

IMPACT OF LAND ACQUISITION ON TRIBAL DEVELOPMENT IN INDIA

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Abstract:

Role of land in the context of economic development of tribal is essential. Provisions of decent alternative livelihood support to the tribal and political economy of land relations are important because land is more contentions assets. Land relations are crucial in case of tribal development, well known economist Daniel Thorner remarked that colonial rule had left India with the most refractory land relations. To study the Impact of Land Acquisition on Tribal Development in India, to study a role of Government in tribal development and analyse Rehabilitation and resettlement policies of Government of India for displaced people are the objectives of this study. This study is purely based on doctrinal and qualitative approach for thorough analysis of existing data through studies, research papers, websites and observation of focus groups. Whenever government perform land acquisition for eminent domain tribal are often suffered. Tribal development is always underestimated by policy makers. Land is not only the source of bread and butter for tribal, but also a matter of dignity. While acquiring land under the eminent domain by government, tribals are often suffer because they are less united and do not have much bargaining power and that is why it is easy for the government to acquire tribal land.

Keywords: *Land Acquisition, Rehabilitation, Resettlement, Livelihood, Tribal & Eminent Domain*

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Introduction:

For the tribal, Land is more than a commodity but due to marketization and commercialization, Land has ceased to be an identity and has become more of a commodity. The land lost due to such acquisitions become irreparable for the tribal even with the provisions of Rehabilitation and Resettlement packages because here land is linked to an identity than a mere commodity. Role of land in the context of economic development of tribal is essential. Provisions of decent alternative livelihood support to the tribal and political economy of land relations are important because land is more contentions assets. Land relations are crucial in case of tribal development, well known economist Daniel Thorner remarked that colonial rule had left India with the most refractory land relations. The economic role of land as a capital asset defies many micro-economic tenets. In India, 50 million people have been displaced in the last 50 years in the name of 'National Interest'. The millions of displaced people in India are nothing but refugees of an unacknowledged war. Land acquisition for generating public goods such as infrastructure projects has remained an important policy concern in India. Land is a fixed resource and redistributing it among different groups through the market might result in second - best allocations. This implies that one group, the buyer or the seller, might be worse-off after the transaction occurs. Whenever government perform land acquisition for eminent domain tribal are often suffered. That is why land acquisition affects a lot on social and economic development of tribal.

Objectives of the Study:

1. To study the Impact of Land Acquisition on Tribal Development in India.

2. To study a role of Government in tribal development.
3. To analyse Rehabilitation and resettlement policies of Government of India for displaced people.

Research Methodology:

This study is purely based on doctrinal and qualitative approach for thorough analysis of existing data through studies, research papers, websites and observation of focus groups.

Literature Review:

Present research paper focus on land acquisition in India, Socio-economic impact of post land acquisition on schedule tribes. Present research reviews to some research articles related to subject. Literature review is important to find out the present status of land acquisition issues in various sectors. Literature review helps to identify research gap

Mohanty, B., (2001) Research Analysed land distribution, In recognition of the basic proposition that scheduled castes and tribes are the most disadvantaged in respect to land, which largely accounts for their perpetual poverty and makes them vulnerable to injustice and exploitation, attempts have been made by the union and state governments to promote and protect their rights with regard to the control and use of land. Based on 13 major states, this research shows that even after 50 years of planned initiatives and policy measures, there has not been substantial improvement in the landholding status of scheduled groups, and in some states, it has declined further.

Sarkar, A., (2007) This research is concerned with the process through which agrarian land is acquired to build up infrastructure, industries and various services, in the process displacing people from their traditional occupations and livelihood. In particular, the focus is on the recent strife in West Bengal over such acquisition. Researcher argues that while such acquisition is necessary for industrialisation, which in turn is absolutely essential for the long-run development of West Bengal, its success depends crucially upon a well thought out compensation and rehabilitation programme, which has so far been seriously lacking in the state. Researcher indicated that the government of West Bengal is too concerned about the investors and too little about the displaced. This is morally wrong. But more important, as a long-term industrial strategy, this is untenable.

Sathe, D., (2011) analysed the Land has emerged as one of the bigger constraints on development in recent years. Particularly contentious is access to "appropriate land", which the non-agricultural sector requires for its expansion, and which is scarce because the State is not creating conditions conducive for farmers to sell their land. The researcher discussed different phases in land acquisition since Independence, issues of adequate compensation, and the space this has created for different kinds of activism by members of civil society.

