, Jurudi villagers paid a heavy price. Rabin Munda of Jurudi village shared some of his views about the R and R policy implementation, explaining that he had to sacrifice his land for Tisco mining project but in return his family got an inadequate and inappropriate compensation. The company is giving Rs: 1650 in every month to his family, but the strength of the family consists his five brothers and therefore the per capita is Rs: 330 only. Hence no one is concerned for their survival and livelihood, either the company or the Govt. Not merely Rabin is facing these challenges, but many other families are also facing similar kind of problems. It clearly indicates the R&R policies are not effectively at work in these area.

In some of the major mining projects in Brbil regions of Keonjhar district of Orissa, the project authorities have rehabilitated the affected families through monetary compensation or provided housing colonies in other nearby areas. The affected families were compensated properly and were even paid in cash. But with the compensation money, the affected families would not be in a position to buy their earlier holdings, as the land was not available around their new localities as per their needs. Money also does not last long and they soon become destitute. In my field work I gathered from many life stories of tribal people in these regions, that many had spent the substantial amount of compensation money in celebration (like marriage) and tribal rituals. People in the nearby area inflated the price of land as they realized that the illiterate tribal PAPs already have

cash and they would definitely feel tempted to buy land even at higher prices. Since the tribals could not afford that much they were compelled to buy land at distant localities where the price was more moderate.

Relocation far away, on the contrary, will disrupt their social synthesis. For the tribal cultivators, areas of forestland occupied or encroached, formed a substantial part of their holding and this is not going to be compensated. Local interaction reveals that dispossession of tribals by non-tribals mainly the money lending caste that is the *Panas* is quite high. Small indebtedness of the past snowballs into huge imaginary debt and the innocence of the *Kandhas* is exploited by the money lending families by imposing a restriction on him and of never entering his land.

The direct loss of land as a result of the project will seriously accentuate this problem. An unusual pattern of division of labour is visible amongst the *kandha* women and young girls. The men only plough the fields and contribute rather little in terms of labour. The women are responsible for all ancillary agricultural operations, including *podu* or shifting cultivation on the hill slopes. The joblessness in the area that will be caused directly and indirectly by landlessness will severely reduce the work input of women in the agrarian sector and will have a more than proportionate effect on child health and mortality. It will be difficult for these large sections of women workers to find alternative employment at a distance as child rearing and domestic responsibilities severely impound their mobility since they could never go too far from home to look for livelihood option. Women not only work in the paddy fields during the day but also as wage labourers at night. But soon these opportunities will disappear as prospects of supplementary wage opportunities are rather constrained. It is a contradictory situation where on the one hand, women suffer on account of having to work at nights, yet on the other hand lack of opportunities to go far away in search of livelihood is limiting them to their homes and families.

Displaced people have become increasingly dependent on sale of wood from the nearby forest. The felling of trees has led to increased phenomenon of landslides in the



hills in the recent times and the entire environmental existence of the tribals seems to be under threat. The new policy provides for compensatory land for the land lost but unfortunately the rehabilitation per hectare of land lost is fixed in the policy. The policy should either ensure freezing of land price through regulatory orders or expand the amount of assistance per unit keeping in view land prices.

Though it has been observed that the project would benefit families in terms of having access to employment of the landless, still a massive land sale especially from marginal and small farmers takes place in the command areas as these farmers are unable to afford the cost of cultivation with modern inputs. It has been observed that once the project has been established, the migrant labourers have overtaken the skill jobs and the local oustees have been victimized in Orissa.

Hence, the process results in landlessness and impoverishment of the poor. Even, the medium and big farmers sell part of their land to meet the cost of cultivation of other lands. It has been observed that to a large extent centre plays prominent role in the construction of large developmental projects. Therefore, the State legitimizes its role on the control of the land and resources of the weaker sections, who do not even share the developmental benefits. (Mohanty 2005: 1320).

Those villages badly affected by the mining projects, especially the villages of Barbil region in Keonjhar district where even minimum communication facilities have not come up after a half century of independence. In such a situation superficial policy implementation or merely drafting out alternative strategies will not suffice. The need is to call for substantial investment in the road projects, building of communication links setting up forests or agro-based industries or processing facilities through public or private sector investments. Otherwise the threats of landlessness or joblessness will not be counted merely through individual oriented interventions with the limited rehabilitation amount available per displaced people.

It is interesting to mention here that the rehabilitation of invaders of even 'objectionable' categories of land that is forestland has been made mandatory through a separate executive instruction, including the OWRCP project agreement. This is not a part of original policy document if this provision is exercised in its right spirit in favour of traditional encroachers like tribals; a significant impact of joblessness is reduced.

Another important intervention contemplated in OWRCP (Orissa Water Resource Commission Policy) in all sub projects with substantial tribal component is Indigenous People Development Plan (IPDP). This plan tries to define the term 'indigenous peoples' as 'groups with a social and cultural identity distinct from the dominant society, for example STs/hill people etc; have a distinct cultural identity; they are often vulnerable to being disadvantaged in the development process; and indigenous people plan is dedicated to protect the cultural identity and provide appropriate assistance/resettlement to the indigenous peoples if affected.' (Government of Orissa, Indigenous People Development Plan (IPDP): 1994) An innovative Programme that contemplates community or individual intervention to enrich the socio-economic existence of all tribals in the project area directly or indirectly affected the people residing in these villages. One of the steps envisioned has already been experimented with in the World Bank assisted International Fund for Agricultural Development (IFAD) project in Kashipur, with the help of a local NGO called Agramee. This is the grant of joint *patta* of hill slopes land under *Podu* cultivation in the favour of tribal cultivators and their wives. Such an investigation becomes quite complicated with police involvement and local leaders interference, especially for organizations interested in such investigations like Agramee. (Agnihotri 1996:10) It is desirable that the policy should incorporate these area-specific innovations in its body through suitable environments in the near future so that things are not left to chance.

Under its special provisions to displaced families of indigenous communities, the Orissa R&R policy 2006, asserts that, 'While developing the resettlement plans, the socio-cultural norms of indigenous and primitive tribal groups will be respected'. (Government of Orissa R&R Policy 2006) In concrete terms, it stipulates that, 'as far as practicable

native communities should be resettled in a compact area close to their natural habitat'. (ibid) In cases where these families must be resettled beyond their habitat, they will be awarded monetary compensation at a 25 per cent higher rate. (ibid.) While this provision may be intended to preserve the ethnic, linguistic and cultural identity of these groups and may perhaps help to secure continued access to traditional CPRs, in the face of rapid deforestation, this measure may not be strong enough to protect the rights of adivasi groups to their livelihoods, rooted as they are in the commons.

As a significant and contentious focus of economic development efforts in Orissa, the mining industry requires a gender-sensitive and people-centred analysis with regard to the benefits it generates for the income, livelihood and food security of the affected women and men, and the adequacy of the compensation provided to mitigate negative impacts. (Vasundhara 2005) If industries must be established in their lands, women as well as men must be entitled to equal job opportunities. (ORRP 2006) The Orissa policy, however, makes a curious distinction between the employment provisions for industry and mining projects. Under the industry category, but not under mining, there is a clause stating that the separate categories of families defined for the purposes of extending benefits will not be considered separately for employment. Instead, only one person from among the different categories may be nominated by the family. (Government of Orissa 2006) This clause has gendered implications, as it will most likely prevent women from accessing employment in the industries that have uprooted their livelihoods. Although they are entitled for claiming employment benefits in the new industrial projects, women and men within the separate categories will instead be eligible only for onetime cash compensation.

Sequential exploitation of natural resources in Orissa had led to project activities in the remoter and difficult areas of states. Displacement fragments a single village into several splinters. Resettlement in the absence of a time-bound consultative process can be long and tiresome. This is the time when sickness risks are highest. Govt. assistance is the most important support that DPs can seek in order to establish support with health care delivery system in the new settlement.

Rehabilitation plans are prepared to minimize empowerment risks that the Project affected persons usually face once they lose land for the project. The objective of rehabilitation is to ensure that the affected people are afforded opportunities to establish and become economically self-sustaining in the shortest practicable time. Rehabilitation should be taken as a model development programme. The rehabilitation policy should also envisage setting up of a community health care system in every micro settlement, with mothers identified/trained as health workers. Potable water may become an acute scarcity for a disintegrated relocated community. It would need specific public intervention.

The Rehabilitation and Resettlement policy of Government of Orissa was followed in the sense that the PAPs whose land has been acquired after 1994 will be eligible for the rehabilitation action plan that was formulated in case of Harabhangi project. The rate was fixed as Rs. 10,000/- per one acre of unirrigated land and Rs. 20,000/- per acre of irrigated land subject to a maximum of Rs. 40,000/-. This was revised with effect from 1<sup>st</sup> September 1998. Those PAPs whose land is acquired after that will be eligible to get Rs. 12,797/- per one acre of unirrigated land and Rs. 25,594/- for one acre of irrigated land. (Water Resources Department, Government of Orissa 1996: 22)

The aforesaid examples illustrate that more than the physical sense of not having a roof over their head; the DPs are more concerned with tackling the fear of 'placelessness'. The term 'placelessness' refers to a kind of situation where people who are affected by the project are uprooted forcibly by the agency which is responsible for evacuating them even for the purpose of resettlement. When the affected or displaced families are forcibly resettled, they may not feel at home in the new place where they are located again, as the larger experience of resettlement shows that the new place is not viable for the displaced people. This is the reason why they choose to sense with their friends and relatives. Joint families are the norm in a typical tribal area of Orissa. Mobility within a generation is low. It is found that women and older people feel deeply

anguished when they are compelled to leave their ancestral homes, settled over generations. But younger males seem better oriented to a change of place. It needs to be mentioned here that availability of agrarian land near the homestead land is a crucial factor. The NGOs need to carefully counsel the DPs so that they choose their homestead, agricultural land or other viable livelihood options in such a manner that material survival does not become a problem. Increasing land prices and scarcity of cultivable land have broken integrated tribal villages into pieces in the past. There is, however, no detailed specific study on the 'placelessness' phenomena as on date in the state.

Displacement brings about with itself a disintegration process, which goes unnoticed by planners who tally only material targets and achievements of well-being. With relocation, the social organization of communities gets dismantled, the informal and formal networks get disrupted and loss of this social capital inwardly erodes human mobilization.

In fact, perception of the risk of social disarticulation is inherent in minds of DPs, much prior to relocation and this is one of the reasons they tend to resist new project that may actually relocate them. That this risk is not generally overcome is proved when we see that even with nearly one lakh people having been displaced due to mining and related projects alone, their organised voice is never audible. This risk is further accentuated in a society where grassroots level political institutions are inactive or weak, political power is concentrated in the hands of the elite and general level of awareness and literacy is low.

Orissa is a typical situation, which displays all the aforesaid symptoms. Tribal Orissa is even more difficult. In many mining projects in Keonjhar district, where time and cost over-run has been considerable, there has been no public criticism from the DPs who have been made to evacuate without proper Rehabilitation assistance. Tribals, who have strong community leadership tries and are yet to get into the mainstream market economy, feel threatened by the government power hierarchy who do inevitably exercise their nuisance value even in the most democratic

situation. After relocation, they get even more fragmented, weak and inherently unable to organise. Disappearing community ties caused by geographical dispersal and threats of commercial forces squeeze their spirits from both ends.

Agricultural land and ancestral homesteads provide food and economic security to a large proportion of the rural population, even if the landholding size is inadequate to meet dietary requirements of the household throughout the year. Land holding had declined for majority of the PAPs after resettlement. In projects where more than 90 per cent of households ceased to be landowners, a large number of PAPs were employed by the project, thereby ensuring economic security for the family. (Ramaiah 1996:4) These jobs, however, did not guarantee economic activity for other adult household members, especially females, and for children of the employees after they became adults.

Physical reproducible assets such as quality of housing and household assets were largely dependent upon the income levels of the household. A large number of PAPs had utilized part of their compensation to construct better quality of houses and buy household assets such as transistors, radio, tape, recorder etc. soon after resettlement. However, the “economic prosperity” experienced by the PAPs immediately after resettlement could not be sustained, and therefore the “standard of living” adopted by most PAPs soon after receiving compensation had declined. For instance, several households were unable to afford basic maintenance of the house and repair of electric goods after a few years of resettlement because of inadequate finances.

Another lacunae in the policy is that it does not talk about the advisability of either alternative project designs like the reduction of height of dams and relocation of the developmental projects. In spite of all these problems, the 1994 policy emphasises evaluation by an independent agency at least twice in the minimum, which is also a welcome step.

