Chapter 3

THE CONCEPT OF DISPLACEMENT

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The millions of displaced people do not exist anymore. When history is written they would not be in it, not even as statistics. Some of them have subsequently been displaced three and four times.... True, they are not being annihilated or taken to gas chambers, but I can warrant that the quality of their accommodation is worse than in any concentration camp of the Third Reich. They are not captive, but they re-define the meaning of liberty and still the nightmare does not end. They continue to be uprooted even from their hellish hovels by government bulldozers.... The millions of displaced people in India are nothing but refugees of an unacknowledged war. ....

Arundhati Roy, *The Greater Common Good*
Growth of economy and expansion of cities influences the need for investments as well as infrastructure expansion. The increasing investment and expansion of infrastructure further stimulates demand for land for new industrial estates, for services, commercial estates, communication, and road networks and for transportation corridors\(^1\).

To accommodate such development, land redevelopment becomes a necessity. However, much of that land is already populated which makes displacement and resettlement of the existing population a prominent feature of development projects in the urban setting. Patel et al pointed out that, in a crowded central city almost any improvement in provision of water, sanitation, drainage, roads, railways, ports, airports and facilities for business, needs land on which people currently have their homes\(^2\).

According to Koenig, high density in urban areas means that even small projects displace many\(^3\). Population displacement because of development projects causes various negative effects to the displaced households both socially and economically. This is because many people who are displaced are not resettled and rehabilitated socially and economically\(^4\).

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2 Patel, S, D’Cruz, C & Burra S (2002): Beyond Eviction in A global City; people-managed resettlement in Mumbai in: Environment and Urbanisation: 14:159 http://eau.sagepub.com/cgi/content/abstract/14/1/159
The Concept of Displacement

Although population displacement has been a prerequisite of growing economies especially in developing countries it affects the livelihoods of the households which are involuntarily displaced to allow such development projects to take off. According to Cernea, the most vulnerable households are mainly affected and they lose both natural and man-made physical capital as well as human and social capital, by destructing the patterns of social organization and mutual help networks.

During the last two decades of the previous century, the magnitude of forced population displacements caused by development programmes was on the order of 10 million people each year or some 200 million people globally during that period. Thus, by their frequency, size, and dire consequences, development-caused displacements have become a problem of worldwide proportions.

Development, spontaneous or induced not only brings benefits but often causes social disruption. The industrialisation of agriculture to secure export markets, wildlife and forest conservation projects and the need to meet the demands posed by tourism to maximise earnings from foreign exchange, has exacerbated the movement of oustees or “development – displaced. The sudden and uncompromising removal from what is familiar occasions a more profound unraveling of social relationships, which compounds the risks and hazards that confront displaced populations. The environment from which they have had accumulated experience and knowledge, to mention just the most basic loss, is also taken away. Thus, apart from the moral objection to coercion, there is the further objection to harming people in ways other than contravening their wishes and commitments. Harming others for any reason including development, is morally objectionable. To this effect, Quarles van Ufford and A.K. Giri (2003)
observe that development projects have the tendency of making some people get the gains while others get the pains.

The most widespread effect of involuntary displacement is the impoverishment of considerable numbers of people. In India, for instance, researchers found that the country’s development programs have caused an aggregate displacement of more than 20 million people during roughly four decades, but that 75 percent of these people have not been “rehabilitated”\(^5\). Their livelihoods have not been restored; in fact, the vast majority of development resettlers in India have become impoverished\(^6\).

But this does not happen in India alone. Such impoverishment, with its de facto lack of social justice and equity, is manifest in numerous other countries throughout the developing world when involuntary resettlement occurs. Forced displacement epitomizes social exclusion of certain groups of people. It cumulates physical exclusion from a geographic territory with economic and social exclusion out of a set of functioning social networks.

The concept of exclusion adds to the understanding of impoverishment\(^7\). Sen argues further that various forms of social exclusion are contrary to the very nature of development, defined as increasing freedom. Development...

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will continue, however, to require changes in land use and water use and thus make various degrees of population relocation at times unavoidable\(^8\).

### 3.1 The Concept of Displacement

Displacement involves physical eviction from a dwelling and the expropriation of productive land and other assets to make possible an alternative use\(^9\). According to Cernea, displacement can start before people are physically evicted from the residence by legally stopping construction, entrepreneurial investment, and public infrastructure investments. This makes households suffer economically before actual removal from their land/houses and eventually leads them into impoverishment\(^10\).

According to Cernea & Kanbur displacement can be experienced in many forms including the people who realise less benefit as a result of development process and those who face severe consequences and for those individuals and communities who involuntarily move leaving behind homes, networks, jobs, social capital and emotional ties to place\(^11\).

Development –induced population displacement, is the upheaval of communities to make way for large dams, industrial zones, transportation routes, game parks and commercial forestry, concerns the balance between the benefits of infrastructural development and the costs and pains of being

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uprooted and consequently resettled, and the risk of impoverishment carried by those forcibly displaced.

Involuntary displacement is not a phenomenon that will disappear in the foreseeable future, as the number of projects that entail the acquisition of land, which is already large, will increase further. As the needs grow for the irrigation, electricity and infrastructure necessary to satisfy the demands of growing and increasingly urbanized populations, there remains enormous pressure for infrastructural development.\(^{12}\)

Population displacement is an outcome of multiple sets of factors. The many “push factors” leading to internal displacement can be aggregated into a range of overlapping categories: natural and human-made disasters, ethnic or religious persecution, development, and conflict. Displacement occurs where coercion is employed, where choices are restricted, and where the affected populations are facing more risks than opportunities by staying in their place of residence, which distinguishes it from “voluntary” or “economic” migration.

Displacement is, by definition, forced and involuntary and involves some form of de-territorialisation. It is commonly described as taking place within the confines of a state (e.g. internally displaced person) or across an internationally recognized border (e.g. refugee).\(^{13}\)

Displacement deprives people of many things, some of which are fundamental to their lives, including homes, productive assets, livelihoods,

\(^{12}\) Refugee and forced migration studies-volume 2 Understanding impoverishment-the consequences of development induced displacement-edited by Christopher McDowell,1996

\(^{13}\) Hydman, Jennifer, 2000, Managing Displacement – refugees and the policies of humanitarianism, University of Minnesota Press
familiar environments to which skills and practices have been attuned, community networks, and a sense of local belonging. What determines the extent of their deprivation and suffering depends on what they face in their new location and the resources with which they arrive there. If an uprooted community could simply be transplanted from one location to another site that is equally productive, healthy and desirable, then the deprivation would consist simply of the loss of accustomed place and the stress of relocation.

However, the experience of being uprooted by development has typically been very different. Instead of being compensated by relocation to a situation of equivalent living conditions, or, better yet, improved living conditions, the characteristic pattern is for the uprooted to be scattered, compensated insufficiently or not at all, neglected or relocated to worse land, and provided with inferior or greatly delayed community facilities. Illness, malnutrition and mortality often increase. The dislocated often find themselves in places where they are treated as threatening outsiders or inferiors, discriminated against or exploited in their vulnerability, and excluded from whatever influence or decision making the incumbent populace has.

The study of displacement by development is complicated by the fact that development is a notoriously ambiguous term. It can refer to a social goal, an ideal of social well-being to which peoples, their governments and international agencies aspire. It can also refer to a complex of social and economic policies, practices and changes that lead towards achieving such a goal. Typically, economic development policies and practices promoting growth have been advocated for the development goal of reducing or eliminating poverty; economic growth would provide employment for the poor, purchasing power for consumers to buy what poor people could
produce and a tax base with which governments could provide essential services to the poor, including schooling to make them more competitive in job markets. There is no doubt that development since 1950 has accomplished much of this. Life expectancy and educational levels have increased dramatically\textsuperscript{14}.

