

## **Development, Displacement and Rehabilitation: Indispensably Inter-Related**

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**Abstract:** A German-English geographer, Ernst Georg Ravenstein(1834-1913), is considered the founder of contemporary migration studies. Already in the classic publication entitled *The Laws of Migration*, published in two volumes in 1885 and 1889, Ravenstein wrote that "bad or oppressive laws, heavy taxation and unattractive climate, uncongenial social surroundings, and even compulsion (slave trade, transportation) produce flows of migrants, but none of these flows can be compared in volume with that which arises from the desire inherent in the most men to 'better' themselves in material aspects". The primacy of economic categories established by Ravenstein strongly dominated the study of migration throughout the twentieth century and persists to this day. Almost all influential migration theories, such as neoclassical theories, the Hicks model (1932), the Harris-Todaro model (1970). The second regime of analysis of involuntary human mobility, developed in the early and mid twentieth century on the basis of politics and law, is that dealing with the category of refugees. Unlike the subjects of migration studies bounded by demographics and economics, the refugee occupies a primarily legal category, providing the basis for institutional systems of protection. The third category of interpretation of involuntary mobility is that of internal displacement. The term "displaced persons" was coined by Russian-American sociologist Eugene M. Kulischer (1881-1956), the author of *The Displacement of Population in Europe* (Montreal, 1943). The studies on internal displacement conducted in the seventies therefore had a selective character. It was only in the following years the 44-page UNEP report "Environmental Refugees" issued in 1985 by Professor Essam El-Hinnawi is considered the first attempt at a broad conceptualization of forced migrations caused by environmental factors. In 1980 the first World Bank guidelines of involuntary resettlement were adopted. The first half of the eighties was another period of rapid development of studies on *development-induced displacement and resettlement* (DIDR). The volume *Putting people first: sociological variables in rural development* edited by Michael M. Cernea and published by the World Bank has played an important role as the initiator of more advanced studies in this area. It was in the mid and late eighties that the term "development-induced displacement and resettlement" (DIDR) first started to appear in scientific publications. An attempt has been made in this Article to establish a link between Development, Displacement and Resettlement. The Responsibility of the Government is also put to critical analysis.

**Key words:** Development –induced Displacement. Resettlement, Rehabilitation, Marginalisation, Alienation,

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### **I. INTRODUCTION**

The disproportionately high burden of displacement that is carried on the shoulders of the socially and economically most vulnerable sections of rural Indian society, suggests that development and displacement are in fact not merely technical, politically neutral decisions, rather reflect the power of economically, socially and politically strong groups and regions to impose sacrifices on the weak. According to Rajni Kothari, "the issue of displacement and resettlement has to be viewed within the broader question of distribution of power. Despite constitutional mandates and an emphasis on favouring the underprivileged, in an overwhelming number of cases, the primary beneficiaries of the development process transgress on or violate the interests of politically and Economically weaker groups and individuals. This question is therefore, essentially linked to democratising the planning process itself and integrally involving the historically underprivileged and disempowered in decisions that so crucially affect their lives, livelihood and life-styles."

#### **What is displacement of people?**

According to the Social and Human Science website, the displacement of people refers to the forced movement of people from their locality or environment and occupational activities. Displacement can lead to a geographic shift in households, which may preserve or increase economic and racial segregation throughout an

area. In regard to population displacement resulting from development, there are typically two types: Direct Displacement, which leads to the actual displacement of people from their locations and Indirect Displacement, which leads to a loss of livelihood. Forced to leave the home region to which they are attached, and for which they have the knowledge and opportunity to make a living most effectively, displaced populations often become impoverished. The displacement of people, as a result of development projects, policies and processes, therefore constitutes a social cost for development.

