



Land Alienation and Issue of Livelihood: A Study of Tribes in Jharkhand

Ph.D. Thesis

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Summary, Conclusion and Emerging Issues

In past years, development-induced land alienation and subsequent displacement has gained popularity among the social scientists and researchers as an important area to study. In the name of development, the alienation and displacement of inhabitants, mostly tribes and dalits, was started by the colonial government but it is still persisting in various parts of this country. The 'eminent domain' values and principles and the colonial Land Acquisition Act of 1894 has prevailed in the post-independence India. Despite of amending the colonial law, the Indian Government carried forward the lethargic attitude of the British. But the darker side of the coin delineates that the positive aspects of this development never reached to those people who suffered the pain. Since independence, several developmental projects were carried out, for the establishment of industries, mines, urban projects, large-dams, power generation, irrigation projects, wildlife projects, etc. It was supposed that the benefits of these projects will reach to citizens of the country but in reality, these projects became responsible for the sufferings and miseries of the already deprived communities. Due to these developmental projects, not only the status of backward regions gets improved but the growth and development of the country also intensified. But owing to unplanned or without evaluating the economic, social and cultural consequences upon the displaced populace, the planned developmental processes itself have become responsible for their harassment. Such kind of developmental approach has conceivably fumbled to take into account the human factors. The resettlement and rehabilitation has often been ignored by the affected people. Moreover, since 1990 private capital has entered into this process. It has increased the pace of infrastructural developments and required huge demand of land for industries and several other projects. This has been made possible through the massive acquisition of land which has resulted in the displacement of people. So, the alienation from water/*Jal*, forest/*Jangal* and land/*Zameen* has impacted the dependent community adversely. As far as the question of development-induced land alienation and problems related to the tribal livelihood is concerned, there are several important issues still to be carefully studied. Such as involuntary displacement, inadequate compensations for their land and settlements, insensitive resettlement and rehabilitation, no compensations for dependents on the common property resources are very common in our country. The communities and their customary rights have been by and large ignored by the state. The misinterpretation of the word 'public purpose', use of acquired land in other purposes and acquisitions of more land than required are still the major challenges.

Within the above context, the present study was carried out on the tribal communities who were dislodged from their resources i.e. land, forests and subsequently displaced by the Dimna Dam Project in the District of East Singhbhum, Jharkhand. This Dam was constructed between the years 1940-46. Its main purpose was to supply raw water to Tata Steel Works and domestic water supply for Jamshedpur Township. This project acquired lands measuring 1861.24 acres in 15 (Fifteen) villages, under the Land Acquisition Act 1894 by the then Provincial Government and possession handed over to the Tata Steel Company between 1940-46, for construction of a water reservoir and other connected works. 15 Revenue Villages were not merely villages, but these were the settlement of the living woman, the man, the children, the cattle, the goats, the unripe kind of trees, wild animals of different species, birds etc. A large part of this population was also of Uraon, Bhumij and Santhal tribals. Where these families are living in the present time, what happened to their livelihood and many questions like their settlement, and compensation were still to be resolved. Their descendants were still demanding their balance amount from the Tata Steel which was promised at the time of land acquisition by the company. No employment, no rehabilitation, half and incomplete compensation were given. Many inhabitants have been strung like animal. Some went to the foothills of the Dalma Mountain, some took refuge in the distant villages and others wandered here and there. There is less information as to how many displaced. How much compensation were given? Where did they get land to settle down?

The analysis about the nature of land alienation and displacement which had occurred in case of the Dimna Dam Project revealed that it was forced upon the tribal communities and tribal people were ditched from the project authority. Most of the respondents were agreed on that, the displacement was completely forced. Without any substantial preparations, they were forced to evict. The adequate information was not given by the acquisition authorities. Illiterate and uneducated tribal people suffered most. These innocent tribal people moved away only by relying on the verbal assurances given by the Steel Company to provide compensations and jobs. The distinctiveness and vulnerability of the tribal communities were not taken into account by the Steel Company. Dispossession of land became the main cause of the impoverishment and destitution of the tribal people. After being alienated tribal people were rendered landless, jobless, homeless and hopeless. It entirely shattered the economic foundation of the affected people. The first generation of the displaced have directly experienced the miseries of this process. Moreover, the succeeding generations who have not experienced this process directly but their life has been badly affected by it to a great extent.