## **A Critical Evaluation**

There was a primary emphasis on 'land for land', and allowance was made for the transfer of mortgages on land, etc. Limits were placed on the fragmentation or severance of village and individual land. New restrictions were placed on 'compensatory employment' in the project works, which was a significant departure from the 1990 policy in which up to 50 per cent of the new employment created could be allocated to DPs. The policy also emphasised the need for systematic monitoring and for independent evaluations to be carried out twice during resettlement and rehabilitation. Government of Orissa department responsibilities (including the establishment of an R&R cell) were specified. The socio-economic baselines were to be used in the preparation of rehabilitation plans for the new resettlement sites. Clarity in budgeting was highlighted; and the cost of R&R was to be included in the project costs. The policy of 1994 is flawed as if the individual landholder's condition after acquisition of his/her agricultural or non-residential land is compensated in the form of forcing them in to a socially unviable form of livelihood. Just resettling the people to a new barren, unviable land cannot qualify as a compensation to a displaced person. The problem with the policy laid out by the State government is that it has been assumed in the policy that government will be the principal actor in the process of R&R. While the policy mentions certain state-specific concerns and contains some unexceptional statements, yet they are essentially governmental exercises within the conventional framework.

At the same time, the ORRP 2006 identified displacement by six types of projects: Industrial Projects; Mining Projects; Irrigation Projects, National Parks and Sanctuaries; Urban and Linear Projects; and any other projects. The ORRP provides for employment to an eligible member from each displaced family in cases of displacement by Industrial and Mining projects. For Industrial Projects and Mining Projects, it provides one time cash assistance upto maximum of Rs 5 lakhs for displaced families who have lost all land including homestead land. Provision for granting of free homestead land of 1/10th acre in the resettlement habitat to each displaced family "subject to availability" of land has been envisaged. If land is not available, it provides for compensation of Rs

50,000. The ORPP (Orissa Rehabilitation Policy and Planning) also provides for house building assistance of Rs 1.5 lakh for each displaced family and a monthly maintenance allowance of Rs 2,000 to each displaced family for a period of one year.

It seems that the Orissa Rehabilitation and Resettlement Policy 2006 cannot address the root causes of the dispossession of the Adivasis in the state. Firstly, the Orissa Rehabilitation and Resettlement Policy 2006 failed to address the allegation that State government has been acting as broker and profiting from the lands of the peoples by exercising its sovereign power. In 2004, the state government had sold 2,000 acres of land to the Tatas for Rs 3.35 lakh per acre. The state government paid only Rs 76,000 an acre to the original landowners given the fact that even the current market rate for an acre was Rs 5 lakh. Besides, the Rs 76,000 was meant only for titleholders, who account for 20 per cent of the tribals in the area. The promise of a job for each displaced family, a home allowance of Rs 50,000 and Rs 5,000 as aid for a temporary shelter were never adequately fulfilled. Secondly, the Orissa Rehabilitation and Resettlement Policy 2006 contained serious shortcomings which only legalised past illegal practices – the arbitrary exercise of the sovereign power of the State for the benefit of the private companies. The Orissa Rehabilitation and Resettlement Policy (ORRP) 2006 is meant only for prospective displaced families. Clause 5(a) to (c) of the policy only refers to undertaking socio-economic survey for identification of displaced families and preparing their socio-economic base line, approving of the said list of displaced families by the respective Rehabilitation and Periphery Development Advisory Committee (RPDAC) and displaying of the approved list at public places like Collectorate/Block/Tehsil/ Panchayat for wider information.

The ORRP 2006 is meant only for families who would be displaced in future and states nothing about the 1.4 million already displaced people, mostly indigenous peoples. Clause 5(a) of the Policy categorically states, "Ordinarily within two months of publication of notice for acquisition of land for the development project, a socioeconomic survey would be undertaken in the manner to be decided by the Government for identification of displaced families and for preparing their socioeconomic baseline". The



ORRP 2006 also does not provide for free, prior and informed consent of the affected families before acquisition of the land. Clause 7 of the Policy only refers to "Procedure prescribed by the government" in acquisition of land and other properties without specifying the so called "procedure prescribed by the government".

There is no mandatory provision for land as a rehabilitation benefit. Only in cases of displacement by Irrigation Projects, National Parks and Sanctuaries (Type C), assistance for agricultural land has been provided for. Since the majority of the displaced comprised of indigenous and tribal peoples whose primary occupations are agriculture and forest related activities, their livelihood would be adversely affected in the absence of mandatory provision for land as a rehabilitation benefit. This violates provisions of the 5th Schedule of the Constitution of India which guarantees the rights of the tribals over their land and prohibits transfer of tribal lands to non-tribals. In the historic Samata Judgment of July 1997, the Supreme Court of India held that all the lands leased to private companies by the government of Andhra Pradesh are unconstitutional, and hence such transactions are null and void.

In Clause 10 (a) & (b), the Policy provides for compensation is up to a maximum of one standard acre "if the encroachment is unobjectionable". But nowhere in the policy has the word "unobjectionable" been defined. There is every likelihood that the government will misuse this clause to effectively deprive any compensation whatsoever. The ORRP still uses derogatory terms such as "primitive tribal groups" in Clause 13. In Clause 17, the Policy does not make it mandatory to include representatives of the displaced families and NGOs in the Rehabilitation and Periphery Development Advisory Committee (RPDAC). The wording "...it (the government) may include...." suggest that the government may or may not include the displaced peoples' representatives and NGOs.

In Clause 21, the Policy provides that "effective participation of the displaced communities will be ensured in the process." But there is no clearly defined mechanism for ensuring such "effective participation" of the aggrieved people. The Policy does not guarantee homestead land to all the displaced families in resettlement habitat. "Provision

for homestead land" states -"Subject to availability, each displaced family will be given at least 1/10th of land free of cost in a resettlement habitat for homestead purpose". As per the provision, a displaced family shall be given one time cash grant of Rs 50,000 in lieu of homestead land. Finally it can be said that, the ORRP does not address the rights of the displaced but will certainly be used as an instrument for further displacement.

It remains to be seen whether the Orissa R&R policy will pose a serious challenge to this tendency. The document mandates the constitution of a Rehabilitation and Periphery Development Advisory Committee (RPDAC) 'to encourage participation of displaced people and their elected representatives in implementation and monitoring of R&R package' (GoO 2006 para 16). While the National R&R policy insists on the membership of one representative of women residing in the affected area, as well as one representative from a Scheduled Tribe (ST) and Scheduled Caste (SC), the Orissa policy states that 'adequate representation will be given to women and indigenous communities (wherever applicable) in the committee' (ibid.). As Jena rightly remarks,

When women already form 33 percent of local self-governments, their household to protect the interests of women and men in various life stages, and allocating cash compensation to joint accounts. But in its final rush to approval by the Cabinet Committee, the policy left some promising points behind, including the provision of benefits to deserted women and unmarried major daughters below the age of 30, and the much valued stipulation on joint accounts. Its employment provisions may succeed in drawing landowning men and women into the mining industry on a more equal basis, but in a state with a dense adivasi population so dependent on the commons for their livelihoods, in whose interests is the exploitation of these resources? The policy's failure to clearly enunciate a position on women's representation also ensures that what is declared officially 'adequate' will continue to over-rule the rights of affected groups to participatory and transparent processes—and what kind of development will there be without these? (Jena, 2006)

### **Comprehensive Sector Guidelines and 'Policy Practice'**

The 1994 policy provides the most comprehensive guidelines for the Department of Water Resources (DWR). The policy document runs into 30 plus pages. Drafted in

English, it was quickly translated into Oriya to ensure its provisions were widely distributed. This was supported by the World Bank.(Ramaiah 1996:4) Mining, thermal power and industry are also covered by sector guidelines, but none of these are as extensive as the DWR ones. The DWR document has played the leading role; the other sectors have taken many, but not all, of the finer points of the DWR document into consideration in drafting their own guidelines. Regrettably none of the guidelines are consistently followed. There is strong donor demand for their implementation, but there is little effective demand within the implementing or administrative agencies for adherence to their requirements.

R&R' is seen as, necessarily, a far more pragmatic exercise; creativity in the interests of 'easy administration' and adherence to local social mores are seen as more important than adherence to donor-pressured rules. It should be emphasised that the 'implementation deficits' are not the result of the lack of or over-abundance of high-level direction or shortage of resources. Resources are made available; but they are not reaching the local areas. (Fisher, Rew and Pandey 2000)

Section VIII on the payment of compensation is the weakest part of the policy document adopted by the Government of Orissa. The objects are not mentioned in proper and systematic manner in which the rights over trees and compensation to be paid for these rights are to be assessed for payment of compensation. It is known widely in tribal areas that persons planting and rearing trees, over one's own land, or anybody else's land or on the common property or on government land enjoy traditionally absolute ownership rights over these trees. Invariably, the compensation paid for the trees is niggardly and bears no logical relationship with the real market value of the trees. As the rights over trees go to the actual planter, who may be a woman or a child, even the head of the household does not have a claim over the compensation he is paid for the trees owned by other members of his family. In order to ensure adequate and proper compensation for the value of trees, the market values may be determined by some officer of the Forest Department and not by the land Acquisition officer, who might not be having any experience in the marketing of wood.

ORRP (2006) takes into account various project-specific Resettlement & Rehabilitation Policies and plans. The current intervention of policy formulation has actually taken note of the lessons learnt through these past policies, which essentially echoes Government's genuine spirit of learning and observation. The present policy draws its strength from experiences from the performance of past policies, best practices in other States and Orissa Government's Industrial Policy Resolution, 2001. Consultation with various direct and indirect stakeholders including civil society of the State has been conducted, and the views of the academicians and specialists in the field of resettlement and rehabilitation have been considered as a part of democratic response of the Government in Policy formulation. (ORISSA RESETTLEMENT AND REHABILITATION POLICY 2006) Limitations of the past policies have been recognized and analyzed and a flexible framework has been attempted, which demonstrates the dynamism of the Government. Unlike many other policies, there is a strong focus on the modalities of execution of this Policy that makes it a lively mechanism to promote sustainable development in the State. The section B of the present policy deals with the mining and its implementation in greater detail in comparison to earlier policies. (ibid)

Compensation and resettlement are the weakest sections of ORRP (2006), and in this respect, the 2006 policy does not make much progress over the NPRR (2003). The ORRP (2006) states that the policy applies to all projects that would lead to displacement; it adds that a resettlement administrator is to be appointed and agrees to bear the entire cost of the R&R package. The provision that mandates the 'full payment of compensation' and adequate resettlement prior to their ouster is certainly a very encouraging step forward. It is a positive move because most studies show that DPs have to wait for compensation and resettlement for several years after their displacement. Most projects do not make a provision for houses, schools and ration shops during the transition period. The affected persons are subject to economic hardships as livelihood restoration is not on the agenda of the implementing agencies. Most of the displaced take loans and large number of them withdraw their children from schools as they are not available in the transit camps and the affected persons do not have the financial resources to pay for towards the transportation expenses.(Fernandes 2006:193-95)

### **'Social Policy Practice' at District level**

Often a project will take place within a single district. In this case District Collector is the chief officer of the district and directly responsible for the collection of taxation and other revenue, land administration, the administration of law and order, the co-ordination of economic and social development, and for local government. He also serves as the reporting officer for the staff of all the technical departments - for example, agriculture, health, education etc. He is boss of a department whose functions include social programme co-ordination, justice, taxation, land records and development. He, or she, in some cases, is the ideal portmanteau administrator for compensation and for R&R. All the significant secondary stakeholders in DIDR at a typical district level will report to him/her or acknowledge his/her supremacy. They include subordinates in revenue collection and land administration; the magisterial function; in local government function; DRDA( and the organisation of the development effort through blocks; Forest Department; Police; Engineers of the Project Implementing Authority ; Health; Agriculture; Livestock; Fisheries; Education; in a sense, this system for co-ordination should be flawless. (ORRP 2006)

The Collector can easily set up committees for co-ordination. He may choose to establish one of these as a Resettlement Advisory Committee. The critical point for the implementation of policy and action is that there is always a single point of reference. In practice, the workloads are difficult to balance and the appropriate personnel are not in place, poorly motivated or are overloaded. But the formal system is designed to make co-ordination of effort a high priority. The authorities should discharge their duties more seriously. The principle of compensation should be the 'replacement value', not the 'market value' or 'present depreciated value' of assets. Replacement includes the economic cost, social and psychological trauma and dislocation, psychological cultural and social preparation to deal with the new system, training them for jobs in the project, preparing the host community to receive them, replacing the environmental, human and

social infrastructure like the CPRs, cultural and community support systems. (Fernandis 2008)

### **Land Acquisition Action**

The DIDR process starts with the assembly and purchase of land through compulsory purchase orders. The Project Implementing Authority (PIA) experts assess the specific area and co-ordinates of the land that the project needs to acquire. The Revenue Department is then solely responsible for establishing the ownership and value of the land and for acquiring it from the current owners. There are few co-ordination problems, but many administrative problems arising from the adjustment of formal rules to local practices and past declarations.

