Invited Lecture Series: 1/2021-2022

THE POOR PAY THE PRICE: DEVELOPMENT-INDUCED DISPLACEMENT

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9 September 2021



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(An Autonomous Research Institute supported by Indian Council of Social Science Research, Government of Telangana and Reserve Bank of India)

Southern Regional Centre

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Abstract

India keeps referring back with anger to the Partition at which an estimated 15 million refugees were exchanged between India and Pakistan. (It was a two-way traffic). But India does not have a reliable database on people displaced in the name of national development. Researchers who have done serious work on it have come to an estimate of a minimum of 70 million people displaced or deprived of their sustenance without physical relocation 1951-2010. It is nearly five times the population exchanged between the two countries. Only around 17 percent of the displaced people have been physically resettled but not all of them have been rehabilitated. Most of them are impoverished. Around 40% of them are tribals, more than 20 percent of them Dalits and another 20% from among the rural poor. Thus, more than 80% of them are voiceless and that may explain this neglect. It is a human rights issue of their right to a life with dignity under Article 21 of the Constitution. Women are the worst affected. So, it should be taken seriously by people committed to the human rights of the marginalised and of women.?

An important feature of development-induced displacement (DID) in India is the absence of an official database on the number and type of displaced persons (DP) or those deprived of livelihood without physical relocation (PAP or project affected persons). Studies indicate that their numbers are big, that rehabilitation is poor and that a high proportion of them are impoverished and marginalised. Basic to this situation are the law that empowers the State to displace people without their consent, and the development paradigm on which it is founded. Unlike conflicts and natural disasters, DID is planned, so it is possible for the project authorities to plan rehabilitation but it is not accorded much importance. So its benefits reach mainly the already strong at the cost of the weak. It made the development paradigm central to the studies of DID on which this paper is based. Someof these studies are for 1951-95, a few1947-2000 and the resttill 2010, depending on when they were completed.

1. The Background

A historical and socio-economic perspective can give one a better understanding of the processes linked to the development paradigm. To understand it the paper situates in this context the post-1947 loss of livelihood to national development, the number and type of DP-PAPs, the impact of deprivation on them and possible alternatives to it.

The Starting Point

The starting point of this paper is Article 21 of the Indian Constitution on right to life that the Supreme Court has interpreted as every citizen's right to a life with dignity (Vaswani 1992, p.158). The DP-PAPs of DID have a right to this life and the project has a duty to protect it. That is the writer checkwhether the projects that displace people live by this duty. While thus questioning the development paradigm the author does not deny the need for development. At independence India needed an infrastructure and an industrial base because the colonial regime had de-industrialised and impoverished the country. So the post-1947 government would have failed the people if it had not invested in the country's development.

What is questioned is the approach to development based on intensive use of land, water, power, mineral and financial resources. European countries could afford it because they got most resources required for their development by robbing their colonies. Europe also sent its excess population to the Americas and Australasia. India was thickly populated and did not have much land to spare especially in the rural areas where most projects were built. But planned development based itself on resource and technology intensive economic growth under the assumption that modernisation and technical progress would by themselves solve the social problems of illiteracy and unemployment. Investment in the social sector of education, health, nutrition and hygiene was low. As a result, most benefits reached the urban middle and rural upper classes that had access to such services. The already poor were impoverished further (Kurien 1997, pp. 136-137).

Type of Displaced Persons

This paper limits itself to the DP-PAPs of development projects and excludes other forms of people's relocation such as voluntary migration in search of better economic prospects, involuntary migration because of natural and human made disasters like floods and earthquakes as well as by conflicts and wars that cause internally displaced persons (IDP) and refugees. For example, a decade ago Mizoram had an estimated 100,000 Chin migrants of Myanmar who migrated because of lack of livelihood alternatives in their home state. Delhi had around 10,000 of them (Fernandes, Das, Goan, Lin & Kashyap 2015, pp. 106-109).

The sub-continent also has conflict IDPs and refugees. For example, the estimated 15 million persons displaced on both sides of the Indo-Pak border at the Partition in 1947 were refugees (Mankodi, 1989, p. 138). But the thousands who fled Gujarat to Uttar Pradesh 1,200 km away during the 2002 anti-Muslim pogrom remained within India so they are IDPs (Sarmah 2002). The exact number of conflict IDPs is difficult to know because many of them flee to their relatives' houses. One can only count those who go to the relief camps. India had more than three million IDPs of ethnic and religious conflicts during the last two decades of the 20th century (Das 2005, p. 122-134).

Also natural and human made disasters like earthquakes and floods cause IDPs, so does on going desertification and environmental degradation. Since the impact of the latter is not felt immediately or in one event like an earthquake, most disaster studies ignore it (Das Gupta 2007, pp. 30-33). The nature of disasters and the number of their IDPs has grown enormously in recent decades because of the intensification of floods, droughts and landslides most of them human-made, caused by desertification and environmental degradation (Bandyopadhyay 2007, p. 5).

By limiting himself to the DPs of DID, the author acknowledges that DID is a major cause of dislocation of people's lives but not the only one. The difference from the remaining types is that it is planned so it is possible for the project authorities to prevent its negative impacts and rehabilitate the DP-PAPs. But most projects seem to focus more on the financial and technical aspects than on their victims. That is reason enough to pay attention to the DP-PAPs of DID. Secondly, for decades the number of DID DP-PAPs has been higher than that of other forms of relocation.

Apart from disasters and conflicts, also some development processes such as major economic changes and new technologies deprive people of their sustenance and cause IDPs. For example, in the 1970s the introduction of deep-sea trawlers in shallow waters deprived around 700,000 fishing families of their livelihood (Kurien 1980, pp. 121-124). Thousands of potters were displaced when cheap plastic utensils replaced clay pots and pans (Ravinder 2004). They are called process IDPs,and their number is enormous but difficult to estimate. So they are rarely counted among the victims of development.

Development projects also produce indirect DPs i.e. those whom their environmental impact forces to move out when they "generate waste, for example thermal power plants, aluminium plants...or other waste disposal affects land fertility, health etc" (Ganguly Thukral 1999, p. 11). Their number too is enormous but it is next to impossible to count them so most studies including those on which this paper is based, exclude them. Some projects also deprive people of access to their livelihood. For example when a new port is built, it denies the fishing communities access to the sea (Fernandes and Asif 1997, pp. 109-111). Wherever possible they have been included in the database. Thus included in the studies are the DP-PAPs both of individual land and common property resources (CPRs) since all of them alienate people from their livelihood.