Tribes in India:

Indigenous communities, peoples and nations are those which, having a historical continuity with pre-invasion and pre-colonial societies that developed on their territories, consider themselves distinct from other sectors of the societies now prevailing on those territories, or parts of them. They form at present non-dominant sectors of society and are determined to preserve, develop and transmit to future generations their ancestral territories, and their ethnic identity, as the basis of their continued existence as peoples, in accordance with their own cultural patterns, social institutions and legal system. (Jose R. Martinez Cobo)

The tribal population in India is accepted to be the oldest population of the land. These communities have lived for centuries in the forest and hilly regions, and at present they are found in a wide central belt beginning with the Aravalli Hills in the West and extending through the Dangs, Madhya Pradesh, Bihar, Orissa and Bengal to Assam. There are tribes in the North in the lower ranges of the Himalayas, and also in the South in the Western and Eastern Ghats, and in the Vindhya and Satpura mountains.(Mehta, 1953) There is a small, but very important tribal population in the Andaman, Nicobar, Maldives and other islands off the mainland. Since the first census in India it has been found difficult to reach a correct estimate of their population, and equally difficult has been the problem of their definition and classification. In the various Census Reports and studies of the Castes and Tribes, they have been

called by various names, like 'aboriginal tribes', 'primitive tribes', 'tribal populations', 'animists', 'Hindu tribals', etc. In the Indian Constitution this population is termed as the Scheduled Tribes. The Schedule of Tribes was issued by the President of the Republic in March, 1950, in order to determine the tribal groups who were privileged to enjoy the special rights and benefits conferred by the Constitution on the Scheduled Tribes.

Definition and Classification: In order to determine the correct population of Scheduled Tribes, it is necessary to define a scheduled tribe. A tribe consists of a group of families who are bound together by kinship, usually descending from a common mythical or legendary ancestor and who live in a common region, speak a common dialect and have a common history. A tribe is invariably endogamous. All tribal groups which can be covered by this general definition of a tribe are not necessarily Scheduled Tribes.

Population: The population of Scheduled Tribes (STs) in the country, as per Census 2011 is 10.45 crore. STs constitute 8.6 percent of the country's total population and 11.3 percent of the total rural population. Population of ST males is 5.25 crore and ST females is 5.20 crore. Decadal growth of ST population in 2011 as compared to 2001 as shows that ST female population growth rate (25%) is higher than ST male population growth rate (23%). (Government of India, Ministry of Tribal Affairs, Annual Report 2020-21, p.32)

Table: Literacy Rate of all Social Groups and ST Population, India 1961- 2011

Year	All Social Groups			Scheduled Tribes			Gap in Total and ST
	Male	Female	Total	Male	Female	Total	
1961	40.4	15.35	28.3	13.83	3.16	8.53	19.77
1971	45.96	21.97	34.45	17.63	4.85	11.30	18.15
1981	56.38	29.76	43.57	24.52	8.04	16.35	19.88
1991	64.13	39.29	52.21	40.65	18.19	29.60	22.61
2001	75.26	53.67	64.84	59.17	34.76	47.10	18.28
2011	80.89	64.64	72.99	68.53	49.35	58.96	14.03

Source: Statistical Profile of Scheduled Tribes in India, 2013, MoTA, GoI. PP. 164.

Land Acquisition in India:

Land Holdings

Based on the Agriculture Census 2015-16, conducted by Department of Agriculture, Cooperation & Farmers Welfare reveals that the total number of holdings in respect of all sizes is 146,454 thousand. Among them 12,669 thousand (8.7 %) belongs to Scheduled Tribes. Percentage of area operated to total area is highest for Marginal category (24.03%) for all social groups, Semi-medium category (26.72%) for Scheduled Tribes. Average operated area per holdings is highest for large category (17.07% for all, 15.11% for ST) and lowest for marginal category (0.38% for all, 0.48% for ST). Distribution of Holdings and Operated Area as per Agriculture Census 2015-16 – All Social Groups & Scheduled Tribes is given in Table 1. The highest proportion of households belongs to the marginal category of land holdings (68.45% for all, 56.26% for ST) and lowest proportions of households belong to the large holdings (0.57% for all, 0.75% for ST). This pattern is seen across all the household social groups. [Government of India, Ministry of Tribal Affairs, Annual Report 2020-21, pp. 42, 43]

Table 1: Distribution of Holdings and Operated Area as per Agriculture Census 2015-16 – All Social Groups & Scheduled Tribes

