

Globalization And Land Battles

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India is not only a country of great diversity, it is also a country in which majority of her people depend on land and forest and most of these people are poor. These people are characterized by recent ecologically oriented scholars as "ecosystem people" (Gadgil and Guha 1995) that is they collect and procure the basic items of their survival directly from nature. Any attempt towards development that does not take into consideration the ways and means to safeguard them from the risks that usually follow development efforts is bound to be disastrous to these people and invariably spread discontent and mistrust among them towards the State and its system of governance. Development initiative by the Indian State since liberalization in 1991 in the form of inviting foreign and Indian private investments is proceeding at a much faster rate than ever before. These private capital investments require the acquisition of huge amount of land, which are mostly agricultural for the installation of industries, building of roads and mining. The acquisition of land for various development projects for the sake of economic growth also entails loss of livelihood of the people who depend upon this vital natural resource. Depriving people from their immediate means of livelihood (e.g. land) for the sake of long term economic growth (e.g. better employment opportunity for the few) without provisioning adequate rehabilitation and resettlement causes widespread social and political movements by the people against the State. A number of violent peasant movements in the different states of India (e.g. Orissa, West Bengal, Andhra Pradesh, Haryana, Gujarat, Rajasthan, Uttar Pradesh and in others) against the acquisition of farmland by the Government for private industries clearly reveal people's discontent towards the paradigm of development chosen by the policy makers of the Indian State. The recent move of the Indian Government to create Special Economic Zones (SEZs) within which the export-oriented industrialists and big business groups would be given land at a low price and all kinds of tax reliefs has become another front of battle over land between the State and the civil society in India. While the Government was quick enough to pass the SEZ Act 2005 in Parliament, it is equally lackadaisical to enact a law for ensuring resettlement and rehabilitation for the people who would be severely affected by development project. The democratic and independent Government in India still acquires land for private industrialists by employing a colonial Land Acquisition Act of 1894, which does not contain any mandate for rehabilitation; it only enables the land titleholders to receive monetary compensation at the market rate. This colonial law and modern liberalization policy which is now being hurriedly pushed forward by the present 'democratic' Government is not only a mocking combination but is it also one of the greatest contradictions of globalization and the New Economic Order in India. Besides the loss of livelihood and pauperization of a large number of people in the stark absence of legal and

social security measures, the democratic and egalitarian measures institutionalized and adopted by the Indian Government and policy makers through long struggles of nation building in the post-colonial period are also receiving severe blows by this recent offensive move towards liberalization. Land reforms (empowering the poor by giving land to them) and Panchayati Raj (the system of local governance) are the two pro-poor institutions, which are now being severely affected by globalization in India. All this development demands reform and change in the spheres of policy, legislation and governance. In the following sections of the paper what is presented is a case study of West Bengal, which is not only one of the most important states of India in terms of its post-Independence achievements in agricultural production, land reforms, local governance and political consciousness but it is also the state which, in the era of globalization has become committed to bring in huge capital investment even at the cost of its peasantry and the state is also witnessing violent struggles between the people and the Government over the issue of land and its management.

LAND REFORMS AND DECENTRALIZED PLANNING IN WEST BENGAL

West Bengal is a state in eastern India. Bangladesh lies on its eastern border; and to its northeast lie the states of Assam and Sikkim, the country Bhutan, and to its southwest, the state of Orissa. To the west it borders the state of Jharkhand and Bihar, and to the northwest, Nepal. West Bengal is an agriculture-dependent state, which occupies only 2.7% of the India's land area, though it supports over 7.8% of Indian population, and is the most densely populated state in India. West Bengal has been ruled by the Communist Party of India(Marxist)-led Left Front for three decades, making it the world's longest-running democratically-elected communist government. The LFG in West Bengal claims its uniqueness among the Indian states not only in staying at power for the last 30 years through Parliamentary democracy, but also for implementing a pro-poor land reforms programme with fair amount of success (Mukarji and Bandopadhyay 1993). The key to this success lies in involving the poor peasants of the vast rural areas in the execution of the government policies related to their empowerment. The three major planks of the land reform programme of the LFG were (i) confiscation of the agricultural land of the big landlords beyond the limits of ceiling, (ii) distribution of land to landless labourers and (iii) the recording of the rights of the bargadars [share croppers] through "operation barga". Another aspect of this land reforms programme was the empowerment and activation of the three-tier panchayat system through the holding of regular elections. The Panchayats have become the ubiquitous political institution in rural West Bengal through which all kinds of developmental programmes are now being executed in the state. (Leiten 1996)

These political developments undoubtedly raised the level of consciousness and aspirations among the poorer sections of the rural population (landless labourers, small and marginal farmers etc.) in West Bengal. In erstwhile Medinipur district, the grassroots level approach of the LFG crystallized into a politico-administrative movement, which was phrased as "Village based district planning process" during 1985-86, just a few years before the adoption of the economic liberalization policy by the then Central Government in India. The

major objective of the decentralized planning process was to unleash a movement of village based rural development programmes by the villagers themselves.

It would be relevant here to mention that the district planning committee (the first of its kind in West Bengal) of Medinipur visualized the whole process of development by putting the poor peasants at the centre of all kinds of planning process. The DPC published a small monograph entitled "Village based district planning process : an outline of methodology" in September 1985, that described and analyzed in detail how relevant socio-economic information on every village could be collected by the panchayat workers for using them in this micro-level planning process. Among many pro-poor planning elements, the document gave much importance to the (i) identification of the nature and amount of agricultural land as well as their improvement through ecologically sustainable use and (ii) exploration of the possibilities of developing industries in terms of local demand, raw material and/or skill.