### **Development vs. Displacement**

Development projects often involve the introduction of direct control by a developer over land previously occupied by another group. Natural resource extraction, urban renewal or development programs, industrial parks, and infrastructure projects (such as highways, bridges, irrigation canals, and dams) all require land, often in large quantity. One common consequence of such projects is the upheaval and displacement of communities. While the literature on development-induced displacement and resettlement (DIDR) is clear in its focus on physical development projects that require land expropriation, these are not the only types of projects that can result in displacement. Conservation programs, such as wildlife re-introduction schemes and the creation of game parks and bio-diversity zones, also often oust communities. Issues surrounding conservation-induced displacement are dealt with in another FMO thematic research guide. Other types of policies can also induce migration. For example, a distributive policy decision that shifts jobs between two regions might cause some people to move in search of new employment. However, the literature on DIDR does not consider these types of policies. The focus is clearly on physical forms of development that require displacement by decree.

In much of the DIDR literature, scholars and activists consider development displaces to be those persons who are forced to move as a result of losing their homes to development projects. However, wider considerations of "project-impacted persons" have been advocated. Scudder (1996) suggests that our conception of project-impacted persons should include not only those directly displaced by loss of home, but also the host population that takes in displaces; all others who are neither directly displaced, nor hosts, yet who live in the vicinity of the project; and project immigrants. The latter group includes those tasked with planning, designing, and implementing the project, as well as those who later move to the region to take advantage of project-related opportunities – these, Scudder notes, are often beneficiaries of the project, whereas the two former groups are often adversely affected by projects. Similarly, the World Commission on Dams (WCD) report refers not only to physical displacement, but also to livelihood displacement, which deprives people of their means of production and displaces them from their socio-cultural milieu. Mobile groups have been prone to this type of displacement as state and private-sector land demands have sometimes overlapped with the land claimed by these groups for grazing, hunting, migration, and other activities.

## **II. IS DISPLACEMENT AN INEVITABLE CONSEQUENCE OF INDUCED DEVELOPMENT**

**Cernea(1996)** recognises that ‘certain national or regional interests cut across the interests of small groups and individuals. The former interests usually prevail, especially when it confronts poor and politically weak population. However, he feels that Development can never be completely free of such contradictions and conflicts, and population displacement imposed by more broad- based interests is only one case in point. Some degree of displacement cannot be avoided during development does not mean that induced development should accept it as a God-given tragedy. Displacement should be minimised, but where it is unavoidable, the trauma of its impact must be mitigated.

### **Issue of ‘Eminent Domain’ and ‘Public purpose’**

The only prevailing law relating to involuntary displacement with all India coverage remains the colonial Land Acquisition Act of 1894. Other such laws, but without direct relevance to big dams, include the Coal Bearing Areas(Acquisition and Development) Act, 1957, the Forest Act,1927 and the Army Manoeuvres and practice Act,1938. The most important principle underlying these Acts the doctrine of ‘*eminent domain*’, according to which the state enjoys ultimate power over all land within its territory. It follows that the state has the right to invoke this right for the ‘*Public good*’. What constitutes ‘*public purpose*’ is deliberately left open in the law, and the power to determine its definition rests essentially with the state. The power of eminent domain conflicts most obviously with constitutional imperatives contained in part XVI of the Indian constitution designed to protect the Scheduled Tribes. The Supreme Court has endorsed the doctrine of ‘eminent domain’ in 1994 by pronouncing that the power to acquire private property for public use is an attribute of Sovereignty and is essential to the existence of a government. The power of eminent domain was Recognised on the principle that the sovereign state can always acquire the property of a citizen for public good, without owners’ consent. However, such unbridled power of the state, both to unilaterally determine what constitutes the ‘public good’ and to compulsorily appropriate private and community Lands for such alleged peoples’ Movements as

intolerably undemocratic and in egalitarian have challenged 'good'. It is proposed that 'public purpose' should include such purposes by which the government intends to bring into effect the Directive Principles of State Policy. When acquisition is sought to be resorted to by State, the burden of proof must be on the state to prove that it is for a purpose related to social equity.