Nevertheless, some of the development practices serving these goals have been far from ideal. Development has also been a source of large scale human suffering insofar as it has displaced people, evicting entire communities and denying families their accustomed livelihoods. Here is the paradox- the tension between development as an ideal and development as an actual process- with which we are confronted when development causes displacement\textsuperscript{15}.

\section*{3.2 The Scope of Displacement by Development}

The scale of development by displacement over the past twenty-five years has been truly enormous, in the order to 10 million people per year since the 1980s\textsuperscript{16}. These figures however do not include the even broader processes of incidental and indirect displacement. It is difficult to calculate the ripple effects of displacement, because they can spread widely over space and time. For example, the effects of displacement caused by a dam’s reservoir on downstream fisheries –including the loss of a resource for fishers, fish sellers and local markets –are not easily measured. Official

\textsuperscript{14} UN Department of Economic and Social affairs, 2008:8; UNESCO, 2006:165-166

\textsuperscript{15} Displacement by Development: Ethics, Rights and Responsibilities by Peter Penz, Jay Drydck, Pablo S. Bose 2011, Cambridge University Press

estimated of the extent of displacement, large as they may be, are still likely to be conservative. The aggregate harm done by such displacement is even more difficult to assess.

Apart from loss of assets and livelihoods, it is far from straightforward to account for the stigma and social exclusion that many of the displaced must encounter in the course of their physical, economic and cultural relocations. It is equally problematic to calculate the extent (and timeframe) of social disarticulation experienced by ‘oustees’ unaccustomed to a monetary economy and thereby unable to adequately manage the cash compensation they may receive.

In contrast with displacement caused by development, displacement driven by conflicts has been more extensively documented and measured. Development displaced are not all subjected to forced migration. It can be voluntary and negotiated, rather than forced. Displacement by development takes place when people are excluded from use of territory on which they relied.

Displacement or the involuntary and forced relocation of people has come to be acknowledged as among the most significant negative development projects. Displacement has always been a major area of concern for the countries across the world. From time to time, the displaced populations have been forced to leave their home in search of safer destinations due to armed conflict, internal strife, natural calamities or after being harried by the rich developmental agencies. Among all of them, displacement caused by developmental projects is the most tragic reality where uprooting and displacing teaming millions of impoverished population,
especially the indigenous groups, is considered as an "unintended" but an "inevitable" companion of "national development".

Development-induced displacement often comes hand in hand with egregious corruption, the use or threat of violence to force people from their homes, undemocratic imposition of projects, and systemic failure to uphold obligations to fairly compensate resettle and rehabilitate displaced peoples. Despite the existence of a growing body of international policies and standards on rights-respecting approaches to displacement and resettlement, these policies are almost never upheld, and displacement continues to happen to an excessive degree. The result is that resettlement and rehabilitation schemes are underfunded or never implemented, and millions of people are left with their lives destroyed and no adequate shelter or livelihood.

The UN document entitled ‘The Practice of Forced Eviction: Comprehensive Human Rights Guidelines on Development based Displacement’ states that evictions constitute prima facie violation of a wide range of internationally recognized human rights. In 1990, the Global Constitution on the Realization of the Right to Development as a Human Right underlined that the most destructive and prevalent abuses of indigenous rights are a direct consequence of development strategies that fail to respect the fundamental rights of self-determination. The result has been the elimination and removal of natural resources, waters, wild life, forests and food supplies from indigenous lands either through commercial exploitation or incompatible land use; the degradation of natural environment; removal of indigenous people’s from their lands; and their displacement or preemption from the use of their lands by outsiders.
Most displacements have been involuntary. There has been very little meaningful participation of the affected people in the planning and implementation of the dam project, including the resettlement and rehabilitation aspects. The displaced and other affected people have often been the last to receive any meaningful information on the dam project. What information they have received has typically been limited and provided very late in the planning and implementation of mitigation measures.

There have been instances of the submergence of land and other property, and of displacement without prior and sufficient warning of the impending filling of the reservoir. The displacement literature bears testimony to traumatic forced and delayed relocation, and to the denial of development opportunity for years and often decades due to a long and uncoordinated displacement and resettlement process. The numbers of both directly and indirectly affected people have frequently been underestimated, and there has been an inadequate understanding of the exact nature and extent of the negative effects involved.

The State and other project proponents, largely viewing displacement from the standpoint of its causes, consistently maintain that displacement is justified in the larger national interest. It is argued that while some displacement may be inevitable in large development projects, the long term well these projects will bring merits the sacrifice of a few in favour of the larger group.

3.3 Origin and Sources of Displacement by Development (DID)

Development projects have been identified as the main cause of DID. These type of development projects leading in causing DID include water
supply projects (dams, reservoirs and irrigation), energy, Agricultural expansion; parks and forest reserves, population distribution schemes, and Urban infrastructure and transportation projects\(^{17}\).

In the urban context, the type of projects involving forced displacement and resettlement include environmental improvement projects (urban beautification, infrastructure and services projects like roads, education and health facilities, water supply and sewerage systems), slum upgrading programs and those related to urban economic growth (industrial estates, transport corridors, economic ancillaries and infrastructure) and non-urban programs which extend beyond the project location and pose a threat to urban inhabitants such projects are like reservoirs projects\(^{18}\).

Development induced displaced are distinguished from other types of displacement due to the fact that they are normally known in advance and therefore could be prevented\(^{19}\). Koenig argues that DIDR can be mitigated by careful planning that includes development initiatives for the affected\(^{20}\). According to Cernea, implementation of development is important because they improve people’s lives through employment creation and provision of

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\(^{18}\) Cernea, M.M (1993), The urban environment and population relocation. The World Bank. Washington D.C)

\(^{19}\) Cernea, M.M (1993), The urban environment and population relocation. The World Bank. Washington D.C)

\(^{20}\) Koening, D (2002), Towards local development and mitigating impoverishment in development-induced displacement and resettlement. Refugee Studies Centre, University of Oxford.)
better services, but such projects normally create groups of those who enjoy the benefits of the projects and those who bear its pains\textsuperscript{21}.

The number of people displaced by development projects annually is big and it is projected to increase over time, particularly in developing countries. For example, in early 1990s, the construction of 300 high dams each year had displaced 4 million people, urban and transportation infrastructure projects accounted for 6 million more displaced each year\textsuperscript{22}.

According to Cernea the number of people displaced keeps on increasing but development-induced displacees represent the single largest sub category within the global totality of Internally Displaced Persons (IDPs). In recent decades it is estimated that 15 million people are estimated to be annually displaced by development projects worldwide, and it is projected that over twenty years period between 280 – 300 million people will be displaced. The majority of those displaced are poor people living in informal settlements/slums and the large part of those displaced is not resettled\textsuperscript{23}.

### 3.4 The Global Magnitude of Displacement

The magnitude of displacement worldwide is staggering. Aggregate global statistics about development induced displacements are still lacking


and this impedes public awareness about the severity of the displacement problem. The first estimate of the world wide magnitude of displacement was generated by a World Bank research team. They estimated that in total, approximately, 10 million people over the past ten years, have been displaced and relocated as a result of infrastructure programmes for dam construction, urban development and transportation projects. Asia has the highest number of displaced people. In India for instance around 21 million people were affected during the last four decades. In China water conservation projects alone caused the evacuation of over 10 million people between 1950 and 1990, while urban projects and transport projects account for 7 million and 14 million respectively.

While media focus is on the ‘third world’, process of involuntary resettlement take place constantly in all industrialised and post-industrialised countries as well, from the United States to France, from Canada to Japan.

3.4.1 The Impact of Displacement

The fundamental feature of forced displacement is that it causes a profound unravelling of existing patterns of social organisation. This unravelling occurs at many levels. When people are forcibly moved, production systems are dismantled. Long-established residential communities and settlements are disorganised, while kinship groups and family systems are often scattered. Life-sustaining informal social networks that provide mutual help are rendered non-functional. Trade linkages between producers


and their customer base are interrupted, and local labor markets are disrupted. Formal and informal associations, and self-organised services, are wiped out by the sudden scattering of their membership. Traditional management systems tend to lose their leaders. The coerced abandonment of symbolic markers (such as ancestral shrines and graves), or of spatial contexts (such as mountains and rivers considered holy, or sacred trails), cuts off some of the physical and psychological linkages with the past and sap at the roots of the peoples' cultural identity. The cumulative effect is that the social fabric is torn apart.