It can be stated, very firmly, that the empirical evidence from Orissa is that none of the DPs are satisfied with the valuation of their land and assets .(Rew, Alenor and Pandey, 2000: 65) Dissatisfaction will follow their inability to realize their positive hopes and expectations at the point of negotiation and, because compensation is a once-and-for-all cash assessment of their major source of current livelihood. The cash sum is thus often large but clearly insufficient to purchase other land nearby. The problems arise mainly because the land is always undervalued. The owners are usually fully complicit in the under valuation. They will have maintained under-valuations for years to ensure that they pay lower land taxes; or have failed to declare the division of a property to sons, etc. Moreover, the calculations are based on recent land sale transactions, of which there may be very few, recorded, and the Revenue Department may not take account of the potential impact on the local land market of the new project-induced scarcity. (ibid) If small packages of land in half or fractional plots are left after project needs are met these pockets should also be purchased so that the aggregate sum available in compensation will allow purchases elsewhere.

To put it differently, administrators mainly accept that 'the project' is also entitled to the market rate as well as the cultivators. No account is taken of the productivity gains

and transfers which come from the new irrigation or industrial activity; or of the transfers of land from the rural poor to the company rental housing sector, since land is acquired both for the productive side of the project and for company 'colonies'. Most DPs find that there is no land available nearby and they are reluctant to go to a strange place. The market mechanisms at work to set land prices in distant areas are beyond the local man's knowledge. Much of the frustration with land valuations stem from the inability to offer replacement values.

The Orissa R&R policy offers no land compensation to those losing agricultural land to industry or mining projects—only to those displaced by Irrigation Projects, National Parks and Sanctuaries. The assumption is that the primary means of rehabilitation for those uprooted by the former categories will be employed within these sectors (or either self-employment or one-time cash compensation, should Affected Families opt for these). The plan provides one job per family to the displaced, giving preference to those who have lost greater proportions of their agricultural land. The Orissa policy's broader definition of what constitutes a separate family, for the purposes of benefits, should entitle more jobs to women. Previously it was not uncommon for a large family to have to depend on the wages of one earner. As Manipadma Jena reports, 'In many instances it has been seen that the son sets up his separate family after the father has nominated him as the beneficiary leaving the other dependants to fend for themselves'. (Jena 2006)

However, the 2006 policy does not respect the democratic process of involving the affected persons in the decision concerning the alienation of their sustenance. Besides, it is explicit in its support for the principle of eminent domain and the acquisition of land using this principle, and at the same time, upholds the principle of minimising displacement. The policy limits the application of its provisions to large projects and does not make any provisions for the R&R of those displaced by smaller projects. The policy can, thus at best, result in better resettlement than in the past but it does not fulfill the necessary conditions required for rehabilitation. (Shankaran 2009)

## Valuation Actions

Another problem in implementation comes in the various valuations, which are made by different authorities. Land values are assessed by the Revenue Department. The engineering staff of the PIA calculates the value of houses. Fruit bearing trees may be evaluated by either Revenue officials or by Horticulture; infrastructure by Public Works or by PIA engineers. The forest department assesses non fruit-bearing trees. No one is responsible for assessing loss of amenity, unless it is somehow included in the Revenue Department assessment. Uncertainties and the potential for unhelpful administration can proliferate as a result. (Ota 2010)

The Orissa R&R policy 2006 includes a provision with regard to the community's loss of 'public property like school building, club house, hospital, panchayat ghar,' and so on, mandating that 'the value of such property affected/submerged' be directed to the district collector for reconstruction (para 6, GoO 2006). There is no similar provision, however, for the loss of natural resources or common land. In its acquisition of 30,000 acres of land for the Kalinga Nagar Industrial Complex, the Orissa Government paid for only 13,000 acres—the small proportion of land for which individuals could produce ownership papers. It acquired the remaining 17,000 acres free of charge. This was possible under the principle of eminent domain, where land is not individually owned and natural resources, belong to the State. As the Land Acquisition Act, upon which R&R policies are based, recognises only the principle of individual ownership, those dependent on common property resources (CPRs) for their livelihood are not compensated for lost access to land, nor are they even acknowledged as being displaced or affected. This neglect is built into the law as it is into the history of development projects in Orissa. (Sankaran 2009) 'A study of seven projects causing displacements during 1950-94 in Orissa found that no compensation has been paid for common properties by any of these projects'. (Pandey 1997)



According to the policy,

An encroacher family who is formally landless and who has been in possession of the encroached land for at least ten years prior to notice of land acquisition will get ex-gratia equal to compensation for a similar category of land to the extent of land under his/her physical possession up to a maximum of one standard acre, if the encroachment is unobjectionable... It is important to note that term 'ex-gratia' means that the government is not legally bound to provide this compensation. It may do so voluntarily and as an act of goodwill, if it so chooses. While the national policy takes steps to help secure the access of adivasis to land rights that were not previously settled, the Orissa policy makes no similar proposal. (paras 9 [a] and [b], Government of Orissa R&R Policy 2006 )

### **Process and Practice of Appeal**

If DPs or PAPs are not satisfied with the valuations and compensation package, the law requires them to accept the settlement as an interim measure, with a note of protest recorded. This recorded protest allows them to appeal to the Civil Courts. In fact, very few DPs or PAPs appeal because of lack of knowledge and fear of the consequences of official encounters. Their right to appeal may be further restricted by potential Government of India regulations, which expect the District Collector to be the sole negotiator of the appeal. Some NGOs try to help; but many more people meekly submit to their fate.

If more than one district or agency is involved, co-ordination does become a problem and the provision for a Resettlement Advisory Committee (RAC) will need to be invoked. It alone can ensure, on a regular basis, that there is secondary stakeholder co-ordination if the population of two or more districts or states is involved. In practice RACs meet infrequently, their recommendations are not followed-up and there is no representation of DPs or other PAPs. As a result, they lose touch with the realities of the project. A crucial distinction is needed between the co-ordination arrangements required when all the project's secondary or institutional stakeholders are departments of State Government and some are parastatals (all Government of India undertakings) or private

sector businesses. In a majority of cases, the staff responsible for rehabilitation following DID (Development Induced Displacement) will be located in the engineering divisions of PIAs outside of State Government. In this second case, their personnel can all too easily pass the responsibility for the detail of DIDR to specific departments of the State Government on the grounds that they lack the political responsibility and skills. In many cases, these private companies or parastatal PIAs will have created R & R units, usually with far more staff and financial resources available to them than those that are available to State Governments. (Govt of Orissa R&R Policy 2006)

In theory, therefore, they may aspire to take action independently; in no case, however, can the PIA act alone. Its R&R staff must resort to the State Government's Revenue Department to mediate their relations with the DPs and PAPs. Many problems in the co-ordination of action arise in this area of overlap; and multi-agency implementation is the norm for DIDR projects rather than the exception. The key PIAs are from the power, mining, industrial and water resource sectors. The only one of these sectors that is controlled wholly within the State is for water resources. In the power and mining sectors, the PIAs are usually GOI undertakings or parastatal companies although there are plans afoot to privatise some of these, especially in the coal mining industry. The industrial sector is mainly operated by private sector undertakings. There are no road developments in Orissa that have significant DIDR implications. (Agnihotri 2006)

R&R policy 2006 stipulates a public hearing on the issues related to social impacts of displacement. This is a step forward as public hearings were limited hitherto to environmental impact assessments (EIAs). The requiring agency needs to appoint a committee to prepare an SIA of projects that physically displace 400 or more families in the plains and 200 in the scheduled and hill areas and desert development blocks. The report of the hearing is to be examined by a multi-disciplinary expert group. By acknowledging the need for SIA, the draft recognises that the impact of loss of land is not merely economic but social as well. (Govt of Orissa R&R Policy 2006)

This policy certainly has some positive features such as the SIA hearing, measures to prevent excess land acquisition and the principle that rehabilitation should be integrated with the process of development. However, it does not include mitigation measures to counter impoverishment and restore the livelihoods of affected persons. For example, the 2006 policy indicates that assessments such as SIA are for the displaced persons only and not for the PAPs, though impoverishment is high among them as well. Most of the compensation provisions are for projects that involve displacement of large numbers. Those deprived of their sustenance by governmental projects like railways, highways and other public utilities and buildings are only entitled to an ex- gratia payment but no provisions are made for the R&R. Measures that can prevent impoverishment risks are stated in the form of principles with no specific measures for their implementation. The focus of this policy is on resettlement with a provision of compensation in the form of 'land for land' 'if available' and preference in jobs 'if there are vacancies' and if the displaced persons have the required qualifications.

#### **Delegation (and displacement) of the Displacement Problem: R&R 'Cells'**

One way that the District Collector has the power of capitalising the extra administrative demands made on him by DIDR projects is to use the services of a specially created Rehabilitation Officer. This is an especially critical post when project implementation is wholly the responsibility of State Government, as in water resource projects. Even then, the role requires considerable liaison between the project engineers, and the land administration, welfare and rehabilitation functions of government. There is almost always a shortage of manpower in key processes. The Rehabilitation Officer, who may be part of the District Collector's staff or of the PIA, is often a lone individual, located at field level. Experience in Orissa shows that he may have initial responsibility for the displacement and rehabilitation of some 2,500 to 5,000 families. The sheer volume of DP families means the work is often carried out mechanically. (Orissa R&R Project 1994:2)

The great range of duties, which cover almost all DIDR tasks downstream of land acquisition, ensure that an adequate quality of implementation of DIDR plans, is most unlikely. The duties cover: compensation disbursement; follow-up to complaints about compensation made by DPs; details of displaced individuals within the project affected families; administering temporary income support during relocation; determining the eligibility of individuals for R&R assistance (for example, authorising assistance to the children of PAPs who have become adult during the project's implementation); implementing the decisions and choices which have been made for the disbursement of the project grants available to assist the rehabilitation of DPs; to certify the authenticity of the land purchase and advance money for house construction where DPs purchase land and construct their own houses; administer the process of establishing alternative livelihoods and income restoration schemes, through verifying certificates of purchase of land or business assets (Department of Water Resources 1994 ; p. 27). The woefully inadequate level of staffing for what is the core of the social development work in DIDR leads, almost inevitably, to considerable confusion on the part of the post-holder as well as on the part of the DPs. Social development activity and DIDR in particular, is especially demanding of careful attention and sensitive and caring judgments. The workloads in R&R units rarely allow quality standards to be maintained in this work. Even if there was enough staffing, Rehabilitation Officers usually lack the skills needed to help people suffering the traumas of displacement and rehabilitation. Typically, they have been posted to the job from an engineering or administrative background. They often lack any natural sympathy for the specific disruptions suffered by the DPs. They have only very rarely been asked to 'stand in the shoes of an oustee'. Their career orientation makes them more interested in the progression of the project's construction works or engineering; or they have the administrator's trained capacity to look mainly upwards for the key instructions on job performance.

These shortcomings in the social development skills needed for a critically overloaded job could be reduced through intensive training programmes. The current post-holders, however, are often not the ideal candidates for such training/retraining. They come with a lifetime's conditioning to routine top-down administration and

physical engineering operations. They are very far removed in orientation from the perspective and skills needed to implement DIDR with due attention to the needs of both PAPs and economic growth. Training packages for R & R have been developed in recent years, especially with the encouragement of the World Bank. As delivered in Orissa, these packages outline the State's R&R policy guidelines and then highlight rehabilitation topics as discrete skills or organisational responsibilities. For example, the role of microfinance, entrepreneurship, women's issues, NGO roles, and community services are dealt with. It is the reorientation in perspective necessary to deal with DPs and the disarticulation of their relationships, status and livelihood coping strategies that has been missing. In other words, exposure to discrete skills and topics may help; but something more fundamental in training is required to equip the trainees' to alter current policy practice. The training should seek to make the trainees angry and concerned about the miseries of displacement and rehabilitation, but it rarely does so.

