

Research Paper

Law

Development -induced Displacement: A policy Study in the State of Odisha

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ABSTRACT

Post-independence socio-economic development in India led to the establishment of large scale irrigation projects and industrial units. Many irrigation projects, large, medium and minor were established in Odisha also. These developmental projects are mostly established in the tribal areas at the cost of tribal people's right to life and livelihood.

Since seventies, with the onset of the process, the state government has formulated and implemented a number of policies for rehabilitation and protection of rights of the displaced victims. The half hearted policy measures often felt are of little effectiveness. The present paper analyses the policy initiatives of the state and the effectiveness of implementation of the restoration of rights of the displaced tribals of Odisha.

KEYWORDS: displacement, policy, tribal-rights

Introduction

TO achieve rapid economic growth, India invested in various development projects with massive land acquisition and large numbers of people displacement. In the process of development, 21.3 million peoples have displaced by dams, mines, industrial development and wild sanctuaries and national parks. Development induced displacement forced the community and individuals out of their home and homestead lands for the purpose of economic development, resulting violation of human rights. In India development induced displacement is as high as 50 million (Hazra, 2010). Development induced displacement is affecting more and more peoples, placing them- helpless and suppressed by the power and law of nation due to lack of well framed rehabilitation policies (Elizabeth, 2013).

Development Induced Displaced In Orissa

After Independence Project based development began in Odisha to register speedy economic growth. The major projects set up in Odisha were the Rourkela Steel Plant, Hirakud Dam, Hindustan Aeronautics Limited, Talcher Power Station and Balimela Dam Project. During Seventies several multi-purpose dam projects, like Rengali, Upper Indrāvati and Subarnarekha were started in the state. These projects were established in resource rich Tribal areas and other marginalized sections of the society, which estimates more than 10 lakhs people have been displaced and 50 lakhs have been affected by these projects in the state. These Development process have failed to retain the pre-project living condition in the post-project period of the affected persons and many of the displaced have slipped below poverty line (Ota, 2010).

Major Impoverishment Risks in Displacement

Development induced displacement is one of the major social issues happening in Odisha. The impact of Dam projects on displaced people is quite devastating and disheartening. The displaced victims lose their land, habitat, livelihoods and income from non-wood forest products, which disrupts their social net-works, social support system, socio-cultural and eco-system (Pandit, 2009).

The involuntary resettlement highlights various risks that cause impoverishment through displacement. The major impoverishment risks in displacement are (Cernea, 2000);

- Landlessness: Expropriation of land removes the main foundation upon which people's productive systems, commercial activities, and livelihoods are constructed.
- Joblessness: The risk of losing wage employment is very high both in urban and rural displacements for those employed in enterprises, services or agriculture.
- Homelessness. Loss of shelter tends to be only temporary for many people being resettled; but, for some, homelessness or a worsening in their housing standards remains a lingering condition.

Loss of family's individual home and the loss of a group's cultural space tend to result in alienation and status deprivation.

- Marginalisation. Marginalisation occurs when families lose economic power and spiral on a "downward mobility" path. Economic marginalisation is often accompanied by social and psychological marginalisation.
- 5. Food Insecurity. Forced uprooting increases the risk that people will fall into temporary or chronic undernourishment, defined as calorie-protein intake levels below the minimum necessary for normal growth and work.
- Increased Morbidity and Mortality. Displacement-induced social stress and psychological trauma, the use of unsafe water supply and improvised sewage systems, increase vulnerability to epidemics and chronic diarrhoea, dysentery, or particularly parasitic and vector-borne diseases such as malaria and schistosomiasis.
- 7. Loss of Access to Common Property. For poor people, loss of access to the common property assets that belonged to relocated communities (pastures, forest lands, water bodies, burial grounds, quarries and so on) result in significant deterioration in income and livelihood levels.
- Social Disintegration. Displacement causes a profound unravelling
 of existing patterns of social organisation. Unravelling occurs at
 many levels. When people are forcibly moved, production systems, life-sustaining informal networks and trade linkages are
 dismantled

Policy Recommendation by State

The curse of displacement and impoverishment risks directly affect the live and livelihood of the affected persons. To protect the victims the Government of Odisha executed different Rehabilitation policies for different projects of the State:

1977-Rehabilitation policy for the Rengali dam project oustees.

1984- Rehabilitation policy for the NALCO oustees.

 $1989\hbox{- Rehabilitation policy for South Eastern coal Field ous tees.}\\$

1993- Rehabilitation policy for Chandipur Interim range oustees.

1994-Draft policy made by Dept. of Water Resource for people displaced by various irrigation Projects.

1996- Rehabilitation policy for Tata Steel project at Gopalpur.

1997- Rehabilitation policy for Kalinganagar Industrial Copmlex at Jaipur.

