

Chapter V

**Victims of Displacement vis-a-vis Civil
Rights of Internally Displaced Persons
in Sikkim**

CHAPTER - V

VICTIMS OF DISPLACEMENT VIS-À-VIS CIVIL RIGHTS OF INTERNALLY DISPLACED PERSONS IN SIKKIM

1. OVERVIEW

In the previous chapters an attempt was made to discuss the genesis of internal displacement, both in the international and national perspective. An attempt was also made to study various international instruments available for the protection of the human right of IDPs and also to study various national laws to protect the rights of this vulnerable group. A chapter has also been devoted to study the role played by the executive and judiciary to protect the human rights of the IDPs. The present chapter makes an effort to study the scenario of IDPs in Sikkim, i.e. whether there are any IDPs in Sikkim and if yes, what is the role played by the Government in protecting them.

To study the situation of displacement in Sikkim, the attitude of the people to the issue of displacement and their knowledge towards this growing problem, an opinion survey has been undertaken. The opinion survey, as a matter of fact, is also conducted to examine the 'legal awareness regarding internal displacement' in the four districts of the State of Sikkim, namely, East District (Gangtok), West District (Gyalshing), North District (Mangan) and South District (Namchi).

2. DISPLACEMENT SCENARIO IN SIKKIM

Sikkim is a land of dramatic contours with rugged mountains, deep valleys and dense forests consorting with glaciers, raging rivers and lakes and biodiversity hotspot. Located on the flanks of Eastern Himalayas, Sikkim was a hereditary monarchy till 1975, when it merged with India to become 22nd State of the Country. The State comprises of people who are, by nature, simple and God-fearing.

The State has not seen any major displacement. Apart from some stray incidents of displacement due to natural calamity (land slides), the term

'displacement' was almost non-existent in the State. But, of late, realizing its hydro-electricity potentials, the state has geared up to harness this potential. With this, the people have started voicing their fear of displacement, loss of livelihood as well as ecology and environment concerns.

Apart from power projects, large chunks of land along the river valley region are also being acquired by different industrial units, especially by the pharmaceutical companies. This has also created a fear psychosis amongst the people who fear getting exploited at the hands of these large companies. But in spite of this, the area of greater concern is, nevertheless, the power projects that are booming up, posing a great fear and threat of displacement.

The arguments used to justify large projects in Sikkim are the exploitation of the State's perennial water system to produce cheap, plentiful power for the nation; economic benefits through power export; employment generation; flood control; and little direct displacement of the local communities. However, several unique features of the State – the geological fragility and seismic activity; the unique tribal communities and their cultural and spiritual association with the river systems; their traditional natural resource-based livelihood; and biodiversity richness of the area pose a challenge to the conventional dam-building wisdom.¹

But before running into any conclusion, one has to analyze the social cost – benefit, that is to say, at what cost the benefit is accrued to the society. A project has to be acceptable only if the 'benefit side' is heavier than the 'cost side'. With this view in mind, when the researcher approached the Sikkim Power Development Corporation (SPDC in short), the researcher was told that the Government of Sikkim has allotted numerous hydro-electricity projects to private power developers. Most of these projects are located in the remotest corners of the State, where there is hardly any population/habitation. Further, all the projects being

1. Tsheten Lepcha, "Affected Citizens of Teesta – Teesta Hydro-electric Power Projects, Sikkim: Peoples' Perspective." Unpublished.

developed in the State are Run-of-the-River (RoR) type, i.e., there is no huge impounding of water. Only small dams are constructed to direct the water into tunnel. Since there is no huge storage of water, the submergence due to construction of the dam is minimal. As such, there is minimum impact to the surrounding environment as well as to habitation.

So far as Resettlement and Rehabilitation (R&R) is concerned, Sikkim does not have its own R&R policy. The R&R plan is generally prepared by the consultants of the project developers in consultation with the State Forest Department, in few cases, the R&R plan, which is a part of the Environment Management Plan (EMP) has been totally prepared by the State Forest Department. The EMP so prepared is then forwarded to the MoEF, Government of India for concurrence. Once the R&R plan including the EMP is approved by the MoEF, the developer of projects are required to provide fund to the Forest Department for implementation of the scheme as laid out in the EMP. The R&R Plan is also taken up by the State Government as per the details approved by the MoEF. The project developer has to provide the requisite fund for the same. The R&R plan varies from project to project based on project size, number of affected families, number of project oustees, location of the project, etc.

