



# Land Acquisition for petty compensation or without rehabilitation and resettlement: menacing to the sustainable development in context of Agenda 2030

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## Abstracts:

The Agenda of 2030 of sustainable development is concerned the role played by India. It would be crucial at national as well as international level. The small farmers are cultivated most of the land in the nation. The ongoing trend of large scale land acquisition on the name of development i.e. infrastructure, industrial, or other possibly will redesign the national agrarian land. Such activities will extensively disturbing countryside populations and their livelihoods. Not only that but such contractions are constructing on the cost of damaging environment heavily, which also result into creation of imbalance to the environment, ultimately it would affected to the agriculture activities and agriculture production. Without rehabilitation and resettlement of those displaced people not only create hardship to them but also play a vital role in inflation of domestic production, at the same time it will create challenge for food safety of citizens. This study, through a literature review, analyses the negative impacts of Land acquisition with less compensation or acquisition without rehabilitation and resettlement. It is their hydrological aspects that reflects how they may have an effect on the Sustainable Development Goals (SDGs).

## Introduction:

Sustainable development means the coordination of financial, societal, and ecological feature of expansion, benefitting present generations without negotiation the capabilities and opportunities of future ones is a key organizing principle of governance.<sup>1</sup> Notwithstanding, having some fundamental rational challenges, the UNO summarize for a globally shared path and visualization for society; in year of 2015 the

<sup>1</sup> Jampel Dell'Angelo, Paolo D'Odorico and Maria Cristina Rulli: Threats to sustainable development posed by land and water grabbing, Current Opinion in Environmental Sustainability Volumes 26–27, June 2017, Pages 120-128, <https://www.sciencedirect.com/science/article/pii/S1877343517301756#sec0025> visited on 07.09.2019

United Nations General Assembly adopted the resolution: 'Transforming our world: the 2030 Agenda for Sustainable Development'. The Agenda represents a map of action for people, earth, and welfare structured throughout 17 Sustainable Development Goals (SDGs) and 169 objectives<sup>2</sup>. All participants, countries, and associate are optimistic to make their effort toward ending poverty and starvation, protecting the planet from environmental degradation, and helping wealth and harmony through international co-operation.

India is one of participatory nation and signatory to the SDGs resolution of the united nation. Indian government took pledge to take nation on the new heights on the international platform. Simultaneously national government made the review of the progress made by India in specific SDGs and its implication and in the year of 2017, the report placed before the United Nation. The report reflects that India made its focus on the specific area i.e. removal of poverty from all levels, Elimination of hunger, Elimination of mal nutrition, abolition of gender inequality, establishment of industry and innovation and development about infrastructure in rural area. For elimination of hunger, State shall take stapes to save and make more effective agriculture activities, which results more production on low cost so, every citizen can afford the food articles. Therefore, the Land Acquisition on a large scale without rehabilitation and resettlement or acquisition with token compensation would create the hardship for agrarian and its families as well as that could create a great trouble in achieving the aim and object of SDGs.<sup>3</sup>

If, we examine the chief aspire of India. It pertains to the land as the subject of land is wide and many of the problems could solve by saving land in a good conditions. i.e. hunger, poverty, and mal nutrition could easily eliminated by the saving of land in aggregated condition or in cultivative conditions.

#### Land Acquisition and Agenda 2030

1. To end poverty
2. To eliminate mal nutrition
3. To eliminate hunger

So far, all these three subjects are concerned they are inter alia with each.

