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A Deep Dive into the Effects of Eminent Domain on victims of Land Acquisition in India

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Abstract:

In our modern civilized world, land acquisition for public purpose and development purpose is a regular practice. In the developing country like India, development and industrialization are one of the main focused areas of the government, which leads to a large number of land acquisitions. A high number of displaced people are created in this course of acquisition. The government's excessive interference in the acquisition process, fragile compensation policy and resettlement policies and low infrastructure lead the displaced people in more pathetic condition. In India the remedies provided in law to enforce right to property are guided by a set of predetermined factors. The factors are created lots of harassments to the evicted people and hampering basic rights as well as property rights of those people. Land owners had to go through a miserable situation. The Indian Constitution in its original form under Article 19 (1) (f) guaranteed to its citizens the right to property as one of the fundamental rights and Article 31 strengthened the right to property by constitutional restraint. Such provisions were replaced by 44 amendments to the Constitution by insertion of Article 300-A. Article 300 A confers the property right as a constitutional right. In the context of the Constitutional provisions and acquisition laws, if government for the public purpose finds any private land for the acquisition, then practically there are no other options left to the private owner to counter the decision and save the ancestral land. The prejudice policies of the government on the compensation etc. have been framed in such a way that a land owner gets transformed into a victim.

Key words: *Development induced victimization, victim of abuse of power, eminent domain, right to property, just compensation*

I. Introduction:

Different countries have their own laws and policies of land acquisition. In the developing countries like India, development and industrialization are one of the main focused areas of the government, which leads to a large number of land acquisitions. A large number of displaced people are created in course of such acquisition. Such displaced victims mostly share a common grievance of inadequate

compensation. The government's fragile resettlement policies and low infrastructure further adds misery to the life of displaced people. It leads to a pathetic state to such displaced people.

II. Concept of Eminent Domain:

The term "eminent domain" was adopted from the legal instrument —*De jure belli ac pacis* which is written by the Dutch jurist Hugo Grotius in 1625. Private Land can be used by the State in the event of need for the public. Under eminent domain, the sovereign power is founded upon the following two maxims.

- A. —*Salus populi est suprema lex* i.e., community interest is superior.
- B. —*Necessitas publicae major est quam privata* i.e., public interest is greater than private necessity. (Bhattacharyya, 2015)

There are three basic features of eminent domain.

- i. The State can acquire private property;
- ii. The State has authority to use the private property for public purpose;
- iii. State has an obligation to make just compensation to those whose lands are taken over.

III. International Perspective:

Every country has power over its land resources. This power is exerted differently by different nations. Different countries have used the word eminent domain in various terms, i.e., acquisition, expropriation, compulsory purchase etc. In the United States and Philippines the power is adopted as eminent domain. In India, Malaysia, Singapore it is used as a land acquisition where as in the United Kingdom, New Zealand, Republic of Ireland it is used as a compulsory purchase. In Hong Kong, Uganda the term is referred to as resumption. In Australia it is referred to as resumption and compulsory acquisition. It is used as expropriation in France, Italy.

Right to property provides the holder an exclusive power over an object against the entire world. The right is not free from restrictions. Various countries have adopted the right to property in their laws. The right has been recognized in various international documents i.e., Article 17(1) and 17 (2) Of the Universal Declaration of Human Rights, 1948; Article 17(1) of the International Convention on Civil and Political Rights, 1966; Article 5 and 16 of the International Convention on the Elimination of All Forms of Racial Discrimination, 1979; the Convention on the Status of Refugees, 1951; the Convention on the Protection of the Rights of All Migrant Workers and Members of their families, 1990. Various regional documents exist to provide right to property in their state i.e., Article 14, 13 and 21 of the African Charter on Human and Peoples' Rights, 1981; Article 23 of American Declaration of

the Rights and Duties of Man and American Convention on Human Rights; Article 1 of Protocol I to the European Convention on Human Rights, 1953

In India, the Constitution in its original state adopted the right to property as a fundamental right, but after the 44th Constitutional amendment in the year 1978, the right to property as a fundamental right was repealed. Currently, right to property is a constitutional right under Article 300A of the Constitution of India,