Displacement in the Colonial Age

The studies were limited to the post-independence age though there is evidence of dislocation of people's lives by projects as early as the 3rd century, going up to the middle ages. But its negative impact was minimal since land was abundant and the population was small. So the DPs could rehabilitate themselves. DID assumed alarming proportions in the colonial era and got intensified with planned development (Mankodi 1989, p. 140-143). Dadabhai Naoroji (1988) estimates that British economic policies deprived 35 million persons of their sustenance in pre-Independence South Asia. It remains an estimate. Studies (Sen 1979, pp. 8-12) also show that most victims of the British land laws were dalit and tribal.

Though colonialism was legitimised in the name of Europe's mission of "civilising education" in reality, its objective was to change the economy of the colonies to suit the needs of the European Industrial Revolution. Its first step was de-industrialisation of the colony in order to turn it into a captive market for the finished products of the industrial revolution. The second step was to turn the colony into a supplier of capital and raw material for the industrial revolution (Rothermund 1992, pp. 12-13). Legal changes meant to facilitate the transfer of land to British-owned plantations, mines, transport and other raw material producers, began with the *Permanent Settlement 1793*, continued in the *Assam Land Rules of 1838*, the Calcutta law of 1824 and other laws meant to make land available for these purposes. They culminated in the *Land Acquisition Act 1894* (LAA) that empowered the State to take over even individual property for a public purpose that was not defined for a century (Upadhyay and Raman 1998). The LAA was in force till the Parliament enacted the *The Right to Transparency, Just Compensation in Land Acquisition, Rehabilitation and Resettlement Act 2013* (LAR&R 2013). It gave a limited definition to the public purpose (Fernandes 2016).

Basic to these laws was State monopoly over biodiversity and community resources. The principle used in it was the State's eminent domain that recognised only individual ownership. This principle is known in Australia as *terra nullius* (nobody's land). White colonisation of native land in Australasia and in the Americas is based on the principle that land without an individual title is nobody's land as such anyone can occupy it. In 1992 the Australian judiciary questioned some aspects of this principle (Brennan 1995, p. 16) but it continues to be the basis of Indian land laws

under its US version of *eminent domain*. It recognises only individually owned landand confers on the State alone the right to define a public purpose.

The exact number of people alienated from livelihood by colonial intervention is not known. What is certain is that most of them were process displaced and that with the individual based land laws began the process of impoverishment of the already marginalised landless dalit, CPR dependent tribal and other service groups. Deprived and impoverished by the changes, many of them surrendered and were transported as indentured labour in slave-like conditions to plantations and mines in India and other British colonies in Africa, the West Indies, the Pacific islands and Southeast Asia (Sen 1979, p. 8-12). Others resisted their marginalisation. So history records many tribal and some dalit struggles against the dislocation of their life. The best known among direct struggles against displacement is the one of Mulshi-Peta near Pune in the 1920s when the Tata Electrical Company, supported by the colonial regime built a hydro-electric dam (Bhuskute 1997, pp. 170-172).

2. The Development Paradigm

Though the freedom fighters joined the Mulshi-Peta struggle, they let the legal system continue though the post-independence situation had changed. The first change is intensification of displacement but no official database exists on the number and type of DP-PAPs. Secondly, post-1947 India declared itself a welfare State thus moving away from the profit motive of the colonial State. But steps have been taken towards a rehabilitation policy only in recent years. This situation can be better understood by situating it in the context of the development paradigm that India adopted when it launched the five-year plans in 1951. Like the laws that enable displacement, also the thinking behind this paradigm has its roots in the colonial age.

Continuity and Change

Though India declared itself a welfare State, by and large development projects gave priority to economic efficiency. Such continuity amid change existed mainly because most leaders of Independent India attributed the progress of the West to technology alone. They were convinced that India should do in a few decades what the West had taken a century to do. Some like Mr Jawaharlal Nehru and Mahatma Gandhi were aware that basic to the progress of the West was the exploitation of the working class at home and of the colonies abroad. But Nehru too considered technology the main solution to India's problems. In his autobiography Nehru (1946, pp. 64-65) spoke of the need to ensure industrialisation within a democratic structure, without the capitalist exploitation of the workers and socialist dictatorship. He added that it required modernisation, freedom from superstitions and change in traditions. Mahatma Gandhi (1948, p. 26) cautioned India against following the western path. He opposed not industrialisation but industrialism or development based on the type of technology and consumption pattern that are beyond the reach of the majority. He added that if a small country like England impoverished half the world in order to let its citizens lead a rich lifestyle, a big country like India following this path would impoverish

many more. Some of his followers feared that since India did not have colonies, its middle class would impoverish its poorer sections.

Continuity with change is provided also by what Samir Amin (1999, pp. 22-23) calls the three phases of globalisation, a recent term whose reality has existed for five centuries, from the "discovery of new worlds" by Christopher Columbus and Vasco da Gama and direct colonial control of much of Asia, Africa and the Americas by West European countries. It is the first phase of globalisation. After most of Asia and Africa attained political independence followed the second phase of the neo-colonial economy or the cold war. During this phase the colonising countries could control the economies of the global South (former colonies) by using the financial and legal institutions built during the first phase. The third or present phase known specifically as globalisation began with the fall of the Soviet Union in 1989. The remaining superpower used the Bretton Woods institutions such as the World Bank and the International Monetary Fund built during the first two phases to impose a single economy on the rest of the world. Common to these phases is the factthat colonialism both past and present is primarily for the colonisers' economic interests. But the colonisers camouflage these interests behind ideological legitimisation such as Europe's 'mission of civilising education' in the past and 'protecting the free market and democracy' today. They introduce legal changes and build new institutions in order to change the economies of the South to suit their own needs. The eminent domain and LAA that empower the State to displace people without their consent legitimises displacement belong to this category Liberalisation or the NEP has further intensified the process. These issues are studied in the next few sections.

The first step in changing the economy of the colony to suit the needs of the industrial revolution was to de-industrialise the "Indian Empire" and kill its nascent textile industry in order to turn it into a supplier of capital and raw materials for Britain's industrial revolution and a captive market for its finished products. The second step was new laws to facilitate the transfer of land, forests and other resources to British owned plantations, mines, transport and other raw material producers and transporters (Rothermund 1983, p. 83-84), and to establish State monopoly over biodiversity and other natural resources. The acquisitions under these laws turned the service providers and CPR dependants into cheap labour. Impoverished by the changes, many of them surrendered and were transported as indentured labour in slave-like conditions to mines and plantations in India and to British colonies in Africa, the West Indies, the Pacific and Southeast Asia (Sen 1979, p. 8-12). Some of them resisted their marginalisation, so history records many tribal and some dalit struggles in the colonial age.