The quality and motivation of the staff posted is also questionable. Posting to an R&R job is often seen as a 'punishment'. First, social development work in the State (and more generally in India) is not especially valued. Second, R&R tasks are especially of low esteem. There are few career prospects seen in such work. Moreover, the tasks and responsibilities are highly visible in a political sense. Opposition groups frequently use R&R issues to mount campaigns against the serving government; district officials then become exposed in unpredictable ways. The political visibility also leads to much high level interference as senior administrators try to adjust the systems to meet what they see as urgent management needs. This pattern of low valued work is beginning to change, mainly as a result of donor pressure, but the rate of change is very low. The creation of R&R cells can make a difference by giving clear indications of career progression and official approval for the work. This is especially the case if the cell is/can be supported by a donor partner. In the absence of donor encouragement, the R&R cell and its staff can be highly vulnerable. One indication of this is found in the wholly State Government runs R&R cell for Irrigation Development. There have been four Directors in four years despite the fact that they have all been senior members of the senior Indian civil service, the IAS. The pressures and struggles over transparency behind such major changes of

staffing at the most senior level can only be guessed at. It is widely believed that corruption and favoritism in the work have been endemic. (Sing and Banerji 2001: 73)

I realized in my field work even those R&R bureaucratic functionaries who are genuinely involved in the day-to-day resolving of these resettlement issues, are never given any credit, but are merely relegated to their paper and field work. Given the low of the R&R functionaries, and the lack of a comprehensive development vision for DIDR, there are also few incentives in the bureaucracy for speedy decision-making or for the internal co-ordination of work by officers at similar levels. The spirit of 'cautious concern' surrounding DIDR means that 'file movement' must follow the strict order of bureaucratic authority. Decisions can only be made 'on file' and files must first go 'up' then 'across' then 'down'. Although project agreements usually make provision for routine M & E(Monitoring and Evaluation) and the collection of impacts, such data collection and evaluation is rarely undertaken since there have been few positive impacts. M&E and progress reports account for activities and disbursements, not the satisfaction of aims and qualities. The NGOs find that progress reports only very rarely give a true picture of the situation.

There are many gaps between reality and commitments and assurances are often bland. For example, there may be a statement about the number of drinking water wells dug; but no account to establish that the wells do indeed have water in them. NGOs have come to the process only lately and their ability to change the situation is restricted. After the promulgation in 1994 and also the recent policy of the latest State government, NGOs were given commissions to help them facilitate implementation processes in the field. They are not usually welcome, however, when they state some of the ground realities or convey the strong feelings of the communities for whom they have been hired. They feel pressure to conform to the official views that implementation is broadly on track but perhaps suffering from a few local difficulties. The constraints they perceive are so serious that they have argued that the only way forward will be to appoint an independent commission to review the DIDR impacts.

There are currently quite weak provisions for public participation in the formulation of DIDR plans and implementation mechanisms. The main text of the 1994 policy states only that: “Representatives of the oustees and voluntary organisations may be involved in the process of identification of settlement sites at different places” “... with a view to integrating the displaced and host population, resettlement plans and programmes should be chalked out in such a manner that the host communities are involved from the stage of planning for development of the site itself. All development related problems of host communities should be solved so that they do not feel neglected in any manner”. (25296/WR; Item 5) On the other hand, in the last few years there has been a noticeable increase in awareness of the need for community participation. The 1950s and 1960s had seen a complete silence on project-induced displacement. DIDR was seen as an inevitable consequence of economic growth and restructuring; it was a seemingly technical requirement of new investment in which land acquisition needs would be dealt with under the colonial compulsory land purchase law and compensation to those losing landed property would follow. There was silence on other entitlements and the direction of development.

The 1994 Orissa Policy recognized that communities will have views and major worries, even if the drafting of the policy puts more emphasis on maintaining peace in the host communities rather than participatory learning about needs and livelihoods of the displaced communities. The draft N72 Policy of 1994 stated the principles more forcefully and did not restrict participation to the selection of settlement sites in the post-displacement context. The draft national policy states: “... a participatory process, involving the representatives of people in the planning and execution of development plans at appropriate levels is required. All phases of planning, execution and monitoring must involve the representatives of affected people (item 4.7). A recent Report of the Council for Social Development in New Delhi concerns industrialization and right of DPs to be represented in project design.

Despite these hazards, the National Mining Policy promulgated in 2008 gives very little importance to the people and the environment. It is obvious that much thought

has gone into its formulation. It discusses every aspect of mining such as the preliminary survey, prospecting, exploration, mining and improvement of methods. Its focus is on private capital and the State and the optimal use of the resources (No. 3) to ensure it; In future the core functions of the State in mining will be facilitation and regulation of exploration and mining activities of investors and entrepreneurs, provision of infrastructure and tax collection. (No. 4) It will encourage technology required for cost-reduction, human power development and economic aspects. (No. 7) The people to be affected by mining are mentioned only in the context of exploiting small deposits. Its social and environmental impact does not receive the same attention as its production does. Thus the policy is good from the point of the investor but the people who will be affected by it do not have many reasons to be happy about it. (Fernandes 2008)

High levels of community participation, and institutional and policy arrangements to secure high quality support and facilitation for it, are essential to economic rehabilitation. The absence of provisions for participation at the planning stage of projects, and the worries of NGOs about the lack of impact assessment and the reluctance of Government of Orissa officials to respond creatively when community discontent is relayed to them, do seriously hamper economic rehabilitation. The solutions and mechanisms are there in theory. Reasonably substantial grants are made available to DPs when they have identified alternative means of employment or business. The project can help identify a list of income generating activities (IGAs) and DPs are encouraged to make proposals and to request start-up grants for specific needs of equipment, premises or other start-up costs. There are very few strictly administrative problems encountered in processing the grant applications; almost anything, which looks more or less practical and feasible, will be funded on receipt of a certificate of intending or actual purchase. The concept of a particular IGA (e.g. a rickshaw hire business or a shop) does not arise because no initiatives have emerged from the DPs, often even when NGOs are promoting opportunities and ideas. The only exception to this lack of DP initiative concerns the purchase of land; there is usually no reluctance in this area, only a shortage of suitable purchases.



One explanation could be the reluctance of people - whose skills, occupational experience and social status has hitherto been restricted to their sphere of life as cultivators - to engage in trade or manufacture. A more likely explanation is that the policy process has created such disbelief that no solutions can be trusted and so none emerge. There is insufficient appreciation of the differences in time scale between engineering components and the emergence of new economic activity. DPs will not rush into these until they have re-established their houses and basic facilities. They frequently experience such high levels of delay in dealing with resettlement and its facilities that frustration, anger and finally distrust grow to such an extent that no solutions are acceptable. The potential for linking economic growth in the industrial sector with the rehabilitation of the DPs is not realised. For example, the potential for building rental housing to accommodate employees of the industrial plants has never taken off because the parastatals concerned quickly build their own 'housing colonies' and establish, in effect, a dual economy and society. The opportunity to develop intensive horticulture or dairying to feed the housing colonies or nearby towns has not been seized, partly because of inertia on the part of the PIA and on the part of the DPs and PAPs. The spirit of partnership and participation in rehabilitating development is missing.

The developmental projects raise questions of equity, fairness, justice and equality before the court 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 like occupational degeneration, social disorientation, pauperization, and loss of dignity or often getting cheated of the compensation which serve to make the experience a trauma. This has given rise to protest movements.

An interesting feature of the growing protest movement has been the creation of a national awareness of the problem. The press, the activist groups, the social workers and the judiciary have combined together to not only educate the masses about the problem but also help build up national consciousness. The refrain has also been taken up by the political parties and even by the global civil society organizations to give to it a wider than national connotation. The international conference of nations on Environment at Rio

de Janeiro in 1992 has served sufficiently to internationalise the issue (ibid). The world financial institutions can go to the extent of withholding loan and aid so as to get fulfillment for its ecological concerns in case of Sardar Sarovar Project. The activities of Indravati Gana Sangharsa Parishad, a democratic movement launched to protect the interests of project-affected persons, have been suppressed by the police using repressive methods. Activists have been jailed for months together (Singh and Banerji 2006:73). Within this backdrop, the next chapter looks at people's resistance, movements and the role of NGOs.

## **Chapter - Four**

### **Role of Civil Society in Resettlement and Rehabilitation of Project Affected People in Orissa**

People's resistance against those developmental projects that were implemented with the sole aim of accumulating profit is quite observable in the field. Theoretically, civil society constitutes those associations that mediate between family and State with the objective of achieving people's welfare. These civil society organizations have played a major role in the upliftment and mobilization of many sections of the Orissa population, most particularly the Tribals. Consistent attempts have been made in the last few decades to mobilize rural youth in order to improve the literacy level in backward areas of Orissa. One can argue that due to the prolonged intervention from such organizations, there has been a marked improvement in the standard of living of the poor people. During the past two decades in India and Orissa in particular, social activism has brought new hope for those affected by huge developmental projects, because they have openly and consistently opposed such mega projects and have turned the spot light on the people who are affected by such projects. Yet, their preoccupation has been more towards protesting than to actually ensure the day-to-day success of the process of rehabilitation which is more time consuming, tedious and long drawn. It is within this context that I have attempted to study the civil society organizations in Orissa in order to understand better the role of civil society, non-governmental organizations (NGOs) and social movement in the issues of development, displacement and rehabilitation in Orissa. As the majority of displaced are tribals, an attempt has also been made to study the tribals' resistance to the development in Orissa.

#### **Displacement and Role of Civil Society**

While exploring the various aspects of development, the role of civil society acquires principal importance because it is civil society that provides the spaces of resistance. Civil society possesses certain inherent virtues which sustain democratic communications, equality and social cooperation that should be important to disputation on issues of development and displacement. The outcome of development projects in the

post-independence period in Orissa shows that social movements, which are a part of civil society, have on the whole played a marginal role. In most of the cases it was seen that these civil society organizations have been joining hands with corrupt state officials instead of looking into the needs and welfare of the people as they claimed to do.

The issue of displacement has invited a lot of attention from NGOs not only in portraying the sufferings of affected people but also debating the very rationale of even setting up of such a mega-project. Concrete differences have emerged between the practices of the State and the beliefs/demands of grassroots organisations. The mushrooming growth of civil society groups including grassroots movements has brought the debate on displacement to the forefront along with the mainstream theorising of Development. The concern for democracy and equality has urged many civil society groups to intervene and expose the contradictory forces of Development while making the magnitude of displacement more visible.

Over the past four decades, social movements have become an important form of the collective action of the people. People engage in promoting or resisting change while acting on behalf of common interests or values to which they strongly adhere. However, the term 'social movement' must be employed with caution. There are many kinds of organizational activity of a neighborly or communal character that do not automatically qualify as social movement, although in some cases they may form the base or provide the pre-conditions for the formation of a social movement later on.

Social movements are those initiatives of resistance that have developed a sense of collective purpose and political goals that involve interaction/negotiation with other political actors. The political goals of social movements are expressed as claims to rights or as an extension and exercise of rights. The demands of social movements in specific situations thus call upon a common language of rights that contributes to the establishment of alliances among them. This language of rights provides the means to organize the elements of social struggle and has found broad application in many

different movements in many different cultures. "Since this language has shown itself to be very effective in mobilization, there is a kind of strategic economy in its adoption and adaptation. The language of rights thus provides a form of 'master frame' for promoting effective."(Foweraker 2004:4)

In the modern era, the power to grant or withhold rights is vested primarily in the state; social movements make demands on the state. In that sense, Foweraker suggests, social movements seek to mediate the relationship between the individual and the state, particularly in the protection of the individual from state oppression by defending their rights. Unlike NGOs or interest groups, social movements must also mobilize their supporters to pursue their goals, although they stop short of guerrilla activity or armed revolutionary insurrection. (Foweraker 2004)

### **Resistance and Protest**

The phenomenon of resistance has recently emerged as a major area of interest in social sciences. Resistance means an oppositional response to the exercise of domination. It also involves a continuum of forms, ranging from passive foot dragging, non-appearance at official sites and times, inability to understand instructions and other 'weapons of the weak,' as described to protest meetings, civil disobedience to outright rebellion and warfare. (Shah 2001:75 ) For instance in the year 2000, people in Orissa resisted the setting up of a steel plant as they assumed that they would lose their livelihood as they would be displaced from that area. Narayan Reddy, a communist leader of Chhatrapur in Ganjam district led the movement, which proved to be successful. Although the affected people were being paid huge compensation they stiffly resisted the move to build this plant. ( Sambad 2001)

### **Peoples' Resistance in Orissa: Some Case Studies**

In Orissa, since 1994, tribal people and farmers have been struggling peacefully to exercise their right over natural resources opposing big companies that attempted to

displace lakhs of tribals and poor people from their habitats and sources of livelihood. In Kashipur, Niyamgiri, Maliparbat & Deomali, Aluminium companies are a threat to rich forests and perennial water sources after mining of bauxite. Sri Samantara who is President of Lok Shakti Abhijan, Odisha Chapter and one of the National Convenors of National Alliance of People's Movements (NAPM) has been providing solidarity to these tribal movements. He is the first petitioner to the Supreme Court of India against Vedanta company. There are other people's movements against Tata Steel factory in Kalinga Nagar, POSCO Steel project in Jagatsingpur, Birlas in Maliparbat, Arcelor Mittal Steel project & Sterlite steel project in Keonjhar. There are people's protests against the pollution of thermal power plants and sponge iron industries in Orissa. All these movements are to protect land and water from destruction and pollution. Sri Samantara as activist co-ordinates to unite various people's organizations to support these people's movements. He was an active participant in a successful movement in Gopalpur against Tata steel plant that saved the Rusikulya River and Pipalpanka reserve forest in Ganjam district. Orissa has become a laboratory for Multi National Corporations and other companies to exploit resources at the cost of people's livelihood. Sri Prafulla Samntara is not only involved with these movements; he writes in various newspapers and edits his own Odiya fortnightly journal on these issues. He has also published many books and leaflets on displacement and police repression. Though he emphatically asserts his belief in non-violence, he continues to be a target of corporate violence because he is always mobilizing the tribal people and creating awareness among them. Orissa's future is threatened by devastation of ecology as more and more mining companies are clearing forests and carrying out open cast mining; as the proposed projects will multiply air and water pollution immensely since these industries will also consume enormous amounts of water. Sri Samantara asserts that all quarters of the society must join hands to stop this impending ecological disaster.