IV. Domestic Laws:

In India first land acquisition law was enacted in the year 1824 i.e., Bengal Regulation I of 1824. Thereafter various statutes and regulations relating to acquisition were enacted and repealed, and finally the Land Acquisition Act, 1894 was passed in 1894. The Act has failed to serve the Constitutional intent, and after a long time in the year 2013 a new law has been enacted i.e., The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. But the Act has many drawbacks as it is inadequate to provide remedy to the displaced people. At present there are four provisions in the Constitution, i.e., Article 31A, 31 B read with Ninth Schedule, 31C and 300A dealing with property rights and eminent domain. Our Constitution has given more emphasis to the interest of public and the interest of the individual has less importance. 1st Amendment to the Constitution of India added the 9th schedule and Article 31-B to the Constitution of India to protect the laws relating to land reforms from being struck down by the court. 1st, 4th, 7th, 17th, 25th, 40th, 42nd & 44th, amendments added a lot of legislations in the 9th schedule. In the various cases¹ the provisions were challenged. Land acquisition is a known phenomenon all over the world. This power of government connotes the state's legitimate capacity to seize individual private property for public uses and for only compensation. Different countries all over the globe practice —Eminent Domain¹ in their own way, which eventually gives a large number of displaced people to the society. India is also having land acquisition process and practice all through its territory. Land acquisition by sovereign authority is being practiced since ancient India through various other names and practices. Ancient Vedic rulers used to practice Ashvamedha Yajna to acquire land. The land acquisition by exercising eminent domain power by the government had been legally recognized since the colonial era. The first acquisition law in India was enacted in the year 1824, i.e., Bengal Regulation I of 1824. In the year 1894 a general acquisition law, i.e., the Land Acquisition Act, 1894, had been implemented. After independence with the Land Acquisition Act, 1894, various state governments had their own state laws of dealing with land acquisition policies. Since independence, various state governments started enacting various acquisition laws for their territory and then, started inserting the laws in the Ninth Schedule of the Constitution of India.

The colonial legislation of 1894 had not been serving proper legislative intent and had failed to be in conformity with Constitutional provisions. To remedy the ambiguity and various lacunas in the aforementioned law, The Act of 2013 came into existence and made certain changes in the process of acquisition and method of calculating compensation etc. The aforesaid Act has made various other changes like definition of —public purpose¹, inclusion of provision for social impact assessment, rehabilitation and resettlement policy etc., but on analyzing the law, it is realized that it still lays scope for future modification in the administrative and legislative structure in order to ensure justice. After the enactment of the Act of 2013 the government is acting like a middle man for the corporate giants.

V. Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Amendment) Ordinance, 2014:

In December 2014, the Government has promulgated an Ordinance that has amended the Act of 2013. The following are the list of amendments made by the Ordinance, 2014:

- Amendment of sub clause (i) of clause (b) of sub section (1) of section 2 referred that — public purpose¹ shall include infrastructure projects including —private hospitals¹ and¹ private educational institutions¹.
- The amendment further referred that the —consent Clause¹ as mentioned in first proviso of clause (b) of sub section (2) of section 2 shall not be applicable for acquisition for projects, for national security or defence, rural infrastructure, housing for poor people, industrial corridor and social infrastructure projects. In this regard a new section i.e., section 10 A has been inserted by the amendment. The provision has exempted certain projects from social impact assessment, consent clause and review clause.
- A second proviso to sub section (2) of section 24 has been inserted by the amendment. The provision has exempted the period of stay order or injunction order in computing the period of five years as mentioned in the first proviso to sub section (2) of section 24.
- Amendment to section 24(2), the retrospective clause has also been made.
- Amendment to section 87 referred that, —Where an offense under this Act has been committed by any person who is or was employed in the Central Government or the State Government, as the case may be, at the time of the commission of such alleged offense, no court shall take cognizance of such offense except with the previous sanction of the appropriate government, in the manner provided in section 197 of the Code of Criminal Procedure.
- Amendment to section 105 (3) referred as, —The Provisions of this Act relating to the

determination of compensation in accordance with the First Schedule, rehabilitation and resettlement in accordance with the Second Schedule and infrastructure amenities in accordance with the Third Schedule shall apply to enactments relating to the land acquisition specified in the Fourth Schedule with effect from 1st January 2015

- As per section 101 of the Act of 2013 if land acquired remained unused for a period of time, it shall be returned to the owner. The Ordinance alternatively allows the Government to provide for another period.

