



## Land Acquisition and Tribal Displacement in India

G. Srihari

Research Scholar, Centre for the study of Social Exclusion and Inclusive Policy,  
University of Hyderabad, Hyderabad, Telangana, India.  
Email: Srihari.gopas@gmail.com

**Abstract:** After independence, India has implemented five-year plans for nation development. The objectives of the Five-year plans were, Economic Growth, Economic Equity with Social Justice, Full Employment, Economic Self-Reliance and Modernisation of the nation. Land is the main resource for development. The establishment of industries and construction of large dams requires a huge amount of land and allied resources. Land and allied resources are subsistence of people (land for agricultural works, allied resources like forest products). But these resources are acquired in the name of development. Land acquisition negatively impacts people's displacement, especially tribal displacement. People who are staying on the hill areas and forests are called Adivasis (Scheduled Tribes). Tribals are children of the wild and protectors of the forest. The children of the forest are facing a lot of problems in the development due to land acquisition. People who are displaced by the development projects have to get compensation, rehabilitation and resettlement. But they didn't get rehabilitation and resettlement. Because none of the policy makers paid adequate attention to compensation issues, rehabilitation and resettlement except monetary compensation. Displaced people lose their life, home, natural resources, community resources, kins, relationship with nature and land for development projects. People who have the rights on land and allied resources get compensation. But Scheduled Tribes are surviving on hill areas and forests. These people don't have the rights on forest and forest land. If these people are displaced by the development projects, they don't get any compensation, rehabilitation and resettlement. This is the main problem in tribal communities for their resettlement. Tribals are the main victims of development. Nearly 85.39 lakh tribal people were displaced until 1990, due to the construction of mega projects and national parks. The displaced tribal populations are 55.16 percent of the total displaced people in the country.

**Key Words:** Land acquisition, Displacement, Compensation, Rehabilitation and Resettlement, Tribals.

### 1. INTRODUCTION:

After independence, India has implemented five-year plans for economic development (nation development). The objectives of the Five-year plans were, Economic Growth, Economic Equity with Social Justice, Full Employment, Economic Self-Reliance and Modernisation of the nation. Economic growth leads to economic equity and social justice and provides full employment to the people with economic self-reliance and modernisation of the country. The nation's modernisation (development) depends on the availability of man-power, financial support, natural resources, land, water, transport facilities and government support to the industries. Land is the main resource for development. The establishment of industries requires a huge amount of land and allied resources. But in India, land captured by the landlords (Zamindars) and their population are very less. The population percentage is high; they don't have the rights on land or they have a little amount of land. People who don't have the land or have the meagre piece of land are called Scheduled Caste, Scheduled Tribe and other marginalized communities. People who are surviving in the forest are called Adivasis (Scheduled Tribes).

Scheduled Tribes (STs) are surviving in the forest and they are far away from mainstream society. STs are dependent on the forest and forest products. In India, we can't imagine a forest without STs. They are the children of the wild and protectors of the forest. But they are facing a lot of problems in the name of development. Land acquisition in the name of development negatively impacts tribal people. Tribals are the main victims of development projects.



A large number of development projects have been launched in India for the past 70 years. India has built a number of industries for industrial development and large dams for irrigation facilities. The establishment of industries and construction of large dams' impact on people's displacement. People who are displaced by the development projects have to get compensation, rehabilitation and resettlement. But they didn't get rehabilitation and resettlement. Because none of the policy makers paid adequate attention to compensation issues, rehabilitation and resettlement except monetary compensation. Displaced people lose their life, home, natural resources, community resources, kins, relationship with nature and land for development projects. Forceful displacement negatively impacts people's social relationship, kinship and family structure<sup>1</sup>. People who have the rights on land and allied resources get compensation. But Scheduled Tribes are surviving on hill areas and forests. These people don't have the rights on forest and forest land. If these people were displaced by the development projects, they didn't get any compensation, rehabilitation and resettlement. This is the main problem in tribal communities for their resettlement. The result of forceful displacement, people get marginalisation and daily wage laborers at new resettled areas<sup>2</sup>.