Due to land alienation and displacement, stress and tensions among the affected communities were common. As a result of all these deprivations, the tribal people felt themselves as underprivileged and they had developed strong feelings of agitation against the Tata Steel Company. In the affected villages, due to land alienation and displacement, only 35.36 percent of households had some piece of agricultural land which they owned and cultivated. Hence, more than two-thirds of the respondents were deprived of agricultural land. The average size of landholding among affected households had reduced after the land alienation. The incidence of landlessness is maximum in the Saldoha and Bhadudih villages where more than 95 percent of respondents had not any type of land either agricultural or housing plots. For living purpose, most of the people of these villages were using the 'gair majarua' or government's land. Therefore, loss of land has become the main source of the deprivation and impoverishment among the displaced tribal population.

Land alienation induced by developmental projects, over the period, adversely affected the tribal life. The affected people confronted with a cluster of vulnerabilities like landlessness, joblessness, homelessness, loss of community cohesiveness, social and cultural disarticulation etc. Because land was the most prolific means of livelihood for the tribal. Moreover, these people have sentimental and primordial affection with their ancestral land and community. So, forced evacuation of people from land causes several other problems. Since, these people were uprooted from their foundation of the life i.e. land, home, community life etc. So, the impact of the problems were too wide-ranging. Due to break down in their self-sufficient and subsistent economy, they were pushed into the vicious cycle of pauperization and destitution which had also affected their next generation. Therefore, effects were more severe, in terms of marginalized communities, as they were discarded from their conventional resource base. Alienated communities had no more resources left to provide a better future to their succeeding generation. So, the tribal communities which were marginalized earlier, it has further marginalized. The inhabitants were secured closely with their resources, which were available in their nearby surroundings, not only for their livelihood but to their emotions, sentiments, ethics, cultural values, myths, and ethos. Emotions and sentiments could not be compensated because unable to quantify under cost-benefit criteria. Immediately, it created chaos in the livelihood of the people. Besides, it tendered them to wander here and there for fulfilment of the basic needs. In the long term, it also caused social imbalances among the societies and constructed split between the affected communities and hosting communities. Moreover, it further broadened the inequality between the marginalized and others.

The situation related to the development and subsequent displacement has somewhat been similar throughout the seven decades of Independence including the British period. The laws about land acquisition through eminent domain powers have continued to facilitate state monopoly over land resources with no significant amendments made by the Indian Government. The gravity of the issue deepened over the period particularly since Independence and then post-1990s, when land turned into a scarce commodity. As per the several estimations, not even 20 per cent of the displaced people have been resettled. This miserable side of the wide-scale development activities reflects the true cost involved that indeed is borne by the tribal and indigenous people.

Alienation of land caused the deprivation of the tribal communities because most of the tribes inhabited in a natural resource-based familiar economy. In which, either they did cultivation on their farmland, both in unsettled and settled tribal communities, or collected minor forest produces like herbal medicines, the raw material for making brooms, kendu leaves, datoon, eatable flowers and nuts, firewood, mahua, leaves for making plates etc. Moreover, they also collected small timber to sell in the market from the Common Property Resources (CPRs) and forests. Therefore any developmental projects, which was being executed in the tribal areas, inevitably affected the primary source of livelihood. The development process pushed them down to a formal economy that is completely unfamiliar to them. It affects the livelihood of impoverished masses multi-dimensionally.

The question of survival of the communities or individual has become very important. Besides, in this process the tribal and weaker section of society especially women and children were the most sufferers. Most of the displaced people were bound to migrate in big cities for their survival. Various reports by civil societies, organizations and human rights groups suggest that in the last decade around 30 lakhs people had to migrate from the state of Jharkhand of which 5 lakhs were women primarily working as housemaids in metro cities. When the family becomes landless, women and children had to bear the cost.

When their land was taken away from these tribes they wandered here and there to get a job to get two squares of meal per day. Because these people had no experience of doing any other work, so unemployment among them suddenly increased. It was a time when their self-sufficient economy was completely shattered. Their succeeding generations were still confronted with the problem of joblessness and consistent source of economy. Due to loss of land, affected tribal communities was being countered with joblessness and have become daily

wage labourers. So, it became very difficult for them to get squares of meal per day. As a daily wage labour, they had no social security, no satisfaction, no future and full of harassment had to face from the employer. To perform their regular jobs most of the respondents around 65.8 percent were covering 10.1 to 15 kilometres distance, 20.9 percent were covering more than 15 kilometres while 13.3 percent were covering up to 10 kilometres every day. The tribal community which were completely self-dependent before the land alienation, had become fully reliant on the market forces for their livelihood at present. They were performing agriculture as casual or secondary occupation. Their self-reliant livelihood has been completely eroded. Casualization of women workforce has increased in the affected communities. Almost 87 percent of women (among the total women respondents) were working as daily wage labour. In these areas, women had been turned into daily wage workers. This process has taken away their most valuable resources i.e. land. So they had not enough money for education. The socio-economic conditions of poor tribes which had made them powerless in which they were endeavouring very hard to fulfil their daily needs while deprived them from good education. In this situation, education has become secondary in their life.