Many anthropological and sociological field studies have documented the qualitative consequences of forced displacement in vivid detail [Scudder 1966, 1994; Guggenheim 1989; Baboo 1992; Mathur 1994; Fernandes 1989, 1991; Salem-Murdock 1989]. These consequences vary with local circumstances, but there are basic features these cases share. Comparing the empirical findings of many field monographs, I found that the ultimate common factor underlying the broad spectrum of reported displacement effects is the onset of impoverishment26.

Sometimes, under favourable circumstances, this impoverishment process may be reversed or may subside. But the evidence strongly demonstrates that the impoverishment process caused by displacement typically occurs along the following eight crucial dimensions: landlessness; homelessness; joblessness; marginalisation; food insecurity; loss of access to common property assets; increased morbidity and mortality and social disarticulation.

The primary objectives of the projects involving population displacement is to contribute to poverty reduction but many development projects have been blamed to cause impoverishment by forcibly displacing people and lead them to stubborn poverty\(^{27}\). There are varieties of effects which displaced household’s experience, but the major effects include reduction of income, loss of assets and means of livelihoods and reduction of production. Others include stress to the vulnerable people including women, children and elderly, disruption of social networks, loss of economic status, psychological and social stress and effects on human rights\(^{28}\). Robinson points out that displacement is associated with increased vulnerability including impoverishment, elevated morbidity and mortality, loss of social and economic rights and in many cases abuse of human rights\(^{29}\).

According to Koenig, relocation from the city centre increases travel time and expenses to get to work and lessens the availability of informal work. He further argues that urban DFDR is violating human rights when it deprives people of the communities in which they have created livelihoods, social structures and meaningful lives\(^{30}\). Cernea (1993) asserts that the

\(^{28}\) Downing, T.E (2002): Avoiding new poverty: Mining-Induced Displacement and Resettlement 14 June 2010
distance of the relocation site from the original place and jobs often become insurmountable obstacles to maintaining prior employment\textsuperscript{31}. According to Bartolome et al., the loss of economic power with the breakdown of complex livelihood systems results in temporary or permanent, often irreversible decline in living standards and leads to marginalisation\textsuperscript{32}.

3.4.1.1 Effects on indigenous groups, ethnic minorities, women and children

The effects of DIDR on indigenous groups and ethnic minorities have mainly been reflected on construction projects of dams. Studies on these groups indicated that indigenous groups and ethnic minorities make up a disproportionately large percentage of those who experience adverse effects on livelihood due to development projects further argues that displacement causes extreme impacts on indigenous people, because indigenous people largely depend on their surrounding environment, alteration to the surrounding ecology is likely to overwhelm individual and community adoptive responses and results in displacement and also can adversely affect their culture\textsuperscript{33}. Other effects include loss of ancestral homeland, loss of burial land, loss of properties inherited over many generations, loss of livelihood resources and weakening of traditional values\textsuperscript{34}. Few studies have shown that women experience more severe effects of DIDR than men. Koenig asserts that there is increased stress on women than men due to

\textsuperscript{31} Cernea, M.M (1993), Socio-economic and Cultural Approaches to Involuntary Resettlement, Reprint Series No. 486, The World Bank, Washington DC.


loss of access to individual gardens, reduced ability to produce food, decreased fertility, and reduced women power within family due to greater dependence on their husbands\textsuperscript{35}.

Moreover DIDR decreases jobs available for women in the informal sector\textsuperscript{36}. Other effects include denial of compensation for women and exclusion of widows and female headed households in the resettlement package. Downing pointed out that in India women lost authority and rights. It also caused breakup of families, a weakening of kinship ties and a loss of the security and insurance created by family and kinship relationship\textsuperscript{37}. Decline of traditional economic activities as a result of displacement has also been reported to have specific impacts on women as it had affected their role in the family\textsuperscript{38}.

DIDR causes interruption in the function of schools and in children access to education, this can happen during the period of transfer or can last for a longer period of time.

3.4.1.2 Environmental impact

Development-induced displacement has resulted in two major fallouts: environmental damage and loss of livelihood among the people. What differentiates forestry land conversion is the fact that, stakeholders have a


\textsuperscript{37} Downing, T.E (2002): Avoiding new poverty: Mining-Induced Displacement and Resettlement 14 June 2010)

wide-ranging geographical entity – any loser owing to a change in access to the forest is a stakeholder and the person may have a local, regional, national or even global presence\(^{39}\).

Environmental contamination caused by implementation of development projects lead to long-term deterioration in the security of whole communities. For a long time, this crucial ecological factor has been largely ignored. Most of the developmental activities in the forested lands directly affect the tribal population (the indigenous inhabitants). The tribal’s formed more than two-thirds of the total population displaced owing to activities in forests. The displacement of tribals from forested areas has always met with stiff resistance\(^{40}\). This is due to the fact that forests are the primary means of livelihood for the tribal’s and restrictions imposed on the use of their forests leaves them deprived. At the same time, the fact remains that creation of protected areas and sanctuaries is necessary for the conservation of biodiversity. This has necessitated a search for new paradigms of conservation that is inclusive of people’s livelihood requirements.

**3.4.1.3 Loss of Agricultural Lands**

Most landowning families have lost a major share of their agricultural lands to submergence. As the rate of compensation for irrigated land has been at most half (in many regions, at most one-third) of the market rate, no family has been able to buy the equivalent size of land after resettlement.

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3.4.1.4 Loss of Employment

It was evident that loss of agricultural lands had an immediate impact on employment opportunities for members of communities that were directly dependent on farm-related activities. Many villages /local people witnessed a sharp fall in cumulative agricultural landownership. With the decline in landownership in a village, its landowning farmers lose income due to the fall in total agricultural output, and its landless farm labourers and small farmers who partially engage in farm labour work witness a more drastic income reduction owing to a fall in employment.

The condition of small farmers, in general, the landholding and the economic conditions of landowning farmers has gone down perceptibly, the economic condition of very small farmers and the landless has taken the biggest hit after displacement. The latter category of families, who were already surviving on the margins, has been further pushed to the brink.

3.4.1.5 Breakdown of Community and Family Relationships

The vast majority of internal displacements lead to significant deterioration in the level of community security. The most evident non quantifiable impact of displacement is the souring or breaking down of relationships – between various community sections in a village, between households, between families in the same household, and between members of the same family. The cultural security risks affecting the displaced are the consequences of disintegration of previously cohesive communities and significant changes in the former model of life brought about by relocation.

3.4.1.6 Loss of Forest Land

Almost all forest land in that region has been lost due to submergence, thereby suddenly cutting off an important source of regular supply of wood.
and other inputs. None of the resettlement sites, including the government ones, have any common land for grazing. The absence of grazing land and worsened economic condition has forced many families to sell off a majority of their cattle.

3.4.1.7 Health Insecurity

Contamination of the surrounding environment by the projects clearly causes deterioration in local people’s health. Long-term consumption of contaminated water and of produce from contaminated land can become a factor shaping deterioration in the health of large communities. Agricultural problems caused by land degradation can lead to malnutrition, which increases susceptibility to other health problems. Resettlement plans should ensure access by the displaced to health care institutions in the new place of residence. Health care is, however, a public service often not taken into account in resettlement plans. Women and children are particularly vulnerable to the health consequences of displacement.

Incidents of health problems can occur during relocation. Commonly reported health problems were stomach problems, fever, malaria, and psychological depression and stress.