The mining of bauxite in Orissa has given rise to bold massive movement in the past. For example, in the eighties of the 20<sup>th</sup> century, a strong movement of the local people has completely held up the mining activities of the Bharat Aluminum Company (BALCO), a Government of India Undertaking with foreign technical collaboration. The

BALCO initiated officially its mining work on May 2, 1983 that was scheduled to be completed by April, 1985. The project came to an unending pause due to mass based agitations of the local people, mostly tribals despite the fact that the BALCO claimed to have invested 30 Crore rupees on the project. (Mishra and Maitra 1987) A number of relevant questions have been raised by the people relating to their development. Moreover there is a concern for religious demands; their movement came to embrace secular matters such as environmental protection, ecological balance and eradication of poverty in a perpetually drought-prone area. Incidentally, the BALCO has been sold to Sterlite/Vedant. The proposed steel project of the Tisco at Gopalpur, which involved acquisition of 3500 acres of land, and displacement of over 2000 people in the late Nineties, met the same fate.

The people of Kasipur (mostly tribal people) have also raised their voice against the concerned aluminum company for the protection of their livelihood. Around 20 thousand people have been displaced due to the proposed mining project and the government of Orissa has assured them that it would provide one thousand jobs to the project affected people in the company. But the government has failed to fulfill the assurances given to the victims. Consequently the people of that region have repeatedly agitated and demonstrated against the industrial houses. Many NGOs and social activists have joined their hands with the agitating mass of the Kasipur region. As a result, people's protest became stronger day by day. On the other hand, the Government of Orissa has considered the people's agitation as law and order problem and ordered the police to oppress the protest. After obtaining an order from the Government of Orissa, the armed policemen entered that area and tried to suppress the mass agitation. Since 1993, the police have registered 80 criminal cases against the tribal people and activists. On several occasions, the police resorted to lathi charge. Activists were attacked and offices of the resistance movement were destroyed. Even mediapersons entering the area were not spared. (Sambad 1999)

Resistance against the Bauxite mining project in the Kashipur region of Rayagada district in Southern Orissa, had even been widely reported by the print media. (Patnaik 2001) This incident was preceded by certain actions of an “all-party committee”, which the tribal people had already begun to look at with suspicion. On December 15, a day before the incident of violence, under the leadership of N. Bhaskar Rao, Rayagada district president of the BJD, and Krishna Mohapatro, a former block chairman of Kashipur, a group of people reached Maikanch and allegedly tried to disrupt a gathering of tribal people who were to discuss a “road blockade” (Chakajam) programme at Rafkana junction, 30 km away from Kashipur, scheduled for December 20. The programme was planned by the Paribesh Sampad Surakhya Parishad. The companies and the State administration obviously wanted to foil it. The people resisted the efforts to disrupt the meeting. On December 16, armed police with a First Information Report (FIR) filed at the Kashipur police station, two platoons of armed policemen led by Circle Inspector Subash Swain and Kashipur Block Development Officer (BDO) Golak Mohanty reached Maikanch. The policemen allegedly beat up the women and asked for the whereabouts of the men, who were hiding in the nearby hills. Hearing the commotion, the men returned from the hills. It is alleged that as soon as the policemen noticed the men, they opened fire. (Pattnaik 2001)

The version of the police and the administration is that the police party went to Maikanch to investigate the “attack” on Bhaskar Rao on December 15. Residents of the village attacked the police party by means of bows and arrows and threw stones at them, and this forced the police to open fire, it says. Several political parties, such as the BJD(Biju Janata Dal), the BJP(Bharatiya Janata Party) and the Congress(I) and the State administration allege that a non-governmental organisation, Agramee, which has been working among the tribal people of Kashipur, for about 20 years, and its director Achyut Das is inciting the tribal people to resort to violence and refuse to vacate the area. It is alleged that the attack on BJD leaders was planned by Agramee. The BJD organised rallies and meetings at Rayagada demanding the arrest of Achyut Das and a ban on Agramee. It is a fact that Agramee played a role in raising the consciousness of the people, uniting them and making them aware of their rights.



Similarly the people of Jagatsinghpur district in coastal Orissa have been actively engaged in a protest movement against Posco, a South Korean company planning to set up its 51000-crore steel plant since January 2005. The company also has a plan to open a new private port of its own in order to avail the facilities of special economic zone. The Posco Pratirodh Sangram Samiti, an organization of the local people, has been spearheading the movement. (The Times of India 2006)

The people living in 22 villages of three gram panchayats of Ersama block situated in the Ersamma Assembly constituency are likely to be displaced after the work starts. The Memorandum of Understanding with the South Korean major was signed on June 22, 2005 by the state government. It is proposed that the company would be given a mining lease of 600 million tons of iron ore for which a separate MOU has to be signed, even to the extent of permitting the company to export iron ore. Further the state government would acquire 435 acres of private land for the plant which involves displacement of 20,000 to 25,000 of people. (Sambad 2006)

Since then the villagers of three gram panchayats such as Kujang, Dhinkia and Nuagaon have been restive over the issue. The Samiti has raised a brigade of 1200 people who are ready to keep the movement alive. At times there have been violent clashes between the supporters of the proposed plant and the people, calling for intervention of the police.(The Times of India 2006 ) In one such incident which took place on April 11, 2006, at Dhinkia village 11 persons were injured and nine activists were rounded off by the police. (The Times of India 2006 )

In another incident, Since January 2, 2006, the tribals of Kalinga Nagar have launched an indefinite economic blockade on the National Highway 200 at Madhuban Chhak. They are not prepared to work out any compromise with the State Government. So far all efforts of the government to appease the tribes have failed, and the present

situation is characterized by deep emotional overtones. The place where the 13 victims of police firing were cremated has been named as Bir Bhumi and on May 23, about 5000 women from Orissa, Chhatisgarh, Jharkhand and Andhra Pradesh took out a rally and resolved not to lift the road blockade. (The Times of India 2006)

Among other things the 7-point charter of demands of the Bistapan Birodhi Janamanch includes a complete halt to displacement in the area. The economic blockade has caught the attention of the judiciary which has issued directions to the state government to take suitable steps to lift it as early as possible. The following reasons have encouraged the people of that region to rise against the big industrial houses.

- Firstly, the phoenix method to be applied by the company for melting iron would adversely affect the environment for which no industrial house has obtained permission anywhere in the country.
- Secondly, the huge quantity of water which would be utilized by the proposed plant from the river Mahanadi would not only affect the cultivators but also rob the fishing folk of their only means of livelihood. It is estimated that the number of project affected people is likely to cross one lakh.
- Thirdly, the question of giving a mining lease to a foreign company at a cheap rate has stirred patriotic feelings among the people. It has been pointed out that the Government of Orissa would lose one lakh and thirty two thousand crores of rupees in the event of granting lease of the iron ore to the company. The Hind Majdoor Sabha has expressed its deep concern over the proposal to set up a new private port by the Posco since it would affect the working of the existing Paradip port. The Sangram Samiti has raised a band of young men who are prepared even to sacrifice their lives in resisting the move for displacement. (The Times of India 2006 )

Surprisingly Keonjhar district is excluded from these social movement initiatives across Orissa even though the district is heavily surrounded by mining industries along

with adverse effects on life, livelihood, food, cloth, shelter health, water and environment, etc. There are no strong resistance generating from the grassroots level in and around Keonjhar district. In my field work, I attempted to garner reasons for this phenomenon also. The Field Study clearly showed that despite many alarming issues there are no effective movements from either the intellectuals or the tribals. The tribals have no access to education, little understanding of practical matters, low ability to overcome the miserable situation in which they find themselves as they are necessarily overwhelmed with the problem of ensuring basic survival. , As such, they have settled for the compromise because they lacked the kind of strong, united voice required for registering resistance. Mostly they also feared violent State repression and retaliation in the event of their non compliance. On the other hand the intellectuals as well as civil society though being well acquainted with the pitiable and miserable conditions of the tribes in the Keonjhar, are still indisposed to respond actively in comparison to other regions of Orissa. Other side of the spectrum shows that Keonjhar has primarily a fragmented displacement index, ie., the people who are displaced are not hugely concentrated in a particular locality but are scattered across the hilly region. In Keonjhar, eventhough there is a large number of displaced persons, the number is still lower compared to thousands of people displaced by POSCO, VEDENTA and also in areas like Kshipur, Niyamgiri, Maliparbat & Deomali. Because of the relatively scattered and disparate number of people who are displaced, there had been a very little scope to unite together and raise their voice demanding better amenities and better compensation. Keonjhar is lacking the people strength to confront the situation imposed upon them by the mining companies who take undue advantage of the political scattering of the region. Often very cunningly, using all resources and means, the mining companies try to block out whenever there is any active revolt or leadership emerging from the side of the tribes. Tuloshi Munda also expressed a similar view. She has been working here since 50 years for many issues, viz, livelihood, education, health, rehabilitation and also fights for the tribals' rights and dignity and other similar concerns. In recognition of her outstanding contribution for the upliftment of the tribals, she has been awarded Padmashree by the government of India, and also honored with the best civilian award by the Orissa State Government. It is an arduous affair for any one person to put together the larger

fragmented people and a more demanding job to make them properly aware to think and act for their upliftment.

People's protests against displacement are widespread all over the state and gaining momentum against the industrial houses. The displaced people of the Mahanadi Coalfields Limited (MCL), a subsidiary of the Coal India have been strongly pressing their demands for rehabilitation, taking resort to agitation and resistance. (The Times of India 2006) While the state government looks upon all these resistance movements as law and order problems, and has been trying to tighten the security arrangements in and around the industrial hub, the people have raised many questions which merit serious attention of the corporate bodies. Besides the questions of rehabilitation and resettlement, the issues of improving the quality of life of the project-affected people, an important segment of the stakeholders, are intimately associated with all these movements.

The second question relates to acute shortage of water for the purpose of irrigation. Widespread mining activities had certainly led to drying up of the natural sources of water. It is estimated that nearly one crore farmers would be affected by industrialization in Orissa. All the rivers, springs and other sources of water are getting dried up in view of mining activities in Koraput, Keonjhar, and Sundargarh districts recently. The mega industrial units would require water which now feeds the paddy fields of the state. The cultivators of Sambalpur have been raising their voice against supply of water from the reservoir of the Hirakud Dam to the industrial units located in and around Sambalpur and Jharsuguda. Unless proper care is taken, industrialization may have a great adverse impact on agriculture and ruin the economy of the villages.

However, the public resistance against these big industrial houses in Orissa is very fragile and scattered in nature. In other words, resistance is not unified, localized and fragmented. More particularly, no such mass movement has been demonstrated strongly against the mining companies by the people of Keonjhar district of the state of Orissa till today. The Non-Governmental Organizations and voluntary organizations working in that area are not active in this aspect. Rather, they are engaged in merely executing the government policies relating to land acquisition for the development

projects in that region. This is quite different from the situation in other parts of the state, where a number of bold massive movements have been witnessed against different development projects.