It is also claimed that in almost all of the projects being executed in Sikkim, there is nil displacement of people. To some extent, this may also be true, considering the habitation pattern of the people of this region. Normally, people reside only in the higher reaches in the hilly areas and there is hardly any habitation near the banks of river where the dams are constructed, as a result of which there is minimal displacement. When we look into the issue with this perspective the benefit accrued is definitely heavier than the cost paid. Especially so, when we compare the projects of this region with the projects that are being carried out elsewhere in the Country. Against this backdrop, an opinion survey was conducted in the form of structured questionnaire which has been analyzed in the foregoing pages.

3. SAMPLING UNIVERSE

An opinion survey has been conducted with the proposed sampling universe fixed at 200. Taking 50 people, from each district wherein representation of both females and males of different age group from each district has been taken into account. Survey has been conducted on the basis of structured interview method as well as by supplying structured questionnaire. The sampling design has, hence, been designated as Stratified Random Sampling Method. It is to be noted here that only literate/educated people are sample population who are taken into account for distribution of questionnaire. The questionnaire was distributed to four districts equally. The opinion survey in its final form has been presented in four tables; Table 5.1 to Table 5.5. While Table 5.1 to 5.4 represent East, West, South and North Districts respectively, Table 5.5 presents the scenario in Sikkim as a whole.

4. SAMPLE DESIGN

As mentioned above, the universe has been fixed at 200, with each district being fixed at 50 each. A comparative observation of the entire district is made which would make evident the situation prevalent in Sikkim as a whole.

The first question that was put to the respondents was "*Do you know what internal displacement is?*" The positive response to the question was East District - 92%, West District - 92%, South District - 72%, North District - 92% and the average for the whole State comes to 87%, that is to say, 87% of the respondents are acquainted with the term 'internal displacement'. The negative response to the question was - East District - 8%, West District - 8%, South District - 28%, North District - 8% and similarly, average for the State comes to 13%.

The second question that was put was '*Have you ever been subjected to internal displacement?*' The positive response to this question can be put as such,

East District – 34%, West District – 28%, South District – 20%, North District – 56% and average being around 35%. The negative response to this question in the East District was 66%, West District – 72%, South District – 80%, North District – 44% and in Sikkim as a whole, it was a little more than 65%.

The third question that was put was, “*Do you have the knowledge of any law/laws which protect IDPs?*” The percentage of respondents who said they had knowledge of such laws were-East District – 8%, West District – 12%, South District – 44%, North District – 0%. The percentage of persons who had no knowledge of such law was East District- 92%, West District - 88% South District - 96% and North District – 100%

What the opinion survey reveals is that though the respondents have a bit of knowledge about internal displacement, they do not know the existence of any law which protects the right of Internally Displaced Persons. Only 8% of the respondents residing in the East District have answered in the positive whereas no respondents in the North District have knowledge of any such law/laws. However, 12% of respondents residing in West District and 44% in South District have knowledge of law/laws that protect IDPs. In total only 16% of the respondents are aware of such law/laws.

The fourth question that was put to the respondent was, “*What is the major cause of displacement in Sikkim?*” To this question, four options were made available to the respondents, namely; *Natural Calamity; Armed Conflict; Communal Violence; Development Project.*

To this question 12% of the respondent in the *East district* feel that ‘natural calamity’ is the reason for displacement. On the other hand, 88% of the respondent in the same district are of the opinion that the cause of displacement is ‘development project’.

Similarly, in the *West District*, 12% of the respondents are of the opinion that 'natural calamity' is the reason for displacement. On the other hand, 4% of the respondents are of the opinion that communal violence is the reason for displacement and 84% of the respondents are of the opinion that 'development project' is the reason for displacement.

In the *South District*, 16% of the respondents are of the opinion that 'natural calamity' is the cause of displacement. On the other hand 84% of the respondents feel that 'development project' is the cause of displacement in Sikkim.

Again, in the *North District* 44% of the respondents are of the opinion that natural calamity is the cause of displacement and 56 % percent are of the opinion that 'development project' is the cause of displacement.

The fifth question that was put to the respondent was, "*Are you happy with the method by which land is acquired by the Government?*" The positive response to this question was; East District – 60%, West District – 48%, South District – 56%, North District –32% and the average being 44%. Similarly the total number of negative response to this question was, East District – 40%, West District –52%, South District –44%, North District –68% and the average is 56%.