To replace the Ordinance of 2014, another Ordinance promulgated in the year 2015. Again another ordinance i.e., The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Amendment) Second Ordinance, 2015 was promulgated on 30th May 2015 (The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Amendment) Second Ordinance, 2015) to replace the previous one. The replacement Bill was referred to Joint Parliamentary Committee on 12th May 2019 for detailed examination. (<https://prsindia.org/billtrack/the-right-to-fair-compensation-and-transparency-in-land-acquisitionrehabilitation-and-resettlement-second-amendment-bill-2015>, n.d.) As per the available data in the government public domain electronic records, the Joint Parliamentary Committee has been given an extension up to the last day of the session 2019. To remove the difficulties arose from above situation the Central Government in compliance with existing law has made an order. (Right to Fair Compensation and Transparency in Land Acquisition) The order has been commenced on the first day of September 2015.

VI. Impact of Eminent Domain in India:

In this acquisition process most of the displaced people are being transformed from a land owner to a victim. In the process they suffered economically and socially to maintain their basic needs of life. The children of these displaced people are losing their opportunities from their ancestral land. The compensation amount which the government provides is far below the need for resettlement. Displaced people cannot purchase land to resettle themselves and start their new life.

A number of socio-economic impacts in India are caused by the removal of people from local habitats. Forced displacement has become a major challenge for displaced people. Many issues have been caused by forced displacement, including: landlessness; unemployment; food insecurity; homelessness; stigmatization; food insecurity; community displacement; lack of access to public property resources, etc. Weak resettlement plans and unsupported social care programmes have led to community deterioration. Acquisition and displacement contribute to economic instability and social insecurity. Women and children have been suffering a lot. The Indian Constitution provides equal rights for men and women. But Women's access to land largely depends on customs and personal laws

in India. Because of the existence of different personal laws in India there are different inheritance rules across the country. The succession laws are different under different personal laws. According to the 2010- 11 agriculture Census, in India, nearly a third of the farmers are women, but they own less than 10.34 per cent of the land, while 75 per cent of the female labour force is there.

The average land keeping size for women is 0.93 ha, compared with 1.18 ha for men. The displaced women face numerous challenges such as physical, social, financial, and health problems. Owing to resettlement, the women were considered to be the most affected one. They earn no money since they do not possess property rights on land. Under resettlement and rehabilitation programmes, women are not viewed equally from men. India has a lot of facts on displacement and violation. The demonstrations in Noida's Bhatta-Parsaul in the state of Uttar Pradesh, Narmoda Banchao andolon and many more are examples of violence. Nandigram dispute of West Bengal, in 2007 has been a great witness of violence. In Nandigram violence 14 people were killed while protesting the acquisition of 10,000 acres of land. Beside these, an immense acquisition took place across six states and three union territories in the Delhi-Mumbai Industrial Corridor. It spreads through six states as well as three union territories. Narmoda Banchao Andolon and Sardar Sarovar dam development violence, Singur violence, Tahiri dam project violence, Vabnagar incident etc., pointed out that the policy needs to be halted immediately. Beside the above mentioned issues there are other issues also. The development projects have always led to the exclusion of the original habitants and disorganization of the socio-cultural relations that have been established over the centuries. In most cases these displaced people became discouraged and became the downtrodden section of society. Negative consequences of displacement are not limited to socio-cultural areas but also economic issues are there. In most situations, the displaced have faced several forms of impoverishment: threats, destruction and dislocation of livelihoods and jobs, desecration of their ancestral sacred areas, tombs and places of worship, loss of shared property wealth etc.

VII. Judicial Responses:

PUNE MUNICIPAL CORPN. VS. HARAKCHAND MISIRIMAL SOLANKI

The most important issue involved in the case was the interpretation of Section 24(2) of the 2013 Act. The acquisition proceedings were challenged on the ground that it has violated section 5A of the Land Acquisition Act, 1894. The proceeding was also challenged on the ground of violation of section 7 of the Act. The High Court held that “the acquisition proceedings for the development of Forest Garden could not be initiated by the Commissioner with the mere approval of the Standing Committee without resolution of the General Body of the Corporation. The acquisition proceedings were also held bad in law for non-compliance with Section 7 and other statutory breaches. Inter alia, the High Court has

quashed the acquisition proceedings and gave certain directions including restoration of possession.” By feeling aggrieved by the order of the High Court, Pune Municipal Corporation filed an appeal before the Supreme Court.