3.4.1.8 Proximate Markets and Economic Links Lost

A village in course of its organic evolution builds numerous economic and social linkages with the neighbouring regions. This results in the economic dependence of the village community with the neighbouring regions, especially the nearest urban and semi-urban centres and the local wholesale trading hubs of agricultural products. With displacement proximity to markets and economic links got disrupted.
3.4.1.9 Loss of Other Natural Resources

People living in rural areas are dependent for livelihood on several natural resources besides land. They keep cattle (cows, buffaloes, goats) for milk and dung. Various trees are grown by families in their farmland and house plots as sources for providing fruits, wood, herbal medicines, and shade. All these resources are lost when they are displaced.

3.4.1.10 Gender insecurity

Women are particularly vulnerable to the negative consequences of DIDR. Displacements observed in developing countries lead to the lowering of their already strongly marginalized social and economic position.

3.5 Theoretical Models on Displacement

3.5.1 Chamber’s Three Stage Model

Chambers identified three stages-general model in the evolution of land settlement schemes in Africa, namely recruitment, transition and development41.

Soon after, Nelson confirmed this pattern in a synthesis of many experiences with new land settlement in Latin America. Both models Chambers’ and Nelson’s generalised the experiences of voluntary settlers and conceptualised the institutional or organisational dimensions of managed land settlement programmes42.


3.5.2 John Rawls’s “General Conception” of Justice

The theory shed on the ethics of development-induced displacement by what John Rawls has called his “general conception” of justice, which requires that any inequalities to have advantageous consequences for all: All social values – liberty and opportunity, income and wealth, and the bases of self-respect – are to be distributed equally unless an unequal distribution of any, or all, of these values is to everyone’s advantage.

With respect to development-induced displacement, Rawls's general conception enables us to recognize some of the problems encountered by the “oustees” as injustices. An unsuccessful resettlement scheme can not only fail to benefit displaced persons and family, but it can impoverish them. In Rawlsian terms, it can create new inequalities by depriving people not only of income and wealth but also of social goods in two other categories: liberty and opportunity, and social bases of respect.

If Rawls’ thinking is followed, justice forbids any inequalities unless they work to everyone’s advantage. Rawls’ justice require that the condition of the displaced people should be improved in terms of income and wealth (conceived broadly to include access to land, to productive resources, and to other subsistence resources such as forests) but also in terms of liberty and opportunity (entailing consultation and self-determination for affected communities and individuals) as well as social bases for respect (including community social organization sufficient for cultural survival). This would suggest an alternative set of principles for justice in resettlement.

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3.5.3 Scudder-Colson Theory

In the early 1980s, building upon earlier approaches that dealt primarily with the processes of voluntary resettlement, Scudder and Colson proposed a four-stage model of how people and socio-cultural systems respond to resettlement. The stages were labelled recruitment, transition, potential development, and handing over or incorporation. In the recruitment phase, policy-makers and/or developers formulate development and resettlement plans, often without informing those to be displaced. During transition, people learn about their future displacement, which heightens the level of stress experienced. Potential development occurs after physical relocation has occurred.

Displacees begin the process of rebuilding their economy and social networks. Handing over or incorporation refers to the handing over of local production systems and community leadership to a second generation of residents that identifies with and feels at home in the community. Once this stage has been achieved, resettlement is deemed a success. The Scudder–Colson model focused on the different behavioural tendencies common to each of a series of stages through which resettlers passed. At first, the model was formulated to explain the stages of voluntary settlement, and was only later applied to some cases of involuntary resettlement i.e., those ‘successful’ cases that passed through all four stages.44 In the 1980s and 1990s, the mounting evidence of involuntary resettlement schemes that failed to pass through all four stages suggested that a new model was necessary to explain the consequences of involuntary relocation. In particular, it was recognized that a

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new theory was necessary to model what was increasingly seen as predictable impoverishment in forced resettlement schemes.

3.5.4 Impoverishment Risk and Reconstruction Model

Michael Cernea’s Impoverishment Risks and Reconstruction (IRR) model arose in the 1990s in response to this recognition. In contrast to the Scudder–Colson model, the IRR model does not attempt to identify different stages of relocation, but rather aims to identify the impoverishment risks intrinsic to forced resettlement and the processes necessary for reconstructing the livelihoods of displacees. The core concepts of the theory are Risk, Impoverishment and Reconstruction, which have inner linkage to assess the nature of displacement, different problems faced and socio-economic remedies to reconstruct the resettled community. Theory puts forward two risks to the society i.e., potential and actual risks. The higher the risks, the lower will be the security of the displaced populations. Forced displacement intrinsically contains a risk pattern though the vulnerability differs in groups and communities.\(^{45}\)

In particular, it stresses that, unless specifically addressed by targeted policies, forced displacement can cause impoverishment among the displaced by bringing about landlessness, joblessness, homelessness, marginalization, food insecurity, loss of access to common property resources, increased morbidity and mortality, and community disarticulation. To these risks, Downing and others have added: loss of access to public services, disruption of formal education activities, and loss of civil and human rights. The model also recognizes risks to the host population, which, while not identical to

those of displacees, can also result in impoverishment. Not all of these processes necessarily occur in each case of forced resettlement and not all displaced households are necessarily affected in the same way by each process. Rather, the model notes that, when taken together, these processes capture the reasons behind many failed resettlement operations. Aside from distinguishing risks, the IRR model serves several other functions: as a predictor of impoverishment; as a guide for formulating research hypotheses and conducting theory-led field investigations research; and as a compass for risk reversal, advocating targeted resettlement policies, such as land-based (as opposed to mere cash-based) resettlement, job creation, health and nutritional safeguards, and social network rebuilding.

The IRR model has been used as a framework for a number of studies. Mahapatra uses the model to examine India’s experience with involuntary resettlement from 1947-97, examining each of the IRR risks in turn\(^46\).

Thangaraj’s chapter employs the model to analyse resettlement operations in two Indian projects – the Upper Indravati Hydroelectric Project and the Orissa Water Resources Consolidation Project. Lassailly-Jacob’s chapter looks specifically at land-based resettlement strategies in African dam projects, arguing that such strategies must include not only land on which to resettle, but also common lands, adequate productive farmland, full title for lands (rather than tenant arrangements), and resettler-directed (rather than top-down imposed) development programs\(^47\).


De Wet’s article casts some doubt on our capacity to ever formulate a process that will ensure that all, or at least a large majority, of those affected by a project will benefit from it. While recognizing the thoroughness of the IRR model, he concludes that the model’s assumption that resettlement problems can be erased by improvements in planning is overly optimistic. His article points to the importance of recognizing the complexities inherent in the resettlement process, such as ‘non-rational’ political motivations and difficulties with financing and institutional capacity. De Wet advocates an open-ended, flexible approach to resettlement planning, which recognizes that projects rarely proceed according to plan48.

The primary objective of any induced involuntary resettlement process should be to prevent impoverishment and to reconstruct and improve the livelihood of the affected people (Cernea 2000:29)49. In his risk reversal model Cernea (2000) recommends the following components for reversing the risks of impoverishment;

**From Landlessness and Joblessness to Land Based Rehabilitation and Reemployment**

A significant component in resettlement is to enable displaced people settle back in income generating employment. Various measures could be taken to ensure that people resume to employment including identification of equivalent land and use of project to create investments for creating sustainable new employment in relocation sites.


Chapter 3

From Homelessness to House Construction

According to Cernea, better shelter is an easier component to achieve in reconstructing livelihood. Impoverishment through worsened housing can be effectively prevented by fair recognition of housing construction costs in the displacing budget\textsuperscript{50}.

The cost could be minimized by incorporating the resettlers’ initiative to improved housing condition. The strategies adopted can include mobilization of family labour, organizing mutual support or taking a loan to complement compensation, shifting parts of the compensation for land towards home building and incremental construction\textsuperscript{51}.

