

Social Aspects in Land Acquisition for Water Resources Project

Veradi, Jamnagar, Gujarat

Sector – Irrigation

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1. Background of Veradi-II Water Resources Project

The Veradi-II Water Resources Project is situated across River Veradi near village Verad of Bhanvad taluka of Jamnagar District. It is the second bridge in the series after Veradi-I, which is on the upstream of Veradi-II. The Veradi-II is constructed to store the overflow of Veradi-I. The gross storage of 226.65 Mcft. (dead storage being 11.76 Mcft and live storage is 214.89 Mcft.). The Cumulative Cultivable Area of the project is 1356 Ha.

The dam is composite type with 3100m long earthen dam, the maximum height being 12.51m and central masonry chute spillway of 175m length with 3.50m average flood depth and 1390 Cumecs flood discharge. The head work is completed in Dec 2001. The canal works are partially completed. The same could not be completed due to land acquisition problem. Now the land is acquired for canal works.

The detailed Technical Sanction for the work of construction of remaining excavation and C.D. work of Left Bank Main Canal and its left and right Minor is accorded by the Govt. vide letter No. RJP-2008-325-(11)-K-2 dated 18.1.2008 for Rs 71.40 Lacs. The D.T.P. for the above work is prepared for Rs. 69.31 Lacs. The same is under process for approval.

The latest estimated cost of the project is Rs 1184.00 Lacs. The expenditure incurred upto Feb 2008 is of Rs 1143.00 Lacs.

1.1 Process carried out by the irrigation department for Land Acquisition

The technical section of irrigation department prepares notification through clause 4 for the proposed project. The proposal is prepared for the required land. This proposal is passed through subdivision-irrigation, division-irrigation and Deputy Collector-Land Acquisition where the proposal is verified.

After verification, the LAQ Case number is allotted to the land required for the project. The joint measurement survey is carried out for the required land and valuation is done by irrigation department.

Clause 6 is prepared on the base of valuation and is sent to Gazette for approval. After getting the approval, clause 9 is prepared and the award is declared in which, the amount is finalized for each survey numbers. After award is declared, the payments are made to the farmers and the revenue possession being carried out for the project execution. If any farmer does not agree to the award amount, the amount is deposited to the revenue department. The concerned mamlatdar through revenue department deals with the farmers for the further process.

1.2 Government's Rational for Opting Negotiated Settlement

Based on the joint measurement survey details, the technical wing prepares valuation of the land as per current rate on government records. These rates sometimes are very less than the current market rates and farmers will not agree these rates. In this case, the process of land acquisition becomes very lengthy. To make this process faster and to finalise the land acquisition with win-win situation, government opts for negotiated settlement.

As described above, after preparing notification, government formed a committee for the negotiated settlement with the farmers. This committee was composed of finance minister, revenue minister and irrigation minister. This committee verified the proposal prepared by the irrigation department. Apart from several unstructured meetings with the farmers by irrigation and revenue department, total 10 structured meetings were held with the farmers at several stages of the process. There are two meetings with the following officials in the due course:

Deputy Engineer
Executive Engineer
Deputy Collector - LAQ
Additional Collector – LAQ, Rajkot
Meeting with Committee at Gandhinagar.

The timeline from starting to finishing is as follows:

The process of making proposal and valuation started in 1998	
February, 1999	The committee formed for the negotiated settlement
December, 1999	The farmers demanded Rs. 70000 per bigha
March, 2000	The proposal from division, sent to deputy collector December-2000: meeting held at government level and the rates are finalized
February, 2001	the rates are finalized officially as Rs. 51000 per bigha for irrigated land and Rs. 34000 per bigha for non-irrigated land. 3 years time was given to the farmers to agree on these rates.
The work completed partially in 2003 and fully in 2008	

2. Land Acquisition Process and Consent Award

- The total land acquired for the project is 222 Bigha. A total of 148 farmers were getting affected directly as their land was to be acquired. As per official records 19 cases for land acquisition were registered for compensating 148 farmers.
- The process for Land acquisition started in 1998 and was carried out in different phases. The villagers whose land was being acquired for the purpose were informed via notice from the Collector’s office.
- In Veradi-II project, consent award system was followed for land acquisition. The rate quoted by farmers was Rs 71,000 per bigha and that of the Government was Rs 41,000 per bigha. In Feb 2001, the final rate agreed was Rs 51,000 and Rs 34,000 per bigha for irrigated and un-irrigated land respectively.