Big dams are considered as “temples of modern India and development of people”. This is one side of the coin, but another side explains people displacement and issues related to rehabilitation and resettlement. The fruits of development projects are not reaching displaced and marginalized people. They are getting more marginalized compared to previous life. The main drawback of the displaced people, they are not part in the formation of acts and implementation. The number of people displaced from habitations in India is equal or more than the population of independent countries.

Development induced displacement impact on backward communities, particularly tribal communities. Because tribal areas have the richest minerals, bauxite, mica and coal and these areas produce more than half of the country's use. The availability of raw material at tribal areas (forest) for industrial development and big dams on rivers negatively impact on people's displacement.

## **2. Displacement in India :**

Displacement without rehabilitation and resettlement is one of the core issues in India. Since Independence millions of people have been displaced from their ancestral place by the development projects. Government doesn't have reliable data on the people's displacement, rehabilitation and resettlement. People are displaced by the roads, irrigation, mining and SEZs.

Liberalization, Privatization and Globalization (LPG) impact on Land and Land use pattern, water and natural resources. As A result of LPG, indigenous people are the main victims. Millions of people displaced by the development projects without rehabilitation and resettlement and insufficient compensation are also leading factors to the marginalization<sup>3</sup>. Many studies reveal that the compensation money is not sufficient to start a new life without access to natural resources, land and community resources. The tribals face a lot of problems compared to others. Before 2013, India didn't have a uniform rehabilitation and resettlement policy for displaced people. Lack of policies for displacement impact on their social, cultural, political and economic life.

Some studies have been conducted in Orissa, West Bengal, Assam, Jharkhand, Goa, Kerala and Andhra Pradesh to estimate the percentage of displaced people. According to these studies, Assam has 1,909,368 DP/PAPs from 1,401,184.8 acres of land acquisition and West Bengal has 6, 944, 492 DP/PAPs from 4,764,000 acres of land. During the 1947-2000 period, 60 million people were displaced from 25 million hectares of land, including 7 million hectares of forest land and 6 million hectares of Community Property Resources (CPRs). But the government explains, Assam people displaced nearly 343,262 with the acquisition of 392,773 acres of land<sup>4</sup>.

DP/PAPs of some States where studies have been done are given below<sup>5</sup>:

<sup>1</sup> Kaushal, Nandita. (2009). “Displacement: An undesirable and unwanted consequences of development”. The Indian Journal of Political Science, 19 (1), 77-89.

<sup>2</sup> Agnihotri, Anita. (1996). “The Odisha Resettlement and Rehabilitation of Project- Affected Persons policy, 1994- An Analysis of its Robustness with reference to Impoverishment Risk Model”. In A.B. Ota and A. Agnihotri, (eds.), Involuntary Displacement in Dam Projects. New Delhi: Prachi Prakashan.

<sup>3</sup> Nathan, Dev. (2009). “Compensation and reconstruction of Livelihoods”. Economic and Political weekly, .44 (30), 22-26.

<sup>4</sup> Lobo, Lancy, (2009). “Land Acquisition, Displacement and Resettlement in Gujarat 1947-2004”, New Delhi, p. 6&8

