



The Great Indian Land Grab

DR VANDANA SHIVA • SHREYA JANI • SULAKSHANA M. FONTANA



The Great Indian Land Grab

**Dr. Vandana Shiva
Shreya Jani
Sulakshana M. Fontana**



Navdayna

The Great Indian Land Grab

© Navdanya

June 2011

Acknowledgements

Nizni Hans, Manu Shanker & Mukesh Ray
Research Assistance, previous edition (Corporate Hijack of Land 2007)

Jens (Cover Image)
Urban Narratives for maps based on government data.

Published by:

NAVDANYA

A-60, Hauz Khas, New Delhi-110016, INDIA

Tel.: +91-11-26532561 26968077

Fax: +91-11-2685675

E-mail: navdanya@gmail.com

vandana.shiva@gmail.com

Website: www.navdanya.org

Designed and Printed by:

Systems Vision

A-199, Okhla Industrial Area-I, New Delhi-110020

E-mail: systemsvision@gmail.com

Dedicated to the peasants of India who led the first movement of freedom 150 years ago and are rising once again to defend their land and freedom.

Charter for Land Sovereignty*

(Bhu Swaraj)

1. Land is the basis of our sustenance. It is a sacred trust for human sustenance and long-term survival.
2. Land is not a commodity, which can be bought and sold at will in a market driven by speculative finance, which allows corporate capital to dispossess small peasants of their land and become the new zamindars (landlords)
3. Land must belong to those who till it, tend it and nurse it and for whom it is a source of sustenance. And not to those for whom it is a means of accumulating wealth and speculative gain or object of luxury resort and idle pastime.
4. Ensuring Livelihood Security and Food Security must receive over-riding priority in determining land use pattern. Diversion and destruction of fertile agricultural land for industry, housing or entertainment of the affluent must be banned.
5. Legal Ceilings on ownership and holding of agricultural land, urban land, land for mining must be restored to the original levels and enforced strictly so as to prevent the land grab by corporate capital and dispossession of peasantry in rural areas and displacement of the poor in urban areas.
6. Where private companies are allowed, in exceptional circumstances, to have access to land beyond prescribed ceiling, farmers must retain the ownership of the land and projects must be evolved in full transparency, with full democratic participation at the level of the Gram Sabha and with informed consent of the affected people in regard to the terms of such arrangement including compensation and benefit sharing.
7. The Land Acquisition Act of 1894 has become the instrument of corporate land-grab and commodification of land. The Land Acquisition Act must be amended to ensure that:
 - Government does not acquire land for private companies;
 - Land Acquisition serves the public purpose which should be defined to mean those purposes by which government will bring into effect the Directive Principles of State Policy under the Constitution;
 - Land acquisition
 - ◆ is based on transparent, informed, democratic process ;
 - ◆ is carried out with the consent of the representative bodies such as Gram Sabha;
 - ◆ is preceded by a statutorily established procedure which will ensure open and thorough examination by independent experts and peoples' representatives of all aspects including:

*Adopted at the National Conference on Land Sovereignty on August 18, 2007 organised by Bhu Swaraj Movement, chaired by late V.P. Singh, former Prime Minister of India and co-convened by S.P. Shukla, former Ambassador to GATT and Dr. Vandana Shiva, Founder Director, Navdanya.

- a. the availability of least displacing alternatives;
 - b. the minimal area requirement for a given purpose;
 - c. the assessment of the economic and social impact on all the affected categories of persons including landless labourers and cattle grazers besides the owners of the land; and
 - d. the environmental impact.
- Where land is acquired through public consent for public purpose, the precondition of such acquisition should be that dispossessed must be given land for land or failing that a compensatory package which should fully take into account the replacement value of land acquired, the compensation for the loss of livelihood and economic security, and the trauma of displacement.
 - Where forest or government land is acquired for industrial or mining purposes, all those traditionally dependent on such lands including especially the adivasis and dalits must be compensated for their loss of livelihood, economic security and habitat and the trauma of displacement. Determination and implementation of such compensation must be a precondition of such displacement.
8. There is no justification for the SEZ Act. Western European countries, USA, Japan and many other developing countries achieved growth without such a draconian, thoughtless and pro-corporate capital legislation. In China where it is considered to have unleashed growth, the land is not transferred to the corporates and continues to vest in the state and the total number of such SEZs is only six. India has reached the present stage of development without it. The SEZ Act is anti-peasantry, anti-rural poor, anti-labour and anti-environment. It will also be a huge drain on the public exchequer.