To quote from the monograph :

Apart from human beings, the most important wealth of the village is its land. It is used for locating residence, for cultivation, for planting trees, for forests, for ponds, and other water bodies, for roads, for schools, markets etc. ... Again it is crucially necessary to know whether, why and how much of cultivable land of your village have either been kept fallow or have not been properly cultivated. What type of families owned these lands? (District Planning Committee 1985).

THE WINDS OF CHANGE AND THE CONTRADICTION

In the late eighties and particularly in the wake of liberalization in 1991, the focus of the development policy of the LFG has radically shifted. The government which was fully committed to land reforms started to invite capital intensive and technologically sophisticated private industrial entrepreneurs including multinational corporations in the state (GoWB 1997). And quite interestingly, the success in land reform in the state was cited by the policymakers of the state as one of the justifications for huge industrial investment. In a recent publication of the West Bengal Industrial Development Corporation, the justifications for the changes in the policy of the Government has been described in a precise manner:

Since the Left Front Government was installed in the state in 1977, it embarked on a course of reconstruction of the economy. The sectors in which the state had the powers to act under the constitution naturally received priority attention. As a matter of conscious policy, the State Government focused on rural development, land reforms, agriculture, small scale industries and fisheries along with decentralisation through empowerment and involvement of the panchayats in all development work. The policy resulted not only in a major breakthrough in the rural agricultural sector but also an upsurge in agricultural production, creation of a fast expanding domestic market and a stable political environment (West Bengal : Industry News Update June 2000 : 44).

But contrary to what has been said in the recent government report which reflected the policy changes of the state Government, an earlier report of the government devoted to the evaluation of the Panchayats in West Bengal observed

quite emphatically that land reforms is still an incomplete programme. In the words of the authors of the report :

Land reform is not yet a complete programme...In the nearly eleven years till 30 September 1992, only 94 thousand acres were distributed. At this rate the remaining 2.6 lakh acres will take almost 30 years to be distributed (Mukarji and Bandopa-dhyay 1993).

The authors further stated :

“There is no sustained effort to help small and marginal farmers by converging rural development schemes on their households. Patta holders are, more or less, left to fend for themselves, once land is allotted to them. So far this has been an area of neglect (Ibid).”

Another Government report entitled *West Bengal Human Development Report* published in 2004 noted with concern the rapid landlessness among rural households. In pages 39-42, under the second chapter of the Report entitled “Land Reforms” a ‘disturbing feature’ is noted. The disturbing feature refers to the rapid increase in landlessness among the rural households in West Bengal despite land distribution and registration of bargadars (sharecroppers). To quote from the Report:

“There have been recent reports of increasing land alienation by pattadars, and of eviction of bargadars, thus suggesting that the benefits of the land reform have been relatively short-lived at least for some rural households.” (WBHDR 2004: 40)

Despite these findings, the planners of the Government of West Bengal pushed its agenda of industrialization in the era of globalization ignoring the immediate and long-term effects on the poor peasantry and land reform.

MARGINALIZATION OF PEASANTS IN THE ERA OF GLOBALIZATION IN WEST BENGAL : A CASE STUDY

Under this background, an anthropological field investigation was conducted during 1995-97, in some of the villages within the Kharagpur subdivision of West Medinipur district. The area lies in western Medinipur and is characterized by undulating lateritic soils and the rural people mainly subsist on a combination of monocrop agriculture and collection of forest products. The specific area of the study lies on the bank of the river Kansai which is the largest river of the district. Cultivation of paddy (staple of the district) in the villages under study depends primarily upon rainfall and no systematic irrigation facilities have yet been developed by the government. The villagers residing on the southeastern bank of the river cultivate a variety of vegetables on the land adjoining their homesteads owing to a very good supply of groundwater from traditional dug wells. But just west of the South Eastern railway track the groundwater level is not very congenial for cultivation of vegetables. The main agricultural activity on this side of the railway track centres round rain fed paddy cultivation, which takes about four to six months of the year. Land for four private industries has been acquired by the government on this side during the last ten years. Among these four, three have already started production and these are: (i) Tata Metaliks (it manufactures pig iron), (ii) the coke oven unit of the Wellman company (which supplies coke coal to the Tata Metaliks) and (iii) Bansal Cement factory. The fourth is another pig-iron plant owned by the Century Textiles group, which received fertile

agricultural land in 1996 but has not yet built up its factory. Interestingly, the West Bengal Government has acquired agricultural land for all these industries despite the fact that a huge uncultivable undulating lateritic terrain (“wasteland” in the official jargon) lies just by the side of these agricultural lands on both sides of the railway track that extends almost up to the highlands on the bank of the Kansai. It should also be noted in this connection, that no land loser family has been provided with permanent job in those industries although, the local left political leaders tried to create an impression that at least one member of those families would be given employment.

The first and foremost consequence conforms to the observation of Michael Cernea which he mentioned in his publications on the “eight major risks” involved in involuntary displacement caused by development projects all over the world (Cernea 1991; 1996a and 1996b). Industrialization in the liberalization decade in Medinipur has undoubtedly led to dispossession of the small and marginal farmers from their principal means of production.

Table. 1

Distribution of Households In Five Villages Affected By Acquisition

Name of the village	Number of households
Ajabpur	47 (33.638)*
Amba	21 (14.583)
Gokulpur	32 (22.222)
Liluakala	12(08.333)
Mahespur	32 (22.222)
Total	144 (99.998)

**Figures in parentheses of the tables represent percentage out of column total.*

From table I it is found that the villages situated on both sides of the railway track have been affected for the establishment of Tata Metaliks factory. The people of the villages on the eastern side are excellent farmers who keep themselves engaged throughout the year in agriculture. Besides paddy, they also grow almost all kinds of summer and winter vegetables like green chilli, lady’s finger, mustard, water-gourd, pumpkin, bitter-gourd, brinjal, potato, cabbage, cauliflower, raddish and others.