The Post-1947 Paradigm

As stated above, the freedom fighters supported the Mulshi-Peta struggle against the Tata built hydro-power dam, under the belief that it was against the foreign ruler but kept the colonial laws intact. Despite their objective of national development, most projects gave priority to economic efficiency because by and large Indian leaders attributed the progress of the West to technology alone. Also Nehru and P. C. Mahalanobis, the brain behind the mixed economy, considered technology the main solution to India's socio-economic problems. This view got Nehru to declare that schemes like Hirakud were the temples of modern India.

The leaders were also aware of their social obligation of people's welfare but they assumed that they could ensure equity through the mixed economy in which the public sector took control of the heights of the economy. They thought that technology guided by this approach would solve the socio-economic problems of unemployment, poverty and illiteracy and ensure that the benefits of development reached every Indian though there would be some temporary problems (Joseph 2014). As the Amartya Sen-Jagdish Bhagawati debate shows this thinking is based on the trickledown theory. Sen, convinced of the futility of this approach, laid emphasis on improving primary education and health care. Bhagawati believed that if the free market does its work unhindered, its benefits will eventually reach all the people (Palit 2013, p. 2). The data indicate that it has not happened. It shows the need to formulate new policies whose benefits can reach the majority of the population.

Gandhi and Ambedkar

Without knowing this terminology Mahatma Gandhi held a view that was close to that of Sen, and cautioned Indian leaders against following the western path. However, Gandhi like most other leaders did not give adequate importance to India's caste and gender based unequal society in which the benefits of modern inputs reach the already powerful unless steps are taken to move towards inclusive development. He knew that the colonial power had exploited India as a whole but did not realise that even the negative impact of colonialism was felt more by the dalits and other subalterns whom the country's traditionhad treated as people without rights.

Dr. B. R. Ambedkar brought to the fore the fact that even the impact of developmental inputs is felt differentially by each group, just as the dalits and tribes felt more than the rest did, the negative impacts ofthelegal changes and land acquisition in the colonial age. Ambedkar surmised from it that unless steps are taken to undo this reality the dalits would feel the negative impacts also of post-1947 inputs. He gave expression to this view when he said while presenting the Constitution to the Constituent Assemblythat this document ensured political democracy.

But social and economic democracy could be achieved only through the type of development whose benefits reached every citizen. Based on this understanding he supported fast industrialisation, because hehoped that industries would produce revenue that could be used for the education and health care of the poor and that the jobs they created would take the dalits in particular, away from bondage (Ramaiah 2013, p. 139-140). He would not have been aware of all the steps required to combine economic growth with social justice. He only knew that for the benefits of development to reach the weak, onerequired a combination of technology, education and access to income generating employment. Thus he anticipated, without being aware of it, the Supreme Court interpretation of Article 21 on right to life as every citizen's right to a life with dignity (Vaswani 1992, p. 158).

Planned Development

The Nehru-Mahalanobis line of the mixed economy that the planners adopted was based on the Bombay Plan 1945 prepared by eight eminent future entrepreneurs including J. R. D. Tata and G.D. Birla who came together in 1944 and "wrote a 15-year vision for the Indian economy to be circulated among their influential acquaintances." Within their vision of economic growth they had a social vision. "They wanted per capita income to double in 15 years, and every Indian to enjoy a minimum standard of living — for instance, to have access to 30 yards of cloth in a year and at least 100 square feet of space to call home. They proposed that the government exercise tight oversight over industry. "Practically every aspect of economic life will have to be so rigorously controlled by government that individual liberty and freedom of enterprise will suffer a temporary eclipse," they declared. They added that since the private sector lacked the wherewithal to invest in the long gestation infrastructure like steel and power, the State should build it with the taxpayer's money and leave the profit-making consumer industries to private entrepreneurs (Joseph 2014).

This idealistic vision based on economic growth alone did not specify the means to achieve the social target. Accepting this approach the Second Five Year Plan 1956-61 document stated that its main aim was a movement towards equality (Planning Commission 1956, p. 236). The Third Plan Approach Paper No. 7 added: "India has an old traditional society rooted in thousands of years of history. Far reaching changes in social customs and institutions are necessary—and have been started—to build up a technically advanced society, which offers more equal opportunities and accords priority to economic growth over social justice" (Planning Commission 1961). The planners believed that the approach would result in nation-building suited to the needs of every Indian and attempted modernisation to catch up with the West. But they paid inadequate attention to inputs required to change the caste and gender-based unequal societythough economic and social democracy required such steps.

Two schools of development economics clashed in this choice. The school led by Arthur Lewis argued that economic development is a process of capital accumulation that required transfer of labour from traditional agriculture and other low productivity occupations to high productivity modern industry. Capital accumulation makes such transfer possible. The school led by Paul Romer and R. E. Lucas argued that long-term development and economic growth are determined by investment in education and human capital. Lucas in particular attributed the huge difference in per capita income of nations to types of human capital formation (Sarkar 2007, p. 1434). The planners opted for an infrastructure development based paradigm that required capital accumulation.

In order to achieve it India borrowed money and sophisticated technology from the West as "foreign aid" to build capital intensive projects like major dams, steel, heavy electrical and machine tool plants and other schemes. The subalterns are ill equipped to deal with such inputs. They require cultural, psychological and social preparation in the form of formal education and technical training and the subalterns lack it. Institutions like schools and hospitals make the facilities available but social conditions are required to make them accessible to the majority. Even affirmative action like reservations made free education and other services available but the social conditions required to make them accessible to all were not met. Without such steps modern inputs can further increase the gap between the powerful and powerless, thus further intensifying inequalities. Most of those who had access to education at Independence belonged to the dominant castes and classes. As a result, in the absence of social change, their benefits have reached the middle and upper classes but poverty has increased among the powerless. With greater profit and GDP orientation of globalisation the social arena is being further neglected.