<sup>2</sup> Transforming our world: the 2030 Agenda for Sustainable Development. <https://sustainabledevelopment.un.org/post2015/transformingourworld>. visited on 08.09.2019

<sup>3</sup> Voluntary review report on the implementation of sustainable development goals of India, 2017 <https://sustainabledevelopment.un.org/content/documents/15836India.pdf> visited on 08.09.2019

## **Land Acquisition: cons and pros**

The liberalization, globalization, and privatization, policy adopted by India during the leadership of the Narasimha Rao's Government. Nevertheless, from the year of 1996-1999 the communist government was established under their leadership the progress of the nation was remarkably slow down. In the year of 1999-2004 the government of formed by National Democratic Alliance, headed by Shree Atal Bihari Vajpeyee, which made certain attempts to give a push to economy. However, from 2004 to 2014 again the government came in power chaired by Dr. Singh a notable economist of the world, who made efforts to reshape the economy and at the same Government attempt to resolved essential hurdles of human being in India those are Poverty, Hunger, and Malnutrition. Walking on the path of common man's agenda government enacted a policy for agrarian in the year of 2007 known as Resettlement and rehabilitation policy. However later on government, feels that would not be enough to address the other vital issues. Therefore, the Indian government enacts the food security Act in the year of 2013. The new legislation brought by the Indian Government, which was most dynamic legislation up to that time. The Right to Fair Compensation and Transparency in Land Acquisition, Resettlement, and Rehabilitation Act, 2013 is a comprehensive work done by the government to ensure that lands will saved, safeguarded and agrarians are protected by two ways. First Fair Compensation and Second Resettlement and Rehabilitation of displaced persons should do by the State, so, the issue of food security will be resolves.

In the era of globalization and as India has designation of most forwarding-developing nation the potential of opportunities are much higher than any other country in south-east Asia, therefore, numbers of multinational companies are started their investment by acquiring the land on large scale and established the apparel park, info cities or industrial zone, like SEZ's and others. Such investors triggered the situation of shortage of fertile land and agrarian become landless. That also creates a new challenge for the State. Challenge like, food security, increasing of unemployment, while large scale land acquisition, itself become a hurdle or trapped bone in throat.

## **Effect of large-scale land acquisition from socio economic eye point**

While large-scale acquisition is allowed by the State, the small scale and medium scale farmers have to suffer a lot. Most of are affected by land acquisition, more often than not consisting of small-scale farmers, pastoralists, indigenous people and those who conventionally utilized the land, frequently retort to vibrant of dispossession by engaging in different typologies of conflict assortmenting from corporeal aggression to schemes of enlistment and contestation that often find the shore up of societal activities and NGOs. A permutation of issues, on numerous levels, drives international large-scale land investments and acquisitions. It is generally accepts that, in that subject matter of the globalized world, food and energy are the key factors of all and about all the issues. It is also notable that the rapid demand of growth for agriculture products the fundamental force for this happening. However, according to dissimilar writers and diverse typologies of

studies, some factors and drivers are supplementary important than others. They mainly identified as financial, land conjecture and competitiveness of inputs and production costs.

Such large-scale acquisition is the key factor of poor situation of agrarian at present time. After the acquisition, the landless farmers are forced to moved from their natural place or environment to the new place which are under developed or undeveloped places at where they feel isolated. Even the State is still failed to protect their basic rights and their tradition. The recent incident of the Jharkhand where the government acquired land size, which may construct 1032 football, pitches for Adani project. The farmers alleged that such acquisition is with full of irregularities and illegalities adopted by the State they moved to the High Court. These all incidents shows that the State policies are not effectively curtailed the agitations of farmers, but policies are failed to even address the issues and challenges<sup>4</sup>.

Such large-scale acquisition will result into shortage of food and degradation of human life, which is against the Article 39 of the Constitution of India. The situation of farmers because worsens from worst.

### **Key Factors of land acquisition and issues**

Many of the researchers and investigators made their respectful attempt to search about the key factors of the situation; and they found that, there are two main factors could be consider in today's scenario 1. The small scale farmers shifted from traditional agriculture activities to commercial production based activities. Such activities are resulted due to the high production, but in that, farmers are utilizing high quantity of pesticides and fertilizers that would affect adversely to health of the human being or to the leaving creatures that eat those agriculture products. The other factor is, as a traditional agriculturist the activities are almost existed, the indigenous people and small agrarian not sustain in the competitive market, therefore they are worried about their future.

