

# **Capacity Building for Resettlement Management**

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# Capacity Building for Resettlement Management\*

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#### **Abstract**

Beacuse of the pressure of development, displacement of people from project sites has become an ubiquitous phenomenon. Relatively high rate of growth of the Indian economy has added new dimensions and diversity to project-related displacement. Development projects call for acquisition of land which, undertaken on a large scale and without consultation with the owners of land, have led to agitation and public protests. A proper resettlement policy is a key to dealing with this problem. However, before moving to resettlement, various means can be adopted for redesigning and implementing projects without causing or minimising the magnitude of displacement. Moreover, when displacement is inevitable, resettlement should become a principal component of the project design and implementation. Adequate resources and trained and dedicated manpower should be provided for this purpose both by the government and companies.

#### **Keywords**

Development, land acquisition, displacement, resettlement

Because of the pressure of development, displacement of people from project sites has become a ubiquitous phenomenon. Soon after independence, such displacement was involved mainly in the construction of big-size multi-purpose dams. Since these dams were regarded as a symbol of nation's development, there was not much of public resentment against displacement caused by their construction. Pt. Nehru had called these dams as new places of pilgrimage in India.

<sup>\*</sup> This article is based on the Inaugural Address delivered by the author at a training workshop on Capacity Building for Resettlement Management conducted by the Council for Social Development in New Delhi from 13 to 16 December 2010.

I remember, a visit to one of them was included in the programme of *Bharat Darshan* or seeing India, which was a part of our Foreign Service training.

As regards displacement from the process of industrialisation, the mining was the earliest example. This has acquired new dimensions and urgency under the impact of globalisation. In the State of Jharkhand, the total number of persons displaced because of development projects undertaken since independence is more than the present total population of the State. The development projects which have caused displacement on such a massive scale in the State are the projects under the Damodar Valley Corporation (DVC) and coal mining.

Today, the Indian economy is growing at one of the fastest rates in the world, only next to China. It is estimated that in the next few years the rate of growth of the Indian economy may exceed that of China. Growth at such a hectic pace involves undertaking new projects for industrialisation and for infrastructure. Project related displacement, therefore, is now much more diversified. Today people are being displaced because of the construction and renovation of highways, airways, power projects, new industrial complexes and the new entrant in the game of displacement, that is, Special Economic Zones (SEZs).

Development projects call for acquisition of land. Earlier, land was acquired by the government for what was defined as public purpose. That is how forests got depleted and community land virtually disappeared. This brought immense sufferings to the affected population. After industrialisation gathered momentum, particularly with the onset of the current phase of globalisation, private companies entered the race for getting hold of land. They themselves entered the land market for acquiring land at the prevailing market price. But what turned out to be more insidious, the State started acquiring land for the private sector in the name of industrialisation. Such acquisitions were covered under the public purpose clause. It is debatable whether the land acquired by the State for private companies whose motive is profit-making, can at all be regarded as serving public purpose.

The government making land available to private companies has now become almost an essential condition for investment by these companies. The slogan now is 'no land, no industry'. The states are, therefore, competing with each other in making land available to private companies for setting up industries. There are instances of companies moving away from the State where there is a problem in the acquisition of land (as happened recently in West Bengal at Singur) and moving to states (as in the case of Gujarat) where the government can make land available to the companies without much hassle or conflict. There are instances where grabbing land for profit-making is itself the purpose behind demand for supply of land for industrialisation. Moreover, because of competition among states to attract private investment, they are making available as incentives to the companies concerned, land at cheaper prices and much larger areas of land than those required for the industry. The states use their coercive powers to force land owners to part with their land at less than the market price. With the coming up of the industry on the acquired land, the price of land around the industrial sites

skyrockets and in the process, the companies make more profits. There are also instances of the companies, through the exercise of the leverage to invest, forcing government to acquire for them prime land—land near the roadside and cultivated and cultivable land.