The Asian Tigers or the East Asian countries like South Korea, Singapore, China, Taiwan, Malaysia and Indonesia under Soekarno, show that it is possible to combine economic growth with social equity. Like India they too invested in heavy industry but also invested 8 to 15 percent of their GDP in the social sector of education, health, nutrition and hygiene, thus preparing most of their population to access the benefits of development. To give two examples, Mainland China tried to raise its population from misery to poverty i.e. meeting the basic needs. It seems to have succeeded with 80 percent of them. The Malaysian *bhumiputra* policy of the 1970s favours the Malays who are 60 percent of its population but lacked economic and social power till then. The policy stipulated reservation of a percentage of all jobs at every level in the *private and public sectors* for the Malays. But unlike India that stopped at reservations, Malaysia made a massive investment in the education, health, hygiene and nutrition of the Malaysin order to make it possible for them to compete as equals with groups that held power till then. Thus it made the institutions accessible to most Malays (Colonel-Ferer 1998). India made free education and jobs in the public sector possible for the Scheduled Classes but stopped at the legal provisions that made the services availablebut did not create the social conditions required for everyone to enter the school. As a result only a small minority has gained access to them (Mencher 2013, pp. 88-89).

3. The Main Features of DID

The absence of a reliable database on the number and type of the DP-PAPs, the predominance of subalterns among them, and poor rehabilitation symbolise the priority accorded to economic growth. These issues are analysed in the present section.

Absence of a Database

The first feature of post-1947 DID is absence of a reliable database on the number and type of DP-PAPs and rehabilitation. Case studies indicated that, most official figures were underestimates. For example, by official count the Hirakud dam in Odisha displaced 110,000 persons (Govt. of Orissa 1968) but researchers put their number at 180,000 (Pattanaik, Das and Misra 1987). According to official documents Assam displaced 343,242 persons from 3.9 lakh acres for all the projects 1947-2000. A study showed that the State had a minimum of 1,916,085 DP-PAPs from 14.1 lakh acres 1947-2000 (Fernandes & Bharali, 2011, p. 211). Thus, 15 lakh DP-PAPs and more than 10 lakh acres were not counted because the official files limited themselves to private land.

The poor database forces one to depend on estimates. For example, Arundhuti Roy (1999) speaks of 56 million DPs of India's 4,200 large dams while SurjitBhalla (2001) gives an average of 1,360 DPs per large dam and puts their total at less than a million. Both of them err by takingall large dams as a single category, giving an average number of DPs of each of them and multiplying it by the total of 4,200. In reality all dams above 15 metres from the lowest foundation are considered large but they differ in their height, potential and submergence area. So they have to be divided into major and medium. The number of their DP-PAPs changes accordingly. Studies show that, around 300 of them are major and the rest are medium. A major dam displaces 25,000 to 250,000 persons while a medium dam affects 400 to 8,000 persons (Fernandes 2008). So Bhalla's average of 1,360 is too low even for medium dams while Roy's is an overestimate.

This situation motivated some researchers to take up the challenge of preparing a reliable database. They began with all displacement 1951-1995 in Odisha (Fernandes & Asif 1997), Andhra Pradesh (Fernandes, Goga-D'Souza, Rao, Roy Chaudhury, Asif & Reddy, 2019), Jharkhand (Ekka & Asif 2000) and Kerala (Murickan et al. 2003), They continued with 1965-95 in Goa (Fernandes. Abreu, Naik & Fernandes 2021), 1947-2000 in Assam (Fernandes & Bharali 2011), West Bengal (Fernandes, Chhetri, Lama & Joseph 2012), Meghalaya (Fernandes, Pala, Bharali & Dutta 2016), Tripura (Fernandes, Malsom, Bharali & Tula 2021), Mizoram (Fernandes, Pari, Lalruahmawi and Wania.forthcoming)1947-2004 in Gujarat (Lobo & Kumar 2009),

¹The references in this paragraph are to their version updated to 2010 wherever published.

1947-2007 in Nagaland (Fernandes, Chishi-Mughavi, Pienyu, Achumi, Yanthan & Fidelia 2017) and 1975-2007 in Sikkim (Fernandes, Thadathil & Dutta2016). These 14 out of India's 29 States give a total 22.2 million DP-PAPs (Table 1). They do not include the high displacement States of MP, Maharashtra, UP and Chhattisgarh. Moreover, in Odisha, Andhra-Telangana, Assam, Bengal and Tripura only around 80 percent of the data could be accessed. In Meghalaya it was around 60 percent and in Kerala, Mizoram and Jharkhand 50 percent. Information on the revenue commons was not available in Sikkim so their DP-PAPs have not been counted. Extrapolation based on their updating and case studies brings one to 70 million DP-PAPs1947-2010 all over India (Fernandes, Abreu, Naik&Fernandes, 2021, pp. 36-37).

Table 1: Caste-Tribe of DP-PAPs from Some States Studied

State	Tribals	%	Dalits	%	Others	%	NA	%	Total
Andhra	1032415	21.00	943147	19.19	2095443	42.63	830529	17.17	4901534
Assam	416321	21.70	NA	NA	609015	31.74	893538	46.57	1918874
Goa	NA	NA	NA	NA	NA	NA	110041	100	1110041
Gujarat	1821283	44.43	462626	11.29	1791142	43.70	23818	0.58	4098869
Jharkhand	620372	40.08	212892	13.75	676575	43.71	38178	02.47	1548017
Kerala	NA	NA	NA	NA	NA	NA	552233	100	552233
Meghalaya	136026	100	0	0	0	0	0	0	136026
Mizoram	222692	100	0	0	0	0	0	0	222692
Nagaland	60516	100	0	0	0	0	0	0	60516
Odisha	616116	40.38	178442	11.64	671351	48.01	0	0	1465909
Sikkim	33871	39.51	1990	2.32	33173	38.70	16683	19.46	85717
Tripura	100624	56.17	17320	9.67	19092	10.66	42114	23.51	179150
W Bengal	1330663	19.16	1689607	24.33	2566223	36.95	1357999	19.56	6944492
Total	6390899	27.52	3506024	15.10	8462014	36.44	3865133	16.64	22224070