These vegetables are grown in lands adjoining the homesteads, which have not yet been acquired by the government. The villagers mainly sell these vegetables in the local markets that fetch them some cash income. On the other hand, the families who live in the village Amba, lying on the western side of the railway track belong to the Kora tribe who are suffering from the trauma of dispossession, as all the tribal families within the sample have become landless through this process of industrialization in an agricultural milieu. Many of the Kora women and men now work as temporary unskilled labourers in the coke oven industry.

In the pre-acquisition stage, there were no landless families among the sample households and 75 percent of these families belonged to the size category of 0.5-4.5 acres. According to the latest standards set by the Government of West Bengal, these families should be regarded as marginal and small farmers. The pattern of landholding among the same families after land acquisition show that

15 percent of the families have become landless and the households belonging to the lowest landholding category (<0.5 acres) have increased from 19 to 35. On the other hand, the number of households within the size category 3.5-7.5 acres has declined from 22 to 9 only. The tables 2 and 3 also show that in the post acquisition phase the affected families have been supporting a higher family size with lesser amount of land.

Table 4

Land Acquisition Scenario Among The Sharecroppers In The Study

Amount of Land in acres	Number of households
<0.5	2
0.5-1.5	8
1.5-2.5	NIL
2.5-3.5	1
Total	11

Table 4, shows the distribution of sharecroppers according to the size category of their land-holdings. It is true that the number of sharecropper families constitutes only 7.63 percent of the total number of affected families but the overall importance of this phenomenon has to be assessed in the light of the land reform policy of the Left-Front Government in West Bengal. Not only the political leaders of this government but also the academic researchers have praised the communist government for increasing the bargaining capacity of the sharecroppers through the recording of their rights over agricultural land. (Lieten 1996). But here also the case of industrialization in Medinipur under the wider context of the structural adjustment programme and economic liberalization policy shows that even a communist government, which was committed to uphold the interests of sharecroppers, could also dispossess small and marginal farmers along with sharecroppers from their major means of production in this era of globalization. Undoubtedly, the bargadars constitute a special category of vulnerable group who are not only ignored by the LFG but also by committed academic researchers on development-induced displacement (Cernea 2002).

In table 5, an attempt has been made to quantify the pattern of utilization of the compensation money received by the land-losers in the study area. First, it should be mentioned that all the 144 households have received monetary compensation, although many land-losers during the field investigation reported that they are yet to get the full compensation money. Second, all the families have utilized the compensation money in more ways than one. There are eight categories of utilization of the compensation money by the villagers and ten categories of compensation. But as the household members have spent the money under more than one utilization category so any row total is a result of the addition of the same household more than once under different categories. As a result, sum of all the row totals is not equal to the total number of households in the sample. Each column total however represents the actual number of households out of 144 under any particular utilization category. This gives a fair idea as to how the villagers have tried to compensate their loss of land. The maximum number of affected households has spent some portion of the compensation money in domestic consumption, while the second highest number

of households has deposited a part of the money in bank. But if spending for marriage of the family members and house-building/repair are also considered to be domestic consumption then clearly the latter item predominates in the compensation utilization process. The lower frequency of households who have tried to spend the money for agricultural purposes (for example, purchase of arable land or shallow tube wells) marks the beginning of the process of displacement of these small and marginal farmers from their traditional occupation and peasant way of life (Hobsbawm 1995).

Other consequences are various; first, the dispossession of the peasant agriculturists from their major means of production should not be equated with the current market price of the agricultural land, which is regarded as the yardstick by the administrators for paying cash compensation to the land-losers. The colonial Land Acquisition Act of 1894 (marginally amended in 1984), still in force, has no provision for looking into the multidimensional socio-cultural problems of agricultural land. For example, this law does not recognize the different forms of communal usufructory rights of people over land, forests and water bodies. In Kharagpur region, the land, which has been acquired for the industries by the application of this Act, used to serve as good communal grazing fields in the post-harvest seasons and the poor villagers also used to collect varieties of small fishes from the standing water in the monsoons from the paddy fields. All these were age-old, customary and communal rights, now usurped after the industries have encroached on agricultural lands.

Second, this act does not also look into the interests of the landless agricultural labourers whose chances of getting employment in agricultural work is reduced when owner cultivators lose arable land through acquisition.

Third, various rural artisan groups like blacksmiths, carpenters, potters, etc. who serve the peasant households in various ways also face a reduction in the demand of their products and services when peasant households are suddenly deprived of their major means of production.

All these above-mentioned processes have been unleashed through the industrial expansion in rural Kharagpur. The CPM-led Left Front Government in West Bengal, however, is not giving any serious attention to these aspects of land acquisition. Instead, the recent attitude of the government in West Bengal has become industrialist and businessman-friendly. The various press statements of the ministers in newspapers testify to this attitude of the government.