- The whole process went smoothly without any hurdles except for 7 cases out of 19 in which the Government paid the compensation for unirrigated land whereas the farmers claim that it was irrigated land. 23 farmers whose land was under these 7 cases refused the compensation and went to the court. Their contention was that their land is irrigated land and that they will prove it with required documents from the Talati office.
- As the LA process has to be completed in 2 years and Government did not want to exceed that period, the farmers of 7 cases were given the regular award at the rate of Rs 17,500 per bigha, based on the amount decided if normal land acquisition process, as against consent system, had been followed. The farmers accepted this amount, but they filed an objection application in the court. Till date the farmers are fighting this case in the court.
- Out of 19 cases (148 farmers), therefore, 12 cases (125 farmers) accepted consent award and 7 (23 farmers) were given regular award.

3. Key findings of the meeting with farmers affected from LA process

The Verad village was visited to meet the farmers affected from the LA process. The Land Acquisition Officer (LAO) also accompanied during the visit.

Objective of the meeting

- Understand the proceeding for “land acquisition by Government”.
- Impact of the land acquisition process on farmers
- Participation of farmers and village level institutions in the process
- Understand required changes in the process from farmer’s point of view.

Methodology

- Meetings with Panchayat
- Meeting with individual farmers
- Observation
- Overview of secondary data
- Discussion with Government officials

Main findings

- The meeting of farmers with the Government to discuss about the LA was done at Gandhinagar in the presence of Government officers of concerned department, ministers of the relevant department and the local influential leaders of the Verad village. The representation from the village did not have any woman member in the meeting.
- In some instances, land of some farmers was not acquired but there have been impacts on the accessibility factors like roads. Assurance was given for providing alternate routes in case of loss of approach roads. But the same has not been done so far, thus posing problems to the farmers to access their lands.

4. Recommendations and Conclusion

- All project affected persons should be well informed about the project with complete information on land to be acquired and the project details.
- During the project execution also, regular meetings should be done with the villagers to inform about the progress of the project and reasons for delay so that the villagers understand Government's situation.
- The compensation given in the process often is very less compared to the market prices and meager to buy another land. On the contrary, the amount received is an easy lure for poor farmers who sometimes lack foresightedness. They see the immediate benefits from the money and end up spending it in a short period. With land gone and money spent, they sometimes become poorer than before.
- While recording the land for compensation, correct information should be entered regarding the type of land so that there is no dispute later when the compensation is made. This will help in the timely completion of the project also.
- The benefits of the project are also varyingly distributed amongst various sections of the community. In this case, the farmers having land around the submergence area will benefit most from the irrigation facilities. Whereas some have completely lost their land and do not have any other source of income.

5. Case studies

CASE STUDY I

Goganbhai Modhavadia was born and brought up in Verad village. Presently he is staying in the village with his family. His main source of livelihood is farm based activities from the land he owns in the village.

During the land acquisition process, Government acquired 12 and 22 bighas from two different survey numbers. The land surveyed was considered as irrigated land and the rate was decided as Rs 51,000 per bigha. But when he received the compensation, the amount paid was for the non irrigated land. He tried to prove the status of his land as irrigated by collecting required documents from the offices of Collector and Talati. The process took time and finally he got compensation under regular award. The amount he received finally is Rs 19,000 per bigha, Rs 9,000 per bigha as cost of land and rest as interest for the period it took till final settlement.

In this case the farmer had to suffer the loss due to improper recording of the information or lack of information during the land survey done by Government officials.