### **III. THE CONSEQUENCES OF DEVELOPMENT- INDUCED DISPLACEMENT**

The literature on DIDR is largely comprised of case studies. However, several theoretical frameworks have been proposed to explain the social consequences of forced relocation. Two models – Scudder and Colson's four-stage model and Cernea's Impoverishment Risks and Reconstruction ( IRR ) model – are explained below. This is followed by discussions of the varying levels of risk that might exist for particular segments of a displaced population, and of the literature comparing and contrasting the experiences of development displacees and refugees.

#### ***Theoretical models***

In the early 1980s, building upon earlier approaches that dealt primarily with the processes of voluntary resettlement, Scudder and Colson proposed a four-stage model of how people and socio-cultural systems respond to resettlement. The stages were labelled recruitment, transition, potential development, and handing over or incorporation. In the recruitment phase, policy-makers and/or developers formulate development and resettlement plans, often without informing those to be displaced. During transition, people learn about their future displacement, which heightens the level of stress experienced. Potential development occurs after physical relocation has occurred. Displacees begin the process of rebuilding their economy and social networks. Handing over or incorporation refers to the handing over of local production systems and community leadership to a second generation of residents that identifies with and feels at home in the community. Once this stage has been achieved, resettlement is deemed a success.

The **Scudder–Colson model** focused on the different behavioural tendencies common to each of a series of stages through which resettlers passed. At first, the model was formulated to explain the stages of voluntary settlement, and was only later applied to some cases of involuntary resettlement (i.e., those "successful" cases that passed through all four stages). In the 1980s and 1990s, the mounting evidence of involuntary resettlement schemes that failed to pass through all four stages suggested that a new model was necessary to explain the consequences of involuntary relocation. In particular, it was recognized that a new theory was necessary to model what was increasingly seen as predictable impoverishment in forced resettlement schemes.

**Cernea's Impoverishment Risks and Reconstruction ( IRR ) model** arose in the 1990s in response to this recognition. In contrast to the Scudder–Colson model, the IRR model does not attempt to identify different stages of relocation, but rather aims to identify the impoverishment risks intrinsic to forced resettlement and the processes necessary for reconstructing the livelihoods of displacees. In particular, it stresses that, unless specifically addressed by targeted policies, forced displacement can cause impoverishment among displacees by bringing about landlessness, joblessness, homelessness, marginalization, food insecurity, loss of access to common property resources, increased morbidity and mortality, and community disarticulation. To these risks, Downing and others have added: loss of access to public services, disruption of formal education activities, and loss of civil and human rights. The model also recognizes risks to the host population, which, while not identical to those of displacees, which can also result in impoverishment.

### **IV. DARKSIDES OF DEVELOPMENT-INDUCED DISPLACEMENT IN INDIA**

#### **Land Acquisition Act (LAA) 1894:**

This Act deals with individual "patta" holders and has the market value of quantifiable commodities as the basis for compensation, although around 80 per cent of the DPs belong to the informal economy and have very few "pattas". The loss of the CPRs, the psychological trauma of forced displacement, the break-up of community institutions and support structures are ignored in its calculations.

#### **Backward Regions:**

Moreover, most displacement is in regions that have been administratively neglected and are considered backward. The market price of the little land that the DPs own is inadequate for them to begin a new life. Land records do not exist at times, and even when they do, are inaccurate or outdated. Most DPs, particularly tribals, belong to the second, and at times the first generation of a monetised economy. Cash compensation is by and large ineffective in societies based on a barter economy. As a result, the compensation they receive is more often is appropriated by middlemen coming from outside. Studies also indicate that these communities find it difficult to adapt to the new production pattern into which they are thrown in without any

psychological or sociocultural preparation. As a result, they often turn out to be „indiscipline“ workers and take to alcohol and even to crime ventilate their trauma. Many of them lose their jobs because of these problems. It is obvious then that displacement and rehabilitation are not just a one-time event pertaining to physical transfer to a new environment, affecting the lives of the DPs in myriad ways.