<sup>5</sup> Ibid, 5



**Table 1: Number of DP/PAPs (Displaced Persons/Project Affected Persons)**

State/Type	1951-95		1947-2000		1947-2000		1965-95		Total
	Andhra Pradesh	Jharkhand	Kerala	Orissa	Assam	West Bengal	Gujarat	Goa	
Water	18,65,471	2,32,968	1,33,846	8,00,000	4,48,812	17,23,990	23,78,553	6,473	<b>75,90,113</b>
Industry	5,39,877	87,896	2,22,814	1,58,069	57,732	4,03,980	1,40,924	1,470	<b>16,12,762</b>
Mines	1,00,541	4,02,882	78	3,00,000	41,200	4,18,061	4,128	0	<b>12,66,890</b>
Power	87,387	0	2,556	0	7,400	1,46,300	11,344	0	<b>2,54,987</b>
Defence	33,512	2,64,353	1,800	0	50,420	1,19,009	2,471	285	<b>4,71,850</b>
Environment	1,35,754	5,09,918	14,888	1,07,840	2,65,409	7,84,952	26,201	60	<b>18,45,022</b>
Transport	46,671	0	1,51,623	0	1,68,805	11,64,200	13,56,076	43,164	<b>29,30,539</b>
Refugee	0	0	0	0	2,83,500	5,00,000	646	0	<b>7,84,146</b>
Farms	0	0	6,161	0	1,13,889	1,10,000	7,142	155	<b>2,37,347</b>
HR Development	0	0	14,649	0	90,970	2,20,000	16,343	1,677	<b>3,43,639</b>
Health	0	0	0	0	23,292	84,000	0	3,716	<b>1,11,008</b>
Administration	0	0	0	0	3,22,906	1,50,000	7,441	1,453	<b>4,81,800</b>
Welfare	37,560	0	2,472	0	25,253	7,20,000	20,470	NA	<b>8,05,755</b>
Tourism	0	0	343	0	0	0	2,646	640	<b>3,629</b>
Urban	1,03,310	0	1,003	0	1,241	4,00,000	85,213	1,270	<b>5,92,037</b>
Others	2,65,537	50,000	0	1,00,000	18,045	0	15,453	550	<b>4,49,585</b>
<b>Total</b>	<b>32,15,620</b>	<b>15,48,017</b>	<b>5,52,233</b>	<b>14,65,909</b>	<b>19,18,874</b>	<b>69,44,492</b>	<b>40,75,051</b>	<b>60,913</b>	<b>1,97,81,109</b>

The State-wise breakup of Resettlement and Rehabilitation (R&R) and Persons affected due to Development Projects since 1999 is given below<sup>6</sup>.

**Table 2: State-wise breakup of Resettlement and Rehabilitation**

S. No	State	No. of Projects cleared	Total No. affected Persons	Total No. Affected ST Population
1	Andhra Pradesh	15	316242	123946
2	Arunachal Pradesh	1	Nil	Nil
3	Jharkhand	1	70,820	21,000
4	Chhattisgarh	2	455	155
5	Himachal Pradesh	1	836	9
6	Kerala	1	20	20
7	Maharashtra	11	1,51,408	20,534
8	Madhya Pradesh	4	1,95,081	12,261

<sup>6</sup> [www.tribal.nic.in](http://www.tribal.nic.in) Retrieved on 21.11.2021.



9	Orissa	11	64,674	42,036
10	Rajasthan	11	34,452	4,258
11	Uttarakhand	2	6,716	1,489
<b>12</b>	<b>Total</b>	<b>60</b>	<b>6,65,131</b>	<b>2,25,708</b>

According to the UN Working Group on Human Rights in India (WGHR) report (2012), After independence, 60-65 million people were displaced by the development projects in India and every year one million people are displaced, “of these displaced, 40 percent were tribals and 40 percent were Scheduled Caste and other rural people”<sup>7</sup>.

According to Walter Fernandes, 21.3 lakh people displaced by various development projects and V Paranjpye estimated that, 25.5 lakh people have been displaced by mines, 12.5 lakh by industries, 16.4 lakhs by large and medium dams, 6 lakhs by parks and wildlife operations and 5 lakhs by other projects. The table below explains the details of displacement of people by various development projects in India during 1951-90<sup>8</sup>.

