

## SINGUR PUBLIC HEARING

# LEFT ON TRIAL

*[Singur, the area with thickly populated farmer communities, is not more than just 40 km away from Kolkata, the capital of the CPM-led Left Front ruled-state of West Bengal. As in any other rural part of India, no doubt the habitats which are generations old have a diversity of occupations pursued by the people : agriculturalists-landholders, farmers and farm labourers, artisans as well as small traders and other self-employed as well as the migrant and resident labourers.*

*The conflict over the land take-over in Singur region by the State Government of West Bengal began when the chief minister of the just-elected 7th Left Front government, Shri Buddhadev Bhattacharya, declared in May,2006, that at least 1000 acres of land in the villages—Gopalnagar, Beraberi, Bajemelia, Khaser Bheri and Singher Bheri—was to be acquired under the British-made Land Acquisition Act (1894) within months for a cheap automobile factory by the Tatas.*

*The Singur-based mass organisation of the affected, Krishi Bhumi Bachao Committee and other democratic organisations like the long-serving Association for the Protection of Democratic Rights(APDR) organised a Public Hearing in Singur area on October 27, 2006.*

*Mahasweta Devi, Medha Patekar, Justice (Retd.) Malay Sengupta and Dipankar Chakrabarti comprised the panel. Following excerpts are from the Report (final) of the Public Hearing and further Investigation on the struggle of the People of Singur.]*

The facts which came out include the following:

1. There are more than 10,000 families who live on the 1000 acres of land and other natural resources to be acquisitioned and destroyed for the upcoming Tata Motors (small, cheap car production) Project. They include about 6000 landholders, registered and unregistered share-croppers. Others residing in the area since generations are landless labourers, artisans, small traders. There are thousands of regular, seasonal or migrant workers who too live on the same resources.
2. The land records and the records of rights, including those related to mutation for the area are not updated for years. A few cases: Even when legally land can be acquired by the State for the private industry, procedures of sale of land 20 and more years ago,are not recorded in the name of purchasers ( creating complication in land acquisition process and stalling payment of compensation).
3. The land to be affected is the prime agricultural land with multiple cropping , growing paddy, jute and rich and varied vegetables which is the main source of livelihood for those thousands of families .
4. The government's claim that most of the land being waste land or single-crop land, is utterly false as wasteland constitutes a very small portion.
5. Being closer to the capital, Kolkata, families also have an access to the temporary or permanent jobs and work opportunities there, but the main/life-support for almost all of the persons, is the land which is being sought for the industry.
6. The Land Acquisition Act, 1894, is not being implemented correctly and legally, no detailed information on the Project is disclosed, explaining why it is being described as being on 'public purpose'. Many, landholders, holding almost 54-50% of land,according to primary estimates,have not accepted the notices, nor given consent till date.
7. As per the recent notification dated March 6, 2006 by the Land and Land Reforms Department, the Government of West Bengal has made a legal provision for the

fastest possible acquisition in the shortest of time, and the same seems to be the overall approach in the case of Singur.