Source: **AP-TLN**, Fernandes, Goga D'Souza, Rao, Roy Chaudhury, Asif & Reddy 2019, p. 229; **Assam**, Fernandes & Bharali 2011, p. 218; **Goa**, Fernandes, Abreu, Naik & Fernandes 2021, p. 236; **Gujarat**, Lobo and Kumar 2007, p. 109; **Jharkhand**, Ekka & Asif 2000, p. 87; **Kerala**, Murickan, George, Emmanuel, Boban & Pillai 2003, p. 203; **Meghalaya**, Fernandes, Pala, Bharali & Dutta, 2016, pp. 188; **Mizoram**, Fernandes, Tula, Vanlalpari, Zonunmawia&**Lalhruaimawii. 2022.Nagaland**, Fernandes, Chishi-Mughavi, Pienyu, Achumi, Yanthan & Fidelia, 2017, p. 275; **Odisha**, Fernandes & Asif 1997, p. 94; **Sikkim:**Fernandes, Thadathil & Dutta, 2016, p. 154; **Tripura:** Fernandes, Malsom, Bharali & Tula, 2021, p. ; **West Bengal**, Fernandes, Chhetri, Lama & Joseph, 2012, p. 17; *N. B. Jharkhand, Kerala and Odisha are for 1951-95; Assam & West Bengal for 1947-2000; Gujarat is 1947-2004; Goa is 1965-2010; Sikkim is 1975-2010; AP-Telangana are 1951-2010; the rest are for 1947-2010.*

The pilot study of Odisha had very few categories. As the understanding of the nature of displacement grew over the years and more categories were added, the projects were grouped into 18 categories, sub-divided according to their type and nature. For example, water resource schemes were divided into irrigation, hydro-power, flood control and multi-purpose by their nature and into minor, medium and major by their type.

²The data for Mizoram are for 2000 since the final database for 2010 is yet to be completed.

The Extent and Type of Land

Land acquisition is basic to displacement. The project counts people deprived of private land while much of tribal habitat is CPRs. Most dalits sustain themselves by rendering service to the village as a community or as agricultural workers on land legally belonging to some other owner. The project excludes them while counting the DP-PAPs. That is a major cause of underestimates. For example, the figure for the Hirakud dam was raised from 110,000 to 180,000 by including the CPR dependants. Two thirds of the 70,000 acres submerged by the Nagarjunasagar dam in Telangana were CPRs so officially 30,000 persons were displaced when the reality is more than double that number (Fernandes, Goga-D'Souza, Rao, Roy Chaudhury, Asif & Reddy 2019, p. 97). The CPRs are often not accounted for though they are two thirds of what most dams submerge. But their details are not available in many States including major land users like West Bengal, Andhra-Telangana and in some smaller ones like Kerala, Sikkim, Mizoram and Meghalaya. That explains their small proportion in Table 2.

The studies show that Andhra-Telangana used over 7.5 percent of its landmass 1951-2010, Odisha5 percent and Kerala 3.5 percent 1951-1995. Goa acquired 3.5 percent of its landmass 1965-1995 and it rose to 8.7 percent 1965-2010. Moreover, 11.2 percent of Goa's land was under mining leases before its integration with India in December 1961. Acquisition has been massive in Gujarat and West Bengal (Table 2). These studies account for 21.82 million acres. Based on it, through extrapolation as done in the case of the DP-PAPs, the total all over India can be put at not less than 70 million acres 1947-2010.

Table 2: Extent and Proportion of Private and Common Land Used (acres)

State	Private	%	Common	%	Forest	%	NA	%	Total
Andhra	5707550.67	67.99	630297.07	25.33	166453.36	06.69	00	00	6504301.10
Assam	394141.34	27.74		-	781838.64*	55.02	245097.50	17.25	1421077.48
Goa	31257.51	77.85	7116.48	17.72	1779.12	04.43	00	00	40153.11
Gujarat	7725648.22	61.54	772565.56	6.15	4055966.12	32.31	00	00	12554179.90
Jharkhand	852378.25	55.11	348969.62	22.56	345225.07	22.32	00	00	1546572.94
Kerala	164962.11	43.00	3020.35	0.79	100504.52	26.20	115169.18	30.02	383656.16
Meghalaya	107903.66	58.81			19814.50	10.80	55556.15	30.28	383655.16
Mizoram	8573.65	16.48			4231.06	8.14	39209.82	75.38	52014.53
Nagaland	3343.30	5.26	39385.47	61.97	4357.58	6.82	16471.19	25.92	63557.53
Orissa	988051.71	41.81	661358.58	27.99	713738.10	30.20	00	00	2363148.39
Sikkim	116168.09	95.16	NA		5936.14	4.84			122081.96
Tripura	126408.17	60.38			68573.26	32.76	14355.16	6.86	209336.59
W Bengal	3954600.41	82.98			811328.34*	17.02	00	00	4765928.75
Total	20180241.65	66.84	4147599.23	13.74	5393960.01	17.87	468178.72	01.56	30189979.61

The forest-common revenue land division could not be got fully in Assam and West Bengal. So their totals are included in those of common revenue land. Sources: As in Table 1.1.

Land and Globalisation

Even as opposition to land acquisition was growing because of the impoverishment it caused, a new economic policy (NEP) of liberalisation was promulgated in July 1991. As the Government of India expressed in the second draft of the National Rehabilitation Policy 1994, in order to attract Indian and foreign private investment more land would have to be acquired in a short time, much of it in the tribal areas where mineral resources are located (MoRD 1994: 1.1-2). The Central Government took legal measures to implement this statement of intention through the Highways Act 1995, the SEZ Act 2005 and others. Most Statestoo took it seriously. For example, Goa amended its industrial policy in the late 1990s and again in 2007 to enc ourage foreign investment without employment generation as a priority (Goswami 2007). Gujarat introduced changes in its land laws to facilitate more acquisition (Lobo & Kumar 2009, pp. 22-23). It is visible also in the extent of land acquired or committed to private companies, especially for the SEZs. For example, Odisha had used 40,000 hectares for industries 1951-1995 but planned to acquire 40,000 hectares more in the succeeding decade (Fernandes & Asif: 1997, pp. 69-70). Andhra Pradesh has acquired in 1996-2000 half as much for industry as it did in 1951-1995 (Fernandes et al. 2001: 69-70). Goa acquired 3.5 percent of its landmass 1965-1995 and 5.2 percent more of its land 1996-2010 (Fernandes, Abreu, Naik & Fernandes, 2021, p. 228).