**Table 3: People displacement by the various development projects**

S.No	Types of Projects	All DPs	Percentage of DPs	DPs resettled Lakhs	Percentage of Resettled DPs	Backlog Lakhs	Backlog Percentage	Tribals Displaced Lakhs	Percentage of all DPs	Tribals DPs and Resettled lakhs	Percentage of Tribal DPs	Backlog of Tribal DPs	Percentage of Backlog
1	Dam	164	77	41	25	123	75	63.21	38.5	15.81	25	47.4	75
2	Mines	25.5	12	6.3	24.7	19.2	75.3	13.3	52.2	3.3	25	10	75
3	Industries	12.5	5.9	3.75	30	8.75	70	3.13	25	0.8	25	2.33	75
4	Wildlife	6	2.8	1.25	20.8	4.75	79.2	4.5	75	1	22	3.5	78
5	Others	5	2.3	1.5	30	3.5	70	1.25	25	0.25	20.2	1	80
<b>6</b>	<b>Total</b>	<b>213</b>	<b>100</b>	<b>53.8</b>	<b>25</b>	<b>159.2</b>	<b>75</b>	<b>85.39</b>	<b>40.9</b>	<b>21.16</b>	<b>25</b>	<b>64.23</b>	<b>79</b>

Displacement, rehabilitation and resettlement are the serious concerns in India due to the land acquisition for development projects. These are correlated with each other. For development purposes, it needs a huge amount of land, its impact on people's displacement. Displaced people need rehabilitation and resettlement. Without rehabilitation and resettlement, they can't survive and compete with others. According to Saxena (2008), 50 million people were displaced by the construction of large hydropower projects and only 25 percent of displaced people were rehabilitated.

According to Centre for Science and Environment (CSE 1985), 36,000 household families displaced by the Bhakra Nangal Project, only 12,000 households were rehabilitated, 18,500 families displaced by the Ukai project, only 3,500 families were resettled and 33,000 families were displaced due to the construction of Pong dam, only 9,000 households were rehabilitated. Total 87,500 families were displaced by these three projects; only 24,500 (26.5 percent) families were rehabilitated.

According to Cernea (1990), after displacement, people get landlessness, homelessness, joblessness, marginalization, food insecurity, increased morbidity and mortality, loss of common property resources and social disarticulation.

<sup>7</sup> Times of India, New Delhi dated 6.4.2012, Retrieved on 23.12.2021

<sup>8</sup> Biswaranjan Mohanty, (2005), “Displacement and Rehabilitation of Tribals”, Economic and Political Weekly, Vol. 40, No. 13 (Mar. 26 - Apr. 1, 2005), pp. 1318-1320.



### 3. Tribes in India:

The term “tribe” originated around the time of Greek city-states and the early formation of the Roman Empire. The Latin term “Tribus” means “A group of persons forming a community and claiming descent from a common ancestor” (Oxford English Dictionary, IX 1933). Tribals are generally called “Adivasis” in India. They are “original inhabitants” of the land. They have special attachment with the forest, land, culture, kinship, rituals and religious beliefs and material possessions indicate that they are separate and different from the mainstream society.

India has the second largest tribal population after that of the African continent. According to Census of India 2011, total 705 Scheduled Tribes are inhabiting in 26 states and 4 Union Territories. 75 Schedule Tribal groups are classified as a Primitive Vulnerable Tribal Groups (PVTGs), among them 25 PVTGs are inhabit in the states of United Andhra Pradesh and Odisha. The population of Scheduled Tribes in India is 10.42 crore. STs constitute 8.6 percent of the total population of India. 9.38 crore tribes are residing in rural areas and 1.04 crore tribes in urban areas. Bhil is the most populous tribe with a total population of 46 lakhs. Bhil community constitutes 37.7 percent of the total scheduled tribe population. Highest Tribal population states are Madhya Pradesh (1.5 crore 14.7%), Maharashtra (10.5 crore 10.1%), Odisha (95 lakhs 9.2%), Rajasthan (92 lakhs 8.9%), Gujarat (89 lakhs 8.6%).