IMPACT ON LAND REFORMS

The case of land acquisition and displacement of peasants in Paschim Medinipur district is neither an ethnographic exotica nor simply a good example of bad practice by the Left Front Government. It is a case, which should not also be explained away by one of the most powerful models of displacement study, the model of "Impoverishment Risks and Rehabilitation" (VRR) advanced by Michael Cemea. This case should be viewed in the context of the land reform policy and the panchayati raj system of West Bengal. While scholars like Amartya Sen and Jean Dreze emphasizes on the "expansion of markets" as "among the instruments that can help to promote human capabilities" (Dreze and Sen 2002) within the framework of globalization and liberalization, the eminent domain of the state

power continues to disempower the peasantry with all its age-old and omnipotent legal tentacles. The colonial Land Acquisition Act of 1894 is one such tentacle, which still operates as the antithesis of the land reforms and the panchavati rai institution in left-ruled West Bengal (Guha 1998a).

Both land acquisition and land reforms are legal and administrative actions to be undertaken by the government. These again are issues, which relate to governance and allocation of power. But there are crucial differences between land acquisition and land reforms in terms of the allocation of power to the different segments in the ladder of governance. The differences are noted in the following order.

1. By land acquisition, the government acquires legally owned private land for a public purpose. Land Acquisition Act cannot be employed to confiscate land beyond the limits of ceiling. This is specifically the job of the Land and Land Reforms Act. So one can say that while Land and Land Reforms Act empowers the poor and the landless, the Land Acquisition Act disempowers the farmers for a public purpose.
2. Land Acquisition and Land Reforms Act differ at the level of the government administration from which they begin their operation. The land reforms process start at the district level and the major part of this lengthy procedure takes place at the block level where the updated records about ownership on land are preserved. The distribution of land to the landless is a purely block level phenomenon which requires the approval of the sub-divisional officer (SDO).

The land acquisition on the other hand primarily starts at the highest level of the administrative structure, i.e. at the level of the Ministerial Secretariat and sometime at the cabinet level in the state capital. The decision to acquire land comes from the highest level of the bureaucracy. From this perspective, it may be stated that land acquisition is a centralized and top-down administrative process while land reforms operate in a more decentralized manner (Guha 2003b).

3. Land reforms and land acquisition processes deal with elected panchayats in a markedly different manner. The Land Acquisition Act does not have any provision on the part of the administration to consult the elected panchayats in connection with any kind of land acquisition for public purpose. In West Bengal, screening committee consisting of a member from the elected panchayat samity is formed to consider the proposals from the requiring bodies involving land acquisition. But in the screening committee majority of the members belong to the administration viz., the Collector, Additional District Magistrate and Land Acquisition Officer. Moreover, the screening committee does not have any statutory or legal backing. It is simply an administrative appendage of the office of the District Collector. In matters of hearing objections from land-losers and the fixation of rates of compensation, the District Collector holds the highest power.

The implementation of the various stages of land reforms requires not only the mere presence of panchayat members but also their active participation. One of the most vital affairs of the land reforms process is the distribution of Government land through patta to the landless families. It has certain stages that

begin with the preparation of *Math Khasra*. *Math Khasra* is a kind of survey conducted by the Block Land and Land Reforms Officer to enquire into the actual possession of land by the cultivators, which has to be distributed among the landless families. The Land and Land Reforms Act stipulates that *Math Khasra* has to be done jointly by the panchayat and the government employees of the Revenue Inspector's Office at the gram panchayat level. This survey, which is a necessary step towards the distribution of land to the landless, cannot be done without involving the panchayat. In addition to this, the list of beneficiaries i.e. landless persons (to whom land would have to be distributed) is also prepared by the gram panchayat.

The above comparison between land acquisition and land reforms reveals that the former is a centralized and bureaucratic procedure through which the eminent domain of state acquires private land in India. The implications of this comparative account for the LFG in West Bengal are important. Because, when the LFG came to power in 1977, it gave top priority to land reforms, which was linked with, decentralized planning through the involvement of the elected panchayats. Suffice it to say that the priorities of the LFG have changed in the wake of liberalization.

IMPACT ON THE LOCAL SELF-GOVERNMENT

The 73rd amendment of the Indian Constitution defined Panchayats as institutions of self-government to which State legislatures are required, by law, to endow "powers and authority as are necessary to enable them to function..." In other words, the Constitution recognized the States as competent authorities, which can empower the Panchayats. But how far a particular State can go to empower the Panchayats is left to the States themselves. Under this backdrop, the general tendency among the States is that they always want to confine the powers and functions of the Panchayats to village level development works for which the latter would have to depend on the State Government. The State of West Bengal is not an exception to this general rule. Extending the Panchayats beyond their role of mere executors of State and Central Government sponsored schemes to real local self-government that can take policy decisions is not a dream but a nightmare for the ruling political parties of West Bengal. Because, a truly empowered local self-government may develop the potential to challenge the high-level and top-down development policies which are frequently imposed upon the poor villagers under various types of national and international economic and political compulsions.

The acquisition of hundreds of acres of legally owned private agricultural land for the establishment of capital intensive industries, big dams, multi-lane highways and car racing arenas is one such high-handed game which the LFG is now playing with the Panchayats in its recent honeymoon with foreign multinational corporations and big Indian capitalists. The legal instrument which the communists in West Bengal are using to dispossess the small and marginal farmers as well as *bargadars* and /patta-holders (whose numbers serve the LFG in every election propaganda) from their major means of production is the colonial L A Act of 1894 which does not care a fig for the 73rd amendment and the West Bengal Panchayat Act. Thanks to former British rulers! So, the acquisition of agricultural land for big development projects launched by the

capitalists in a left-ruled state by the application of an anti-poor legislation that totally ignores the Panchayats is another form of red terror, which is silent and legitimized by the State power. Add to it the fabulous income earned by *Ganasakti* [the CPI(M) daily] from the State Land and Land Reforms Department through the publication of numerous land acquisition notifications since the LFG came to power.