The sixth question that was put to the respondent was, "*Do you agree with the view that rapid growth of development projects in Sikkim has helped people lead a better life than what was before?*" The response to this question in negative can be put up as; East District – 88%, West District – 76%, South District – 80% and North District – 64% and overall being 77%. Likewise, respondents who responded in positive were; East District – 12%, West District – 24%, South District – 20%, North District – 32% and average 23%.

The seventh question that was put to the respondent was "*Are you satisfied with the quantum of compensation that is being given to IDPs?*" The positive response to this question was; East District –56%, West District – 52%, South

District – 56%, North District- 32% and the average of which comes out to be 49%. The respondents who are not satisfied with the quantum of compensation can be tabled as; East District – 44%, West District – 48%, South District – 44%, North District- 68%, thereby averaging at 51%.

The next question that was put to the respondent was “*Is the Rehabilitation and Resettlement policy adapted by the government sufficient for the purpose?*” The positive response to this question can be put as; East District – 40%, West District – 48%, South District - 36%, North District –44% and overall – 42% .The total number of negative response to this question was; East District – 60%, West District – 52%, South District –64%, North District – 56% and overall – 58%.

The ninth question that was put to the respondent was, “*Are you happy with the employment that is being provided to the displaced persons*”. The negative response to this question was – East District – 68%, West District – 68%, South District – 68%, North District – 52% thereby averaging at 64%. Likewise, the percentage of positive response to this question was; East District – 32%, West District –32%, South District –32%, North District – 48%, average being 36%.

The tenth question that was put to the respondent was, “*Who is responsible for providing employment to the displaced persons?*” Three options were made available to the respondents, namely; *Government; Project Developers; Both*.

64% of the respondents in the East district feel that Government is responsible in providing job to the displaced family, 28% in the district feel that project developers are responsible for providing job and the rest of 8% believe that both government and project developers are responsible for providing job to displaced population.

In the West district, 52% of the respondents believe that government is responsible for providing job, 36% of the respondent believe that project developer

are responsible for providing job and the rest 12% believe that both government and project developers are responsible for providing jobs.

In the South District, 76% of the respondents believe that government is responsible in providing jobs to the displaced people, 20% of the respondents believe that project developers are under an obligation of providing job and only 4% of the respondents are of the opinion that both government and project developers are responsible in providing jobs.

Likewise, in the North District, the response went in this manner; 28% believe that Government is responsible for providing job, 36% of the respondents believe that Project developers should provide job to the displaced persons and the rest of 36% believe that both State Government and project developers should provide jobs to displaced persons.

The next question that was put to the respondent was, "*Which is a better alternative for rehabilitation of the displaced persons?*" Four alternatives available to the respondents were; *Monetary Compensation; Land Compensation; Employment; and All of the above.*

In the East District, 4% believe that monetary compensation is a better alternative, 4% believe that land compensation is a better alternative, 20% believe that providing employment is a better alternative and the remaining 52% believe that all the above option are a better alternative for rehabilitation of the displaced family.

Similarly, in West District, 12% of the respondents believe that land compensation is a better alternative for rehabilitation of the displaced persons; the next 16% believe that employment is a better alternative and the last 72% believe that a combination of the entire above alternative was best for the rehabilitation of the displaced persons.

Likewise, in the South District, 12% of the respondents were of the opinion that land compensation was the best alternative for rehabilitation, another 12% were of the opinion that employment was a better alternative and last 76% believe that a package of all the above option would be a better alternative.

Lastly, in the North District, 36% feel that land compensation is a better alternative, 16% believe that providing employment is a better alternative and the rest of 48% believe that a combination of all the three components would provide for a better alternative.

As such, the average response to the instant question is 1% monetary compensation; 16% land compensation; 21% employment; and majority 62% of the respondents feel that a package of all the above options is a better alternative.

The twelfth question that was put was, *“The Government’s duty is absolved once it gives away the amount of compensation to the victims. Do you agree with this view?”* The positive response to this question was, East District – 48%, West District – 32%, South District – 40%, North District-28% and overall – 37%. Likewise, the total number of negative response to this question was; East District – 52%, West District – 68%, South District – 60%, North District –72% thereby averaging at 63%.