Four priority sectors of the NEP are special economic zones (SEZ), transport, dams and mining. The private sector is eyeing mining land in the tribal areas of different States and water resource schemes in the Northeast (IWGIA: 2004, p. 314). Coal India has been asked to raise its production from 350,000 million metric tonnes per year to 1,500 million within a decade. Much of western Odisha and Northern Andhra are in the bauxite belt. A list of 168 major hydro-power projects has been drawn up for North East India (Menon, Vagholikar, Kohli & Fernandes 2003), 48 of them under active consideration or being constructed. One can expect all the dams to cause a minimum of 2 million DP-PAPs. Another major thrust is the transport infrastructure which includes the 7,000 kilometres of the Golden Quadrilateral. It is difficult to make an estimate of their DP-PAPs because official figures are limited to individual landowners. For example, the Vadodara-Ahmedabad expressway counts only the 10,000 members of land owning families among the displaced, not the landless agricultural labourers and other non-owning families.

Two States exemplify the case of mining. In AP-Telangana the land used for mining increased by 260.95 percent from 129,016.46 acres during 1951-95 to 336,664.11 acres 1996-2010, the years of liberalisation. Since information on land used in the 1950s and 1960s was scanty, one can add 50 percent to the total and arrive at 200,000 acres 1951-95. The increase 1995-2010 would then be 60 percent. At 200,000 acres one gets an average of 4,445 acres per year during 1951-1995 while 336,664.11 acres during 1996-2010 give an average of 22,444.27 acres per year (Fernandes, Goga-D'Souza, Rao, Roy-Chaudhury, Asif & Reddy 2019, pp. 144-145). In Meghalaya only 598.87 acres could be documented as used for mining 1947-2000. Since documentation could not be got for many years, the total can be easily raised to 2,000 acres. On the other hand 25,148.66 acres were used for mining during 2001-2010. This total does not include land used for coal mining since much of it is in the informal sector. Without it, one notices a more than tenfold rise in land used for mining compared to 1947-2000 (Fernandes, Pala, Bharali & Dutta, 2016, pp. 118-119).

This enormous rise is in consonance with the opening statement of the 1994 rehabilitation policy draft that said that with the NEP more land than in the past would have to be acquired, much of it for mining in the tribal areas. Studies indicate an enormous rise in land used for it also in Goa, Odisha and elsewhere, during these years. Mining has become profitable and it has given rise to thousands of cases of illegal mining by encroaching on private and common land. In 2006-09 alone 135,270 cases were recorded in the top ten offending States (Fernandes, Abreu, Naik&Fernandes, 2021, p. 27).

Weak Rehabilitation

Table 1.3: Number of DPs Resettled

State	DPs	Resettled	%			
Andhra	2358274	440090	18.66			
Assam	307024	11000	03.59			
Goa	35897	8375	23.31			
Gujarat	690322	164498	23.82			
Kerala	219633	30036	13.68			
Meghalaya	38973	1000	2.57			
Mizoram	191406	7371	3.85			
Nagaland	604	00	00			
Odisha	548794	192840	35.27			
Sikkim	32856	00	00			
Tripura	97944	3996	23.33			
W. Bengal	3634271	400000	4.08			
Total	8155998	1259206	15.44			
Sources: as in Tables 1.1 & 1.2.						

Studies also show that only 15.41 percent of the DPs have been resettled. Odisha resettled 35.27 percent of its DPs, Andhra Pradesh 28.82 percent, Kerala 13.68 percent 1951-95, Goa 33.63 percent 1965-95, Gujarat 23.82 percent 1947-2004, and West Bengal 11.17 percent 1947-2000. It is almost non-existent in Jharkhand and the Northeast (Table 3). This proportion has declined substantially after 1991 because the social components are ignored in the age of liberalisation. For example, one found very few cases of resettlement in Andhra-Telangana and Goa. As a result the proportion of resettled DPs 1951-2010 has declined to 18.66 percent (Fernandes, Goga-D'Souza, Rao, Roy Chaudhury, Asif & Reddy 2019, p.

233) and to 23.62 in Goa 1965-2010 (Fernandes, Abreu, Naik & Fernandes 2021, p. 252) though more land has been acquired during 1996-2010 than during the prior to 1995.

One refers here to resettlement, not rehabilitation. Though officials speak of R&R (Resettlement and Rehabilitation) together, in reality they are different processes. Resettlement is physical relocation with or without other facilities. Only DPs need it. Rehabilitation involves rebuilding the livelihood lostthat includes the economic resources, cultural systems, social structures and community support mechanisms. Also the PAPs require it. Its process begins long before loss of sustenance and continues for many years after it. Resettlement does not necessarily result in rehabilitation because the resettled DPs are provided very few facilities required to rebuild their livelihoods. For example, the irrigation dam DP-PAPs of Mayurakshi in West Bengal, Ukai in Gujarat and elsewhere were not provided irrigation facilities. Secondly, the projects that have a package resettle only individual landowners and exclude the CPR dependants and service providers. By and large onlywater resource projects have a R&R package. Most DPs excluded from resettlement belong to the subaltern castes and tribes. They live in the semi-informal economy and are forced into a new society with no preparation for it. So they are unable to deal with this economy. For example, many DPs employed by the Rourkela Steel Plant in Odisha were dismissed for what the management called indiscipline, drunken behaviour or lack of punctuality. A study (Viegas 1992, pp. 42-43) showed that they had moved from an informal agricultural to an industrial economy with an understanding of time that was different from what they were used to. So they were unable to cope with it. Drunkenness was their coping mechanism.

By and large compensation too is paid only for individually owned land. Even that amount is usually inadequate. The criterion used for it is the "market price" interpreted as the average registered price for 3 years. It is a public secret that what is registered as the price of land is not more than 40 percent of the amount paid for it. The CPRs are not compensated. The tribal areas being administratively neglected are called "backward". So the price of the little individual land they own is low. For example, in the mid-1980s the National Aluminium Corporation (NALCO) built one unit in the high caste dominated Angul district and the other in the tribal majority Koraput district of Odisha. In Angul 18 percent of the land was common, mostly roads, ponds and schools that were replaced. In Koraput, 58 percent was CPRs that was tribal livelihood. It was not replaced or compensated. They were paid an average of Rs 2,700 per acre of individually owned land against Rs 25,000 in Angul (Fernandes and Raj 1992, p. 92).