It is pro-big companies, pro-rich and pro-speculative finance capital. At best, it is intended to create islands of affluence for the benefit of a handful of rich, with no social, financial and legal accountability. At worst, it would end up in unprecedented speculation in land and real estate, only benefiting indigenous and foreign speculative finance capital. The SEZ Act must be scrapped lock, stock and barrel.

9. The use of violence by the state to forcefully appropriate the land of farmers has no place in a democracy and is violative of the fundamental rights of citizens guaranteed in the Constitution.



Land Wars and the Great Land Grab

"The Earth upon which the sea, and the rivers and waters, upon which food and the tribes of man have arisen, upon which this breathing, moving life exists"

– Prithvi Sukta, Atharva Veda

Land is life. It is the basis of livelihoods for peasants & indigenous people across the Third World and is also becoming the most vital asset in the global economy. As the resource demands of globalization increase, land has emerged as a key site of conflict. In India, 65 percent of the people are dependent on land. At the same time a global economy, driven by speculative finance and limitless consumerism, needs the land for mining and industry, for towns, highways, and biofuel plantations. The speculative economy of global finance is hundreds of times larger than the value of real goods and services produced in the world. Financial capital is hungry for investments and returns on investments. It must commodify everything on the planet – land and water, plants and genes, microbes and mammals. The commodification of land is fueling the corporate land grab in India, both through the creation of Special Economic Zones and through foreign direct investment in real estate.

Land, for most people in the world, is Terra Madre, Mother Earth, Bhoomi, Dharti Ma. The land is people's identity; it is the ground of culture and economy. The bond with the land is a bond with Bhoomi, our Earth. 75% of the people in the Third World live on the land and are supported by the land. The Earth is the biggest employer on the planet. 75% of the wealth of the people of the south is in land.

Colonization was based on the violent take over of land. And now, globalization as recolonisation is leading to a massive land grab in India, in Africa, in Latin America. Land is being grabbed for speculative investment, for speculative urban sprawl, for mines and factories, for highways and expressways. Land is being grabbed from farmers after trapping them in debt and pushing them to suicide.

In India, land grab is facilitated by the toxic mixture of a colonial Land Acquisition Act of 1894, the deregulation of investments, and commerce through neo-liberal policies, and with it the emergence of the rule of uncontrolled greed and exploitation. It is facilitated by the creation of a police state and the use of colonial sedition laws which define defense of the public interest and national interest as anti-national.

The World Bank has worked for many years to commodify land. The 1991 World Bank structural adjustment reversed land reform, deregulated mining, roads, ports. While the laws of independent India to keep land in the hands of the tiller were reversed, the 1894 Land Acquisition Act was untouched.

Thus the state could forcibly acquire the land from the peasants and tribals and hand it over to private speculators, real estate corporations, mining companies and industry.

Across the length and breadth of India, from Bhatta in Uttar Pradesh to Jagatsinghpur in Orissa to Jaitapur in Maharashtra, the government has declared war on our farmers, our annadatas, in order to grab their fertile farmland.

Their instrument is the colonial Land Acquisition Act of 1984 used by foreign rulers against Indian citizens. The government is behaving as the foreign rulers did, appropriating land through violence for the profits of corporations- JP in UP for the Yamuna expressway, POSCO for Orissa and AREVA French company in Jaitapur, land grab for private profits and not for public purpose by any stretch of imagination is rampant in the country today.

These land wars have serious consequences for our democracy, our peace and our ecology, our food security and the rural livelihoods. The land wars must stop if India is to survive ecologically, democratically and as a civilisation.

While the Orissa government prepares to take over land of people in Jagatsinghpur, who have been involved in a democratic struggle against land acquisition since 2005, Rahul Gandhi makes it known that in a similar case in Bhatta UP he stands against forceful land acquisition. The Minister of Environment Mr. Jairam Ramesh admitted that he gave the green signal to pass the POSCO project under great pressure. One may ask pressure from whom? This visible double standards when it comes to the land question in the country must stop.