The thirteenth question that was put to the respondent was, *“The ancestral land which the displaced persons part with cannot be adequately compensated in terms of money. Do you agree?”* The negative response to this question in the respective district was as follows: East District – 76%, West District – 48%, South District – 68%, North District –64% and average 64%. Similarly, the total number of positive response to this question was, East District – 24%, West District –52%, South District –32%, North District –36% and overall 36%.

The fourteenth question that was put to the respondent was, *“Do you think the State Government is successful in protecting the rights of IDPs?”* The negative

response to this question is East District was 76%, West District – 64 % South District – 68%, North District –80% and overall – 72%. Likewise, the total number of positive response to this question was, East District – 24%, West District –36%, South District –32%, North District – 20% and overall – 28%.

The last question that was put to the respondent was, “*If any injustice is being done to you, what do you do?*” Three options were made available to this question, namely; *go to court of law; go to political leaders; and arrive at a settlement on your own.*

In the *East District* 68% of the respondent feel that they would prefer to go to court for redressal of their grievances, 16% said that they would go to political leaders and last 16% preferred to arrive at settlement on their own.

In the *West District*, 80% of the respondent said that they would go to court for settlement of dispute, 4% of the respondent said that they would go to political leaders and the rest of 16% said that they would arrive at a settlement on their own.

In the *South District*, 84% of the respondent said that they would go to court, 8% said they would go to political leaders and the rest of 8% said that they would arrive at a settlement on their own.

Lastly in the *North District* the opinion was that 88% said that they would go to court, 4% said that they would go to political leaders and the rest 8% said that they would arrive at a settlement on their own.

Likewise, the State average was, 80% of the respondents preferred to go to court of law; 8% preferred to go to political leaders and rest 12% preferred to arrive at a settlement on their own.

The scenario discussed above has been reflected on the tables given in the foregoing pages.

Table 5.1: Opinion survey among the residents of East District

Q. No.	Questions to the Respondents	Yes	Yes %	No	No %
1.	Do you know what Internal Displacement is?	46	92	4	8
2.	Have you ever been subjected to internal displacement?	17	34	33	66
3.	Do you have the knowledge of any law/laws which protect the IDPs?	4	8	46	92
4.	What is the major cause of displacement in Sikkim?				
a)	Natural Calamity	6	12	-	-
b)	Armed Conflict	0	0	-	-
c)	Communal Violence	0	0	-	-
d)	Development Projects	44	88	-	-
5.	Are you happy with the method by which the land is acquired by the Government?	20	40	30	60
6.	Do you agree with the view that the rapid growth of development projects in Sikkim has helped people to lead a better life?	44	88	6	12
7.	Are you satisfied with the quantum of compensation that is being given to the IDPs?	28	56	22	44
8.	Is the Rehabilitation and Resettlement policy adopted by the Government sufficient for the purpose?	20	40	30	60
9.	Are you happy with the employment that is being provided to the displaced persons?	16	32	34	68
10.	In your opinion who is responsible for providing employment to the displaced persons?				
a)	Government	32	64	-	-
b)	Project Developers	14	28	-	-
c)	Both	4	8	-	-
11.	Which of the following is better alternative for rehabilitation of the displaced persons?				
a)	Monetary compensation	2	4	-	-
b)	Land compensation	2	4	-	-
c)	Employment	20	40	-	-
d)	All of the above	26	52	-	-
12.	The Government's duty is absolved once it gives away the amount of compensation to the victims. Do you agree with the view?	24	48	26	52
13.	The ancestral land which the displaced persons part with can not be adequately compensated in terms of money. Do you agree?	12	24	38	76
14.	Do you think that the State Government is successful in protecting the rights of IDPs?	12	24	38	76
15.	If any injustice is being done to you what do you do?				
a)	Go to court of law	34	68	-	-
b)	Go to political leaders	8	16	-	-
c)	Arrive at a settlement on your own	8	16	-	-

Male = 24, Female = 26, Total =50.