Subalterns the Worst Affected

Despite the enormity of the problem, awareness is extremely low in the country. The DP-PAPs of 'national development' in India alone are several times the 15 million persons estimated to have been transferred between India and Pakistan at the Partition. The latter continue to affect Indo-Pakistan relations 75 years after the event. But the DP-PAPs of 'national development'have not entered its national consciousness. The absence of a rehabilitation policy for five decades is one of its signs. A second sign is multiple displacement because of the absence of long-term regional planning. For example, many Rihand dam DP-PAPs in MP displaced in the early 1960s, have been displaced thrice in 30 years (Ganguly Thukral 1989, pp. 47-48). Several fishing families displaced by the Mangalore Port in the 1960s and resettled as agriculturists were displaced again by the Konkan Railway in the 1980s, after they had adapted themselves to farming (Fernandes, Chhetri, Lama & Joseph 2012, pp. 24-25). Many more cases exist of multiple displacement.

Even among the subaltern classes, women are the worst affected. Most resettlement packages focus on men and ignore women's needs. Jobs are given to "heads of families", who are men except in women headed families (Dewan 2008). The land document is made in the name of the man. From him power passes on to his son. The woman has some control over land in the community resource based tribal tradition. Tribal and to some extent dalit women, though not equal to men, had a higher status than their high caste counterparts did. This status depended on the partial control they exercised over the CPRs or of being economic assets (Menon 1995, p.101). DID deprives the woman of the land and forests that are sources of her status and of economic activity. Consequently, her social and economic status deteriorates since it depended on these resources, but her traditional roles remain unchanged. With the loss of land that provided food and other necessities she has to buy such needs from the market. If the project gives a job it is to the man. Influenced by the values copied from the outsiders who come as employees of the project, he spends much of his salary on clothes, entertainment and other trivia, leaving a small amount for family expenses. As a result, the nutritional and health status of the family in general and of women in particular deteriorates (Bharali 2007).

That is intrinsic to marginalisation basic to which is internalisation of dominant values. The man and eventually women internalise the ideology of her subordinate status. It prevents her from becoming economically active even when she gets an opportunity. For example, when a woman searches for low paid unskilled work, the man who may be a maintenance worker in the project office objects to the "wife of an office worker" doing menial work thus depriving her of the additional income that can supplement the family nutrition (Menon 1995, p. 102). Eventually women themselves internalise the patriarchal ideology and justify their inability to work outside their homes by stating that they are not intelligent, are capable of doing only such work or that their real task is to be housewives (Fernandes 2008, pp. 97-98). As Gaventa (1980, pp. 23-30) says, no unequal society can survive without the subalterns internalising the dominant ideology.

Deprivation of sustenance and the unequal encounter with the dominant society are basic to marginalisation. Because of their limited exposure to the world they are ill equipped for the interface with the new society. Every step leading to their deprivation such as the decision to alienate their sustenance without their consent, low compensation and failure to rehabilitate them, confirms the subaltern DP-PAPs in their low self-image and ensures that they accept their subordination. Impoverishment and marginalisation emanate from the ideology of the decision-makers most of whom give priority to economic growth over the good of the DP-PAPs. Thus the development paradigm is basic to impoverishment and violation of the rights under Article 21.

From Impoverishment to Marginalisation

Impoverishment and marginalisation result from being deprived of sustenance without replacement. Some PAPs from the better off sections, living in "advanced" districts may improve their lifestyle by getting a somewhat high price for their not very fertile land, as many PAPs of the NALCO Plant and the coalmines in Angul district did. Most tribal and dalit DP-PAPs experience a deterioration of their economic, social and cultural status. Studies cited above show that landlessness grows and income declines by more than 50 percent. A large section even of those who own some land after displacement only have a homestead. So the average area owned declines from an average of 3 acres to 1.45 acres. Also support mechanisms like cattle and poultry ownership, trees, wells and ponds show a decline. Their occupational pattern shows two changes. Firstly, access to work declines by around 45 percent. More than 50 percent of the rest experience downward occupational mobility. Cultivators and service providers like agricultural workers become daily wage earners. Agricultural workers have some security because they have regular work. Daily wage earners have to search for work everyday (Bharali 2007).

It is impoverishment which is not their pre-deprivation status but deterioration of their economic situation consequent upon the project depriving them of their livelihood. It impoverishes a majority of the DP-PAPs, particularly tribal, dalit and other rural poor. From reduced income and resources result malnutrition and deterioration of their health status (Cernea 2000). The impact of

all these measures and loss of sustenance without replacement has to be seen in the context of the growing demand for land and the consequent higher dispossession, environmental degradation and impoverishment.

The next step is marginalisation. Impoverishment is deprivation of the economic infrastructure. Marginalisation is weakening of the social, cultural and psychological base. Change in the culture of resource management is one of its examples. In the absence of other sources of income, rural, particularly tribal communities that had developed a culture of sustainable management of the natural resources, begin to treat them as sources of present income. They overexploit them, for example by cutting trees for sale as firewood or for timber as workers of contractors. One noticed this transition among a third of the displaced tribal families in AP-Telangana, Assam, Jharkhand and Odisha. The culture of treating a resource meant for the future as a source of present income spreads also to the human body. Adults who are deprived of work treat their children as sources of income and keep them out of school in order to turn them into child labourers. It happened with 49 percent of the displaced families in West Bengal and 56 percent in Assam (Fernandes 2008, pp. 95-96). That is not merely an economic but also a cultural and social decision, intrinsic to the deterioration of their social and psychological status. Because of it they accept their subordinate status as their fate, stop viewing themselves as human communities capable of demanding a share in the benefits of the project whose price they pay, lose hope in their future and motivation for improvement. That in its turn prevents them from becoming aware of their strength (Good 1996). Thus displacement reinforces an unequal society.

Search for Alternatives

This process shows the need to search for alternatives to the processes that impoverish and marginalise people, particularly the subalterns. A legal alternative is the LAR&R 2013. One has to see whether it provides a genuine alternative. Its positive points are that it combines land acquisition with rehabilitation. Its definition of compensation attends to some demands of the DP-PAPs. It attempts to involve the land losers to some extent in the decision concerning their livelihood alienation by stipulating that the consent of 80 percent of the affected families be got for acquisition for the private sector, and 70 percent for joint companies. The Act bans the change of purpose after acquisition for private and joint sectors. But these two clausesare silent when the State acquires land for its own use. It gives a five point definition of "public purpose", for national security, infrastructure building, rehabilitation of PAPs, planned development of rural and urban residential areas, and IDPs of disasters or living in areas affected by them. The Act restricts emergency acquisitions to national defence and security and to rehabilitation in case of natural calamities. It broadens the definition of the affected family by including in it the legal owner of the land acquired, labourers and other dependants,

CPR dependants, tribal families deprived of land got under the Forest Rights Act 2006, and others who have been allotted land by the State. It adds that they should have depended on that resource for three years prior to the notification. The affected family is defined as the owner, his or her spouse and minor children. All male and female adults, married or unmarried, divorced and abandoned women are treated as separate families. That is a gender just definition. It forbids acquisition of multi-crop irrigated land except in extraordinary cases, except for linear projects. It defines compensation as the price of land in an area fixed by the Indian Stamp Act 1899 or the average of 50 percent of registered sale price for 3 years in the neighbourhood, whichever is higher. To it is added the value of other assets attached to it and 100 percentsolatium. Social Impact Assessment (SIA), limited to roads, schools and other common facilities is extended all the DP-PAPs (Fernandes 2016, pp. 187-188).