The West Bengal Panchayat Act, 1973 does not mention anything about self-governance. The powers and duties of the Panchayats as elaborated in the various chapters of the said Act are largely development oriented. Two eminent experts, Nirmal Mukarji and Debabrata Bandopa-dhyay, in their report “New Horizons for West Bengal Panchayats” published by the Government of West Bengal in 1993, recommended : “...there must be a comprehensive overhaul of the Panchayat law, not simply to bring it in line with the 73rd amendment, but more importantly to give centrality to the principle of self-government.” Suffice it to say that like many other recommendations of the Mukarji and Bandopadhyay report, the Government has also kept this aforementioned recommendation in abeyance.

PEASANTS AGAINST ACQUISITION

The protests launched by the landowning peasants of the study field area in Medinipur against land acquisition took many forms, even though these did not last long maintaining the same intensity. A good number of peasants took the statutory means to put up their objections against land acquisition under section 5A of the Land Acquisition Act during December 1995. A Government report dated 21.06.96 vividly recorded the objections and described in detail how the latter were overruled. The objections submitted by 342 land-losers contained the following points : (i) The acquisition of agricultural land would affect the fanners seriously by throwing them out of employment, (ii) the land-losers will not get compensation at the rate they expect and (iii) the proposed acquisition is against public interest and is beyond the purview of the Act. It is interesting to observe how the concerned officials of the Land Acquisition Department overruled all the objections raised by the farmers. Before rejecting the objections, the officials, however, recognized the severity and magnitude of the acquisition. To quote from the report :

It is a fact that since large quantum of land is being acquired and the people chiefly subsist on agriculture many people will be seriously affected in earning their livelihood and avocation” (Departmental Report 1996).

But this was the only sentence in the whole report, which upheld the interests of the peasants. The rest of the 3-page report was devoted to justify the acquisition through the elaboration of some arguments. The arguments of the officials centered on the low agricultural yield of the lands, which are monocrop in nature. Moreover the report also mentioned about the merits of the location of the land, which provided important infrastructure facilities for the industry like nearby railway line and the national highway. It is learnt from the report that during the hearing of the objections the petitioners could not “specify their individual difficulty in parting with the land” although the same report said “most of the objectors submitted that they have no objection if employment is assured

to them, in the company in favour of whom acquisition is being done.” It is not clear from the report why the authors of the same could not understand the nature of “individual difficulty” in parting with the land, which is their main source of livelihood. Three points raised in the report are quite significant and shows the bureaucratic way of dealing with such an action on the part of the Government, which was going to have a severe impact on the subsistence pattern of a group of rural cultivators in a monocrop region. Firstly, at one place the report mentioned: “It is worthwhile to point out that objections have been received only from 342 landowners for the acquisition of 526.71 acre which will affect at least 3000 landowners, if not more.” It seems the official position rested on the logic that as the overwhelming majority of the farmers would not face any difficulty so there was no need to record any objection against this acquisition. Secondly, after citing the locational advantages of the land, the officials overruled objections regarding the question of earning a livelihood by saying that the proposal had been approved both by the screening committee and by the state after considering all the aspects. Incidentally, the screening committee for the approval of any project comprises the Sabhadhipati of the panchayat samity and the Member of the Legislative Assembly of the locality. It is obvious that these people’s representatives who are members of political parties of the LFG would not object a proposal, which has already been approved by the cabinet and the concerned ministries of their own Government. Thirdly, the report dealt with the point ‘job for land’ simply by saying that the Land Acquisition Act does not provide any relief except compensation. But the Government may take up the matter with the company particularly for those farmers who would become landless and would be devoid of any source of earning a livelihood. Now, after having overruled all the objections, the procedure for land acquisition made headway. Beside, recording objections within the legal framework of the Land Acquisition Act, the farmers of this area also took recourse to extra-legal means to fight against the acquisition of their agricultural land. The information on this part of the peasant protest had been collected from interviews of the leaders and participants of this movement as well as from press reports and the various written memoranda submitted by the villagers to the district and state administration. In the following section the succession of the important events of the peasant resistance has been described.

The two left political parties of the state, namely, CPI and CPI(M), which are also the major partners of the Left Front Government, dominate the vast rural area, which lies between Medinipur and Kharagpur townships. The Congress, which is the opposition party in the state, has some followers in the area. This party being the major supporter of economic liberalization did not raise any objection when the news of industrialization in this area came to be known. In fact, Congress welcomed this decision of the Left Government. They only raised doubts about whether the industrialists would at all choose West Bengal as a suitable site for industrialization. In the study area Tata Metaliks was established on about 200 acres of agricultural land during 1991-92. Before the establishment of Tata Metaliks the leaders and cadres of CPI(M) and CPI organized meetings and continued individual level campaigns on the “bright possibility” of getting jobs by the land losers in the industry. But when the Tata Metaliks started

production, the promise for providing jobs was proved to be a false one and the peasants also experienced the lengthy as well as tedious process of getting compensation from the district administration. All of these caused sufficient disillusionment among the peasants who were once hopeful about the positive effects of the establishment of an industrial estate in this region.

The decision of the state government to acquire agricultural land in the same area for Century Textiles Company was taken under this background. The pessimism created among the peasants owing to the establishment of Tata Metaliks inspired some of the inhabitants of this locality to agitate against the acquisition of land for another pig-iron industry. The movement gained much popularity under the leadership of Trilochan Rana [a former CPI(ML) leader] during 1995-96 who joined the trade union wing of the Congress Party and put considerable pressure on the district administration.