Apart from the general observations, there are some particular section, i.e. women, of the affected society who were more vulnerable. Due to land alienation, women were suffered most and their life had become impoverished. Along with their economic independence, they were marginalized in every aspect of the human life. Their traditional way of life has been uprooted. Marginalization of economic life had resulted in their downgraded socio-economic status. Moreover, land alienation and displacement, also disarticulated them socially and culturally. They were cut off from the tribal community system and it also has broken down the concept of joint family. The sense of being alienated and displaced and feelings of isolation was still prevailing among the succeeding generations. The sense of being alienated has sturdily impacted the psyche of the displaced communities.

The psychological facets of land alienation and displacement have enquired, which were reflecting in the various forms among the respondents. The younger generations who have great potentials, become marginalised and turned daily wage labours. In which most of them were facing the problems of joblessness, landlessness, homelessness and challenges to get two squares of meal per day etc. Among the succeeding generation particularly in the youth, there was a strong sense of dispossession and impoverishment. Among the respondents, 79 percent of them expressed opinions of dissatisfaction and agitation against the Dimna Dam authorities. The reasons cited by them are land alienation and displacement has triggered the joblessness,

dispossession and impoverishment among the tribes when the company moved away from their promises. A large number of young and middle age group i.e. 68.06 percent who have strong feelings of dissatisfaction against the above project. They considered that alienation of land and displacement as being responsible for their current situations. The younger respondents did not know how many generations will struggle to reconstruct their socio-economic status. Hence, land alienation and displacement was not only a single time problem. It was a continuing process of impoverishment and deprivation which led the fortune of the affected families towards the insecurity and uncertainty. Feelings of isolation and deprivation had explicitly been stated by the affected families which was very sturdy among all the age groups. 84.5 percent of the young people conveyed the feelings of isolation and alienation. However, this phenomenon was also very strong among the people who were above 71 years. The sense of attachment was still prevailing among the affected communities which look it was not easy to forget their ancestral village and land they had lost.

Tribal land alienation and their displacement has become one of the most complex issues in the Jharkhand. Over the period, tribal communities had encountered with seriously dispossession over their resources. Historically, the various tribal groups cleared forests, made their settlements and developed a system of land rights, governance model for their communities, values of inheritances and organisation related to tribal villages. Not only land has an inherent value but it can create values prominently. A piece of land can provide a household with physical, financial and nutritional security and provide a labour with a source of wages. Land is the basis for the individual's identity and status within a family and within the community. Land is an essential element of the human right to adequate housing, and that land as a source of livelihood and sense of security among the household.

Land has not only economic value but keeps social and cultural value as well. At the micro-level, land is directly associated with the identity and existence of the dependent community. It has household importance, issue of ownership of land is also important. In the backward and remote regions, the base of sustenance of any community is mainly bounded with the land, water and forest. According to a report, published by the Planning Commission in 2004, 83 per cent rural household is still dependent on the land-based economy in Jharkhand. So, transformation of agricultural land, forest land and pastoral land into non-agricultural purposes like building dams, mining, construction of industries, developmental activities etc. adversely impacts the livelihood of the dependent community. It changes all the social, cultural, and economic binding and disrupts their bonds of solidarity, life patterns and sense of security.

So major population which was marginalized earlier, it has further marginalized. In this process, they lose their livelihood. Since tribal communities are more dependent on the land for their income and employment. So, land alienation and landlessness have become a major livelihood concern for tribal people in recent past.

When one looks at the State policies related to land alienation and the question of compensation of the displaced, it is pertinent to mention that after the formation of Jharkhand as a separate state several Memorandum of Understandings (MOUs) have signed between the state and investors to attract the Foreign Direct Investment (FDI) in the state. In this situation, the state has succeeded to satisfy the interest of the capitalistic class and those people who were displaced, countered with the dispossession of land, fragmentation of community, and migration and suffered from great pain especially women and children. At present, if the tribal communities have some piece of land left today, prominently owing to the land-related laws, particularly the CNT and SPT Acts. Otherwise, the way States are amending various protective laws meant to tribal land and properties, providing facilities to promote capital investment even in the scheduled areas, creating 'Land Banks' in which it is proposed to include mostly CPRs and so on, finally the tribal communities will have to bear the brunt of it.

