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An Electronic Networking for Sustainable Development in Kashmir

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Resettlement and Rehabilitation of People Problems and concerns

Dal Lake Dev.& Conservation Project Sgr,

Background :

Resettlement and Rehabilitation is one of the most serious problems posed by the developmental activities . Among other developmental activities , Dam construction have so far ousted 30 million people across the world . Most often, "oustees" are poor or indigenous people who often leave behind productive farms and ancestral homes, though these groups pay the social and environmental costs of dam construction, they don't receive the benefits. The Aswan High Dam ousted

100,000 people, according to the World Bank, and the planned Three Gorges Dam in China, a 600-foot-thick, mile-wide project so large it will be visible from outer space, will expel 1.3 million people from the area. Twenty years after (about 90,000) people were relocated for hydroelectric power projects in Ghana, none of them could be found. They'd migrated to cities, or died

Causes of Relocation:

There are various factors which contribute to the large scale displacement of human settlements. However below mentioned factors are major ones: -

- *Developmental Activities* includes construction of dams, roads, railway tracks, airports , ports , urban expansion, electrification (towers etc.), irrigation and canals etc.,
- *Disasters* may be natural or man made. Natural disasters includes earthquake, floods, droughts, landslides, avalanches, volcanic eruptions, forest fires etc. ,. While man made include industrial accidents , nuclear accidents , dam burst , shelling etc.,.
- *Conservation initiatives* include protection of wildlife , forests , water body conservation (projects include establishing national park , sanctuary , forest reserve , biosphere reserve , lake conservation etc,.) or for pollution control purposes such as displacement of human populations

from industrial areas or around sewage treatment plant (STP)etc.,

Resettlement :

Resettlement is simple relocation or displacement of human population without regard to their individual , community or societal needs . Process does not focus on their future welfare ; how or whether they would find employment, receive education and health care, retain their cultural and societal identity; ensure their safety and social continuity. It was not uncommon for the displaced peoples to be placed in habitational settings foreign to their cultures: or to be located in proximity to other peoples with whom they had no affinity or even long-standing enmity." Because of these flaws settlement schemes have a high failure rate around the world. In other words , resettlement involves simply implantation of displaced human population to a new place .

Rehabilitation:

It involves replacing the lost economic assets , rebuilding the community system that have been weakened by displacement , attending to the psychological trauma of forced alienation from livelihood .

The R&R of human population is a dynamic process, its implementation and execution have necessarily to remain flexible and answer to the call of foreseen

and unforeseen situations . No hard and fast rules of the plan can be prescribed.

Case Study

Dal Lake Development and Conservation Project

Srinagar, J&K

Why to conserve Dal Lake :

Dal Lake being world famous urban recreational site, has contributed significantly in the socio- economic development of Kashmir valley. Our economic activities are associated with tourism development; Dal Lake has always being greatest attraction for tourism development. However, due to ill urban development coupled with lack of sustainable development in tourism sector has posed detrimental effects on the very existence of Dal Lake – Heritage of Kashmir Civilization accordingly as per recent scientific estimations life of Dal Lake is 154 +/- 12 years if no conservation measures are not taken at all.

- Dal lake has shrunk from 75 Sq. Kms (1880) to 10.5 sq.kms (2004)
- 25-30 MLD of sewage finds its way into the lake annually
- The maximum total coliform numbers range from 640-2400 + MPN/100
- Pollution Load at Non Point Source is 55% and at Point Source 25%
- Net inflow of the nutrients every year is about 15 tons (P) and 322 tones

(N)

- 40,000-50,000 tons of dead and allochthonous material are added every year.
- Weed and silt problems are changing status of Dal lake every day .

Accordingly, since 1971 under various nodal agencies or departments , conservation activities have been initiated . In 1997 , under National Lakes Conservation Programme , central Govt. took up the project on the basis of 100% financing of conservation components asking J&K Govt. to finance the rehabilitation. It is worthwhile to mention that the Dal Lake conservation and management programme comprises two equally important components viz conservation component & rehabilitation component.

Why to Displace Dal Dwellers?

It needs to be realized that of many factors responsible for the degradation of lake , the Dal dwellers , a population of more than 50,000 that live in the Lake's 111 hamlets, 320 families own Dunga Boat (Where they actually live) ; 758 own House Boats (For commercialization as tourist attraction) ; 3009 families in House (Hut) ; 5928 families in House (Pacca) and among them just 2.11 % are fully aware about the problems of Dal Lake besides this they contribute in :-

- Discharging their wastes in to the lake
- Carrying on their cultivation practice for commercialization, using chemical

fertilizers and pesticides.