8. The procedure under the LA Act and the above notification also is not followed fully and fairly, e.g., No proper publication of Section 4 notification in the village communities nor any public hearing was held, no “complete land acquisition proposal” as per the notification is made available.
9. The compensation offered is only of cash, as there is no State-level rehabilitation policy in the State of West Bengal. The compensation appears to be a large sum (Rs 12 lakh/acre), but it is still lower than the market rate for Singur land which is about Rs 40,000 per kotta, i.e., Rs 24 lakh/acre.
10. Except absentee landlords, who are not more than 30%, most of the other landholders (comprising about 50% of the total persons) are opposed to land acquisition as their rich, bountiful natural resource, i.e., livelihood, cannot be replaced or compensated, they believe, knowing the desperate situation of those displaced due to projects in the past.
11. The local people are furious by the fact that the decision was never taken with them, nor are they informed about the Project, its need, its cost and benefits, the Memorandum of Understanding or arguments, the impacts - social and environmental.
12. The demands for information and documents made by the local farmer-leaders as well as an organisation, such as APDR, through formal letters (as one dated September 27, 2006) are not responded to, in spite of the Right to Information Act, 2005, causing thereby a clear violation of law.
13. The people strongly believe that a car Project or any industry cannot come up at the cost of destroying the agricultural land, common peoples’ livelihoods and conceive it as an onslaught on the farmers, who are already indebted and committing suicides, though not in Singur, but in other parts of the country.
14. The Project cannot be of priority above the agriculture, and industry has to necessarily come on the wasteland or already acquired yet unused land. They referred to the alternative options of land suggested by many, like the wasteland in and around Singur, the unused land of Hidusthan Motors ( Birla Enterprise), established in 1942, who was allotted 741 acres of land acquired then, but could use only 391 acres. At least 350 acres of land thus would be available and sufficient for the main factory, which is estimated to require 100 to 500 acres of land, if all the infrastructure, including official quarters etc., is minimized and not provided at the same site. Other options can be in other districts such as Purulia, but where again care should be taken to find land without displacing people or with their consent. The corporate people like Tatas, people believe, have become closer allies of the Government of West Bengal, which is no more transparent,nor accountable to people, especially the toilers in farming and fisheries.
15. The people believe that the secretive deal between the Government and the Tatas, as reported by the press, is a result of an unholy give-and-take deal, perhaps even financial. The Government’s change of stand, as reflected by their strong support for the Tatas, or for anyone bringing capital to West Bengal, as expressed by Shri Buddhadev Bhattacharya himself in the state assembly, is being condemned and challenged by the people.
16. The people were especially disturbed over the unwarranted repression on September 25, 2006. On that day the peasants and labourers, who gheraoed the officials, were protesting peacefully, and had not taken to any violence. Still they

were brutally lathi- charged by the police. Even the women and children were not spared. They openly condemned the LF Government for torturing Raj Kumar Bhul, which led to his death a day later. False cases, filed against the people who faced attack themselves, were challenged.

17. The villagers and the supporters were upset with the false charges and accusation by the police administration against innocent women and men, and even a two and a half-year-old child, which they want to question.
18. The necessary facts and figures regarding different aspects of land in the five affected villages, Gopalnagar, Bajemelia, Beraberi, Khaser Bhei and Singher Bheri would be given 'in the final report.?????'
19. A member of the Beraberi Gram Panchayet, Shri Dudh Kumar Dhara, criticised the fact that there was no process of consultation, nor was the Panchayet informed about the details of the Project by the planners. He was visibly in anguish while saying that almost totally 827 bighas of land in his mouja, Beraberi, is to be acquisitioned, leaving out only 5 acres, which will lead to destitution and acts of violence. He also claimed that there was no mention of land-transfer recorded in the record of rights over the last 30 years and hence the acquisition process was flawed; even cheques accepted by many absentee landlords could not be encashed without updating. People expressed shock over plan to destroy the agricultural land falling in the command area of Damodar Valley Corporation property.
20. Some of the deponents know that the LF takes a different position in other states while compels the farmers to fight in the West Benal where they are in power.
  21. People are very clear that the local farmers, labourers, artisans and the other labouring people cannot be absorbed in the Tata Motors as is confirmed through the official statements.
  - 22.

### **THE OFFICIAL VIEWPOINT**

Since no representative of the government, neither the CM, nor any minister nor even a bureaucrat out of the invitees participated known to be fully involved in and committed to in the public hearing, it was necessary that (the panel) heard one of them responsible and recorded the same. The panel members could not get an appointment with the CM but they could meet Mr Nirupam Sen, the minister for Industries.

The Minister had publicly opined that the project was a 'trade secret' ...he argued that it was not possible to disclose all the documents even when RTI Act, 2005 was referred to. He agreed to give whatever is possible, but he did not till date, in spite of written request (from the panel) for the relevant documents.

He did give a gist of the Project's salient features and claimed the following among other things :

- a. We have compared the land requirements with other auto factories and the area in Singur is the optimum.
- b. We have left out some land to reduce displacement.
- c. We have no rehabilitation package ready, now but we are planning...Discussing and bargaining with Tatas.
- d. There is no state-level rehab policy which I can share now.
- e. We know that the land in Singur is not a waste land as shown in the old records, most of it is multiple-crop land. We have a list of people to be trained for the

factory, whom the Tatas will absorb in due course, but there can be no written guarantee.