For example, the resistance of the affected people in Indravati became prominent in the first half of the last decade. People took to the streets, organized meetings, conducted *gheraos* of government officials and barricaded the road leading to the dam site. (Samaj 1990 ) The resistance eventually transformed into a series of workshops and public meetings.

On 11<sup>th</sup> December 1990, the NGO called Agramee organized a workshop entitled “Peoples’ Workshop on Displacement” at Khatiguda. The main issues came up as a result of that workshop were:

- Assess the extent of displacement.
- Get proper feedback from analyzing the views from persons displaced in Phase I and Phase II.
- Initiate an open and clear dialogue between project authorities and R & R officials and the displaced persons for a healthy interaction.
- Disseminate information regarding R & R policies of government of Orissa and Agramee.
- Get more information from the resettlement clusters.
- Build a forum for planning and policies on R & R.( Agramee Report )

A large number of displaced and resettled people who were to be evacuated from Phase II and Phase III attended the workshop and many of whom were women. A section of top officials from the project, R & R Personnel, Investigators, Project co-coordinator of Agramee were present. Workshops also took place in Benakhamar and Charumula to deal with the issues related to development-induced displacement in Orissa (Agramee Report). Agramee also focused on food security for the people including the displaced people. (Currie 2000:133-72)

In Orissa, the displaced families organized under the Indravati Gana Sangharsha Samiti (IGSS) had threatened to commit suicide in the reservoir, if the government failed to address their grievances and redeem the old premises. (Barta and Swabhimani 1995) In case of Hirakud Dam in Orissa, there were few attempts of organized protests in Sambalpur and Padmapur towns under the banner of the Communist Party as the people had great doubts regarding the future benefits in comparison to the present loss of their ancestral homes and well-cultivated land (Baboo 1991:2374 ).

Referring to these public protests, a Government of Orissa report states: “The people had great doubts regarding the benefits in comparison to the present loss of their ancestral homes and best cultivated land”. (Baboo 1991:2374) But the protest was curbed by elaborate propaganda regarding the agitation and the benefits of the dam and government took responsibility to provide all the people of the submerged area with land for cultivation and houses to live inside Sambalpur district.” (Government of Orissa Report 1968)

People’s protest against the rehabilitation policy and the process was first seen in 1973 when the Rengali Irrigation cum Project was sought to be implemented. In case of Hirakud Dam, Institute for Socio-Economic Development, a Bhubaneswar based NGO, which has done extensive work with displaced persons, revealed that the land provided to the oustees for agricultural purposes was often unsuitable for cultivation as well as production (Ota 1996:126-145). Irrigation facilities to the resettled have remained an elusive promise; civic amenities remain only on government paper. Compensatory jobs on ad hoc basis remain perpetually under the threat of losing. In case of many projects of Orissa, the guidelines of the government are rarely followed. These are superficially followed only when a protest gathered strength and gained media limelight. At the time of protest, both the government as well as the company officials tries to assuage the situation by offering instant promises and assurances that never gets implemented in the future. For instance in 2006 when the protests against the POSCO steel project gained

wide publicity and media reportage, the government officials promised to take immediate action to ensure that the corporates strictly adhere to the rules and policies. But till date, neither the promise is delivered nor has the protest subsided.

However, the movements are at the early stage, and have a long way to go. As of now, it can be said that these movements have not been able to achieve the aims and objectives for which they have been formed. They are launching piece-meal protests and agitations, just as the State Government is launching piece-meal policies and schemes. There is as yet no sign of State-Civil society negotiation or working together, in order to achieve the common goals of betterment of livelihood standards of the affected people.

The day these projects were announced, there was massive people's agitation against these projects. Most of those people who were displaced were tribals. These people depended on natural resources for their livelihood and so they struggled against the projects. These struggles, forced the government to announce a package, which was satisfying for these people, and as a result there is no more people's movement against these projects. (Harabhangi Irrigation Project Report Orissa 1999)

### **Displacement, Civil Society and Social Movements in Orissa: The Role of NGOs**

The social movements are drawing support from the ranks of the marginalized, the dalits, women and the victims of ecological destruction. By taking into account the ideological positions, political practice and the support bases, the emergence of social movements have been resisting the mining and related developmental projects such as TISCO, POSCO, Zindal, Utkal Alumina, etc. as they have caused mass displacement. Against the coercive State with limited representation, they are seeking to put forth their agenda of social transformation. The agents of civil society are gauging the coercive nature of the State and the limitations of bureaucratic structures in initiating change in the fractious society of Orissa.

These social movements assert that the guardian role of the State is not acceptable to them, as in the name of national interests, the State displaces number of vulnerable and marginalized sections of the Orissa society. They protest against a system where the interests of the ruling class are projected as national interest. (Baviskar 1995:38) Relating to politics, Rajni Kothari argues that these movements are “really to be seen as part of an attempt at redefining politics at a time of massive attempts to narrow its range, different from electoral and legislative politics which has relegated large sections of the people outside the process of power.” (Baviskar 1995:38)

It has been observed that the performance of the State was one of the significant factors responsible for the emergence of the voluntary sector. The voluntary sector chose to register its protests by expressing a complete distrust in the state. The state was seen as incapable of delivering the goods and services and therefore needed to be by-passed in the process of social transformation. Instead, appeal was made to civil society for reconstructing the pattern of development. Thus, the emergence of the voluntary sector also began a trend within the social movements in which the machinery of the State was critiqued, questioned and delegitimized. (Mahajan 1999: 85) Therefore, the social movements rather than confronting the State choose to sideline it and focused on the civil society. Now the role of grass-root movements has been glorified in the transformation of civil society. These grass-root movements basically addressed the subtle, local level problems. The struggles of the grass-root organizations are described as micro struggles. (Sethi 1998: 409)

Many of the specific aspects of social movements in fact may take the form of what has been termed a “non-governmental organization” (NGO). NGOs are not generally social movements, but may become allies or parts of social movements. These organizations have become an integral feature of contemporary development policy and practice. For instance, the appearance of NGOs like Thrive, Antyodaya, Lok Drushti, Gram Bikash, Vasundhara, The Ideal Development and Agragami. In Orissa these



organizations are in far flung areas, came up during the 1970s and are considered the best means for the distribution of development resources and also as the best providers of development expertise. But the working of these NGOs in Orissa also has a flip side. Most of them engage in practices where they would gain monetarily and hence are accused by many as behaving like agents of international financial organizations. They get massive funds from many international organizations and in course of time they merely act as puppets in the hands of these external agencies. As a result they are no more autonomous (or resistance-oriented) organizations rather they have become the handmaidens of these agencies.

So what I encountered in my field work as the response of the people in Orissa is that many consider that the civil society organizations are just a farce. It has been seen that Organizations like *Lok Drushti* and *Thrive* insist that the motto of their organization is to provide employment to rural youth, yet these are slogans on paper that never got implemented. Throughout my fieldwork, I did not come across any youth who got employed because of any of these NGOs. From the development perspective, these NGOs have frequently been seen as catalysts through which local people could become participants rather than objects of development efforts. An NGO called *The Ideal Development* has been working in Keonjhar district for last two decades. But unfortunately, it is engaged only in carrying out the governmental projects rather than giving importance to the issues of development induced displacement caused by the mining and its related projects in that area. During the field visit, it has been observed that presently it is engaged in the socio economic survey of the people of that particular region for the forth coming Arya Steel Mining project on behalf of Orissa government. Alternatively, NGOs like Agramamee and Gram Bikas which are in Kasipur in Koraput and Mohuda in Ganjam district respectively, have given priority to local needs like resettlement, livelihood, sanitation etc., These associations have abstained themselves from these low practices of profiteering and have brought immense benefits to the people of these areas.

The NGOs in Orissa depend on donors for funding and they justify their role and actions by the claim that, as non-governmental organizations, NGOs can eliminate many of the problems of inefficiency and corruption inherent in the bureaucratic functioning of governmental agencies. NGOs depend on communities for legitimacy. Since their fundamental model is participatory, without the active involvement of local people, they lose their mission and become simply top-down development professionals.

NGOs take different roles in resettlement work. Some NGOs work for the entity promoting the development project in the planning of resettlement communities. Others work to improve the conditions of those communities that have accepted or have already been resettled. For example, Agramee found total opposition to the Indravati Project, Gram Bikash in Harbhangi and Badanala Project unrealistic and elected to improve resettlement policy of the Indian States involved and the resettlement conditions of the communities designated for relocation. (Dwivedi 1998:150) Still others work to assist those communities that have chosen to resist resettlement, providing information, media assistance, organizational capacity, networking and financial resources.

Though there is a growing presence of NGOs in Orissa, only two or three NGOs are active with respect to displacement and rehabilitation. But unfortunately, in Keonjhar district of Orissa there are no such NGOs to look after the displacement and rehabilitation related issues. It is quite evident from the literature that most of the NGOs working on the displacement related issues in Orissa are focused only on dams and irrigation projects instead of giving importance to mining and other developmental projects which also cause displacement.

In this context, Agramee turns out to be one of the most important NGO that actively dealing with the social issues. Achut Das in 1981, a prominent figure, who was a member of different advising committees of the Union government and the Orissa government as well, founded this organization. From 1981 onwards, this NGO has been

engaged in addressing the problems of project affected people in Koraput and Kalahandi districts, especially helping the government in rehabilitating the dam-affected people of Indravati. It continues to fight for the tribal people of that area, who are the major victims

*Gram Bikash* is a leading NGO in the coastal Orissa with its headquarter at Mahuda near Berhampur of Ganjam district, Orissa. It worked on many projects related to development-induced displacement with the State government. Some of the important projects that have been operationalised are Ghodahada project and Chhelligoda project etc. in Ganjam district. The significant work that has been done by this NGO is the resettlement of the project-affected people of Harbhangi and Badanala project and the post-project evaluation of the two above-mentioned projects. During the projects, it gave some practical suggestions related to the viable implementation of R & R settlement. (Dainik Asha 1998)

The increasing importance of NGOs in development work, including their access to significant financial resources, has greatly enhanced their participation in the various problems of resettlement in general. The expansion of the number of NGOs working in DIDR resistance is largely among those devoted to environmental and human rights issues. The linkage of these two global movements- environmentalism and human rights- with the resistance of people threatened with relocation or suffering from poorly implemented resettlement. "It entails a critique not only of the model of development that accepts the necessity of relocating people for national priorities, but also a questioning of the scale of development interventions that create major disruption for both people and environment." (Jena 1996)

People's movements initiated by Gram Bikas within the ambit of civil society have acquired much importance as these movements, which comprise groups having links with the Socialist Party, environmentalists of various shades, Gandhians and Neo-Gandhians favour an alternative models of development by opposing the onslaught of

present pattern of development. These people's movements also operate within the local areas of Ganjam Gajapati, Boud and Kandhamala districts in Orissa and have support bases among the project-affected people. The people have distinct identity in order to justify the uniqueness of experiences of injustice faced by each groups.

There are committed NGOs in Orissa such as Agragammee, Gram Bikash etc., earnest in their desire to bring change in matters of women empowerment, tribal welfare and tackling the needs of other uprooted people. They have worked on field by helping the displaced people to cope with their problems of organization, leadership and interacting with authorities for faster development and to bring to the notice of the authorities the unintended negative consequences of their well intentioned programmes and courses of action.

The NGOs play a vital role in compensation fixation and investment but only from the start of evacuation of the displaced persons until effective resettlement and rehabilitation of oustees. Involvement of volunteers from among the displaced people, by inference of the people's institutions has been welcomed for assisting the Resettlement and Rehabilitation Officer. Ironically, what emerged in my field experience was that even though the displaced persons themselves are recruited as volunteers to handle resettlement and rehabilitation issues, the officials have ensured that these volunteers do not 'advise' the officials or their staff on key resettlement matters. This in a way is the major drawback of the Resettlement and Rehabilitation policy, where it failed to take into consideration, the views and opinions of those people truly displaced by these projects.

If resettlement today figures prominently on the development agenda, the credit goes to civil society groups. The continuous and persistence campaigns by the NGOs give voice to the displaced people. The NGOs have done a lot to bring about a perceptible change in the way the resettlement task is visualized. The civil society groups are also lobbying for full fledged and comprehensive rehabilitation policy. At the national level, the NGOs have come up with alternative rehabilitation proposal by emphasizing upon the strengthening of budgets. In addition to provide human resources to implement

effective Resettlement Action Plans, NGOs also provide important lobbying functions to ensure greater compliance with the newer and stranger policy guidance.