Two interesting incidents may be mentioned in this regard, which would throw some light about the reasons behind the popularity of this movement among the farmers. The first incident took place in the month of May 1995 when Trilochan Rana organized a good number of peasants to put a deputation to the Tata Metaliks Company authorities demanding some compensation for the damage caused by the movement of trucks carrying goods for the company over the unacquired agricultural fields (there was no crop in the fields at that time) of those farmers. The trucks damaged the dykes of the fields (ails) and the soil. Under the pressure of the peasants the company authority had to pay compensation in kind to 75 peasant families in presence of the pradhan of the Kalaikunda GP. Some amount of fertilizer was given to those peasants whose lands were damaged. In the second incident Trilochan Rana put a deputation to the district administration about the damage caused to the unacquired agricultural fields of some peasants for putting pillars to demarcate the acquired lands for Century Textiles Company in Kantapal, Mollachak and other adjoining villages. Those cement pillars were fixed by digging at about 4 sq.ft. of land to a depth of 3-4 ft. and became permanent structures right on the agricultural fields of the peasants whose lands were not acquired. These pillars served as the boundary of the acquired land for CTIL. About 24-25 such pillars were constructed in early 1996. The peasants argued that cultivation of fields over a much wider area around those pillars was not possible owing to physical obstruction. The district administration had to agree with this demand of the peasants and arranged for payment of Rs. 420/- as monetary compensation to those families affected by the construction of those pillars. This compensation payment continued for 2 years but with the decline of the movement the administration discontinued this compensation.

Both these incidents reveal that under the pressure of an intelligent and organized peasant movement the company authority as well as the Land Acquisition Department had arranged compensation for peasant families having no provision under the existing legal and administrative framework.

The movement reached its peak from the later part of 1995 up to April 1996 during which the farmers even went to the extent of violent means. In the first week of January 1996 hundreds of farmers in the Kalaikunda area stormed into the tent of the engineer who was conducting soil testing and land survey on

behalf of Century Textiles Ltd. A leading national daily reported on 10 January 1996:

Land Survey and soil testing work in Mathurakismat Mouza in the Kalaikunda gram panchayat area of Kharagpur rural police station undertaken by Century Textiles—a Birla group of Industries—had to be abandoned following stiff resistance from villagers last week.... The farmers also blocked Sahachak for nine hours yesterday... They also lodged a complaint with the police against the firm” {The Statesman 10 January 1996).

On 22 March 1996, the same national daily reported about a mass deputation by a group of peasants of the Kharagpur region before the district administration (*The Statesman*, 22 March 1996). In this deputation, the peasants demanded land for land or a job for the members of the land-losers families. They also demanded a compensation of 3 lakh rupees per acre of agricultural land. After this deputation, about 100 farmers came to Medinipur Collectorate on 10 April 1996 and submitted a memorandum to the District Magistrate saying him that they would boycott the ensuing parliamentary election to protest against the acquisition of fertile agricultural land for industrial projects. The farmers stated in their letter that this acquisition would disturb the local economy and destabilize the environmental balance of the region and this event was also reported in *The Statesman* on 2 May 1996. It is important to note in this connection that neither the state or district level Congress leadership, nor any MLA of this party showed any interest in supporting this movement of the peasants in Kharagpur region. The local CPI(M) leadership and the elected panchayat members of this area not only remained silent about this spontaneous movement of the peasants but they also made every attempt to smoothen this agitation by labeling it as a disturbance created by Congress to stall the progress of industrialization under LFG. Without getting support from any opposition party and facing stiff resistance from the ruling left parties and lacking a coherent organization, this localized peasant movement against land acquisition gradually lost its intensity. The land-losers also tried to organize themselves by refusing to accept compensation money for a very brief period under the leadership of a few local leaders but this effort too did not last long and the movement finally came to a halt, which seemed to be temporary, in the Kalaikunda region.

GOVERNMENTAL INITIATIVE TOWARDS RESETTLEMENT AND REHABILITATION: AN INCOMPLETE EFFORT

The National Democratic Alliance (NDA) Government just before the Parliamentary Election brought out the first National Policy on Resettlement and Rehabilitation (NPRR) for the development caused displaced families i.e. projected affected families (PAF's) in the country. The policy was long overdue although draft policies on rehabilitation and resettlement by the different Ministries and Departments (e.g. Ministry of Rural Development, Ministry of Water Resources Development, National Thermal Power Corporation and Coal India Limited) of the Central Government were in existence since 1994. But those policies are only drafts and were never placed in Parliament for discussion. The NGOs and individual scholars have however made detailed criticisms of those draft policies and produced alternative drafts According to an estimate of the