### **Land Acquisition threat to food livelihood of owners or Occupiers of the land**

As the State has power to acquire the land for the public purpose by paying compensation to the owner or occupier of the land under the constitution and doctrine of emino domain. The landowners are going through high time trauma as they may get compensation but such amount is meager. The land will give them livelihood all the time while a small amount will not help them to survive for a long.

The often question arises which is unsolved yet, that if, the State acquired land on the large scale for development of industries and other public utility then there would be shortage of land arisen soon for food production which result the food shortage cause great hardship to humans and leaving creature to survives. Food and water are the main elements without which on one can survive for long, and that would cause a

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5. <https://scroll.in/article/912998/adivasi-dalit-villagers-in-jharkhand-move-court-to-get-back-land-acquired-for-adani-power-plant> visited on 12.09.2019

rebel in any place. Hence, the State needs to revisit the policy of the development with a view to Agenda 2030.

Currently, more than one billion people suffer from hunger. This means that one in every six people on Earth do not get adequate foodstuff to survive in good physical shape life. This year thirty six million of these people will die of hunger!<sup>5</sup>

One more research shows that more than 820 million of people have not enough food to eat. That would create a great challenge against all the nations for generating new resources for food supplies to all their citizens<sup>6</sup>. Other than, these 150 million children are stunned. This put the goal of no hunger on the high risk and also reflect that State machinery is not effectively worked to eliminated the hunger and malnutrition<sup>7</sup>

### **Land Acquisition without Resettlement and Rehabilitation**

The State enact the policy for Resettlement and Rehabilitation in the year of 2007, which merged into the Act of 2013, from 2007 to 2013 during that period of time even Rehabilitation and Resettlement was not done successfully of displaced persons. Such act shows the failure of the State authorities to implement their own policy. This is ashamed for the nation who is listed as most forwarded developing nation. The policy was neither contained with adequate provisions not offering concrete framework, may offered amenities to the displaced people. That will lead them to the labour market in urban or semi-urban area with low wages and as they are destitute for resettlement they will be exploit by the contractors and other employers who offered them hard work with petty amount. The policy was not committed nor offer any guarantee about the work to the people who lost their land, therefore the person who become landless, he feels his future at the dark. The policy had so poor framework that even not contained any provision in relation of forceful displaces have no right to seek rehabilitation and resettlement which led a great difficulty for them. In addition, no provision made as duty of the State Authorities, for providing them food or food stuffs at the initial stage when they loss their land and have no activity stated or arranged by the State as part of Resettlement<sup>8</sup>.

Nevertheless, the land or property acquired by the State by paying meager amount of compensation is also injustice, unfair and arbitrary action. The State enacted the new law, acquisition in 2013 with some dynamic changes in the old Act, also included the rehabilitation and resettlement in to the Act, however that part of the Act is not mandatory, therefore it will be hopeless to expect that State emphasis for rehabilitation and resettlement of displaced persons. Moreover, the formula of calculating the amount is also not clear,

<sup>5</sup> [https://www.theworldcounts.com/counters/global\\_hunger\\_statistics/how\\_many\\_people\\_die\\_from\\_hunger\\_each\\_year](https://www.theworldcounts.com/counters/global_hunger_statistics/how_many_people_die_from_hunger_each_year) visited on 12.09.2019

<sup>6</sup> <http://www.fao.org/state-of-food-security-nutrition/en/> visited on 12.09.2019

<sup>7</sup> <https://www.who.int/news-room/detail/11-09-2018-global-hunger-continues-to-rise---new-un-report-says> visited 12.09.2019

<sup>8</sup> K.B. Saxesa; Rehabilitation and Resettlement of the displaced persons; a critique of the policy and the bill. Published by Council for social development, June 2008. <http://csdindia.org/wp-content/uploads/2017/04/Rehabilitation-and-Resettlement-of-Displaced-Persons-A-Critique-of-the-Policy-and-the-Bill.pdf> visited on 12.09.2019

hence, the anarchy of the bureaucrats will continue. So far, the scenario of, R & R of India as State is concerned, it is very poor. The reason for that is lack of political will and commitment toward the people. Even as a member state of the UNHCR India has been not done much on subject. The other countries did really as good work for R & R. like Fiji, USA, Australia, and some African nations. In the year of the 2001 Fiji rehabilitate entire village, provide them much closer environment, and habited area in which they were lived previously. However, India never attempted to R & R in past or present and many of the cases are available for study, which shows that people are still fighting against government from decades for their R&R<sup>9</sup>.