#### **Tribals Reluctant to Resettle in Colonies:**

Another general conclusion that can be drawn from the R and R appraisal reports of most projects is that tribal DPs are more reluctant to resettle in project colonies than members of other social groups. They indicate that tribal DPs in general opt for cash-based resettlement. In some projects where they had accepted project house sites, it was found that after some time most of them abandoned these houses and migrated to other unknown places. An example would be the resettlement colonies of the Mayurakshi dam project in Dumka district of Bihar, which was completed in the 1950s. Whereas one finds DPs from other social groups residing in the Mayurakshi resettlement colonies, not a single tribal family is to be found there, though more than half of the displaced were tribals.

#### **Lacunae in the Law:**

The Land Acquisition Act, 1894 neither requires the informed consent of the affected person as a precondition for acquisition of his/her land, nor does it allow him/her to question the „public purpose“ of the project. The law basically limits itself to the acquisition of land, and determination and payment of compensation. The basic method of determination of compensation is another issue in the LAA which has been responsible for adversely affecting the rights of the DPs and PAPs. The LAA limits itself to record-based ownership and remain unsettled in the matter of land of the occupants of public land, tribals, forest dwellers, landless peasants dependent on common property, pastoralists and a host of others living in and around the land to be acquired .

#### **The ‘Process’ of Marginalisation:**

Displacement and rehabilitation are not one-time events. But there are a series of happenings. Beginning from the first announcement of the project, people’s marginalisation starts. In many cases there is a time lag of ten or more years between first announcement and actual displacement and then rehabilitation. In most cases people come to know about the project when officials come to measure their land. In this situation, the time lag between the first announcement and implementation turns out to be traumatic and results in a feeling of insecurity. Middlemen get advantage of this situation. Amid this uncertainty, the formal sector takes a stand consistent with its philosophy of working only in the context of security

#### **Marginalisation of Women:**

Another example of marginalisation is the internalization of women’s subordination by tribal men and even women. Consequently, after displacement, it is the status of women that deteriorates more than that of men. The children and older women are unable to help the women at home now, with the forest either being at a greater distance than earlier or even absent. Hence there are more hours of work, less food and malnutrition. The deprivation of land and forests on which their status depended is compounded by the absence of productive employment in resettlement areas. Given their low literacy, if they get a job it is usually of the unskilled and daily-wage variety. So women are forced to remain at home and look after the household, without involving in any productive work outside.

#### **Alienation of Children:**

While children are expected to compete with outsiders as equals, they have very few opportunities of schooling. When tribal children go to school, the type of education they receive forces them to give up their traditional culture with nothing else to replace it. Therefore they make an effort to join the mainstream, but are often unable to behave as equals within it. Formal education thus alienates them from their own society, and the „mainstream“ does not accept them as equals. Thus they experience acute alienation.

### **V. RESPONSIBILITY OF THE STATE FOR REHABILITATION**

The nature and extent of State responsibility for the rehabilitation of the displaced is an issue of debate. The Government is reluctant to admit responsibility beyond the payment of Compensation as determined by law. It is significant that whereas the statute books arm the state with man draconian powers of compulsory land acquisition, there is still no national law, not even a policy for ensuring that rehabilitation is an enforceable right of the affected persons. But it is chiefly under the impact of Peoples’ Movements, supported by painstaking empirical social science research, that

The state has in recent times acknowledged its responsibility for rehabilitation beyond the payment of market value for compulsorily acquired assets.