### 4. Tribal Displacement:

India is one of the largest dams building nations in the world. After Independence, India has constructed more than 4,291 dams and it is the single largest cause of displacement and next major cause for displacement is SEZs (industries). The development projects are located where the raw material is available. Some studies reveal that the nearly 85.39 lakh tribal people were displaced until 1990, due to the construction of mega projects and national parks. The displaced tribal populations are 55.16 percent of the total displaced people in the country. The below table explains the different communities and state wise displaced people percentage.

**Table 4: Caste-Tribe of DP/PAPs from Some States**

State	Tribals	%	Dalits	%	Others	%	NA	%	Total
Andhra Pradesh	970654	30.19	628824	19.56	1467286	45.63	148856	4.63	<b>3215620</b>
Assam	416321	21.8	NA	NA	609015	31.9	893538	46.3	<b>1918874</b>
Goa	NA	NA	NA	NA	NA	NA	66820	100	<b>66820</b>
Gujarat	1821283	44.43	462626	11.29	1791142	43.7	23818	0.58	<b>4098869</b>
Jharkhand	620372	40.08	212892	13.75	676575	43.71	38178	2.47	<b>1548017</b>
Kerala	NA	NA	NA	NA	NA	NA	552233	100	<b>552233</b>
Orissa	616116	40.38	178442	11.64	671351	48.01	0	0	<b>1465909</b>
West Bengal	1330663	19.16	1689607	24.33	2566223	36.95	1357999	19.55	<b>6944492</b>
<b>Total</b>	<b>5775409</b>	<b>29.15</b>	<b>3172391</b>	<b>16.01</b>	<b>7781592</b>	<b>39.28</b>	<b>3081442</b>	<b>15.55</b>	<b>19810834</b>

**Sources:** Ekka & Asif 2000: 99; Fernandes et al. 2001: 89; Fernandes & Bharali 2006: 108; Fernandes & Naik 2001; Lobo & Kumar 2007: 99; Muricken et al. 2003: 189; Fernandes & Asif 1997: 87; Fernandes et al. 2006: 91.

### 5. Constitutional Safeguards for Scheduled Tribes:

The Constitution of India has several provisions to prevent discrimination against people belonging to Scheduled Tribes and to protect their rights. Some of the important provisions are:

- Article 15 pertaining to prohibition of discrimination on grounds of religion, race, caste, sex or place of birth.



- Article 16 pertaining to equality of opportunity in matters of public employment.
- Article 46 pertaining to promotion of educational and economic interests of scheduled castes, scheduled tribes and other weaker sections.
- Article 243 pertaining to Reservation of seats in Panchayats.
- Article 330 pertaining to Reservation of seats for STs in Lok Sabha.
- Article 335 pertaining to claims of scheduled castes and scheduled tribes to services and posts.
- Article 337 pertaining to Reservation of seats for STs in State Legislatures.
- According to Article 338-A, the National Commission for Scheduled Tribes has been set-up to, for investigate and monitor all matters relating to the safeguards provided for the Scheduled Tribes under the Constitution and to inquire into specific complaints with respect to the deprivation of rights and safeguards of the Scheduled Tribes.

## 6. Compensation Issues:

After independence, India has built a number of large dams for irrigation facilities. The construction of large dams leads to the displacement of people. But they didn't get rehabilitation and resettlement. Because none of the policy makers paid adequate attention to the compensation issues except monetary compensation. Displaced people lose their homestead land, agriculture land and natural resources. Those who have rights on the land get compensation. But Scheduled Tribes are living in hill areas and forest. These people don't have rights on the land and forest. If these people were displaced, they didn't get any compensation. This is the main problem in tribal communities. The result of forceful displacement, people get marginalisation and daily wage laborers at new resettled areas<sup>9</sup>. The act provides land for land compensation, but the government does not give rights on the land. It is also leading to marginalization.