It is clear from the struggles made by NGOs and social movements is that in the beginning, the NGOs and social movements were more concerned about refinement or demand for full fledged rehabilitation policy, but since last two decades, their struggle is against the construction of any developmental project itself. So, in this sense, the struggle was first a protracted struggle and later on it has become the continuous one. But the limitation of these movements and organisations is that entirely disentangling the role of mining projects is practically impossible, as these projects work as contributory units in economic growth of the state.

While some thought that an alternative to the official policy amounted to taking displacement for granted and that one should aim at displacement policy, others felt that the policy and laws they were drafting were based on the principles that displacement cannot be taken for granted was implicit in their demand. They wanted to go beyond it to work on a policy that makes displacement difficult. The draft policy was finalized by NGOs in September 1995 and presented to the Secretary, Ministry of Rural Development in early October.

Some extracts from this draft, in order to understand its key features -

- By focusing on people's rights, they felt that the principle already enunciated that compensation is to be based not on market value but on replacement value, responds to the most of the displaced peoples belonging to the informal sector who lose their livelihood without any alternatives being provided. The alternative that is suggested is replacement value would involve quantifying the livelihood they lose, the psychological trauma of forced displacement and the loss of the socio-cultural and other community support system. Compensation should include these factors. (Fernandes 1998: 268-274)

- The second suggestion made by NGOs is to underline the importance of the principles of equity and fairness as the basis of development. In other words the right of the people to take their own decisions or be involved in official decisions concerning their livelihood that is to be sharers in the decision concerning the project itself be respected. They have a right to have adequate knowledge about the public purpose of the project, the non-displacing and least displacing alternatives should be given due importance. (ibid)
- The next suggestion includes the minimization of displacement.
- There should be one law to govern both rehabilitation and land acquisition.
- The NGOs gave due importance to the principle that the formalities of rehabilitation has to be completed before taking physical possession of land. This principle should not only focus on merely economic but also to attend to every aspect of life, the people should be made literate and equipped for skilled and semi-skilled jobs made available by the project. However, the focus of the NGO alternative was based on community, not individuals or even families. (Fernandes 1998: 268-274)

The voluntary organizations emphasize a participatory approach in arriving at a decision as to whether a project has a public purpose. The need for organizing the displaced persons is advocated. The NGOs have also suggested changes in the methods of identifying of eligible persons. In fact, studies are called for so that all eligible persons are included in the list. The voluntary organizations also emphasize the need for school, medical aid and infrastructure for the displaced people.

The role of NGOs in pre-displacement and post-displacement periods deserves specific observations. NGOs usually concentrate more on questioning the legitimacy of the specific industrial or infrastructure project, which also gives an edge to their ideological fervour. The moment the NGOs take a stand against a project, they fight shy of entering into the task of implementing a good resettlement and rehabilitation policy even if it is proposed by the project. There are numerous NGOs campaigning against displacement in Orissa in the context of the present pattern of development, however no

well-established NGOs come forward to associate themselves with rehabilitation and resettlement. Due to this, inexperienced local NGOs try to implement rehabilitation and resettlement or the fate of the project-affected people is left to the project officials and ultimately the result does not suit the affected people. (Sharma 2003:911-12)

The role of civil society groups, (provided they are not corrupt and join hands with corrupt Government officials), is significant and crucial in bringing about settlement of the oustees in resettlement clusters or colonies and also in the neighbouring villages whose infrastructure and common property resources share with resettlement colonies. Though some organizations might be corrupt, not all of these organizations are so. In Keonjhar where most of my field visit was based there were no such strong organizations, yet in most of other areas affected by such mining projects, there are many organizations that have worked genuinely in improving the conditions of the people. Now the NGOs have stood with the project affected people in good stead for securing higher compensation and better rehabilitation packages. The involvement of civil society in the Project Rehabilitation Advisory Committees has ensured the weight given to the views of problems of oustees. The NGOs are now a days associated with Base Line Survey, implementing Rehabilitation Action Plan and Retrofit Programmes etc. and organizing self-employment and reskilling of the affected people. The NGOs, as part of civil society, also provide capacity and expertise building in the community. This becomes quite important as after the project is completed, the people's institution they help in forming in the colony or resettlement cluster may manage the maintenance and development of infrastructure and amenities.

Civil society should be inclusive. Both the oustees and project affected population, the victims of the development projects and the beneficiaries of the project, should form a part of it. The displaced people are getting more and more organized to protest and agitate against involuntary displacement through voluntary organizations as they perceive their own interests and the interests of the project beneficiaries as reconcilable.

The proliferation of grassroot organizations like Agramee, Gram Bikas and Thrive signifies a political space separate from and in opposition to the state. Most of the affected people who waged peoples' movements against these mining projects were tribals and this put an enormous pressure on the Government of Orissa to pay attention to their demands. In the case of development-induced displacement, a space for common assertion can be created and through this negotiation can be done in favour of the affected as such which was not taken care of in carrying out various major mining projects. There is a need for NGOs to scrutinize the desirability and justifiability of the project development intervention itself. During the implementation phase, the need is really to examine issues like human rights violations during appropriation of assets, disruption of nomadic routes crucial to the survival of nomadic communities and alienating people from their basic assets of livelihood. The social scientists can also play a role in post-resettlement monitoring and evaluation in order to assess the trauma of displacement. However, Smitu Kothari gave utmost importance to NGOs along with social scientists in the sphere of development intervention. (Sharma 2003)

The assimilation of project affected people's struggles into the anti-development/environmentalist agenda, the modern-reformist agenda or the socialist project neglects history, i.e., that the original inhabitants people have always fought against outside oppression on their own terms. Their history of resistance long precedes the advent of developmental projects, environmentalism or socialism. Whether or not the affected people go "environmentalist" or become "rights/justice oriented" and recognize the "failed promise of development" by the state, is dependent on a process of popular education that seeks to widen the scope and purpose of such movements to include state-centered-develop mentalist critique, resistance, articulation of new visions of the good life and/or make demands on the state to fulfill its commitments to them.

My field experience also strengthened these views that only certain people who were in a way exposed to mainstream culture and protest norms, where able to actively



participate in the entire critique discourse against the development projects. Those local people who were neither educated nor exposed to such critical trends emanating outside of their regions, were totally clueless about what to protest against and why. Mostly they were worried about losing their land and livelihood but also found the immediate benefits of money compensation very tempting. In these instances, the tribal people mostly opted for immediate monetary compensation instead of holding out and fighting together. In a way, through my field work I was able to bring back the learning that resistance needs to be cultivated and planned in order to be successful as a movement. Otherwise it just remains sporadic and subdued leaving traces of discontent and bitterness in the minds of the people. To envisage an alternative and to pursue it through protest requires not only the strength of number but also the strength of ideology, education and exposure to world events.

## CONCLUSION

As post-independence India had opted for a planned development model, there had undoubtedly been an economic insurgence not only in the core sector including power, mining, heavy industry, irrigation and related infrastructures developments, but also in the service sector industries including software industries as a result of technological revolution. Yet, it has happened at an enormous cost affecting the lives of millions of persons, who have been involuntarily displaced or otherwise deprived of their livelihood. Proper rehabilitation and resettlement of the displaced human population have now become a core issue of all development projects implemented in different parts of the world, This has become a harsher and more intractable problem in the case of projects carried out in the developing countries. Despite the reiteration of the right of all people to develop through an appropriate development policy, the experience of the past five decades shows that development has not reached the backward regions. In this context, it is necessary to highlight the issues and concerns of development, displacement and rehabilitation, which this work has focused upon.

After independence, many development projects were settled and promoted in the backward tribal areas of Orissa. Although the original intention behind these projects might have been to carry forward the process of economic development at the national level, in addition to bringing in a social and economic transformation of the backward regions. They could not be made totally free from many types of unintended negative effects at the local level. The immediate negative effects of these projects were massive displacement and dislocation of human population and the associated socio-cultural as well as economic problems. However, in the tribal areas, as many among the scheduled tribe oustee families did not possess proper land ownership rights over the land used by them, there occurred a massive displacement and dislocation of the tribal people without any compensation benefits for resettlement to another place. Since there was no proper R&R Policy, displacement generated more trouble and disorder and the development projects became a curse for the poor. Roughly 1.32 per cent of the state's population has fallen victims to development induced displacement and around 4 per cent of the total

land area in the state has been acquired for development projects. (Ota 2010: 198) In this situation, it is observed that in the absence of a proper R&R policy, the resettlement and rehabilitation of the displaced people in a poor and backward state like Orissa has been unsatisfactory. Not only in Orissa but throughout the country it has been found that the resettlement efforts to rehabilitate the displaced people are not properly carried out.

The primary reason for the failure of the Orissa government's rehabilitation effort seems to lie in the fact that it failed to perceive the issue of displacement in its totality. The state looked at it merely from an economic point of view. Hence, the alternatives it offered were exclusively of an economic nature which ignored the human dimension. In these years land was acquired from the people, compensation was also paid, and the Orissa government drew up a rehabilitation scheme. In the whole process, the people who were affected directly were being transferred to the background and their voices were not paid much attention. There was a total lack of people's involvement and participation in Orissa and at no stage were they taken into confidence by the policy makers of the state. All decisions regarding them were taken one-sidedly by the Orissa government in ways that did not serve the interests of the affected people. These decisions were merely communicated to the people, and worse, imposed upon them. There was no attempt made, opportunity created or body constituted to register the concerns and needs of the affected peoples of Orissa.

With regards to the various procedures of the Land Acquisition Act itself, it was found that the villagers in some cases did not receive the notifications for land acquisition. Even when they did, they were not a position to read the same as most are illiterate. This was the reason that they would give their objections only orally and never in writing. Even when objections were given in writing in the form of petitions, they did not have a proper acknowledgement, which would allow them to pursue their cases further.

The compensation itself was extremely inadequate and insufficient and the rehabilitation scheme lacked an integrated approach. The problem was further enhanced

by the unhealthy practices adopted by government officials, petty businessmen and middlemen. This further added to the stress and strain of displacement. All this led to the miserable conditions of the people who in due course of time felt left out and alienated from the system as the state authorities did not address their demands and concerns. The middlemen and the bureaucrats in this process of development which led to the displacement of abounding millions were the ones who gained huge profits at the cost of poor people. The presence of widespread corruption and exploitation demands that, in addition to drawing up a scheme and appointing an implementing agency, the government should see that the scheme is carried out fully and the displaced persons are settled satisfactorily. Inbuilt regular checks and monitoring measures would have restricted corrupt practices to the minimum.

In the sustainable livelihood structure, people draw upon resources from their immediate surroundings for livelihood needs. In this context, displacement affects the core of people's everyday survival strategies. The displacement of local communities is a significant cause of social conflict associated with mining. For the sake of national development, the local communities lose their land and livelihood. In addition to bearing the effects of pollution, they are forced to relocate to a new settlement without adequate resources. Compensation payments are not adequate and the people are often helpless.

The experience of the empirical study of project affected peoples (PAPs) of the Barbil region in Keonjhar district mining projects makes it clear that the eight key risk factors identified by Cernea – viz, landlessness, joblessness, homelessness, marginalization, food insecurity, increased morbidity, loss of access to common property resources and community disarticulation – which cause misery are all present. It is, therefore, essential to take preemptive measures at every stage by the participation of the victims in the policy making which affect their day to day lives in the post displacement period. (Cernea 2000 )

Cultural considerations of all types of affected peoples, especially the tribal people of Orissa, must be taken into account while implementing any rehabilitation

policy. There is need to shift the focus from the economic to the cultural and social dimensions throughout the entire process of implementation. There is a need to educate the project engineers about the indigenous cultural knowledge of the affected people of Orissa. (Alexander, 1991: 135-136)

### **Recommendations and Suggestions**

The chapters in this work have been organized around the issues related to displacement. As the problem of development-induced displacement has attracted more attention, various ideas have been put forward to minimize the problem of alleviating its consequences. It may be useful to give some suggestions that may work out well for the said purpose.

Resettlement and rehabilitation issues need to be taken more seriously than they have been in the past. Hence an efficient and people-friendly national rehabilitation policy is needed, which will minimize the gap between the standard of living and quality of life of the pre-displacement and post-displacement periods of the victimized people due to mining projects.

Rehabilitation is a delicate human task requiring a good deal of understanding and dedication. Therefore the need of the hour is for a complete and legally binding policy on the subject, along with officials who are motivated and sincerely interested in implementing such policy.

The R and R should be implemented by an independent agency. No government or project authority should be involved in the implementation process.