These clauses are an improvement over the existing legislation. But its shortcomings seem to be greater that its gains. Modification of the State's eminent domain and banning change of purpose are limited to private and joint ventures. It exempts the government and linear projects from the SIA. The clause exempting linear projects from SIA is based on the fallacy that they do not displace people. In fact they do. The clause on consent in practice favours big farmers whose children study in English medium schools and would prefer an urban job to returning to the village to cultivate their land. They would, therefore, be prepared to sell their land for a good price and invest the amount in industrial and other enterprises. But land continues to be the livelihood of the medium and small farmers and they would not like to part with it. The big farmers who are also village leaders can put pressure on the remaining dependants to agree to acquisition and ensure 80 percent consent (Fernandes 2016, pp. 188-190). Despite marginal changes in the criteria for compensation and rehabilitation land continues to be treated as a marketable commodity, not as the sustenance of the DP-PAPs. LAR&R 2013 focuses on economic benefits and ignores the cultural, social and psychological impacts. It can result in the marginalisation of the DP-PAPs. Enhanced compensation and resettlement can reduce the pain but in the long run it cannot prevent impoverishment and marginalisation. The Act is silent also on the issue of jobs for the DP-PAPs. Most jobs that the projects create do not go to the land losers because their skills are limited to agriculture and cannot be used in industry. "The agricultural labourer often has a very specific kind of expertise which has no use in other sectors. So with acquisition of land the value of this expertise is greatly reduced, which is equivalent to a fall in the value of his human capital" (Sarkar 2007, p. 1442). The definition of the public purpose favours acquisition for the corporate sector. Thus some concessions have been made. But as Saxena (2013, pp. 286-287) says it offers is "a little more cash, a more rigorous process of acquisition with some space for participation and accountability of those entrusted with the task of rehabilitation and resettlement. But the disrupted life resulting from displacement cannot be rebuilt without assured and dignified employment and access to productive assets for this purpose It lacks the vision and inclination to provide such a support." Thus, despite some of its positive points, LAR&R 2013 does not provide the legal basis required for rehabilitation, for prevention of marginalisation and livelihood restoration.

Moreover, even the best legal provisions are inadequate to respond to the need to restore the livelihood of the DP-PAPs. Technical alternatives have to identified, to the projects that impoverish and marginalise people. If displacement is inevitable, it has to be minimised. This approach requires a new development paradigm that combines the economic with the social and environmental components. Such alternatives do exist but a political will is required to implement them. Not being a technically qualified person the author will not go into their details but will stop at their direction. For example, people in the hill areas are displaced to provide irrigation to the coastal areas in India that has a coastline of 7,000 km. Why not develop low priceddesalination technology? The few show pieces that exist are expensive, so non-replicable. Equally important is solar power which is being accorded some importance but not to the extent required though most of India has 300 days of sunshine per year. Many other alternatives exist like wave energy, wind energy and recycling human waste to turn it into power and fertilisers. These suggestions come from a social, not a technical scientist. They need more technical research but they are based on the belief that technical alternatives exist but need to be made viable. One needs much more investment in these alternatives than is done today.

Conclusion

This paper has looked at the state of DID in post-1947 India. The number of the DP-PAPs is enormous and rehabilitation is poor. One is left with the impression that the decision-makers are meticulous in planning the financial and technical aspects but make little effort to get a clear idea of the people affected or to plan their resettlement. When resettled, the specificity of the problems faced by the subalterns, women and children is ignored. Information on the type of DP-PAPs which is crucial for minimising displacement, planning rehabilitation and for an accurate cost-benefit analysis is ignored. That shows the need to continue the other studies on development-induced displacement in order to work for an alternative to a system that impoverishes the majority for the benefit of a few. One has work for people-oriented alternatives.

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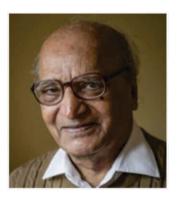
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Dr. Walter Fernandes founded the North Eastern Social Research Centre in 2000 and resumed charge as the Director in 2020. Formerly, Dr. Fernandes was the Director of Indian Social Institute, Delhi, and the Editor of its quarterly, *Social Action*. He has done extensive studies on tribal rights, livelihood issues, land rights, climate justice and peace initiatives. Development-induced displacement during 1951-2010 has been the core area of his specialization covering 15 out of 29 states in India (directly or indirectly). He has been Visiting Fellow in some of the Indian and

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The current President of CSD is the distinguished former diplomat Professor Muchkund Dubey. The CSD-SRC enjoys functional autonomy through its own Managing / Finance Committee which started functioning since 2002. Dr P.M. Bhargava, former Vice-Chairman, Knowledge Commission and former Member, National Security Advisory Group, Government of India, was the former Chairperson of the Committee until his demise on August 1, 2017. Currently, Prof. Shanta Sinha is the Chairperson of the Managing Committee, a Retired Professor of Political Science, University of Hyderabad and Raman Magsaysay Awardee for her distinguished work on the elimination of Child Labour. The other members of the Committee include eminent academicians and social scientists and representatives of our main sponsors ICSSR and the Government of Telangana. Prof. Sujit Kumar Mishra is currently the head of the institute as Regional Director (In-charge).

During the Sixth Five Year Plan period, the Indian Council of Social Science Research (ICSSR), New Delhi, sanctioned a recurring annual grant to the Southern Regional Office (SRO) (since 1977-78). Further, encouragement came from the Reserve Bank of India, and since 1985, RBI has been funding the Institute especially the RBI Chair Professor which is in vogue in several other institutes of the country. The Government of Telangana have been supporting the Council to carry out the research activities.



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