### **Theoretical models for ‘Just-rehabilitation’**

The two most influential theoretical models developed for ‘just-rehabilitation’ are those of Scudder and Cernea. Scudder (1997) states that the goal of resettlement should be that both the resettled and the host population become project beneficiaries. To achieve this objective, he suggests reliance on his Four-stage model. Four stages are characterised by Planning, Efforts of the resettlers to adapt to the new situation, Economic development and Community formation. On the contrary, Cernea (1998) proposes a ‘risk and reconstruction model’ of rehabilitation. To him, when the state takes up a project entailing displacement, the displaced people are subjected to the following **Risks**- Landlessness, joblessness, homelessness, marginalisation, increased morbidity and mortality, food insecurity, loss of access to common property and services and community disarticulation. His hypothesis is that the state can reverse the Risks by the following reconstructive actions –

- ❖ From landlessness to land-based resettlement.
- ❖ From joblessness to reemployment.
- ❖ From food insecurity to safe nutrition.
- ❖ From homelessness to house reconstruction.
- ❖ From increased morbidity to better health care
- ❖ From social disarticulation, marginalisation and deprivation of common assets to community reconstruction and social inclusion.

By defining the role of the state for rehabilitation in clear terms Cernea specifies the responsibility of not leaving the displaced impoverished.

### **Rehabilitation: Policy and Laws Examining the national policy on rehabilitation and resettlement of displaced persons:**

#### **The NPRR 2007**

- *No right to say „no“ to some developmental project*

The NPRR 2007 policy upholds the sovereign power of the state to apply the concept of „eminent domain“ to forcibly acquire any private property for public purpose. This power is provided under Land Acquisition Act 1894. 2007 policy deletes provisions of 2006 Draft Policy which provided that emergency provisions u/s 17 of Land Acquisition Act 1894 should be rarely used and applied only after considering full justification of proposed project. Cl.7.18 of 2007 policy implies that land can be acquired in case of emergency u/s 17 of LA Act 1894. Cl 4.7 of 2007 policy further exempts the Ministry of Defence from conducting any Social Impact Assessment and Environmental Impact Assessment while acquiring any land in connection with national security. So, for example if a nuclear power plant is to be setup, then no one can raise any objection towards the said project

- *Exclusion of the landowners, vulnerable groups and the needy people from the decision making process.*

No benefits in case of small intensity displacement: The preamble of 2007 policy states that a national policy must apply to all projects where involuntary displacement is taking place. But u/cl.6.1 the appropriate government shall declare area of villages as an affected area only if there is likely to be displacement of 400 or more families or 200 in case of Tribal or hilly areas. In most of the hilly areas there are fewer families who are affected by project being setting up and there is no provision for RR scheme. Therefore 2007 policy only applies to large scale displacements.

- *No inclusion of the affected groups in social or environmental studies:*

There are no provisions in the 2007 policy for the inclusion of the affected persons or their representatives in the preparation of the SIA and EIA report of the project. The 2007 policy fails to define the appropriate authority by whom SIA and EIA will be conducted. It only states that appropriate government shall ensure the SIA study. This lacks the independence and capacity of the designated persons to carry out SIA and EIA. There is also no provision for consultation with the affected families during the final preparation of SIA and EIA reports.

- *Causing further displacement in the name of resettlement:*

The first and foremost objective of the 2007 policy is to minimise displacement and to promote as far as possible non-displacing or least-displacing alternatives. But the 2007 policy allows further displacement in the name of resettlement and rehabilitation of the affected families.

- *Inadequate safeguards for displaced persons and for STs/SCs*

The 2007 policy talks for land-for-land in case of family owning agricultural land in the affected areas. But in practice resettlement is possible by giving land for land only when government land is available as per cl.7.4.1.

- *There is little guarantee to give employment to Project Affected families.*

cl.7.13.1 states that in case of a project involving land acquisition on behalf of a requiring body at least one person per nuclear family will be provided employment in the project but it is subjected to the availability of vacancies and suitability of the affected person for the employment.

- Again rehabilitation and resettlement of the affected families displaced by linear acquisitions in project relating to railway lines, highways, transmission lines, laying of pipelines is inadequate. The victim of linear acquisition shall be provided the amount not less than twenty thousand rupees.