The Apex Court held that “Section 24(2) also begins with a non-obstante clause. This provision has an overriding effect over Section 24(1). Section 24(2) enacts that in relation to the land acquisition proceedings initiated under the 1894 Act, where an award has been made five years or more prior to the commencement of the 2013 Act and either of the two contingencies is satisfied, i.e.; (i) physical possession of the land has not been taken or (ii) the compensation has not been paid, such acquisition proceedings shall be deemed to have lapsed. On the lapse of such acquisition proceedings, if the appropriate government still chooses to acquire the land which was the subject matter of acquisition under the 1894 Act then it has to initiate the proceedings afresh under the 2013 Act”.²

INDORE DEVELOPMENT AUTHORITY VS. MANOHAR LAL³

The important issue involved in the case is whether compensation “deposited” in treasury is proper and whether it would be treated as the compensation “paid” to the landowners. The issue involved with the interpretation of section 24(2), 24(1) (b) of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. Whether proviso of section 24(2) of the said Act is to be interpreted as a part of Section 24(1) (b)? The meaning of the word “paid” under Section 24(2) and the word “deposited” in the proviso of Section 24(2) were to be interpreted in the case. Another issue also involved in the case was that what will be the effect of refusal to accept compensation?

The present case has similarities with the Pune Municipal Corporation case. In the Pune Municipal Corporation case, it was held that “in case landowners are not willing to accept the compensation, the same has to be deposited in Court. Mere deposit of compensation in treasury cannot be regarded as payment as per Section 24(2). In other words, land acquisition proceedings under the 1894 Act will lapse.” This view was upheld in various cases nearly over three years but two judges’ bench of the Supreme Court in the present case questioned the correctness of the Pune Municipal Corporation case and sent the present case to the larger bench. The larger bench by 2:1 majority held the decision of the Pune Municipal Corporation case to be “per incuriam”. On the other hand, the minority decision consented to the Pune Municipal Corporation case.

The Apex Court held that “Under the provisions of Section 24(1) (a) in case the award is not made as on 1.1.2014 the date of commencement of Act of 2013, there is no lapse of proceedings. Compensation has to be determined under the provisions of Act of 2013.” The Court further held that, the expression „paid” in section 24(2) of the Act of 2013 does not include a deposit of “compensation”

in court. Consequently the majority of landowners shall be entitled to compensation as because they did not get compensation. The Court further held that, “landowners who had refused to accept compensation or who sought reference for higher compensation, cannot claim that the acquisition proceedings had lapsed under Section 24(2) of the Act of 2013.” The court stated that the proviso to Section 24(2) of the Act of 2013 is to be construed as part of Section 24(2) not part of Section 24(1) (b). The Court said that, while

KEDAR NATH YADAV VS. STATE OF WEST BENGAL⁴

In the year 2006 government of west Bengal acquired 997 acres of fertile agricultural land in Singur, West Bengal for the construction of the tata motors nano factory. The total cost of the project was Rs. 1,400 crores.⁵ The Singur is situated on Durgapur Expressway and about 90 km far from Kolkata. The land acquisition was made under the provisions of the Land Acquisition Act, 1894. Protest starts in Singur against the acquisition. In the Year 2007, Tata Motor starts construction work of the plant. Mass attacks Tata Motor's factory. It was thought that NANO production could be stimulated from Singur if violent behaviour continues. Tata Motors starts to get invitations from other states to relocate the factory. NANO project was being pulled from Singur to Gujarat. Due to land acquisition mainly six villages have been affected. The affected villages are Bajemelia, Beraberi, Gopal Nagar, Joymolla, Khaserbheri, and Singhaberi. There were 5000 households in these villages. There were near about 600 cultivators within these affected households. There are different types of cultivators like pure owner cultivator, pure tenant cultivator, mixed tenant cultivator etc, and agricultural workers are also there within the category of non-cultivators. The land acquisition in Singur resulted in social and economic hardship to a large number of people. The government has offered compensation to landowners.⁶ Most of the owners are rejected the compensation because of inadequacy and the land has not been categorized properly to determine market value.