In Bhatta Parsual Greater Noida (UP) about 6000 acres land is being acquired by infrastructure company Jaiprakash Associates to build luxury townships and sports cities, including a Formula 1 race track, in the garb of building the Yamuna Expressway. In total the land of 1225 villages is to be acquired for the Express Way. The farmers have been protesting this unjust land acquisition and last week 4 people have died and many have been injured during a clash between the protestors and the police on May 7, 2011. If the government continues its land wars in the heart of India's bread basket their will be no chance for peace.

In any case, money cannot compensate for the alienation of land. As 80 year Parshuram who lost his land for the Yamuna Expressway said "you will never understand how it feels to become landless" (quoted in Road to Disaster, Down to Earth, June 1 – 15, 2011, p.39).

While land has been taken from farmers at Rs. 300/sq.meter by Government using the Land Acquisition Act, it is sold by developers at Rs. 600,000/sq.metre – a 200,000% increase in price and hence profits. This land grab and the profits contribute to poverty, dispossession and conflicts.

Similarly in Jaitapur, Maharashtra police opened fire on peaceful protestors demon-

strating against the proposed Nuclear Power Park at Jaitapur, Ratnagiri, Maharashtra. One person died and about 8 were seriously injured on 18th of April 2011 when this incidence took place. The Jaitapur nuclear plant will be the biggest in the world and is being built by the French company AREVA. After the Fukushima disaster the protest has intensified as has the governments stubbornness.

Today a similar situation is brewing in Jagatsighpur Orissa where 20 battalions have been deployed to assist in the anti-constitutional land acquisition to protect the stake of India's largest FDI – the POSCO Steel project. The government has set the target of destroying 40 betel farms a day to facilitate the land grab. The betel farms bring the farmers an earning of rupees 4 lacs an acre. The Anti POSCO movement in its 5 years of peaceful protest has faced state violence numerous time and now is gearing up for another perhaps final non-violent and democratic resistance against a state using violence for its undemocratic land grab for corporate profits, overlooking due-process and constitutional rights of the people.

The largest democracy of the world is destroying its democratic fabric through the land wars. While the constitution recognizes the rights of the people and the panchayts to democratically decided the issues of land and development the government is giving a go-by to these democratic decision as is evident from the POSCO project where three panchayts have refused to give up their land. The use of violence and destruction of livelihoods that the current trend is reflecting is not only dangerous for the future of Indian democracy but the survival of the Indian nation state itself. Considering that today India may claim to be a growing or booming economy but yet is unable to feed more than 40% of its children is matter of national shame. Land is not about building concrete jungles as proof of your growth and development but is the progenitor of food and water, a basic for human survival. It is thus clear what India needs today is not a land grab policy through an amended colonial land acquisition act but a land conservation policy which conserves our vital eco-systems such as the fertile Gangetic plain and coastal regions for their ecological functions and contribution to food security.

Handing over fertile land to private corporations who are becoming the new zamindars cannot be defined as public purpose. Creating multiple privatized super highways and expressways does not qualify as necessary infrastructure. The real infrastructure India needs is the ecological infrastructure for food security and water security. Burying our fertile food producing soils under concrete and factories is burying the country's future.

Dr Vandana Shiva

June 2011

Contents

CHAPTER 1: LAND GRAB THROUGH SEZs IN INDIA	1
1.1 INTRODUCTION	1
A. What is an SEZ?	2
B. Amendments in the SEZ Rules, 2006	4
C. Types of SEZ in India	5
1.2 SEZs MYTHS AND REALITY	9
1.3 SEZ, LAND GRAB AND ATTACK ON EARTH DEMOCRACY	12
1.4 ZONE WISE ASSESSMENT OF SEZs AND ITS IMPACT	17
A. NORTH ZONE	20
a. Corporate State Nexus Exposed: The Struggle against Reliance Plant Dadri (U.P)	21
b. Commodification of Land: The Reliance-HSIIDC SEZ in Jhajjar-Gurgaon (Haryana)	24
c. Cost of Development: Agriculture Vs Real Estate, The Case of Gagret SEZ Himachal Pradesh	27
B. SOUTH ZONE	28
a. Mahindra World City- Kancheepuram (Near Chennai)	29
b. Misleading Public Consultation: The Green Industrial Park SEZ: Case of Study Polepally (Andhra Pradesh)	33
c. Land Grab and Environmental Impact of Mangalore SEZ Karnataka	35
d. Nokia SEZ: Public Cost of Private Profit	36
C. EAST ZONE	37
History of Salim Group	38
The SEz at Nandigram – Haldia Near Kolkata	39
D. WEST ZONE	42
a. The Case of Mundra SEZ (Gujarat)	43
b. People’s Victory against SEZ Regime in Goa	46
c. Corporate Oligarchy Vs People’s Democracy: Raigarh a Ray of Hope against Reliance	47