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- The people from hilly areas or the tribal person depends upon their livelihood for which they go on shifting agriculture, fishing, dairy farming which may be far away from their house. It becomes difficult when their own hilly areas are declared as SEZ and is acquired for project. The tribal people depend upon the nature for their livelihood and they cannot accommodate in urban areas. Therefore RR in the name of employment and compensation cannot solve their problem of proper rehabilitation. The 2007 policy contains the land for land provision for displaced person. But nowhere this has been implemented

### **LAND ACQUISITION, REHABILITATION AND RESETTLEMENT ACT, 2013—A new step in the right direction**

The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 is an Indian Parliament act that regulates land acquisition and laid down rules for granting compensation, rehabilitation and resettlement to the people affected in regions. The Act also has provisions to provide fair compensation to those whose lands are taken away, bring transparency to the acquisition of land or buildings, infrastructural projects under Public or Private Entities and ensures rehabilitation to those affected. The Act has established regulations for land acquisition to attract India's massive industrialization sector under the public private partnership. This Act is a replacement of 1894 Land Acquisition Act, a law established under the British Rule.

On 7th September 2011, the Bill was introduced in the Lok Sabha. Out of 235 members who voted for the bill, 216 members supported it while 19 members voted against the bill. On 29th August 2013, the Act was passed in Lok Sabha and it was passed by the Rajya Sabha (upper house of the Indian parliament) on 4th September 2013. President of India, Pranab Mukherjee acknowledged the bill on 27th September 2013 and on 1st January 2014, the Act came into Force.

#### **Important Features**

Specific provisions for land acquisition and Rehabilitation and Resettlement have been explained in the bill. Additional changes from the current provisions have been made respect to (a) the process of land acquisition; (b) rights of the people affected by the acquisition; (c) methods for calculating compensation; (d) issues with respect to Rehabilitation and Resettlement in all acquisitions.

#### **The Public Point**

Land acquired by the government will be used only for public purposes. The Act explains “public purposes” as: defense and national security; roads, railways, highways, and ports built by either the government or under public private project; land for the people affected; planning of the development; and settlement of people affected by the acquisition (if not resettled), implementation of government administered schemes or institutions, etc. This is widely summarised under the provisions of the 1894 Act. In some cases affirmation of 80 per cent of the project affected people must be obtained. This affirmation includes (i) used by the government for any other purpose mentioned prior, and (ii) use by public private entities, and (iii) use by only private entities.

#### **Land Acquisition**

Social Impact Assessment (SIA) shall be done by the central government, with proper consultation from the Gram Sabha (and equivalent bodies). Once the Social Impact Assessment (SIA) is done, the study shall be looked by an expert panel. The expert group shall comprise of two non official social/rural experts, two rehabilitation experts, followed by a technical expert with SME (Subject Matter Expertise) on the topic. The SIA report shall be passed on to a committee which will make sure that the proposal's for land acquisition is meet.

The information regarding acquiring of the land shall be sent prior to the acquisition (within 12 months prior) to the owner of the property from the date of evaluation by the SIA. Furthermore, the government shall conduct a survey of the land and the extent of land to be acquired. The objections with respect to this process shall be heard by the Collector. In any case of urgency the above mentioned provisions are not mandatory. The urgency clause is only applicable for defence, national security or during a calamity. In such cases, before taking over the land, 80 percent of the compensation shall be paid by the government.

#### **Compensation for land owners**

For land acquisition, the collector shall determine the compensation and the compensation shall be awarded by him to the land owner within two years from the declaration of publication. The declaration process is given below –

- The compensation shall be made depending upon market value of the land (i) the land value as stated in the Indian Stamp Act of 1899 for the registration of sale deed; or (ii) the average value of the top 50 percent of all the sale deeds from the past three years for similar type of land situated in the vicinity.
- Once the market value is known, that value shall be doubled with respect to the land in the rural area. If the land falls in the urban area, then there should be no doubling of the amount. Then the value of all the assets (trees, buildings, etc.) shall be added to this amount. In the amount a 100 per cent solarium, (i.e., extra compensation for the forcible nature of acquisition), shall be mentioned in the final compensation of the figure.
- Those lands that have been acquired by the government urgently, the government is entitled to pay an additional 75 per cent of the market value of the land.