On the issue of acquisition and compensation matter, Supreme Court adjudicated. The apex Court on 31st August 2016 has set a historical verdict on land acquisition and the court quashes Land Acquisition of 2006 saying that the due process of Law and procedures have not been followed and ordered Tata Motors to return the Land within 12 Weeks. A bench of Justice V Gopal Godwa and Justice Arun Misra has also directed that compensation paid to farmers would not have to be paid back and those who are cultivators, agricultural workers and non-cultivators also. A large number of landowners were under-compensated compared to market values. Tenants also did not get adequate compensation. Lastly, agricultural workers were not rewarded at all. All they have lost their financial security, land rights, social prestige even their basic right to livelihood had been infringed. The landowners and affected others have become victims of industrialization. The incident of land acquisition of 2006 has made a wretched memory to the people of Singur. The acquisition has broken the economic structure

of the area.⁷

SRI VENUGOPAL V R VS. THE STATE OF KARNATAKA (2017) 3 SCC 313

In the present case, petitioners challenged two notifications that were issued under the Karnataka Industrial Area Development Act, 1966. The notifications were issued to acquire various plots of land. Petitioners challenged the notices issued under sections 9 & 10 of the Land Acquisition Act, 1894. This Court allowed the petition and quashed notifications. This order was challenged by the aggrieved. In that respect, writ appeals were allowed setting aside the order of learned Single Judge. The Court further ordered that landowners who had not received compensation during the pendency of the writ petition shall be paid compensation. The compensation will be based on the market value. Market value is to be obtained as on the date of final notification. Against the said order of Division Bench, a special leave petition was filed. The special leave petition was dismissed by order dated 18.01.2016. The possession of the lands has not been taken and the fact is showing that the final award has not been passed.

Petitioners contended that the whole acquisition proceedings stand lapsed under Section 24(2) of the Act of 2013. The Apex Court held that provisions of Section 24(2) of the Act of 2013 have no application to the provisions of the Karnataka Industrial Area Development Act, 1966. The Court stated that “therefore, a challenge made to the Acquisition Proceedings on the said ground is not sustainable.” The Court further held that the contention of the petitioners that the acquisition proceedings have stood lapsed because of unreasonable delay in action and in award making and the authority has also delayed in paying compensation are to be considered seriously. The Court stated that “The delay in passing the award in the instant case is not 3 years or 4 years but it is 7 years from the date all hurdles were cleared by the decision of the Division Bench.” The Court further stated that “In view of the above rulings, I have no hesitation in holding that the entire acquisition proceedings, in this case, have been abandoned and lapsed due to the inaction.” The acquisition proceedings are confirmed as lapsed.⁸

VIII. Development induced Displacement and Victimization:

Table.1 Worldwide Projects and Displacement in 1991

Region	Projects	Percentage	People	Percentage
Latin America	13	8.9	1,80,000	9.1
Europe	5	3.4	27,000	1.4
East Asia	58	39.7	588,000	30.0
Middle East	7	4.8	32,000	1.6

South Asia	29	19.9	1,024,000	52.1
Africa	34	23.3	1,13,000	5.8
Total	146	100	1,963,000	100

Source: World Development Environment Department report 1996.⁹

The figure in the first column specified the region. The statistic in column two represents the number of projects for development and the proportion of projects for development in column three. The number of displaced people is shown in fourth column and the proportion of them is shown in fifth column.¹⁰ In a report, World Health Organization stated that the construction of massive dams has contributed to the displacement of about 40 to 80 million people worldwide.¹¹ More than 22 percent of development caused displacement per year resulted from urban infrastructure and transport programs.¹² The following table offers a statistic on the displacement in respect of projects since 1993.

Table 2 World Wide Project Wise Displacement of People in 1993

Category	Total Displacement	Percentage
Extraction, Mining	94000	4.8
Urban Infrastructure	443000	22.6
Dam, Irrigation Canals	1304000	66.4
Others	122000	6.2
Total	1963000	100

Source: <http://documents1.worldbank.org/curated/en/287241468766455768/pdf/multi0page.pdf>

The table indicates that roughly 66.4%, of total population displaced worldwide by constructing many dam buildings and irrigation canals. Then urban transport and infrastructure accounts for 22.6%, of the overall production of displacements. 4.8 percent displaced due to extraction and mining and 6.2% were displaced due to other development construction.¹³

An Involuntary Resettlement Portfolio Review (phase –II) report of the World Bank, submitted in 2014 revealed that development projects are carrying three categories of impacts worldwide on the displaced people. These are mentioned below.