It should be done by a totally non-governmental and nonofficial process. It should be time-bound and transparent. The project-affected people and the concerned local people and a self-regulating body, consisting of highly convincing people with commitment and due involvement to the people and the cause should be given the entire responsibility of implementing the process. Agencies such as the National Human Rights

Commission, the High Court/ Supreme Court or any other reputed national or/and international bodies should take the responsibility of implementing the process. The R and R activity should be made compulsory and a constitutional right of the affected people.

The important fact is that there is rethinking in the 'matter of resettlement and rehabilitation. There is a realization that deprivation begins long before the launching of the project, not due to the strain and anxiety, but also because of all development programs cease as soon as a plan for a project is made. There seems to be more of a meeting ground between the authorities, activists and the voluntary organizations. Perhaps, this will result in more fairness and justice to the deprived in the ongoing and future projects. (Mishra 2002: 97)

Further, it can be suggested that those working in the development field increasingly recognize that the highest priority is to avoid displacement in the first place. Even huge corporations have begun to consider the negative consequences of development and hence many companies have made it a social responsibility initiative to make sure that displacement, if unavoidable is carried out in a manner consistent with international human rights and other humanitarian laws. Such assurances could play a key role in the work of those whose aim it is to analyze possible impacts by taking into consideration social, economic, cultural or environmental, minimize impoverishment risk, and maximize reconstruction opportunities.

The rehabilitation packages should be developed mainly by the project-affected peoples, for which the agencies concerned should play a facilitator's role. These must go into the minutest details, keeping in view the interests of all people. At present it is the powerful amongst the project-affected peoples, who get the lion's share from the rehabilitation package, especially the jobs.

One major concern should be to ensure just and timely payment of compensation money and rehabilitation assistance to each eligible project affected person. The general experience is that the compensation money is paid much before the actual resettlement, with the result that most of it is spent on consumer goods for mere survival rather than acquiring land or other productive assets. Due to unusual delays in providing rehabilitation assistance, most project-affected peoples are forced to live in extreme need.

NGOs, because of their proximity to the people and greater access to information, should assist project affected peoples in exploring better sites for resettlement and in ensuring their participation in decision-making processes for a smooth transition. NGOs, along with project- affected peoples, should prevail on the authorities for quick and proper development of resettlement sites with all amenities and infrastructure. They should help the authorities to distribute the compensation money in a transparent manner. NGOs, in fact, should make easy the formation of a pressure group of the oustees to ensure better negotiation with the administration as well as to manage development works on the resettlement site.

Involvement of a panel of resettlement experts, including international experts wherever necessary, is extremely useful to design resettlement. Such expertise is routinely employed during resettlement implementation, usually as part of an environmental review panel. The use of such panels during the planning stage can help substantially improve the resettlement programmes.

Free and fair dealings by project authorities are crucial to ensure smooth rehabilitation and thereby minimize the impoverishment risks. Experience suggests that most project-affected peoples suffer a great deal due to under-valuation of their assets for compensation. (Fernandes 2008) Family details are another aspect where irregularities which should taken in to consideration otherwise go against the interests of project-

affected people. They have a real challenge in making the authorities responsible for accepting the wrongs and rectifying them without delay.

Project-affected peoples require guidance for the proper use of their compensation money. Generally, it is found that once compensation money reaches the project-affected family, problems follow immediately. In the absence of proper counseling, the seller is being cheated of a sizeable amount through false promises and misleading suggestions. Only if the compensation and rehabilitation money is invested judiciously can a more satisfactory economic rehabilitation become possible. Support from the financial institutions can ensure the advancement of the economic activities with workable marketing linkages. NGOs, which are well accepted among the project-affected peoples, have the advantage of acting as facilitators for restructuring the social fabric and improving their economic condition through a process of collective thinking and community action.

A policy should be realistic. If a participatory approach is proposed, it should be reflected at the implementation level. A proportionate representation of project-affected peoples from all sections of society (caste, gender, religion, occupation and common property resources (CPR) dependant etc.) should be included in the committees constituted for the purpose. The NGOs should have a proportionate representation and the local community should select them.

There should be no ambiguities in a policy. The policy promises a booklet containing information on the project, but the time when it is to be given is not specified. To make it purposeful, the booklet should be circulated at least a year before beginning action for land acquisition. With advance information on the rehabilitation benefits, which they are entitled to, the displaced peoples/project affected peoples will be in a better position to negotiate with the project authorities than if they are ignorant of what is due to them. They may also be helped to plan the use of their compensation amount in a



productive manner, and be able to put their complaints and problems across to the authorities and make a more rational choice among the alternatives offered than they would do without this knowledge.

As mentioned, whenever land is acquired for public purpose from the tribal, they should be treated as shareholders in the project instead of stakeholders. As the acquisition process is taking something that belongs to them either as a community or as individuals, treating them as shareholders would be the right way of sharing the fruits of what is being taken away from them. Most of the (DP's) do not possess any legal document regarding to land position. But they should also equally follow the R and R policy.(Samata 2003: 113)

The Common Property Resources (CPRs) including Gaucher and Village Forests as well as water resources should not be acquired without providing alternative source of equal or higher value. Any land acquisition within the village boundary (irrespective of whether the land is government, village or private property or CPR property) should require the consent of the gram sabha. This is important to ensure that the villagers have a say on what is happening in their surrounding environment. Most mining related activities cannot be just contained in the area acquired and the impact of the mining is also felt on the lands adjoining the acquired lands. (Fernandes 2009)

Pending any legislation from the Central Government on the Land Acquisition Act incorporating the PESA provisions, the State Governments with scheduled areas can utilize the flexibility provided in the constitution and through the Tribes Advisory Council (TAC) and Governor of the State, modify the Land Acquisition Act to provide for consent of the Gram Sabha prior to acquisition of land in the Schedule V Areas.(Samata 2003: 115)

Finally, it must be kept in view that while working for the rehabilitation of project-affected peoples, it is these peoples who should be placed at the centre of all

efforts. The interventions should aim at twin objectives: first, to guarantee definite means to counter impoverishment risks much before the start of the project, and secondly to begin a process towards instructing them through the creation of 'people's institutions' in the villages and enabling them with information and knowledge and required skills so that they may be in a position to protect their interests themselves.

Though policy makers have expressed their desire to formulate a comprehensive resettlement and rehabilitation policy, there had been no sustained and strong implementation initiatives that could provide a overall solution to the problem. Despite the talk of total rehabilitation, for all practical purposes, it limits itself to economic resettlement. At times one gets the impression that it is an effort made to get funds from the World Bank at one end and to stop the agitation of the displaced peoples at the other.

The issue of Rehabilitation and Resettlement should be taken far more seriously than has been done till now. The policy makers should understand the trauma of the displaced/project affected peoples, and should also think more meaningfully about how to provide adequate protection to them to ensure that the planners and project authorities respect them, are sympathetic to their traditional economy and social systems in such a way that the project affected peoples gain something from the project even while losing their land to it.

This cannot be done as long as the policy makers limit themselves to economic resettlement. One has to go beyond and think of their right to improve their standard of living after displacement, for which the very so-called understanding of development has to change. Today many are displaced in the name of national development. A rehabilitation policy has to be such that the project becomes a genuine tool of national development and its benefits reach all the segments of the population. The Orissa policy does not live up to these objectives and therefore must undergo a change.

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# **ANNEXURE**

## **Questionnaire for Displaced People**

1. Name \_\_\_\_\_
2. Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
3. Gender \_\_\_\_\_
4. Age \_\_\_\_\_
5. Which caste you are from? {SC/ST/OBC/General} \_\_\_\_\_
6. Are you staying here with your family? \_\_\_\_\_
7. How many people in your family? \_\_\_\_\_
8. Are you a native of this place? If no, where were you staying before?
9. How long you have been here? \_\_\_\_\_
10. What was your occupation, at your native place before the commencement of the project? \_\_\_\_\_
11. What are your means of income here in this project?
12. Where you had been working before? \_\_\_\_\_
13. What made you to work here? \_\_\_\_\_



14. What is your monthly income? \_\_\_\_\_
15. Is there any other earning member in your family? \_\_\_\_\_
16. Is the income you earn sufficient for your family? \_\_\_\_\_
17. Did you have any land (with legal documents) that you have lost at your native place?
18. If yes, what kind of compensation you have received against your land?
19. If no, what kind of compensation you have received from the concerned company as well as from the Government of Orissa?
20. What kind of assurances you have been given before you were displaced from your native place?
21. Have you received Govt. compensation for your rehabilitation? \_\_\_\_\_
22. What sort of compensation you have received?
23. Was there any special compensation package for women, disabled people and other neglected people for their empowerment? \_\_\_\_\_

24. Are you satisfied with that compensation you have received from the government of Orissa? If not, why?

25. Have you been helped, by any NGOs or Govt. agencies after being displaced? \_\_\_\_\_

26. If yes, what kind of benefits you have received from them?

27. What kind of assurances you have been given by the concerned company before the commencement of the project?

28. Has it fulfilled all its assurances? \_\_\_\_\_

29. What kind of benefits you have been received from that company?

30. Does the company provide the basic necessities like healthcare, education, drinking water, housing etc. for the betterment of your family in this locality? \_\_\_\_\_

31. Are you satisfied with the benefits you are receiving here from the company? \_\_\_\_\_

32. Do you expect anything more from the Company? \_\_\_\_\_

33. If yes, what kind of facilities more you want from the company?
34. Are you aware of the provisions of the R & R Policy of the Government of Orissa? \_\_\_\_\_
35. Have you been informed regarding the R & R policy of the concerned company before the commencement of the project? \_\_\_\_\_
36. Do you feel the mining pollutes the atmosphere? \_\_\_\_\_
37. Have you noticed any in the environment after the beginning of the project?
38. Do you have any health problems?
39. Do you have any instant medical facility to meet you accidental emergency? \_\_\_\_\_
40. Are you aware of any provisions both by the Govt and NGOs for your upliftment? \_\_\_\_\_
41. Are you aware whether the present project fulfilled all the legal requirements of the Govt. before its commencement? \_\_\_\_\_
42. Was there any public meeting in the concerned locality to have public consent regarding the project before its commencement? \_\_\_\_\_
43. Have you cast your approval for the project according to Local body? \_\_\_\_\_
44. Do you think that you have paid any undue price for this project? \_\_\_\_\_
45. Is their any local leader who leads you to fight for your rights? \_\_\_\_\_

46. Was there any protest by the people against the company to reduce your problems at your locality? \_\_\_\_\_

47. If yes, what sorts of benefits you have achieved from that?

48. If no, what are the reasons behind it?

### Questioners for Govt. Officials

1. What is your name? ----
2. What is your gender? -----
3. What is your age? -----
4. What is your designation? ---
5. What is your opinion about the mining industries? ---
  
6. Do you think that, these mining industries are providing better facility and taking care of the project affected persons' life and livelihood?---
  
7. What sort of facilities you have provided through R and R provision? ---
  
8. Have you paid proper compensation to the projects affected persons? ---
  
9. Those who do not have any legal documents on their land possession whether they have received any compensation through R and R policies? ---
  
10. What sort of facility you have given for the project affected women? ---
  
11. Have the women entitled separately in the compensation policy? ---
  
12. Have you provided any job as compensation for women? ---
  
13. Have you provided any sort of health facility for the displaced women? ---

22. What do you think about the role of state Govt. in this regard? ---

23. Has the state government ever made any specific agency to deal the mining issues?

24. What do you thing about the Orissa's R and R policies in 2006? ---

## **Questioners for NGOs and Others**

1. What is your name? ---
2. What is your age? ---
3. What is your organization name? ---
4. What is your designation in this organization? ---
5. Is your organization looking for the batterment of the displaced families life and livelihood, which was affected by mining projects? ---
6. If it is yes, then what kind of facilities have your organization allocated to the displaced families? ---
7. Have your organization provided any vocational training to the displaced persons, which leads to regain their livelihood status? ---
8. Have your organization given any financial support, which can be helped for looking a new opportunity for their livelihood? ---
9. Have your organization given any training specifically to the displaced women for gaining their previous status of life? ---

10. Is your organization providing medical facility to the displaced families, and also how do you look specifically women in this regard? ---
11. Is your organization providing other facilities such as, education, drinking water, and any awareness program for the displaced families? ---
12. How do your organizations look for the Hume rights violation and other disputes in related to mining projects? ---
13. From where is your organization getting funds for helping to the displaced persons? ---
14. Have your organization received any funds from the state govt or any other agencies? ---
15. Is your organization working as a autonomous buddy or working with state govt ?  
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