#### **Rehabilitation and Resettlement**

- The Act, as explained before focuses on Rehabilitation and Resettlement that has to be undertaken in every case of acquisition. An Administrator shall be appointed after the publishing of preliminary notification for acquisition. The Administrator shall then conduct a survey and prepare a scheme for Rehabilitation and Resettlement. The Scheme shall be thoroughly discussed in the Gram Sabha (or equivalent bodies in case of urban areas). The Administrator shall then hear all or any objections made against the scheme. The Administrator shall then prepare a report which will then be submitted to the Collector. The Collector shall review the schemes which will then be submitted to the Commissioner appointed for the Rehabilitation and Resettlement. Once the scheme is approved by the Commissioner, the government shall issue a declaration identifying the areas under the Rehabilitation and Resettlement scheme. The Administrator shall then see the execution of the scheme. The Commissioner shall then supervise the implementation of the scheme.
- If the acquisition is of more than 100 acres, a Rehabilitation and Resettlement committee shall be established to monitor the implementation scheme of the project. Additionally a National Monitoring Committee shall be appointed at the central level to look over the implementation of the Rehabilitation and Resettlement scheme of all projects.
- If the land is being privately purchased (100 acres in rural and 50 acres in urban areas), then application for the purchasing must be filled with the collector who shall then forward the application to the Commissioner for approval. Once the application is approved, the Collector shall issue the land as per the Rehabilitation and Resettlement scheme.

#### **Entitlements of Rehabilitation and Resettlement Scheme**

- Every resettled area shall be provided with some infrastructural facilities. These include roads, drainage, drinking water, grazing land, banks, post offices, and public distribution areas.
- The Act also undertakes special provisions for the Resettlement and Rehabilitation of displaced families. These include things such as (i) land for a home as per the Indira Awas Yojana in rural areas or a constructed house of at least 50 square meters plinth in the urban areas; (ii) one time allowance of Rs 50,000 to the affected families; and (iii) this option explains a mandatory employment in project development in rural sector or Rs 5 lakh or an inflation adjusted annuity of Rs 2,000 per month per family for 20 years.

### **VI. CONCLUSION**

#### **Broad considerations for the Government while Drawing the policy of Rehabilitation**

The government before launching any project must justify that in the light of various technical and locational options, this is the least displacing alternative available.

- i) All people and groups should have Right to Information regarding the project, necessity of displacement, public purpose, rehabilitation packages etc.
- ii) Apart from the Right to Information of the individuals, the affected population

must be given the Right to be Consulted. This will bring about the People's right to participate at every stage of any scheme of development requiring displacement.

- iii) Another institutional mechanism to limit displacement is to ensure that in the planning of any project the social and human costs are more accurately assessed and internalised in the cost-benefit analysis of the project.

### **Compensation, Resettlement and Rehabilitation**

The Rehabilitation package for displacement must include scheme for Compensation, Resettlement and Rehabilitation. These terms should not be used interchangeably. **Compensation** is package in cash or kind for persons directly affected by developmental projects as reparation for their losses. **Resettlement** as a package provides a new resettlement sites in addition to compensation for those who are physically dislocated from their original habitations. **Rehabilitation** is inclusive of packages and processes for compensation, resettlement and something more for sustainable development of affected persons.

No development project can be justified if a section of society is pauperised by it. If People are uprooted, alienated and turned into destitute, helpless and wandering in search of livelihood, then whatever principles of justice one may invoke or apply, the project must be seem to have failed. As such, the welfare and development of project-affected persons is a pre-condition, an inseparable part of the project itself, not merely an unwanted appendage to be executed unwillingly.

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