Indian Social Institute published in 1995 (Lokayan Bulletin, March-April) about 213 lakh people have been displaced from their livelihood for dams, mines, industries, and wildlife sanctuaries in our country since Independence till 1990. Ironically, although the scheduled tribes constituted only 7.85 percent of the Indian population, they were nearly 40 percent among the displaced persons before 1990 and in 1995 the figure rose up to 50 percent (Fernandes 1998). Secondly, majority of the displaced persons are neither rehabilitated by the Government nor by the private enterprises for which they have sacrificed their occupations (Govt. of India 1985). The main culprit is the colonial Land Acquisition Act (LAA) of 1894, which does not have any provision for rehabilitation (Vaswani, Dhagamwar and Thukral 1990) Strangely, no Central Government in the country has ever made any attempt to incorporate the provision for rehabilitation for the project-affected families through legislation although as early as 1985, the State of Madhya Pradesh enacted a law for resettlement and rehabilitation that did not apply to Central Government projects but to irrigation and power projects of the State. The Karnataka also enacted a rehabilitation law in 1987, which has the same limitations like that of the Madhya Pradesh State legislation. The Maharashtra Government enacted a Rehabilitation Act in 1986 that received the assent of the President in 1989. Four other States of India, viz. Andhra Pradesh, Tamil Nadu, Orissa and Gujarat issued Government Orders/Resolutions on rehabilitation of families affected by development caused displacement (Saxena 2006). West Bengal's track record in this respect is not at all encouraging. Whether ruled by the Congress or the Left, the West Bengal Government still continues to displace families by acquiring land by the Colonial Land Acquisition Act of 1894 and till today showed no interest to enact any rehabilitation law in the State Assembly (Guha 2007). The political parties of this country however, never made it an issue in their election campaigns, particularly at the national level. At this point one should make it clear that rehabilitation of people affected by development projects does not mean monetary compensation and resettlement. Rehabilitation means restoration and/or improvement of the living conditions of the project-affected families, not just giving them some money, which in most cases are spent by them towards loan repayment and sheer domestic consumption. So what was really needed was a law but the NDA Government like its predecessors was not at all interested in enacting legislation but to produce a nicely worded policy document. Policy documents serve many important purposes and most important of them is that they satisfy the international funding agencies. The World Bank and the Asian Development Bank have already prepared their rehabilitation policies. Suffice it to say that NDA's pioneering NPRR will also be useful for the United Progressive Alliance (UPA) Government, which assured the public that it would continue the reform agenda with a 'human face'. The common minimum programme of UPA however does not contain any point, which guarantees rehabilitation for the project affected families. The budget speech of Dr P Chidambaram on 8 July 2004 did not also have a single sentence on this vital issue although under section 45 of Part A of the speech the Finance Minister talked about "Risk Mitigation" of farmers which only dealt with agricultural and livestock insurance against flood and other natural disasters not

man-made development projects like big dams, industries and highways. The Finance Minister rather seemed to be more committed to “make the environment in India attractive for investors” for whom the Government acquires land (*The Statesman*, 9 July 2004). Recently, after the stiff resistance and widespread people’s movement against land acquisition the Prime Minister of India said in the press that the Central Government will prepare a rehabilitation policy for the country within 3-months and the Finance Minister stated that the tie between the farmer and land is ‘sacred’ and could not be severed! (*The Statesman*, 09 & 10 January 2007) The Department of Land Resources of the Ministry of Rural Development published the NPRR on 17th February 2004 (Gazette of India, Extraordinary Part-I, Section I) just on the eve of the Parliamentary Election held in May 2004. One may wonder quite logically that why this much waited policy document was not placed in Parliament for debate when the house was in session just a few months back. One may also ask that why there was no effort on the part of the Central Government to formulate a bill based on this policy in order to make a piece of legislation like Land Acquisition, Resettlement and Rehabilitation Act, which would have made it legally mandatory for the Government to make arrangement for rehabilitation for the millions of people affected by development projects. These questions are raised simply because of the fact that everyone knows that good policies are not enough and the already existing colonial Land Acquisition Act of 1894 would always prove itself to be more powerful than this nicely worded Government policy document (Guha 2005). So, before reviewing the actual text of NPRR one should keep it in mind that the Government has formulated this policy in a bureaucratic way rather than going through the democratic and legislative processes available in the country. The policy makers like before have again produced another beautiful document without being backed by any legislative and statutory power. In fact the Central Government of India, though not in a popular way had reviewed the problems of land acquisition in the past by different high-powered expert committees. Suffice it to say that the strongly worded recommendations of those committees were shelved and development projects continued to displace people as they did during the colonial period. So there is sufficient reason to be skeptical about these recent policies on resettlement and rehabilitation since these are not backed by research findings done by experts since the Independence of India.

IN SEARCH OF AN ALTERNATIVE PATH TO REFORM

In the concluding section of the paper there is an attempt to enumerate and explain some policy recommendations for the Government of India in general and West Bengal Government in particular whose policy makers have not yet shown any interest towards the relationship between land reforms and land acquisition. The recommendations are presented in the following order. These recommendations have emerged out of this author’s own field and archival research done over the period of last ten years.

1. Any generalized macro-level hypothesis regarding economic development should take into consideration the micro-level realities of the field of its application. That land reform prepares the ground for industrialization may be true in some specific situations, but not in a locale where 70 percent of the