- f. The resistance is not real. Almost all have given consent, acquisition is complete and crores of rupees worth of cheques distributed. Payment is on along with updating of land records. Some payment is pending because of complaints regarding mutations.
- g. The outsiders are creating trouble. On September 25, 2006 there was no lathi charge, rather an attack by people who detained officers for hours and hence action became inevitable. We will not have to use police force, since people are willing and happy with the given price.
- h. We too know what poverty is and need industries, for GDP, growth and jobs. People cannot survive on agriculture alone.
- i. If we do not agree to Tatas' choice of land, they will go away to other state. We cannot afford it. We offered them land in Kharagpur but they rejected. They wanted land with ready infrastructure as economies of a cheap car factory is worked out by them. They needed it closer to Kolkata. There was no alternative.
- j. We have worked hard on this and we cannot leave this project. Our CM is for it.
  - k. We are in a globalised, liberalised economy. Things have changed and we have to adjust accordingly.

The State Government of West Bengal has remained arrogant (unsupportive?) and adamant over the issue of opening up the Singur region and forcible occupation of the farmland for Tata Motors. It's also obvious from the attitude and actions of the government—the CM to the administration and police—that they are, by denying the due democratic space to the peaceful villagers and activists, pushing the struggle towards a violent path. Having witnessed the various actors, the statements by the Left front partners and the warlike scenario in the field, (panel members) feel pained and shocked to realise that in the Left-Front-led state too, there is an utter lack of respect and recognition for the rights of the labouring people, and for the struggle by the farmers and labourers. Refusing to open up the Singur area even to the peaceful, non-violent activists, the Government of West Bengal seems to continue its “Operation Eviction” as the land is to be “conquered” for Tatas, with huge police force still camping in the villages. Party cadres of the CPI(M) joining them in identifying, chasing and harassing the villagers unwilling to give away their land, destroying the vegetable crop in the field and the police engaging in atrocities - entering houses, driving people out, lathi-charging anyone who resists the repression. The government claims that fencing would be completed soon and within a week's time, the land will be handed over to Tatas, projecting it as its victory.

But all this is not without a strong protest, widespread resistance and a serious challenge posed to the Buddhadev Bhattacharya Government. ...two of the panel members (Medha Patkar and Dipankar Chakrabarti) witnessed this on the Day (December 2, 2006) after having reached Singur smoothly in a private car, along with two activists and a female journalist, in spite of the police barricades and people's blockade (organised by the TMC, Congress and other local organisation.) from place to place.

Four persons in the hospital including one activist Bilash Sarkar with a fractured hand and a 12-year-old child Jhuma Patra, D/o Asok Patra, Khaser Bheri, who was injured, do not even have their names in the FIR filed by the police.

Singur people needed supporters to reach out which the administration has actually tried to ban by imposing section 144, which has such fraudulent justification and direction that is used to prevent the activists including Medha Patkar, a member of the panel. This happened twice again, on December 4 and 5, 2006, by a large contingent of police in vehicles, gheraoing them even when it was made clear to the police that they did not intend to break the section 144, and made on foot in a batch of 2 or 3 persons.

Singur, till date, stands isolated and cut off from the rest of the world, especially socially conscious and active persons as experienced also by a group of lawyers who attempted to reach there, even though media is not altogether stopped from going therein. The news pouring out from the region that Ms Asha Patra, a domestic servant who travels to Dankuni regularly, reported that a few hundred police entering her house and damaging her property while she was engaged in cooking.

More information is that all the local leaders of the struggle, belonging to various social and political groups and movements, Trinamool Congress, SUCI and non-party organisations, of the Krishi Jami Bachao Committee, the local alliance of the peoples' struggle, are compelled to remain underground. At least 1000 policemen and police women continue to camp and remain present while fencing by hired workers, mostly outsiders, is on. The Government of West Bengal has announced that 70% of fencing work is over and land will be handed over to Tatas within next eight days.