- Diverting land & water from prescribed or designated use
- Encroaching the extending land mass in to the lake
- Carrying out tourist development activities – Houseboats etc., which attract thousands of human populations across the globe , which also add to pollution.

Problems & Concerns of R&R in Dal Lake Conservation Project

Emotional issues :

No trauma could be more painful for a person and members of his family than to get uprooted from a place where they have lived for generations and to move to a place where he may be total stranger . And nothing could be more irksome than being asked to switch over to an avocation which they have not practiced before .

Its human beings and not material and inanimate objects that are involved . They have feelings , they cry and laugh , they can organize and also can show their anger . If not properly these peoples could even impede the progress of Dal development and conservation plan .

Displacement inevitably imposes "physiological, psychological and socio-cultural stress", Relocation can be a death sentence to a community. Even where planning

is effective, some (especially the aged) will never come to terms with their new homes. For them, the transition period ends only with death.

Emotional disturbance may be of individual importance as of memories of childhood, friendship, livelihood, home, relationship, religious practice and even of burial grounds. Emotions associated with community could be of cultural identity, religious get together etc.,. Accordingly those displaced human population (Dal Dwellers) feel powerlessness, alienation and disintegration of community structure and function.

There is no substitute to the emotional issues. But distress can be minimized a bit if displacement operation is not sudden and abrupt on short notice.

Legal Issues :

As per the common perceptions in the valley, Dal Dwellers are merely a population of encroachers and should be forcefully dislocated because there are no Acts and Laws that provide payment of compensation to the encroachers .

It is interesting to note that , section 133 (C) of Land Revenue Act , 1996 (1939 AD) and section 40 of J&K Agrarian Reforms Act 1972 recognizes the right of construction of buildings / dwelling house on encroached land and bar its eviction . In other words , it provides payment of compensation for building and land consequent to its acquisitions .

Section 206 of Municipal Act of 1976 also give some relief to the encroachers by providing that , if a period of more than three years has elapsed from the completion of the encroachment , no prosecution shall lie and nor shall encroachment structure be required to be removed or altered without payment of compensation.

There is urgent need of reforms in the legal setup , so that people can not use the deficiencies in legal setup for their benefits .

Land Acquisition Issues :

Among the Dal dwellers , total number area owned is 868.64 hectare , total land area cultivated is 309.99 hectare and total water area owned is 465.80 hectares .7355 families earn from lake itself .

Dal dwellers seek allotment of agriculture lands . Land for land has been the objective in the past . It was also possible to achieve this objective because surplus land was available for being allotted to the displaced families. However with the teaming population coming up and due to the process of urbanization there is too much pressure on land available in the Srinagar city. By and by land is becoming costlier day by day and is beyond the reach of middle class population. The land used by the Dal dwellers in the Lake are 10 times fertile than the catchment areas of the lake. Although If we keep a humanitarian approach and

allot them the land in the catchment area, then it is not advisable to garb somebody's bread and feed it to some one else who is also hungry. It may cause secondary displacement and even bitterness amongst the people.

Property Acquisition Issues :

As per the estimations , 50,000 human population called as Dal dwellers are residing in the Dal interiors in 111 mahallahs . 320 families own Dunga Boat (Where they actually live) ; 758 own House Boats (For commercialization as tourist attraction) ; 3009 families in House (Hut) ; 5928 families in House (Pacca) . It is here important mention, that several families own both dunga / houseboat or pacca/ hut houses . They must get appropriate compensation as per their property values. But a major problem has arisen , people for obtaining maximum out of nothing , show 5 or more than 5 families in one house . With which amount of compensation for property acquisition has increased many fold . Thus making more tough for the government to implement proper R&R package .

Transportation assistance:

In order to achieve smooth operation of R&R , Government must bear all costs of resettlement of human population and their movable assets which also includes live stock , dismantled building materials , agriculture produce , agriculture equipments from proposed displaced location to new location. Here as in case of Dal Lake , it is practically impossible to transfer dismantled building materials

from its present location to new location , because of inaccessibility . If leaved there may affect Dal lake's chemical and physical status.

Economical & Civic Issues :

Special package which may include loan for house construction. setting up of industrial growth centre's ,providing commercial shops /plots, priority in employment-age relaxation, special category may help the dislocated or displaced human settlements to safe guard their livelihood. It is practically impossible to provide special packages to the proposed displaced families because of present financial status of the state government, as rehabilitation is concern of State government and not to central government.

Proposed displaced family must be provided with standard civic facilities which shall include good number of primary health care facilities, recreational parks , better road network , excellent transportation facilities , modern educational setup, shopping complexes , construction of mosques ,etc.