It is important to mention here that a large number of tribal population have rarely benefitted from the development processes of our country, in which Indian feel proud like development in the education, health and nutrition, infrastructural development, income and the political participation. The rehabilitation schemes for the alienated and displaced communities have been highly disappointing and have become political and publicity stunts during elections. It is very shocking to hear that, people who displaced seven decades ago are still struggling for their compensations and rehabilitations. Some of them have not yet received a single penny for their compensation.

The process of dispossession of tribal land continues much more rampantly today than ever before. This has caused a severe threat to the tribal people's very existence and identity. The gradual increase of the non-tribal people in Jharkhand and the anti-tribal policies of the government have further aggravated the situation. On one hand, there is an increase in the migration of the tribal people to the cities in search of livelihoods, mostly through unskilled jobs, on the other side, due to the growth prospects of industrialization and urbanization, there is a heavy influx of the non-tribal population to Jharkhand has become prevalent.

At present, all the states are struggling with each other for attracting huge investments in their state. In this context, these states are amending their old Rules, Acts, and bypassing the interests, legal rights, and institutional safeguards of tribal people which were provided by the Constitution. In this way, the vision of Nehru is being undermined which were designed to protect their genius. States are behaving like a facilitator of the capital's interest. These states are making vision documents, setting up targets for the next 10-20 years, organising roadshows, exhibitions, sending their delegates to other countries to elaborate their policies and creating a conducive environment for the investors. Before the neoliberal era, states tried to address the tribal issues very softly but in these days states are coming forward with a very aggressive attitude. It meant that the government wanted to clear their intentions about investments as soon as possible despite massive protests.

The Jharkhand state has made a great achievement under the parameters of "Ease of Doing Business Index". In the year 2016 and 2018 state has secured third and fourth position respectively, starting from the bottom level. In this context, Jharkhand has improved a lot in four indicators especially in environmental clearance and land acquisition. It shows that how Jharkhand has become an investment-friendly state in some past years. This index gives a message to investors from all over the world to come and make an investment in my state. But how much tribal land has been restored in past years or making efforts in this direction, the state has never issued such type of index.

In nutshell, it can be stated that all these findings and observations were quite consistent with the findings of several studies which described the development-induced land alienation and displacement as an involuntary process. This process resulted in the deprivation and impoverishment. It had affected all the characteristics of the tribal community. Self-sustenance and reliant tribal economy was uprooted and turned into a morbid structure. Along with the economic aspect, their socio-cultural, religious and family spheres had also been affected. Indeed all these dimensions were interlinked and built upon each other. The affected people have adopted the sense of being alienated and displaced. Hence, the consequences of land alienation and displacement among these tribal families were quite visible even after seven decades.

Emerging Issues

There are end number of issues which have emerged in the recent years.

People displaced due to the Dimna Dam, claimed that their ancestors have not received proper compensation for the land. While acquiring the land, they were paid only one instalment and were told that the remaining two instalments would be paid later. Still the remaining amount has not been paid. The company stated its stand that it had deposited a fixed amount to the government for the acquisition of about 1861 acres of land. The process of acquisition and payment was done by the Land Acquisition Department. Therefore, Tata Steel is completely separate from this responsibility. When the displaced families asked for a detailed account of the payments made to different families, both the government and Tata steel did not appear to play a responsible role in this process. Although it was true that all the documents related to the Dimna Dam were in Chaibasa and this case was very old, but with proper willingness these documents can be obtained and this issue can also be resolved.

On the other hand, currently sinking area was expanding. In addition to 1861 acres of acquired land, water was spread over 3.84 acres of Punsu village and 1.99 acres of land in Lyalam village. The villagers were paying the revenue of that land, but they could not cultivate because it was submerged in water. Damage to anyone's property comes under the category of crime. The affected community were demanding that the company should compensate the loss of their land and make arrangements to prevent from sinking. The company's attitude in this regard was not yet clear. In search of justice, affected communities were wandering even today.

The Tata Steel Company has unlawfully taken 102 acres of land in its possession. When the Dimna Lake was demarcated in front of the officials of Jharkhand Government and Tata steel, then it came to know that the Company has encroached 102 acres of raiyati land unlawfully. Neither this land has been acquired nor in the submergence area. But still this land had been shown in the Tata Steel's possession and illegal pillars had been established. The villagers were paying the revenue of that land, but the security personnel of Tata Steel were preventing tribal farmers from cultivating this land. Deprived and displaced tribal communities had been demanding compensation for years, but representatives of Tata Steel were not paying attention to it.