According to Rawat (2012), displaced women face lot of problems like males are addict alcoholism, theft, gambling, prostitution and domestic violence (misusing the compensation). Displaced males are powerless and without access to resources are leading to migration, its impact on women's standard of living. Without male support families, women feel alienated from friends, neighbours, kins and community people.

People who are displaced by the development projects have to get compensation in terms of money. In India, compensation has been given under the Land Acquisition Act, 2013. Before 2013 (LARR Act), the nation didn't have a uniform act for land acquisition, rehabilitation and resettlement. Before the LARR Act, 2013 every state and corporation had its own rehabilitation and resettlement policy. The lack of rehabilitation and resettlement policy impact on displaced people standard of living. Those who are displaced are eligible for compensation. But the government or concerned project authority that has given compensation to the displaced is inadequate for starting a new life or purchasing a piece of land for resettlement. The absence of land for land compensation leads to the people getting marginalization. The LARR act, 2013 provides land for land compensation, but this clause is not implemented properly. Mallavarapu (2008), explains displaced people have to spend 4-5 years of their life and give bribes to the government officers to get compensation. Before LARR act 2013, while giving compensation depends on the project authorities attitude and their negligence, it leads to people marginalization. There is also gender bias in the form of compensation. It is provided to the head of the family (male). It is leading to male domination in the family.

According to Pandey (1996), a survey conducted among tribal families in five villages at Talcher, Orissa. The study reveals that the unemployment increased from 9 to 43.6 percent and people's occupation shifted from primary to tertiary sector and their earnings reduced up to 50 to 80 percent among tribes and Scheduled Castes. Ota (1996), explained the landless people percentage has doubled after relocation of Rengali irrigation project, Orissa. Reddy (1997), explains after displacement the landless people increased from 20 to 72 percent in the coal mining industry at Singrauli.

LARR Act 2013, providing land for land compensation, monetary compensation for the loss of life, compensation for artisans, small traders, for community resources, employment to the one family member and rehabilitation and resettlement to the displaced. But when it comes to the implementation, project authorities give only monetary compensation for the loss of land and not land for land compensation, no jobs and resettlement. Project authorities didn't consider the social, economic, political and cultural life of the displaced and how these factors effect on displaced people. They are not considering the landless labourers, forest dwellers, daily wage labourers, tenants and artisans. In

<sup>9</sup> Ibid, 3



India, there are a number of farmers who possess a meagre piece of land. The government gave a small amount of compensation to the displaced. It is not sufficient to restore previous life.

## 7. CONCLUSION:

Development induced displacement causes people displacement from their ancestral inhabitation. Compulsory land acquisition for development projects like big dams, national parks, sanctuaries, highways, SEZs and mining people must leave their homes, kins, relationship with nature, natural resources and subsistence. For development land acquisition is mandatory but the problem is people who are displaced do not get proper compensation, rehabilitation and resettlement. If the development fruits reach to displaced and marginalised people the nation provides equal distribution of economic development. But in reality, explains people who are displaced by the development projects they are getting more marginalization compared to previous life especially tribal people. This is the main drawback of the development. In India Tribals are the main victims of development compared to other communities. Nearly 85.39 lakh tribal people were displaced until 1990, due to the construction of mega projects and national parks. The displaced tribal populations are 55.16 percent of the total displaced people in the country. People (STs) who were displaced do not get compensation, rehabilitation and resettlement. The reason is they don't have the rights on land and allied resources. The government formulated the policies and acts for displacement, rehabilitation and resettlement.

The government of India enacted an act on "The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 in parliament and it came into force from 1 January 2014. According to the LARR Act, 2013 compensation for the loss of land, small traders, artisans, loss of home and homestead land and for people's subsistence. Some studies explain people are not getting land for land compensation. The government providing monetary compensation is not sufficient to restore previous life. People who get compensation are misusing and addicted to alcohol. This is also leading to people getting more and more marginalized and they never compete in mainstream society.

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