CASE STUDY II

Vasram Harijan is also a resident of Verad village. He was completely dependent on agriculture for his living. His whole land was acquired during the LA. The money he received as compensation was too less to buy another piece of land. He spent this amount on his daughter's marriage. Harijans in this village are mostly occupied in farm based activities. Therefore, Vasram does not possess any other skill for earning daily living. Today Vasram has no option but to work as unskilled daily wage laborer in the village.

CASE STUDY III

In another case Ujhamben Makadia lost her land completely in the LA process. She has only two daughters who got married and are settled in neighboring village. She was completely dependant on farming for her survival. The amount she received was less for buying another land. Today she has no income and depends on her daughters and villagers for her basic needs.

Annexure I

VERADI – II WATER RESOURCES PROJECT

Statement showing the Land Acquisition position, paid and to be paid for Veradi-II Water Resources Project.

No.	LAQ Case No.	Village Taluka	Position of LAQ Case	Total Land to be acquired for Scheme	Total land already acquired	Amount as per Final Award	Amount Paid as per Final Award	Nos. of Farmers
<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>	<i>6</i>	<i>7</i>	<i>8</i>	<i>9</i>
1	15/98	Sai-Develia	Final Award Declared	21-66-11	21-66-11	6638610	6638610	12
2	34/99	Sai-Develia	Final Award Declared	14-07-16	14-07-16	4048281	4048281	11
3	5/2000	Sai-Develia	Final Award Declared	20-15-33	20-15-33	6570748	6570748	12
4	6/2000	Sai-Develia	Final Award Declared	08-19-49	08-19-49	1676457	1676457	5
5	12/2000	Sai-Develia	Final Award Declared	13-42-56	13-42-56	3838298	3838298	11
6	13/2000	Sai-Develia	Final Award Declared	21-39-79	21-39-79	6945231	6945231	10
7	25/2000	Bodaki	Final Award Declared	09-71-23	09-71-23	2650749	2650749	7
8	13/2001	Sai-Develia	Final Award Declared	17-47-24	17-47-24	5471915	5471915	11

No.	LAQ Case No.	Village Taluka	Position of LAQ Case	Total Land to be acquired for Scheme	Total land already acquired	Amount as per Final Award	Amount Paid as per Final Award	Nos. of Farmers
9	10/2002	Sai-Develia	Final Award Declared	02-00-65	02-00-65	617203	617203	5
10	18/2001	Sai-Develia	Final Award Declared	08-55-92	08-55-92	2811152	2811152	5
11	14/2001	Sai-Develia	Final Award Declared	05-86-81	05-86-81	1930225	1930225	6
12	9/2002	Sai-Develia	Final Award Declared, but Court case going on	20-89-20	20-89-20	6903975	6903975	13
13	54/2003	Bodaki	Final Award Declared, but Court case going on	01-84-72	01-84-72	131574	131574	4
14	4/2003		Final Award Declared, but Court case going on	15-02-77	15-02-77	1642609	1642609	13
15	1/2003 11 (1) 1/2002 11 (2)	Sai-Develia Sai-Develia	Final Award Declared, but Court case going on	05-48-53 06-62-68	05-48-53 06-62-68	589691 1437885	-	10
16	55/2003	Sai-Develia	Final Award Declared, but Court	13-96-17	13-96-17	1576272	-	5

No.	LAQ Case No.	Village Taluka	Position of LAQ Case	Total Land to be acquired for Scheme	Total land already acquired	Amount as per Final Award	Amount Paid as per Final Award	Nos. of Farmers
			case going on					
17	131/03 11 (1)	Sai-Develia	Final Award Declared, but Court case going on	02-47-36	02-47-36	246526	-	4
	131/03 11 (2)	Sai-Develia	Final Award Declared, but Court case going on	00-80-94	00-80-94	171998	-	
18	19/05	Sai-Develia	Final Award Declared, but Court case going on	02-80-48	02-80-48	266898	-	2
19	32/05	Sai-Develia	Final Award Declared, but Court case going on	01-03-80		120462	-	2
20	New.	Sai-Develia & Bodaki	Final Award Declared, but Court case going on	08-51-06			-	-
	Total			222-00-00	213-48-94	56286759	51877027	148