Table 5.2: Opinion survey among the residents of West District

Q. No.	Questions to the Respondents	Yes	Yes %	No	No %
1.	Do you know what Internal Displacement is?	46	92	4	8
2.	Have you ever been subjected to internal displacement?	14	28	36	72
3.	Do you have the knowledge of any law/laws which protect the IDPs?	6	12	44	88
4.	What is the major cause of displacement in Sikkim?				
a)	Natural Calamity	6	12	-	-
b)	Armed Conflict	0	0	-	-
c)	Communal Violence	2	4	-	-
d)	Development Projects	42	84	-	-
5.	Are you happy with the method by which the land is acquired by the Government?	24	48	26	52
6.	Do you agree with the view that the rapid growth of development projects in Sikkim has helped people to lead a better life?	38	76	12	24
7.	Are you satisfied with the quantum of compensation that is being given to the IDPs?	26	52	24	48
8.	Is the Rehabilitation and Resettlement policy adopted by the Government sufficient for the purpose?	24	48	26	52
9.	Are you happy with the employment that is being provided to the displaced persons?	16	32	34	68
10.	In your opinion who is responsible for providing employment to the displaced persons?	-	-	-	-
a)	Government	26	52	-	-
b)	Project Developers	18	36	-	-
c)	Both	6	12	-	-
11.	Which of the following is better alternative for rehabilitation of the displaced persons?				
a)	Monetary compensation	0	0	-	-
b)	Land compensation	6	12	-	--
	Employment	8	16	-	-
d)	All of the above	36	72	-	-
12.	The Government's duty is absolved once it gives away the amount of compensation to the victims. Do you agree with the view?	16	32	34	68
13.	The ancestral land which the displaced persons part with can not be adequately compensated in terms of money. Do you agree?	26	52	24	48
14.	Do you think the State Government is successful in protecting the rights of IDPs?	18	36	32	64
15.	If any injustice is being done to you what do you do?				
a)	Go to court of law	40	80	-	-
b)	Go to political leaders	2	4	-	-
c)	Arrive at a settlement on your own	8	16	-	-

Female=22, Male=28, Total=50

Table 5.3: Opinion survey among the residents of South District

Q. No.	Questions to the Respondents	Yes	Yes %	No	No %
1.	Do you know what Internal Displacement is?	36	72	14	28
2.	Have you ever been subjected to internal displacement?	10	20	40	80
3.	Do you have the knowledge of any law/laws which protect the IDPs?	22	44	28	56
4.	What is the major cause of displacement in Sikkim?				
a)	Natural Calamity	8	16	-	-
b)	Armed Conflict	0	0	-	-
c)	Communal Violence	0	0	-	-
d)	Development Projects	42	84	-	-
5.	Are you happy with the method by which the land is acquired by the Government?	28	56	22	44
6.	Do you agree with the view that the rapid growth of development projects in Sikkim has helped people to lead a better life?	40	80	10	20
7.	Are you satisfied with the quantum of compensation that is being given to the IDPs?	28	56	22	44
8.	Is the Rehabilitation and Resettlement policy adopted by the Government sufficient for the purpose?	18	36	32	64
9.	Are you happy with the employment that is being provided to the displaced persons?	16	32	34	68
10.	In your opinion who is responsible for providing employment to the displaced persons?			-	
a)	Government	38	76	-	-
b)	Project Developers	10	20	-	-
c)	Both	2	4	-	-
11.	Which of the following is better alternative for rehabilitation of the displaced persons?				
a)	Monetary compensation	0	0	-	-
b)	Land compensation	6	12	-	-
c)	Employment	6	12	-	-
d)	All of the above	38	76	-	-
12.	The Government's duty is absolved once it gives away the amount of compensation to the victims. Do you agree with the view?	20	40	30	60
13.	The ancestral land which the displaced persons part with can not be adequately compensated in terms of money. Do you agree?	16	32	34	68
14.	Do you think that the State Government is successful in protecting the rights of IDPs?	16	32	34	68
15.	If any injustice is being done to you what do you do?				
a)	Go to court of law	42	84	-	-
b)	Go to political leaders	4	8	-	-
c)	Arrive at a settlement on your own	4	8	-	-

Female=30, Male=20, Total=50.