The unlawfully encroachment of the Tata Steel in Mirzadih village was still continuing. In a recent incident, in year 2013, the Company has acquired 14.72 acre land by the state government. Company's argue that the land having been conveyed to the Steel company by

the Government and hence it was not in order to grant permissions to any person to operate any activities over this land. Moreover owners of this land were complaining that the same was settled in their favour since 1969-70 by the Government of Bihar and they have also paid the rent till 2013. So how the government can give lease to the Company through Deed of Conveyance of 1993 without their consent. However this was a notified tribal area which came under the 'Schedule V' of the Constitution which permits that, without the permission of gram sabha any land belonging to tribal communities cannot be leased in the favour of any company or entity.

Land for the Dimna Dam was acquired in public interest. An agreement in this regard, was signed between the Governor of Bihar and the Tata Steel. It was clear that water of Dimna Dam was for drinking purpose. But now a days the water business is being carried out by the 'Jamshedpur Utility and Services Company Limited' (JUSCO), a subsidiary of Tata Steel. The expenditure incurred in providing drinking water to the residents of city i.e. the utility price, was not irresponsible, but charging more than the utility value was not only a violation of the MoU but it was purely a business. The displaced communities were demanding that the government should assess the actual cost of water distribution and set its price otherwise the displaced should also be made partners in its profit.

A major issue which has been observed by the researcher is that, the issue of the displaced community due to Dimna Dam has been politicized since 2009. In case of this project, the local leadership has not been operative. Most of the respondents considered that the issue of land alienation and displacement has been excessive politicized. It has become election gimmick. This issue has been hijacked from local leaders and there was no consistency had been shown in the pattern of leadership. Displaced feel that they had always been used from these leaders for their own interest.

One more thing which has been come forward during this research. Among the youth population, there is a realization has been grown about their rights as a displaced person. These youth population had the abilities to fight to secure their rights and now they were actively participating in several movements like Jal Satyagrah, indefinite strikes, fast till death etc. A considerable number of the households i.e. 73 percent, agreed that their female members had actively participated in all these protest movements. The increasing number of women, who were enthusiastically coming forward in these protest movements, is a good sign, which has been observed by the researcher. Mostly youth and women were coming forward in discussions

which were organized by the governments to negotiate this issue. The consciousness has been developed among these tribal communities about their rights.

The way forward

In order to fulfil the demands of displaced tribal communities due to Dimna Dam Project and meet the justice, the researcher gives the following suggestions based on his investigations into the problems of land alienation and displacement, resettlement and compensations.

- Encroachment of 102 acres of land should be compensated by the Tata Steel.
- To compensate for the loss of crop, due to 2 acres of land acquired in Dimna Dam, it should be free and make legal arrangements.
- Affected communities of the Dimna Dam should be given the right to outstanding compensation, jobs and rehabilitation.
- Displaced families should be given half of the utilization value and dividend of water of Dimna Dam by the Tata Steel.
- Boating and fisheries rights in the Dimna Dam should be given to displaced communities.
- Like the employees of the company, displaced families should also be provided medical and education facilities.
- Irrigation facilities should be provided by lift irrigation methods along the shore of Dimna Dam.
- Forest Rights Act should be implemented quickly.
- Under Corporate Social Responsibility (CSR), development work should be done in the submerged area with the consent of Gram sabha.
- With the help of proper implementation of various government schemes for tribal communities, should make them economically viable and self-reliant.
- Government can intervene to promote sustainable production system within their geographical area through diversified and resilient production systems so that the standard of living of these tribal communities can be raised and some of the problems related to the livelihood of these tribal people can be solved. Sustainable production system can be enhance through value addition in various fields including change in the cropping pattern, floriculture and horticulture, small livestock including fisheries, poultry and piggery and Non Timber Forest Produces. Organic and eco-friendly products are highly demandable in local market. Through skill improvement and capacity development, most of the families can be incorporated in these sectors. Such

NGOs who have expertise in these areas should be made partner in all these programmes.

- Education is very important for a dignified life. They can earn more income than the uneducated people. Respondents, who had good understanding of education, in terms of importance and value of education, had motivated their children to get educated. Among these tribal households, status of education was very low. So, literacy rate should be improved. Low level of literacy among parents had poor understanding in terms of importance and value of education which caused lack of motivation from parent's side to their children. Along with mainstream education system, tribal children should be incorporated with market orientated education. Technical and vocational courses and computer learning ability should be improved of these tribal children. Stipends and incentives can stimulate their learning ability. Various civil societies and NGOs who were working in the field of 'Education for underprivileged groups' should be made partner for their better education. It can be assumed that if their children can get a good education, and they have a regular source of income, then both their standard of living and quality of life can be improved.