Size Group	Number of Holdings (in '000)		Area Operated (in '000 ha.)		Percentage of holdings to total holdings		Percentage of area operated to total area		Average Operated area per Holding (ha.)	
	All	ST	All	ST	All	ST	All	ST	All	ST
Marginal (below 1.00 ha.)	100251	7127	37923	3413	68.45	56.26	24.03	19.19	0.38	0.48
Small (1.00 – 2.00 ha.)	25809	2972	36151	4202	17.62	23.46	22.91	23.63	1.40	1.41
Semi – medium (2.00 – 4.00ha.)	13993	1771	37619	4752	9.55	13.98	23.84	26.72	2.69	2.68
Medium (4.00 – 10.00 ha.)	5561	704	31810	3984	3.80	5.56	20.16	22.40	5.72	5.66
Large (10.00 ha & above)	838	95	14314	1434	0.57	0.75	9.07	8.06	17.07	15.11
Total*	146454	12669	157817	17784	100.00	100.00	100.00	100.00	1.08	1.40
<i>Source: Government of India, Ministry of Tribal Affairs, Annual Report 2020-21, p. 43</i> <i>*Total may not tally due to rounding off.</i>										

Human beings always been engaged in altering the environment for the benefits of society through development projects. The development projects like construction of big dams, mines, power plants, industries, houses, super highways and so on, have been associated with displacement and resettlement of population. However, Land Acquisition, in most of the cases, displaces a sizable population. This, in turn, accentuates pressure of population on the settlements where displacement and resettlement has taken place. Development-induced displacement or forced migration in the name of development is affecting more and more people, as countries move from developing to the developed category. Population subjected to such migration is often helpless and is suppressed by the power lobby of the nation. Rehabilitation of such displaced persons is one of the major challenges before the human society.

Land acquisition in India began with the Bengal Regulation I of 1824 to promote British commercial interest. Land was acquired for construction of Railways under the said regulation and finally the first Railway came up in 1853. The Bengal regulation I of 1824 was replaced by act I of 1850, According to Calcutta town. By 1857, various laws on land acquisition were consolidated as act VI of 1857 and made applicable to the whole of British India. The 1857 Act was replaced by the land Acquisition Act (Act X of 1870)

Issues of Tribal Development in India:

Tribal are at the bottom of social and political ladder in India. Development projects have not only bypassed them, but have often harmed them by taking away their lands and other resources on which their livelihood was based. Unless the processes which result in their proletarianisation are identified and corrective action taken to prevent it, chances are that new programmes will continue to ignore their culture and livelihoods as in the past (Saxena, 2019). If we look in the tribal issues as development point of view, Land, Forest, Industrialization and Education these are the major issues related to the tribal development. In India industrialization has impaired tribal culture in some parts of the country. The tribals are typical natives to some parts of the country, particularly where there are forests because they rely on them for their livelihood. Rather of consulting the tribals before making mining or heavy industry decisions, forests were denuded and agricultural land was usurped. Industrialization must not kill the rights and dignity of man. It should be possible to formulate the plans of industrial development in such a manner that the

industrial framework can absorb and rehabilitate the uprooted tribals. To avoid further invasion of tribal land and exploitation of tribal resources, drastic steps would have to be envisaged. Although a few in-depth studies have been performed on this issue; there is a further need to examine the spectrum and scope of this issue and also to suggest ways and means to tackle it. Education and economy are indivisible in tribal society, and a significant proportion of loss and dropout can be clarified in terms of the families' use of the children for economic purposes. The only identity left with today's common tribals is their existential state, which is raising poverty and unemployment. Specific and comprehensive projects to eliminate the darkness of full alphabetism from these primitive tribal groups spread in various pockets in different states of India need to be worked out. Illiteracy and destabilization through land dispossession destruction and rising marginalization. The loss of primeval features is immense. The only bond that holds tribals united is constitutional protections.

Role of government in Tribal Development:

Though the Constitution of India contains several provisions for the protection and development of Scheduled Tribes, and to ensure a level playing field for Scheduled Tribes and other vulnerable groups, and though several other Central and State Acts, instruments and pronouncements which have similar objectives are in existence, there is no single policy which looks at the issue of protection and development of Scheduled Tribes in an integrated and holistic manner. In order to address the issues concerning lower HDI, poor infrastructure, diminishing control over the natural resource base, persistent threats of eviction from their habitat, exclusion from mainstream society and economy in distribution of wealth and opportunities, and non-empowerment, and to place STs on a progressive and constructive path and make them active partners in nation building, a National Policy for the Scheduled Tribes is considered necessary. The policy will facilitate translation of the Constitutional safeguards into reality, with simultaneous socio-economic development.

Conclusion:

Tribal development is always underestimated by policy makers. Land is not only the source of bread and butter for tribal, but also a matter of dignity. While acquiring land under the eminent domain by government, tribals are often suffer because they are less united and do not have much bargaining power and that is why it is easy for the government to acquire tribal land. Rehabilitation and Resettlement policies of the government are not appropriate enough for the tribal development, most of the time compensation given for the acquire land is in monetary nature, it should be in other forms like land to land as well. Government should be very careful while acquire tribal land and constitutional safeguards should be incorporate while implementing rehabilitation and resettlement policy.

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