Overcoming Marginalization, Social Disarticulation and Loss of Community Assets

According to Cernea, overcoming social disarticulation involves reconstruction of group structures in community both formal and informal while overcoming marginalization refers to individuals or households and reconstruction of community involves recreation of community owned assets/services. Different approaches can be applied in creating neighbourhoods as new social units that need new community assets and public services or in reconciling the host community with resettlers. However, reconstructing community structures and community owned


resources is a complex and time taking process, resources have to be made available to facilitate successful take off at the new site\textsuperscript{52}.

\textbf{From Food Insecurity to Adequate Nutrition and From Increased Morbidity to Better Health Care}

Health status and nutrition level of the displaced is determined by their economic recovery. To ensure adequate nutrition and better health care need for immediate counteraction in terms of organized assistance is recommended\textsuperscript{53}.

\subsection*{3.6 Displacement- Indian Experience}

The displacement of people from their land and livelihood has been a part of India’s history even before the advent of the British. Prior to British rule, highly skilled agricultural groups displaced tribal cultivators and less organised groups form their land. The economic agenda of colonialism led directly to the plundering of natural resources, to enable the colonial power to meet the demand made by rapid industrialisation and commercial expansion in the west. Legal instruments such as the Land Acquisition Act (LAA) of 1894 further consolidated state power and legalised all forms of state-sponsored acquisition. The collapse of colonialism meant a shift from one type of development to another. The most powerful logic for modernisation and development in India is based on the notion that the standard of living can be improved by modern science and technology and by creating basic infrastructure.


This development has benefited a small minority only, while millions of people pay the price without reaping any benefits. Increasing disappointment about the failure of development to produce the promised benefits, and the distress caused by the victimisation of many of the targeted beneficiaries of development, especially among the marginalised, have led to a reconstruction of the potential of the dominant development paradigm to create a just and humane society. The Indian experience of displacement induced by development projects shows that the government made too weak an effort to minimise the extent and trauma of displacement, and to comprehensively resettle the displaced. One important cause is the lack of recognition of people’s rights. Even though development is planned, its impact on people is not taken into account in the planning process. Displacement has consistently been treated as a non-issue because the planners, leaders fail to appreciate the empirical reality. Another problem is that the administrators are primarily concerned only about the physical location, but the basic needs remain unsatisfied. Further displacement has not been recognised as a serious issue because most of the people affected belong to the weaker sections of the community.

3.6.1 History of Displacement in India

The first displacement to be reported is the big Durgapur steel plant in West Bengal, built by the government of India in the 1950s and 1960s which together displaced over 125,000 people. Durgapur alone displaced 33,000 people of various ethnic and caste groups. The second case is a project for port construction and enlargement, the Jawaharlal Nehru port.
The five dams developed in Maharashtra displaced over 200,000 people. The Karnataka programme, involving two dams has displaced over 220,000 people. The Bolani Iron ore mines in Orissa displaced some 1300 people. The famous Sardar Sarovar project, a high dam on the Narmada river whose reservoir extends into three Indian states -Gujarat, Maharashtra and Madhya Pradesh has displaced 300,000 people.

Development and displacement may appear contradictory terms, but they are facts of our national life and these facts are more astonishing than any of our fictions. In India during last 50 years more than 50 million people have been uprooted from their homes and huts, displaced from their farms, jungles and rivers and sacrificed at the altar of ‘National Interest’. These millions bear witness to the destruction of their own lives, livelihoods and lifestyles.

However, development-induced displacement has largely remained a non-issue for the governments, politicians and policy planners during all these years. This is evident from the fact that the government has no data about the actual number of the people displaced as a consequence of the various development projects like Hydroelectric and Irrigation Projects, mines (especially open-cast mines), Super-Thermal and Nuclear-Power Plants, Industrial Complexes etc.

The development paradigm favoured by much of the post-colonial world, including India, has inevitably resulted in massive displacement of the vulnerable sections of the population. This is because the cost of

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development is not borne equally by all sections of the society. The most vulnerable of the population, such as the indigenous people, the minorities, dalits, etc. bear the cost of development while the more endowed, such as the upper castes enjoy the fruits of development. India has over 4,300 large dams and a total of 9 percent of the world dam population\(^57\). Large dams in India are estimated to have submerged about 37,500 square kilometres—an area almost the size of Switzerland—and displaced tens of millions of people\(^58\). According to one estimate, from 1951 until 2000, dams alone displaced between 21 million and 40 million people in India\(^59\).

The total number of development-induced displaced according to one researcher points to 50–60 million displaced persons. This figure includes: 3 million in Jharkhand, 3 million in Orissa, 5 million in Andhra Pradesh, 1 million in Kerala, 2 million in Assam, 4.2 million in Gujarat, and 7.5 million in West Bengal\(^60\). Much of those affected by displacement are indigenous people belonging to the scheduled tribes. Though the tribal population constitutes a small percentage of the country’s population, among those displaced their percentage is much higher. One of the main reasons for the displacement of the tribal population is that over 80 percent of coal and 40–50 other minerals are found in tribal inhabited areas. Much of their land is owned by the community, so they have no papers for individual ownership.

\(^57\) Bansuri Taneja and Himanshu Thakkar, “Large Dams and Displacement in India,” Cape Town, South Africa, Submission no. SOC166 to the World Commission on Dams, 2000


\(^59\) Taneja, Bansuri and Thakkar, Himanshu, Large Dams and Displacement in India. Large Dams and Displacement in India. 2002.

of land. The vulnerable section of the population, of whom the tribals are but one, are displaced not only because of dam building but also because of other projects such as rapid urbanization, mining, and formation of special economic zones or SEZs, etc.

The effects of displacement often lead to loss of traditional means of employment, loss of resources, disrupted community life, change of environment, marginalization and profound psychological trauma. Yet even though development-induced displacement disrupts lives in so many ways and increases morbidity and mortality, it is still continuing today in the name of national interest.

Rapid liberalization of the Indian economy in recent years and increasing inflow of foreign investment for major infrastructural projects including investments by the World Bank and international financial institutions, has led to widespread displacement and loss of access to traditional resources and means of livelihood of many in the country. Industrial development projects in India have been vigorously implemented, affecting large sections of the population who are increasingly being marginalised, particularly through displacement. In the years immediately after Independence, the overarching ideology of nation building favoured a development model of accelerated economic growth through the agency of a mixed economy, combining centralised planning and command investment with capitalist free enterprise. Equity concerns were pushed to the backburner, and it was believed that growth would itself take care of poverty and unemployment, hunger and inequality.

Mega-projects like big dams, towering steel and power plants, mines and ports, symbolised breaking the colonial chains of underdevelopment.
Dam-building was considered synonymous with nation-building and the ascendancy of humanity over nature. Nehru, India’s first Prime Minister, while laying the foundation-stone for India’s first major river valley project, the Hirakud Dam in Orissa in 1948, said to the tens of thousands facing the grim prospect of displacement: ‘If you have to suffer, you should do so in the interest of the country and described big dams as the secular temples of modern India. However from the start this model of development was challenged by ideological sceptics, which also included followers of Gandhi. Although their voices were in the beginning muted amidst the nationalist rhetoric and charisma of mega-projects, this alternative view questioned a model of development that equated development merely with increased production of goods and services. It demanded that the human, social, equity and environmental impacts of such ‘development’ interventions be carefully assessed. It was based on the conviction that more important than merely how much was produced were questions about what was produced, how it was produced, at what costs and for whom.

Fifty years of planned development in India have entailed large-scale forced evictions of vulnerable populations, without the countervailing presence of policies to assist them to rebuild their lives. Most of the negative aspects of displacement, such as lack of information, failure to prepare in advance a comprehensive plan for rehabilitation, the undervaluation of compensation and its payment in cash, failure to restore lost assets or livelihoods, traumatic and delayed relocation, problems at relocation sites, multiple displacement, and neglect of the special vulnerabilities of the most disadvantaged groups are in fact the direct result of state policy.