Table 5.4: Opinion survey among the residents of North District

Q. No.	Questions to the Respondents	Yes	Yes %	No	No %
1.	Do you know what Internal Displacement is?	46	92	4	8
2.	Have you ever been subjected to internal displacement?	28	56	22	44
3.	Do you have the knowledge of any law/laws which protect the IDPs?	0	0	50	100
4.	What is the major cause of displacement in Sikkim?				
a)	Natural Calamity	22	44	-	-
b)	Armed Conflict	0	0	-	-
c)	Communal Violence	0	0	-	-
d)	Development Projects	28	56	-	-
5.	Are you happy with the method by which the land is acquired by the Government?	16	32	34	68
6.	Do you agree with the view that the rapid growth of development projects in Sikkim has helped people to lead a better life?	32	64	18	36
7.	Are you satisfied with the quantum of compensation that is being given to the IDPs?	16	32	34	68
8.	Is the Rehabilitation and Resettlement policy adopted by the Government sufficient for the purpose?	22	44	28	56
9.	Are you happy with the employment that is being provided to the displaced persons?	24	48	26	52
10.	In your opinion who is responsible for providing employment to the displaced persons?				
a)	Government	14	28	-	-
b)	Project Developers	18	36	-	-
c)	Both	18	36	-	-
11.	Which of the following is better alternative for rehabilitation of the displaced persons?				
a)	Monetary compensation	0	0	-	-
b)	Land compensation	18	36	-	-
c)	Employment	8	16	-	-
d)	All of the above	24	48	-	-
12.	The Government's duty is absolved once it gives away the amount of compensation to the victims. Do you agree with the view?	14	28	36	72
13.	The ancestral land which the displaced persons part with can not be adequately compensated in terms of money. Do you agree?	18	36	32	64
14.	Do you think that the State Government is successful in protecting the rights of IDPs?	10	20	40	80
15.	If any injustice is being done to you what do you do?				
a)	Go to court of law	44	88	-	-
b)	Go to political leaders	2	4	-	-
c)	Arrive at a settlement on your own	4	8	-	-

Female=18, Male=32, Total=50

Table 5.5: Overall response of persons in Sikkim

Q. No.	Questions to the Respondents	Ye s	Yes %	No	No %
1.	Do you know what Internal Displacement is?	174	87	26	13
2.	Have you ever been subjected to internal displacement?	69	34.5	131	65.5
3.	Do you have the knowledge of any law/laws which protect the IDPs?	32	16	168	84
4.	What is the major cause of displacement in Sikkim?				
a)	Natural Calamity	42	21	-	-
b)	Armed Conflict	0	0	-	-
c)	Communal Violence	2	1	-	-
d)	Development Projects	156	78	-	-
5.	Are you happy with the method by which the land is acquired by the Government?	88	44	112	56
6.	Do you agree with the view that the rapid growth of development projects in Sikkim has helped people to lead a better life?	154	77	46	23
7.	Are you satisfied with the quantum of compensation that is being given to the IDPs?	98	49	102	51
8.	Is the Rehabilitation and Resettlement policy adopted by the Government sufficient for the purpose?	84	42	116	58
9.	Are you happy with the employment that is being provided to the displaced persons?	72	36	128	64
10.	In your opinion who is responsible for providing employment to the displaced persons?				
a)	Government	110	55	-	-
b)	Project Developers	60	30	-	-
c)	Both	30	15	-	-
11.	Which of the following is better alternative for rehabilitation of the displaced persons?				
a)	Monetary compensation	2	1	-	-
b)	Land compensation	32	16	-	-
c)	Employment	42	21	-	-
d)	All of the above	124	62	-	-
12.	The Government's duty is absolved once it gives away the amount of compensation to the victims. Do you agree with the view?	74	37	126	63
13.	The ancestral land which the displaced persons part with can not be adequately compensated in terms of money. Do you agree?	72	36	128	64
14.	Do you think that the State Government is successful in protecting the rights of IDPs?	56	28	144	72
15.	If any injustice is being done to you what do you do?				
a)	Go to court of law	160	80	-	-
b)	Go to political leaders	16	8	-	-
c)	Arrive at a settlement on your own	24	12	-	-

Male = 104, Female = 96, Total =200.

5. DATA ANALYSIS

On perusal of the above questionnaire, the scenario in Sikkim can be summed up as follows:

1. The term 'Internal Displacement' is no more stranger to the people of Sikkim. In response to the first question, the respondents from the three district of East, West and North have given an overwhelming response; forty-six out of fifty respondents in each of these three Districts have come across the term 'internal displacement'. The response in the South District is a little shaky; however, on the whole, it is for sure that people are aware of what internal displacement is.