CHAPTER 2: REAL ESTATE LAND GRAB AND URBAN SPRAWL	49
2.1 INTRODUCTION	49
2.2 URBANIZATION, GROWING CITIES IN INDIA:A THREAT TO EARTH DEMOCRACY AND PEOPLE’S DEMOCRACY	53
2.3 REAL ESTATE, FDI AND LAND SCAMS	58
A. Real Estate and the 2G Scam	61
B. Retail, Realty and FDI- The Unholy Trinity	62
2.4 A. National Capital Region – DELHI	68
B. Commonwealth Games and Land Scam	74
C. Gurgaon: The Delhi Land and Finance (DLF) Story	76
D. Yamuna Express Way	79
E. Creation of Greater Mohali and Acquisition of Land for Urbanization	80
2.5 BANGALORE – THE SILICON VALLEY OF THE EAST	87
2.6 MUMBAI METROPOLITAN REGION & PUNE	95
A. Adarsah Housing Scam 2010	97
B. Pune	98
CHAPTER 3: LAND GRAB FOR MINING AND INDUSTRIES	100
3.1 Development, inclusive growth and democracy	104
3.2 The State as a corporate agent: Resource exploitation, resistance and repression	105
3.3 The Independent: People’s Tribunal on Land Acquisition, Forced Displacement and Operation GreenHunt	107
The Nine Imperatives for defending tribal rights against land and resource grab	113
3.4 Liberalization and the scramble for resources: Accumulation by encroachment, displacement and the creation of Indian billionaires	113
3.5 Institutionalizing Loot: Policy amendments and the commodification of nature	118
3.6 The global connection: International players, finance and resource plunder	119
CASE STUDIES	
1. LIMESTONE AND CEMENT	
a. Lafarge’s operations and land alienation in Meghalaya	120
b. Integrated Cement Plant & Mining in Jaintia Hills	127
c. Proposed Greenfield Project, Mandi, Himachal Pradesh	129
d. Testimonies from Chattisgharh	131

2.	BAUXITE AND ALUMINIUM	
a.	The Case of Vedanta in Niyamgiri	136
b.	Report on Policy Dialogue: Niyamgiri, a test case for the defense of our forests and tribals	142
c.	Niyamgiri: a victory for our forests, tribals and democracy	146
d.	Broader Implications: The Aluminium industry, environment and overconsumption	146
3.	IRON AND STEEL	
a.	POSCO Project in Orissa	148
b.	Gopalpur Tata Steel Plant	166
	(i) The Pipalanka Dam	168
	(ii) The Mines in Mamkadhacha – Baliapahar Area	169
4.	KALINGANAGAR INDUSTRIAL COMPLEX – ORISSA	170
5.	TATAS NANO PLANT AT SINGUR, WEST BENGAL	173
6.	JAITAPUR: INDIA'S NUCLEAR AMBITIONS CLASH WITH DEMOCRACY	176
7.	POLICY SCENARIO ON LAND ACQUISITION, MINING, REHABILITATION AND RESETTLEMENT	181
a.	National Mineral Policy 2008	181
b.	Mines and Minerals Development Regulation Bill 2011	182
c.	Land Acquisition Act 1984 – Land Acquisition Amendment 2009 (New Amendment to be tabled in Parliament 2011 Monsoon session)	183
d.	National Rehabilitation and Resettlement Policy 2007	185
e.	Resettlement and Rehabilitation Bill 2009	186
f.	NAC on National Development, Land Acquisition, Resettlement and Rehabilitation Act	187
g.	The Draft National Land Acquisition and Rehabilitation and Resettlement Bill, 2011	188
	CONCLUSION:	189
	Land Grab and the Threat to People, Environment and Democracy	



**Navdanya/Research Foundation for Science,
Technology and Ecology**

A-60, Hauz Khas, New Delhi-110016

Tel.: 91-11-26532561, 26968077

E-mail: navdanya@gmail.com, vandana.shiva@gmail.com

Website: www.navdanya.org