Although enthusiasm for mega-dam projects amongst policy-makers remains largely undimmed, a formidable body of independent empirical
research into many of these large dams has established how their social, human and environmental costs have been ignored or grossly understated in the planning of these projects, and the expected benefits exaggerated. The actual output of irrigation and power of these projects has fallen short, sometimes spectacularly, of the level on the basis of which investment on the project was initially justified. Of the very many neglected costs of the big dams, some of the most grave are the social and human consequences of displacement. However, national leaders and policy-makers typically viewed these as legitimate and inevitable costs of development, acceptable in the larger national interest.\textsuperscript{61}

3.6.2 Development Induced Displacement – The Case of Narmada Valley Project

The Narmada Valley Development Project is supposed to be the most ambitious river valley development project in the world. It envisages building 3,200 dams that will reconstitute the Narmada and her 419 tributaries into a series of step-reservoirs – an immense staircase of amenable water. Of these, 30 will be major dams, 135 medium and the rest small. Two of the major dams will be multi-purpose mega dams. The Sardar Sarovar in Gujarat and the Narmada Sagar in Madhya Pradesh will between them, hold more water than any other reservoir in the Indian subcontinent. The number of the displaced hovers between 40,000 and 42,000 families. And that's just the official estimate. According to the NBA (\textit{Narmada Bachao Andolan} - Movement to Save Narmada), the actual number of affected families is about 85,000. Close to half a million people.

The huge discrepancy between the government's estimate and the NBA's has to do with the definition of who qualifies as 'Project Affected'.

\textsuperscript{61} H. Mander R. Hemadri and V. Nagraj (1999) Dams, Displacement, Policy and Law in India, working paper of the World Commission on Dams
According to the government, the only people who qualify as project affected are those whose lands and homes are submerged by the reservoir. But when you tear up the fabric of an ancient, agrarian community, which depends on its lands and rivers and forests for its sustenance, the threads begin to unravel in every direction. There are several categories of displacement that the Government simply refuses to acknowledge. Dams are built, people are uprooted, forests are submerged and then the project is simply abandoned. Canals are never completed... the benefits never accrue, except to the politicians, the bureaucrats and the contractors involved in the construction. The first dam that was built on the Narmada is a case in point - the Bargi Dam in Madhya Pradesh was completed in 1990. It cost ten times more than was budgeted and submerged three times more land than engineers said it would. To save the cost and effort of doing a survey, the government just filled the reservoir without warning anybody. 70,000 people from 101 villages were supposed to be displaced. Instead, 114,000 people from 162 villages were displaced. They were evicted from their homes by rising waters, chased out like rats, with no prior notice. There was no rehabilitation. Some got meagre cash compensation. Most got nothing. Some died of starvation. Others moved to slums in Jabalpur. And all for what? After completion, the Bargi Dam produces some electricity, but irrigates only as much land as it submerged. Only 5 per cent of the land its planners claimed it would irrigate. The Government says it has no money to make the canals. Yet it has already begun work downstream, on the mammoth Narmada Sagar Dam and the Maheshwar Dam.

The Concept of Displacement

The Rihand dam oustees of the early 1960s were displaced again a decade later to make way for coal mines, a third time for industries, and in the 1980s, for the Singrauli Super Thermal Plant. Soliga Tribal DPs of the Kabini dam in Karnataka are threatened with displacement a second time by the Rajiv Gandhi National Park. In Orissa, Chitkapar village was displaced by HAL-MIG, Sunabeda in the 1960s, by the Upper Kolab dam in the 1980s, and the Naval Armament Depot in the 1990s. Salandi dam DPs are expected to be displaced by uranium mines.  

The oustees from different projects have been clubbed together with those who are victims of political, religious or other persecutions. Ethnic conflicts have generated hundreds of thousands of IDPs in the North-East, Assam, Tripura, Manipur, Arunachal Pradesh, Mizoram and Jammu and Kashmir. The government has put all victims on a par because the criterion to assess pain, according to it, is suffering and all have gone through it. What makes the whole approach inhuman is the absence of real understanding. Political refugees want their identity recognised. But oustees want land in exchange for land. An ILO convention, to which New Delhi is a signatory, provides for the protection of rights of indigenous and tribal people.

3.6.3 Land Acquisition for Delhi Metro

The 1962 Master Plan of Delhi (MPD ’62) was not just the capital’s first major planning exercise, but also what came to be known as the “Delhi Experiment” – the largest urban land acquisition in India. In 1959, the

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63 Fernandes, Walter, 2000, Pawns in the ‘Development’ Game in India Disasters Report Human-Instigated Disasters edited by Parasaruman S. And Unnikrishnan P.V., Oxford University Press, India

64 The Hindu, 30 April 2001
DDA notified 34,070 acres of urban and urbanisable land in Delhi for acquisition under the Land Acquisition Act, which would “be sufficient for the growth of Delhi according to plan for the next 10 years or so. The land was to remain in public ownership, with developed plots being leased out to individuals or cooperative societies, or auctioned for development by approved state agencies. Direct ownership of land, argued the MPD ‘62, made planning and implementation easier and was imperative if slum clearance, redevelopment, subsidised housing, and provision of community facilities according to accepted standards had to be undertaken in a determined way. The Delhi Experiment has been largely seen as a “failure”. It is argued that it failed in its primary objectives – to restrain the spatial segregation of the poor, and to prevent speculation and vast inequalities in the land and housing markets. The land acquisition, particularly because it was not accompanied by corresponding large-scale housing development, is seen to have distorted the land market. These are certainly legitimate critiques. The experience of displacement of single and multiple evictions and resultant resettlement or homelessness has defined the process of inhabitation for a vast majority of the poor in Delhi. Analysis suggests that at least 218 evictions have occurred between 1990 and 2007 in the capital, covering at least 60,000 households\(^{65}\).

3.6.4 The Case of Singur, West Bengal

In the second half of 2006, the West Bengal government acquired 997 acres of prime agricultural land in order to enable Tata Motors, a leading

\(^{65}\) (Un)Settling the City Analysing Displacement in Delhi from 1990 to 2007 Gautam Bhan, Swathi Shivanand Economic Political Weekly, march 30, 2013 vol xlvii  no 13
industry house in India, to build a factory for Nano, its new model for a small and cheap car. In order to do so, the state government used its power of eminent domain under the aegis of the 1894 Land Acquisition Act. Land acquisition resulted in substantial economic hardship for large sections of the rural population, for many of whom the compensation offered was inadequate. Acquisition of land resulted in 40\% lower income growth for owners and half that for tenants. Consumer durables grew more slowly for undercompensated affected owners, compared to others in the same village. Agricultural workers who were directly affected experienced significant reductions in employment earnings compared with unaffected agricultural workers, who in turn, experienced smaller earnings growth compared with non-agricultural workers. Hence, land acquisition in Singur imposed significant economic hardships on a large fraction of affected owners, tenants and workers. A large fraction of owners were undercompensated relative to market values. Tenants were undercompensated and agricultural workers were not compensated at all\(^66\).

3.7 Land Acquisition Act 1894

The instrument of displacement was the Land Acquisition Act 1894 under which private land could be acquired by the state for a “public purpose”. Compensation had to be paid for the land or property taken over, based on historical cost plus a solatium, but the concept of replacement cost was unknown. The compensation amount was not a negotiated sum, but a figure fixed by the government officials under certain rules. There was a great deal of dissatisfaction with the Act (a) on the part of the people on the grounds of the quantum of compensation, the delays in payments, and so on.

\(^{66}\) Peasant Resistance in West Bengal a Decade before Singur and Nandigram Economic and Political Weekly Vol - XLII No. 37, September 15, 2007 | Abhijit Guha
(including corruption amongst the officials dealing with the matter); and (b) on the part of the government because of the delays in land acquisition because of challenges and litigation and the delays that these caused to the implementation of the projects in question.