## Conclusion

The theoretical study shows the multidimensionality of the pessimistic impacts of LSLA without R & R or on the account of meager amount of compensation paid to the dispossessing people. Moreover, how the goal of elimination of hunger, poverty, and malnutrition would be affected; as most of the issues and challenges are relates with land acquisition. Land acquisition without rehabilitation and resettlement of displaced persons will increased the number of unemployed and create a shortage of production in agriculture sector. It is a great threat to livelihood of the small and marginal class of agrarian that they might not survive for long in new and unknown environment as they forced to do labour work at urban or semi-urban places on the daily wage basis. Other essential challenges are; first, to consider how land acquisition could potentially affect the accomplishment of the various development goals and consequently make available a base for a wide-ranging analysis of the global land acquisition with rehabilitation and resettlement. The second is that the SDGs also symbolize a constructive agenda for allowing for the diverse magnitude under which land acquisition and rehabilitation and resettlement should be evaluate from the point of SDGs. The expansion of industries, land acquisitions without keeping in mind issues of food security or about the rehabilitation and betterment of people will be in dark. India as a developing nation, also need to revisit its policy for LGP, in comparison with saving of natural resources and its utilizing shall not wasted at all.

India need to learn from the countries that successfully resolve these aspects or effectively implemented their policies in above subject matter, otherwise nearest time nation has to suffer from many problems alike.

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<sup>9</sup> Samling, C.L., Ghosh, A.K., Hazra, S. 2015. Resettlement and Rehabilitation: Indian Scenario. DECCMA Working Paper, Deltas, Vulnerability, and Climate Change: Migration and Adaptation, IDRC Project Number 107642. Available online at: [www.deccma.com](http://www.deccma.com), date accessed. Visited on 13.09.2019

Researcher also find and diagnose form the various studies which taken place on the similar subject that India's legal framework is so poor and absolutely unable to curb the issues related to land acquisition, compensation, rehabilitation and resettlement, due to lack of integrity of bureaucrats, and poor political will of the rulers.

Even recently, Supreme Court of India stated that government shall removed the encroachers from urban areas or curb the encroachment, rather than removing of marginal class or people or small agriculturist from their native places. Nevertheless, in past more harsh words had been used for State Authorities by Courts. Media, and intellectuals but it never makes any difference in the attitude of the National Government such attitude drives India towards hunger, poverty and malnutrition.

If, India fails to curb or addressing of these important issues in a very short period of time then fellow citizens will have to die by starvation, poverty and kinds will died due to malnutrition.

### **Suggestions**

- I.** The State shall adhere with a prominent policy of compensation in case of land acquisition, keeping in mind about the dependants on the acquired land.
- II.** In case of Acquisition State shall make sure that one or two person from the dispossessed family will train and develop some skill, which help them to earn livelihood at less struggle.
- III.** State shall ensure that where the land acquired of illiterate family, instead of money they get land at other place so they can resettle with their traditional way or habits.
- IV.** State shall endeavour on a policy of rehabilitation and resettlement of displaced people.
- V.** State shall ensure that the acquisition of the agrarian land and fertile land will be the last option to acquired, as such type of the land have potential or main source of agriculture production.
- VI.** State shall bear in mind about the food security of the citizens, at the time of acquisition and establishment of industries.
- VII.** State shall be duty bound to made available the food to all its citizens and ensure that due to starvation no citizen has lost his life.
- VIII.** If the state acquired potential land of farmers for establishment of industries then member of family whose land acquire shall get job at appropriate place in that industry or industrial park.
- IX.** Acquisition of forestland shall be barred totally to protect the environment, at the same time State shall ensure that citizens get healthy atmosphere, with drinkable water at easy access.

## References

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