1998- Rehabilitation policy for Aditya Aluminium project at Rayagada. 2003- National Rehabilitation policy.

2006-Orissa Rehabilitation & Resettlement policy.

Odisha passed Rehabilitation & Resettlement policy through three phases. In first phase (1973-74), there was no policy guideline except for giving some money to the affected victims and land losers. In the second phase (1974-75 to early 1980s) also there was no concrete policy but the government had specific resolutions passed in different

periods considering project realities. The most important one was the principle for 'land for land' in the year 1977. During the third phase (late 1980's to present), the environmental and human rights movement highlighted the counter effects of large development projects. In this period the impoverishment risk and reconstruction model of Cernea was tested and Orissa Rehabilitation & Resettlement policy (1994) came into effect. The rehabilitation activities were recognized as development projects. Rehabilitation assistance provided to the affected victims apart from compensation (Hota and Suar, 2008).

In 2006 the Government of Odisha adopted a comprehensive Rehabilitation and Resettlement Policy, 2006(amended in June 2007) to covered the Development Projects such as Industrial Projects; Mining Projects, Irrigation Projects, National Parks and Sanctuaries, Road and Railways and power lines. The basic objectives of the policy in general is to avoid displacement where it is possible and minimize and recognize the voice of displaced communities with emphasizing the needs of the indigenous people and vulnerable sections in the affected areas and to ensure environmental sustainability through participatory and transparent process, The process of developing institutional mechanism for implementation, monitoring, conflict resolution and redressal was given importance to. According Section 4 of the said policy, there is provision of survey and identification of displaced families. Compensation be paid in each type of the development projects for different types of people affected by the project defined in section 6 of the R&R policy. The acquisitioned land if not utilized by the project within the prescribed time limit and for the purpose should be returned (Sansristi, 2008).

Conclusion

Development-induced displace-ment and resettlement (DIDR) are largely involuntary and permanent. This has led to a wide range of economic, social and environmental changes including loss of livelihood and the means of production and the impoverishment of the displaced people. The most widespread effect of involuntary displacement is the impoverishments of a considerable number of people, which lack social justice and equity. These issues involve complex interrelationships between economic, environmental, social, technical, political and cultural factors. To bring good life to the people is the purpose of development projects in general and to make a better life for all people is not easy to be foreseen in reality. It is extremely difficult in most developing countries with weak policies, low awareness, poor knowledge base and limited financial resources to support sustainable development.

The policy did not recognize the displaced people's right to compensation on their loss of access to Common Property Resources (CPRs). The policies also did not mention the needs of exploring the impoverishment risks and risks mitigating mechanism for proper rehabilitation and resettlement of the oustees. The roles of academicians, NGOs and civil societies are not made mandatory in the policy. The policy also does not have any mandatory provision to take the village committees, civil societies, intellectuals, displacement specialists and concerned social activists for the selection of resettlement sites. Instead the rehabilitation and periphery development advisory committee made by the government would select the site for the resettlers. Thus, the implementation of the policy is not viable.

Suggestions

To restore the status of displaced victims there is require policies and programmes to ameliorate their livelihood conditions:

- Public Hearing to be done in the Project area before official start of the project.
- Classification of the Displaced Persons on the basis of the Loss of Livelihood, Occupation & Resource Base.
- Categorization on the basis of Land Based & Non Land Based Rehabilitation.
- Identification of alternative sites for relocation as close to the affected villages
- Space for Burial Ground, Grazing Land, and Space for Wood Lot should be provided for the displaced families close to the relocation sites.
- On the basis of the Skill the displaced person should get employment opportunity in the said project.
- Conduct of Lok Adalat time to time in the project affected area for guick disposal of land acquisition related cases.
- Grain Banks to be formed in each relocation sites with the Joint initiative of Project Authorities, NGOs & the affected persons to tackle food insecurity.
- · Appropriate counseling for utilization of compensation money.
- Government or the implementing agencies should take proper action for eradication of poverty.
- Establish of Grievance cell to solve the problems.
- Vocational training for unemployed Boys and Girls to self-employment.
- Initiatives for preservation of tradition, culture and practices of the displace victims.
- Minimum Gap between the Acquisition of Land and Payment of Rehabilitation Assistance & Evacuation.
- Vulnerability Assessment be made as pre-project Action Plan.
- Basic Services to be provided & made ready in the relocation sites before physically displacing the persons.
- External Monitoring Agencies to be in place from the time of land acquisition till the Displaced Families are resettled & rehabilitated completely.
- Roles & responsibilities of all actors associated with the R&R activities to be spelt out before the start of the project activities. Accountability of all activities to be made clear. A Stake Holder work shop is to be conducted where the roles & responsibilities of each stake holder is to be spelled out in their presence so that one can know what he is expected to do & what his other counterparts are expected to do. This will be extremely helpful in successful implementation of the R&R of the displaced families.

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