3.8 National Rehabilitation and Resettlement Policy, 2007

The objectives of the National Rehabilitation and Resettlement Policy are: to minimise displacement and to promote, as far as possible, non-displacing or least-displacing alternatives; to ensure adequate rehabilitation packages and expeditious implementation of the rehabilitation process with the active participation of the affected families; to ensure that special care is taken for protecting the rights of the weaker sections of society, especially members of the Scheduled Castes and Scheduled Tribes, and to create obligations on the State for their treatment with concern and sensitivity; to provide a better standard of living, making concerted efforts for providing sustainable income to the affected families; to integrate rehabilitation concerns into the development planning and implementation process; and where displacement is on account of land acquisition, to facilitate harmonious relationship between the requiring body and affected families through mutual cooperation.

3.9 Land Acquisition, Rehabilitation and Resettlement Bill, 2011

Land Acquisition, Rehabilitation and Resettlement Bill in India is a much awaited bill for Land acquisition reforms and rehabilitation for the development projects in India. The bill was introduced in Lok Sabha in India on 7 September 2011. The bill will be central to legislation in India for the rehabilitation and resettlement of families affected by land acquisitions. The Land Acquisition, Rehabilitation and Resettlement, 2011
Bill is also known as LARR Bill 2011. LARR 2011 seeks to repeal and replace India's Land Acquisition Act, 1894. The Bill seeks to enact a law that will apply when:

- Government acquires land for its own use, hold and control.
- Government acquires land with the ultimate purpose to transfer it for the use of private companies for stated public purpose. The purpose of LARR 2011 includes public-private-partnership projects, but excludes land acquired for state or national highway projects.
- Government acquires land for immediate and declared use by private companies for public purpose.

LARR Bill 2011 aims to establish the law on land acquisition, as well as the rehabilitation and resettlement of those directly affected by the land acquisition in India. The scope of LARR 2011 includes all land acquisition whether it is done by the central government of India, or any state government of India, except the state of Jammu & Kashmir.

3.10 Rehabilitation and Resettlement Act, 2013

The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 is an Act of Indian Parliament that regulates land acquisition and provides laid down rules for granting compensation, rehabilitation and resettlement to the affected persons in India. The Act has provisions to provide fair compensation to those whose land is taken away, brings transparency to the process of acquisition of land to set up factories or buildings, infrastructural projects and assures rehabilitation of those affected. The Act establishes regulations for land acquisition as a
part of India’s massive industrialisation drive driven by public-private partnership. The Act replaced the Land Acquisition Act, 1894, a nearly 120-year-old law enacted during British rule.

3.11 Kerala – Displacement Scenario

Kerala has emerged as a model of development by achieving many significant social indications, in spite of its failure to attain proportionate growth. In a state like Kerala, with its dense population having predominantly small land holding, the impact of development induced displacement is quite serious. The displaced and the project affected have been invariably the poor and the marginalised. From time to time, Kerala has also acquired 4% of her geographical areas for various projects. Considering the population density of Kerala, the rate to displaced is more than the national level.

Land acquisition for the development of water resources comes to 53.8 percent of the total area acquired. A good proportion of the land acquisition for industries in Kerala took place during the 1961-71 decade i.e. 58.04% . Ernakulam the industrially forward district of Kerala, stands first in the extent of area acquired 55.05%. The NTPC project in Kayamkulam acquired 485.83 ha of land. Large acres of lands are acquired for two various projects in Kannur i.e. KINFRA industrial park project and Barapol Hydro electric project. This project has acquired 176 acres of land.

A total of 1394 families were affected by Idukki project which include many tribals and the total number of affected persons of Idukki project is estimated to be 7388. The number of Project Affected persons from major irrigation and multipurpose projects will come to 42663. The
establishment of Info Park has displaced 56 families in Ernakulam District\textsuperscript{67}.

The Wayanad wildlife sanctuary in Kerala has caused displacement of 53,472 tribal families. At the time of its initiation it was decided to transfer land to these tribal families in order to settle them. However till 2003, only 843 families could get the land\textsuperscript{68}.

The State government identified the waste unusable land of Pookot where these tribals lived, for many government sponsored projects. The Pookot Dairy, Sughanda giri Cardamom Project, the Veterinary college, Navodaya campus etc are to name a few. Government never did any Environment Impact Assessment before stating any of these projects. Pookot and Lakkidi have the highest rainfall in the state and the soil is useless for agriculture. Hence the government land was generously given to tribals and government projects. The only attraction at Pookot is a fresh water lake now under the Tourism dept.

The tribal communities were displaced whenever a new government venture came up in Pookot. As in the case of all displacements of weaker sections of the community many offers and agreements were made with these illiterate tribals and later ignored. The Pookot tribal tribulations at Veterinary College campus under the Kerala Agricultural University is a recent good example of the human rights violations of the marginalised and the sad plight and tribulations of the displaced tribals for a government sponsored project. The case study will throw light on the attitude of the

\textsuperscript{67} Murickan J., Development-induced displacement. Case of Kerala, Indian Social Institute, Bangalore, 2003

\textsuperscript{68} Perspectives in Environmental studies by Anubha Kaushik, C P Kaushik, 2006 New Age international Ltd publishers, New Delhi
ruling class and the community in general towards the inheritors of this land, the tribal community. Even now the tribals of Pookot are marginalized in social, economic and political domains. They can more or less be identified as a political entity or a socioeconomic formation than a cultural entity.

Cochin International Airport Limited (CIAL) was the first airport in India to be built in the joint sector with public – private participation. The airport users and other benefactors, mainly non-resident Indians, the general public, government of Kerala (GOK) and the airport service providers came together to build an airport of international standards. The new Cochin airport project was an alternative to the existing civil enclave in the naval airport, which was not capable of handling larger aircraft due to runway limitations. The development of this airport took place initially irrespective of the policy on airport infrastructure. The land for airport was acquired from about 2,300 landowners. 872 households had to be shifted. Those who lost houses were rehabilitated in three locations which came to be called as ‘Six Cent Colonies’ (since six cents of land was given to each family losing their house). One member from each family which lost both house and land would be considered for direct employment or provided indirect employment opportunities in the airport like taxi permit, managing public telephone facility or vending beverages. As on February 28, 2001, 85 evictees had direct employment in CIAL and 691 were given indirect opportunities .Cochin international airport limited (CIAL) displaced 820 families and 4336 persons. Land acquisition, often resulted in depriving a set of people the livelihood and quality of life they were used to. The process also harms the fragile cultural fabric, which is shared by the

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69 Dhanam, 1999 & State public relation officer, CIAL, 2010
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community. The mechanical process of compensation payment and resettlement does not always help them to effectively rebuild their lives\(^7\)

Kochi Metro, also known as Komet, is an under construction rapid transit system for the city of Kochi in Kerala, India. The first phase is being set up at an estimated cost of ₹5181 crore (US$950 million), and is expected to be completed in 2016. The total amount of land required for the project is 40.409 hectares. The total land required for all stations is 9.3941 hectares, including area required for parking lots. Aluva, Pettah, Kalamassery, Edappally and Kaloor stations will have larger parking areas requiring about 2.7869 hectares of land. The coach depot at Muttom requires 23.605 hectares of land, higher than the originally estimated 17 hectares\(^1\).

Approximately 4.6 hectares of land will be required for widening curves and stretches where the metro's viaduct is positioned outside the median. Apart from the above, 102.50 cents of land is required for preparatory works and 94 hectares in Muttom and 20 hectares of land in Kakkanad is to be acquired for developing the land for commercial use. Kerala Conservation of Wetland and Paddy Land Act was relaxed by the State Government in November 2012 to allow reclaiming 19 hectares of paddy fields in Muttom\(^2\). There are also plans to acquire approximately 230 acres near the yard to set up a "metro village".