The kind of activities that are undertaken on the acquired land, such as constructing malls, swimming pools, luxury houses in the SEZs, do not bring benefits to those from whom land is acquired. In contrast, these activities are a standing and loud mockery of the economic conditions of the poor people who are made to part with the land for the SEZs. Because labour in the area is unskilled and illiterate or semi-literate, these activities do not provide employment either. Thus, people lose their only means of livelihood without being provided with any alternative. Because of bureaucratic delays, it often takes a long time for the landowners to get the payment for their land, and when it is received, it is spent and exhausted in no time, leaving the poor landowners without any asset. This is the principal reason behind the agitation and public protests against land acquisition for development projects. A proper resettlement of the displaced people is, therefore, of key importance. But before moving to the issue of resettlement, the task of the government as well as the private companies should be to see how the project can be redesigned and carried out, preferably without causing displacement and, if displacement is indispensable, how its magnitude could be minimised. The following means have been suggested for this purpose:

- (a) Explore alternative ways of carrying out the project which involves minimum acquisition of land;
- (b) In the first instance, make available to private companies, land which is already in the possession of the government and has remained unutilised for years, even decades. There is evidence that a large amount of such land is available;
- (c) Acquire uncultivable and uncultivated land. During the course of the debate on Land Acquisition (Amendment) Bill, a consensus seems to have emerged among almost all political parties, that cultivable land should not be acquired;
- (d) Where companies have acquired land which is more than the area used for building the factory and ancillary facilities, the surplus land should be returned to those from whom the land has been acquired. This should apply particularly to projects which have been undertaken recently;
- (e) Prior consultation with the landowners should be held and their agreement sought before land is acquired. There is already legal provision for the approval of the Gram Sabha for acquiring land for development projects in tribal areas.

In spite of all the precautions that can be taken to avoid or minimise acquisition of land while carrying out a project, displacement of people on a very large scale from their land acquired for project purposes is going to be a very significant part of the development scenario in India. The scale of displacement will be much

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larger because of the dynamism acquired by the Indian economy, which is projected to be sustained in the future. It is, therefore, extremely important to pay attention to the settlement of the displaced people. Unfortunately, this issue is not given the attention it deserves. In processing a project, it is treated as a residual issue. Companies are mainly concerned with the profit-cost ratio. Resettlement is regarded as a constraint to undertaking projects and hence to development because it reduces the profit-cost ratio. Resettlement work, therefore, is generally taken at a much later stage of project formulation, almost like a window dressing—to be seen to be meeting the requirement of a foreign collaborator or of the government, and to placate the NGO who may be agitating on behalf of the people who need to be settled. It is forgotten that profit-cost ratio must be seen on a longer time horizon. If the issue of resettlement is not properly addressed in a bid to maximise this ratio, then the project will be operated in a hostile environment which can substantially increase its cost. Moreover, if environmental and ecological factors are not taken into account while planning for resettlement, this can have its own long term cost.

Resettlement is generally doled out to the affected people by the company or the government as a charity or gift and not as a right. The affected people are not consulted at the stage of the formulation of the project and they are not associated with the resettlement plan. Numerous instances of the neglect of settlement have led to widespread agitation in the country against land acquisition. On account of the poor record of compensation for acquiring land and of resettlement, the affected people as well as the NGOs who champion their cause, have now started opposing all plans for land acquisition and are demanding rehabilitation as a right. These large-scale agitations carried out over several years, have led the government to reconsider its land acquisition and rehabilitation policy. A Bill for an amendment to the Land Acquisition Act and a Rehabilitation Bill have been pending for a long time. This Council has commented extensively on the adequacy or otherwise of these Bills.

However, the adoption of policies on these matters and of legal provisions are unlikely to lead to any significant change in the present position unless they are seriously and effectively implemented.

Some of the principal requisites for it are:

- (a) Earmarking of adequate resources out of the project budget for resettlement;
- (b) Creation of additional capacity both in the concerned government agency and private companies for undertaking resettlement work. The personnel earmarked for this purpose should not only be adequate in number but also well-trained. Conducive conditions should be created for their working and they should occupy an important position in the hierarchy of management. It should be realised that resettlement is a highly specialised work and the present practice of sending unwanted employees to do this work is not the best means of dealing with the problem;

(c) The resettlement component should be front-ended among the activities to be undertaken under the project.

An important aspect of resettlement is to understand its meaning in the correct and holistic perspective. Resettlement is not only building structures with concrete and mortars under which project displaced persons can be rehabilitated; nor is it only an effort to provide livelihood for those who are displaced. It also calls for making adequate arrangements for preserving the identity of the displaced persons—their culture, heritage and their community life.

Above all, resettlement must be sustainable which will require making adequate and effective arrangement for the education and the skill development of the displaced persons.

It is, thus, clear that resettlement is both a noble as well as a formidable task. It should have a central role in the management of a project. Agencies undertaking projects, both government and companies, should have adequate number of personnel equipped with skill, proper orientation and attitude to undertake this task.