- rural population live below the poverty line. The whole endeavour of industrialization may become self-defeating in this context.
2. The West Bengal Government should make a clear-cut ban on the take-over of fertile agricultural land for industries.
 3. If land acquisition becomes inevitable after searching all the possible alternatives, then a pre-acquisition socio-economic impact assessment (SEIA) survey should be made and priorities should be fixed to rehabilitate the worst affected and marginalized groups of the society through the Panchayats.
 4. There should be a provision in the West Bengal Panchayat Act, which would make it mandatory for the elected Panchayats to give priority to Project Affected Persons (PAP) within its area at the time of implementation of various poverty alleviation schemes by the panchayat. Here the project affected scheduled tribe and scheduled caste families should be given priority.
 5. Specific amendments in the Land Acquisition Act should immediately be made in case of acquired land unutilized for more than 1 year. The land should be returned to the cultivators without taking back the money, which they had received as compensation. Since the Requiring Body (RB) has failed to utilize the land, so there is no question of paying back the money to the RB.
 6. Given the fact that acquisition of agricultural land for development projects would continue in West Bengal and it will proceed at a faster rate even under the Left Front Government within a liberalized economic policy adopted by the Government at the Centre, there should be some safety net for the vulnerable groups of peasants, like the bargadars, who have been empowered by the LFG.
 7. The process of creation of safety net for bargadars in West Bengal should begin by making changes in the method of calculation of the compensation for the bargadars. Since a recorded bargadar gets either 75 percent or 50 percent share of the crop under the L& LR Act, he should also be entitled to receive 75 or 50 percent of the total value of compensation calculated for the landowner. This would also enable the bargadar to receive the compensation at the same time the landowner gets it. Land being a State subject, specific legislation to this effect should first be enacted in the State Legislative Assembly.
 8. The Governments should make it mandatory for the Land Acquisition Departments in the districts to count the number of bargadars and ascertain their economic condition at the time of conducting the Preliminary Enquiry. During this enquiry, the number of unrecorded bargadars along with the recorded ones should also be enumerated. Here, if the Department clears the project, then all the unrecorded bargadars should be recorded before the issuance of acquisition notice, so that they get the full share of the compensation money after the acquisition. Recently, during the violent upsurge of people's resistance over land acquisition for a Tata Motor industry at Singur in West Bengal it came to the knowledge of the Government that a large number of sharecroppers who have not yet received the award of land share rights have demanded compensation for their loss of livelihood. Now the Government has announced that it would arrange for their compensation.
 9. Last but not the least, land management in India should also tackle the issue of "market price" of land versus the "environmental price" which is also

related with the question of individual property versus communal or common property. The agricultural land of the villages in India presents an interesting case of private vis-a-vis collective property. According to the laws related to the ownership of land in India, agricultural land can either be owned by an individual titleholder or by the state. In the Indian land laws there is no recognition of the usufructory rights enjoyed by millions of people (mostly poor and the marginalized) in the form of cattle grazing and collection of small fishes from the privately owned agricultural fields. In the monocrop regions, the private agricultural fields become communal grazing lands in the post-harvest season and in the rainy season the non-owners of the land are also allowed to collect small fishes from the pool of water in the field. If the government acquires these agricultural fields then only the owners of the land are given compensation at the market price according to the colonial Land Acquisition Act of 1894, which is still in vogue in Independent India. Even the National Policy on Resettlement and Rehabilitation (NPRR) brought out by the Ministry of Rural Development of the Central Government in 2004 has no provision for the payment of compensation to the users of common pool resources in case of land acquisition for "public purpose". But what about the economic losses suffered by the communal users of the agricultural field? A question may be raised about the calculation of the value of the common pool resources. This is the real challenge before the environmentalists engaged in Environmental Impact Assessment (EIA). The calculation of the communal losses suffered through the acquisition of agricultural land requires a pre-acquisition survey on the common pool resource users. A second question may be to whom this compensation should be paid? Undoubtedly, the best compensation in this regard is the provision of alternative sources of resource in the form of grazing land and the like. But if this is not possible then the compensation in monetary terms should be paid to the Local Government (gram panchayat or the gram sabha) and should be spent for the benefit of the sufferers. The payment of compensation to the communal users of a piece of agricultural or non-agricultural land can easily be brought under the rubric of "environmental price" that has to be paid not to any private owner but to the community as a whole. For any government in India this requires a radical shift from the existing policy and practice.

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Table 2
Pre-Acquisition Agricultural Land-holding Pattern Of Households In The Study Area

Size category of holdings in acres	Number of households	Mean household size
Landless	Nil	-
<0.5	19(13.194)	4.73
0.5-1.5	58 (40.277)	6.43
1.5-2.5	32 (22.222)	8.84
2.5-3.5	13 (9.027)	8.60
3.5-4.5	8 (5.555)	8.86

4.5-5.5	6(4.166)	12.6
5.5-6.5	Nil	-
6.5-7.5	8 (5.555)	13.3
Total	144 (99.996)	5.76

Table 3
Post-Acquisition Agricultural Landholding Pattern Of Households In The Study Area

Size category of holdings in acres	Number of households	Mean household size
Landless	22 (15.277)	6.36
<0.5	35 (24.305)	5.48
0.5-1.5	51 (35.416)	8.25
1.5-2.5	14 (9.722)	7.57
2.5-3.5	13 (9.027)	12.07
3.5-4.5	5(3.472)	9.20
4.5-5.5	3(2.083)	10.33
5.5-6.5	1 (0.694)	15.00
6.5-7.5	Nil	-
Total	144 (99.996)	5.76

Table 5
Profile Of Utilisation Of Compensation Money By The Land loser Households In The Study Area
Number of household under the various categories of utilisation

Compen sation category in rupees	Purchase of Agri- Cultural Land	Purchase of Shallow Tube well	House building and/or Repair	Domestic Consump-	Marriage of family members	Repay- ment of Loan	Bank Deposit	Business Invest ment			
1,000	6	-	9	31	9	2	18	6			
10,000											
10,000	5	5	5	12	9	1	M6"	3			
20,000											
20,000	-	1	5	5	4	2	6	1			
30,000											
30,000	-	1	5	5	5	1	6	2			
40,000											
40,000	1	-	1	4	1	-	4	-			
50,000											
50,000	-	-	1	1	1	-	2	-			
60,000											
60,000	-	-	-	2	1	-	1	-			
70,000											
70,000	-	-	-	-	-	-	-	-			
80,000											
80,000	1	-	-	1	1	-	1	-			
90,000											
90,000	-	-	2	1	-	-	4	1			
1,00,000	-	-	2	1	-	-	4	1			
28											
(9.027)	62	(4.861)	31	6	58	13	(40.277)	(9.027)	Total	13	7
			(19.411)	(43.055)	(21.52)	(4.166)					