- loss of property and other assets;
- Functional exclusion
- Loss of revenue and livelihood.¹⁴

The development and progress has only helped a tiny number, although millions of people pay the price

without profiting. Approximately, two hundred and thirteen lacks of people were displaced in India due to land acquisition. It is increasing frustration and, it shows the failure of the planner to provide the expected benefits. It indicates that the government has made effort which is too low to mitigate the suffering of displacement and to resettle the displaced in full. The main development projects which induce displacement in India are infrastructure projects, industrial corridors, public private partnership projects, projects for private companies, dam construction, mining activity, construction of roads, railways, port etc. This involuntary displacement converts the land owners to victims because the entire process lacks proper compensation policy, rehabilitation and resettlement policy and adequate planning. Consequently, India has witnessed several land acquisition agitations which are mainly due to the lack of proper structural policy of the government.

IX. Conclusions:

To summarize the study, the conclusion is derived as the development is need of hour and it cannot be compromised. What we need to ensure is a sustainable and balanced approach towards the same. So that the interest of the victims are not threatened, and compromised and at the same time socio-economic development of society does not get arrested for the same. Therefore, aforesaid modifications in the administrative and legislative structure are necessary in order to ensure justice to the victims of development - induced displacement. The basic rights, fundamental rights and natural rights of all concerned should be guaranteed and the state's approach should be focused on ensuring the same without any interruption at the cost of corruption, bureaucratization, politicization and criminalization.

End notes:

- ¹ Shankari Prasad vs. Union of India, AIR 1951 SC 458; Sajjan Singh vs. State of Rajasthan, AIR 1965 SC 845; Golak Nath vs. State of Punjab AIR 1967 SC 1643; Kesavananda Bharati vs. State of Kerala AIR 1973 SC 1461
- ² http://www.supremecourtcases.com/index2.php?option=com_content&itemid=99999999&do_pdf=1&id=44862 last visited on 6th June, 2023
- ³ SLP(C) No.-009036-009038 / 2016)
- ⁴ Judgment delivered on August 31,2016
- ⁵ <https://indianexpress.com/article/india/india-news-india/mamata-offers-land-but-tata-wants-her-to-pay-rs-154cr-compensation-for-singur-acquisition-3033594/> last visited on 6th August, 2023
- ⁶ http://ibread.org/bread/system/files/bread_ppapers/p035.pdf last visited on 5th August, 2023

- ⁷ <https://indiankanoon.org/doc/168057026/> Last visited on 23rd May 2021
- ⁸ https://www.livelaw.in/pdf_upload/pdf_upload-373144.pdf last visited on 6th June, 2023
- ⁹ <https://www.worldbank.org/en/publication/wdr/wdr-archive> last visited on 9th August, 2021
- ¹⁰ <http://www.shram.org/uploadFiles/20140305073042.pdf> last visited on 25th August 2020
- ¹¹ https://www.who.int/docstore/water_sanitation_health/vector/dams2.htm#:~:text=The%20report%20of%20the%20World,problems%20associated%20with%20their%20development. Last visited on 25th August 2020
- ¹² [https://ieg.worldbankgroup.org/topic/environment-and-naturalresources#:~:text=The%20World%20Bank%20Group's%20Environment,enhance%20ecosystem%20services%20\(such%20as](https://ieg.worldbankgroup.org/topic/environment-and-naturalresources#:~:text=The%20World%20Bank%20Group's%20Environment,enhance%20ecosystem%20services%20(such%20as) last visited on 25th August, 2020
- ¹³ <http://documents1.worldbank.org/curated/en/287241468766455768/pdf/multi0page.pdf> last visited on 25th August, 2020
- ¹⁴ <http://pubdocs.worldbank.org/en/96781425483120443/involuntary-resettlement-portfolio-reviewphase2.pdf> last visited on 25th August, 2020 Bio Profile of the Author: Assistant Professor School of Law Brainware University Barasat, West Bengal mailtoparamita84@gmail.com

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