The people's resistance and stand remains the same as reported earlier. There is no queue for collecting cheques nor submission for sacrifice of land as witnessed by those who are watching the local scenario. The people may not be on the street, in view of repression, terror and intimidation but are clear about their vision. This is clear from the local and other women and men and landholders' protests. The fasting persons included Sree Rabindranath Bhattacharya, the local MLA, known locally as mastermashai, which started on December 4, 2006, at village Khaser Bheri, hoisting black flags on a few hundred houses in all 5 villages, as a protest against land acquisition and atrocities, signature campaign and memoranda / affidavits on oath by farmers (landholders).

The struggle in support, outside Singur has intensified and spread enormously. V P Singh condemned the atrocities on the farmers and forcible occupation similar to those in UP, college teachers and students from Jadavpur University, Presidency College and other academic institutions with a history of social commitment and revolutionary spirit have held large public meetings but are also participating in the actions all around; a few incidences of breaking the business-centres of Tatas, burning Tata products also indicate the anger expressed by a few and the likely unfortunate turn of events as regards Singur. A wider alliance of 19 and more organisations and a few opposition parties, including Trinamool Congress, JD(U), Samaj-badi Party, has taken a lead in various spontaneous and planned programmes including blockades, "bandhs" and a long term indefinite sit-in with a fast by six representatives of various peoples' organizations, such as Sanhati Udyog, APDR, Paschim Banga Khet Mazoor Samity, NAPM, CPI(M-L), Kanoria Jute Mill Workers' Union, HM Sangrami Shramik

Karmachari Union, including Ms Mamata Banerjee is on. They were forcibly picked up on December 7, 2006, but their place is taken over by other local persons and at least 20 persons, it is understood, are fasting as of now.

There are spontaneous protests coming up and Singur is an issue of concern and action by various organisations in Delhi, Mumbai and elsewhere with pro-left eminent persons like Arundhati Ray, Swami Agnivesh, Sumit Chakrabarti, Advocate Prasant Bhusan, Aruna Ray, SP Shukla and others reacting to the Rightist stance of compromise with the capitalist and violation of human and democratic rights by the Left Front.

### **THE POLITICO- ECONOMIC CONTEXT**

It is clear that Tata Motors is only one of the corporate projects to come up in West Bengal. Beyond the industrialisation in the past, this state too is on the fast track, seeking foreign direct investment, holding extensive dialogue with the Indian and foreign industrialist-investors and facilitating, to say the least, acquisition and related displacement of villagers- farmers to fishworkers. While 50,000 plus industries which were closed or sick in the state, not due to the trade union activities as is sometimes claimed by the ministers but, the lack of investment of money, new technology and managerial as well as market-strategies, the workers are in the struggle too. Konoria Jute and Bawriah Cotton Mills have seen the long agitation to which there has been no great response. Lands under these lie unused and employees impoverished as jobless.

The state also is in dire need of taking the next (second) step of granting land rights to the recorded bargadars (share-croppers) without which the Operation Barga is incomplete; after which cooperative ventures in agriculture and agro-industries could have absorbed landless and small peasants in supporting industrialisation.

The debate on Tata Project has now become public. There are clear questions raised about the magnitude of land required for Tata Motors. This may be almost equal to some other national and international automobile projects, but there is also Pune, Maharastra, unit of Tatas, manufacturing cars, trucks etc, standing on 510 acre (Ravindra Kumar, *The Statesman*, Kolkata edition, December 5,2006) and it's obvious that all the acquisition for industries in the state IDG as well as SEZ is of much more land than needed for the core units and include infrastructure with the residence of officials, independent water and power projects too. A luxury and comfort enjoyed by the corporates there is at the inhuman cost of the nature and people, the communities. Even the British Act of 1894 (Land Acquisition) stipulates as one of the reasons for raising objections to the land acquisition the fact that more land than necessary is being acquired. But who cares? When there is no hearing given to the individuals who are affected under section 5(A), the questions are raised not at the legal but public forum by the displaced as in the case of Singur struggle. ❧❧❧

8-12-2006