\(^7\) SCMS Journal of Indian Management Vol.2 April-june 2005
\(^1\) http://www.thehindubusinessline.com/industry-andeconomy/logistics/kochi-metro-needs-more-land-than-projected/article4101877.ece?homepage=true&ref=w1_home

\(^2\) http://articles.timesofindia.indiatimes.com/2012-11-25/kochi/35347218_1_kerala-conservation-paddy-fields-jos-junction
A number of ongoing projects will displace large section of population. The following project gives a glimpse on the land acquisition process in Kerala.

**Life Sciences Park, Trivandrum** - KSIDC proposes to develop a Life Sciences Park at Thiruvananthapuram. An extent of 260 acres of land in Veiloor Village has been identified for the purpose and KSIDC is in the process of acquisition of this land for the project.

**Electronic Hub at Kochi** - KSIDC has initiated steps for setting up an Electronic Hub at Kochi. The proposed Electronic Hub would be developed in 330 acres of land, offering world class facilities for manufacturing, contract manufacturing, R&D and fabrication units in the electronics sector. The land acquisition procedure has been initiated.

**Titanium Sponge Project, Kollam** - Government of Kerala proposes to set up a Titanium Complex in Kollam District consisting of a Titanium Sponge Plant of 10000 tons per annum capacity, Titanium metal and downstream products. The proposed plant will be located adjacent to the Kerala Minerals and Metals Ltd. (KMML), Chavara, a Govt. owned company producing Titanium products. An extent of about 300 acres of land has been identified for the project.

**Pravasi Gramam Project** - Pravasi Gramam is a project initiated by Government of Kerala in recognition of the rich and invaluable contributions of the Non Resident Keralites (NRKs) in the economic and social development of the State. KSIDC has been appointed as the nodal organisation to develop and implement this project. This project aims at providing the NRKs and their succeeding generations with a channel to maintain cultural and social linkages with Kerala and is envisaged as a self-
contained and well laid village representing a replica of Kerala in terms of its culture, traditions, art forms, lifestyle, etc along with facilities and infrastructure most sought after by the NRK community. KSIDC has identified 337.57 acres of land situated in Edava and Ayiroor Villages of Chirayinkeezh Taluk, Thiruvananthapuram district for setting up the project.

**LNG Terminal, Kochi** - As the state's promotional agency, KSIDC has been instrumental to facilitate establishment of the LNG Terminal at Kochi. The Terminal is being implemented by M/s. Petronet LNG Ltd, a joint venture of ONGC, GAIL, IOC and BPCL. The location is inside the Cochin Port SEZ at Puthuvypeen, Kochi.

**National Institute of Warship/Submarine design & Indigenization Centre by Mazagon Dock Limited (MDL) at Beypore, Kozhikode** - The proposal is to set up a full-fledged National Institute of Warship/Submarine design & indigenization centre and ancillary facility, by Ministry of Defence and Defence Shipyards with Mazagon Dock Ltd (MDL) as the lead shipyard. MDL has requested the Govt. to take necessary steps to allocate 100 acres of contiguous land with sea frontage at the Chaliyam side of Beypore Port, in three phases. Presently, Government has 42.0 acres of land with the Revenue Dept. which has been transferred to the MDL and the foundation stone laying ceremony of the project NIRDESh (National Institute for Research & Development in Defence Ship Building) was carried out at Chaliam on 4th Jan 2011. The additional land of 60 acres will be acquired shortly by GOK and handed over to NIRDESh73.

73 http://www.ksidc.org/ongoing-projects.php
People displaced by development, now many millions a year, face enormous material losses, as well as the radical necessity for reinvention of self and community. Resettlement imposes forces and conditions on people that may completely transform their lives, evoking profound changes in environment, in productive activities, in social organisation and interaction, in leadership and political structure, and in world view and ideology.

3.12 Displacement and Human Rights

Development-induced displacement is a global human rights crisis, uprooting more people in the world today than conflict or environmental disasters.

Development projects often lead to heightened food insecurity and risks of disease, forced evictions, joblessness, the interruption of education, the loss of livelihood resources and social conflict, all of which seriously impinge upon the enjoyment of human rights. The burdens and impacts of these projects often fall hardest on the poorest and most disadvantaged groups within society (particularly women, indigenous populations and ethnic minorities) who are in turn least likely to enjoy the benefits accrued by these projects.

Cernea’s impoverishment risk and reconstruction model offers a valuable tool for the assessment of the many risks inherent in development-induced displacement. Balakrishnan Rajagopal of the Massachusetts Institute of Technology has noted five “human rights challenges” that arise in relation to development-induced displacement.

74 Balakrishnan Rajagopal, 2000, Human Rights and Development (World Commission on Dams, Thematic Review V.4, Working Paper). Although Rajagopal’s discussion focuses on dams, the human rights challenges apply in other types of development-induced displacement.
3.12.1 Right to Development and Self-Determination.

In 1986, the UN General Assembly adopted a Declaration on the Right to Development, which states that “every human person and all peoples are entitled to participate in, contribute to and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized.” The Declaration, moreover, asserts the right of peoples to self-determination and “their inalienable right to full sovereignty over all their natural wealth and resources.”\(^{75}\)

In Rajagopal’s interpretation, such language makes it “clear that local communities and individuals, not states, have the right to development.”\(^{76}\)

3.12.2 Right to Participation.

If self-determination is the right to say whether development is needed or not, participation rights become relevant when development begins. The right to participation is based on various articles of the International Bill of Human Rights, which consists of the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR).\(^{77}\) More specifically, the 1991 International Labor Organization Convention Concerning indigenous and tribal peoples in Independent Countries (ILO Convention 169) stipulates (Article 7) that indigenous and tribal peoples shall participate in the

\(^{75}\) UN General Assembly, 1996, Declaration on the Right to Development (A/RES/41/128).

\(^{76}\) Rajagopal, Human Rights and Development, p. 5.

\(^{77}\) Fact Sheet No. 2 (Rev.1), The International Bill of Human Rights (www.unhchr.ch).
formulation, implementation and evaluation of national and regional development plans that affect them.\textsuperscript{78}

\textbf{3.12.3 Right to Life and Livelihood}

When security forces take action to move people forcibly or to quell civil dissent against development projects, this may constitute a direct threat to the right to life, which is protected in the UDHR (Article 3) and the ICCPR (Article 6). The right to livelihood is threatened by the loss of home and the means to make a living—whether farming, fishing, hunting, and trading or the like—when people are displaced from habitual residences and traditional homelands. The right to own property and not to be arbitrarily deprived of this property as well as the right to work are spelled out in the UDHR (Articles 17 and 23, respectively) as well as in Article 6 of the ICESCR. Article 11 of the ICESCR, moreover, affirms that “States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions.” Included in the right to life is the right to environment, which, as Rajagopal puts it, “makes life worth living, materially and culturally.”\textsuperscript{79} This concept has also been phrased as “intergenerational equity” or the right of future generations to inherit a planet, or a particular piece of it, that is capable of sustaining life. The 1992 Convention on Biological Diversity, for example, asserts that state signatories are


\textsuperscript{79} Rajagopal, Human Rights and Development, p. 10.
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“determined to conserve and sustainably use biological diversity for the benefit of present and future generations.”

3.12.4 Rights of Vulnerable Groups.

Growing evidence shows that, while development projects may create vulnerability through impoverishment, they disproportionately affect groups that are vulnerable to begin with, particularly indigenous groups and women. Human rights of vulnerable groups are protected generically in the International Bill of Human Rights.

3.12.5 Right to Remedy.

The right to remedy is asserted in the UDHR (Article 8) and in the ICCPR (Article 2). As Rajagopal notes, “often, due to the nature of the development process, the project-affected peoples come to know about actions that have been taken without their knowledge or consent. Therefore, they need a quick and efficacious remedy that can halt on-going violations and prevent future ones. The right to remedy is therefore crucial...to all development projects.”81 Put more broadly, “A right without a remedy is no right at all.”

80 Aird, “China’s Three Gorges.”
81 Rajagopal, Human Rights and Development, p. 11.