2. The opinion survey reveals that out of 200, around 70 respondents are found to have born the burnt of displacement. In response to the second question, it was surprising to discover that out of 50, 28 respondents in the North District answered in the positive. Further, it is to note that most of the respondents who answered in the positive stated that they were affected by power projects. However, it must also be stated that all of these respondents were not unhappy with this. Actually, those who responded in the positive are not 'displaced' in the real sense of the term; rather they can be categorized as 'Project Affected Families', who have given away a portion of their land. The researcher further tried to ascertain the correct position from an official who is part of machinery which undertakes and determines the feasibility of development projects, who told;

"Normally, land owners whose 100% land is taken away for the projects are considered as 'project oustees' or 'displaced', however, in Sikkim there is hardly any family whose 100% land has been taken away for the projects. But for the benefit of the people, project

authorities have included those families in the list of 'project oustees' whose 70% land has been taken away for the project."

3. The response to the third question shows that people in South District followed by West District are aware of law that protect IDPs. Those who have knowledge of law related to internal displacement enumerate the Land Acquisitions Act as protecting their rights. In view of the researcher, of late, in Sikkim also, the Government is using the provisions of Land Acquisition Act to make the land available for project developers. This is the reason why people are acquainted with this legislation. Further, the problem of internal displacement is not as serious as it exists in other States. Hence, there is every possibility of people being unaware of such laws and policies and moreover, there is no such national legislation that exists for their protection.
4. Regarding the causes of displacement in Sikkim, it is quite clear that there is no displacement at all due to armed conflict. Except 4% of the respondents from the West District, none of the respondents are of the view that communal violence is also responsible for displacement in Sikkim. Unlike other Border States, there is indeed no problem of armed conflict in Sikkim. Similarly, it is heartening to note that in spite of its being a state inhabited by people of different communities, communal violence is non-existent in Sikkim.

When we look into the overall figure, we find that only 21% of the respondents have opined that natural calamity is also responsible for displacement in Sikkim. Displacement due to natural calamity is a matter of concern, especially in the North District because land slide is a common phenomenon during the months of July to September. However, development induced displacement is, now a days, becoming a matter of growing concern, which, over a period of time, may become a problem. What the personal observation of the

researcher is that in Sikkim development projects have been undertaken but in comparison to other States, displacement is negligible, but in due course, this situation can change, because Sikkim is in a developing process and this momentum of development can no doubt cause displacement.

5. Regarding fifth question, when the researcher interacted with the respondents, it was discovered that the respondents who are not satisfied with the method of land acquisition feel that proper transparency is not maintained and the quantum of compensation is very less. They also feel the existing laws determining the quantum of compensation are undemocratic and not people-friendly.

In this regard, it may be observed that in Sikkim also, the ever controversial 'public purpose' which has a brooding presence in the Land Acquisition Act, is sometimes proved to be detrimental to the 'public' who are made to part away from their land. Mainly because, the Government often acts as an agent of the project developers to whom the land is made available by the Government. On a number of occasions it may also happen that the provisions of Land Acquisition Act is used to do indirectly, what can not be done directly.

6. The response to question number six reflects the fact that development has not caused the people to lead a better life. The reasons for this are numerous, which include; people are left with less land to continue with cultivation where mass of people are dependent on agriculture; the projects do not provide them with employment that helps raise their standard of living; these projects are the cause of natural calamities like landslide; etc. But in view of the researcher, the most crucial reason for this scenario is the fact that people often end up misutilizing the money they get by way of land compensation. There are number of instances of people buying second hand vehicle,

gambling, drinking and enjoying with the compensation money. There are instances of people going to the extent of buying a two-wheeler and keeping a salaried driver to drive it! The genesis of the problem lies in the fact that the people do not know how to utilize the money in order to uplift themselves.

7. Further the response to seventh question reveals that the respondents from the North District are not satisfied with the quantum of compensation, however in rest of the Districts, majority of the respondents are satisfied. But if we see on the whole the respondents are almost equally divided in their opinion, though mathematically the dissatisfied lot is in majority. Thus, from the response it can be concluded that the people have a mixed opinion regarding the quantum of compensation. One possible reason for this may be that people, who had unproductive, mountainous terrain, are satisfied with the compensation, but those, who had to part away with their productive land, are not satisfied.
8. The respondents who felt that R&R policy adopted by the Government is not sufficient, testified that the effected families have finished with compensation money because they had not the slightest idea of spending it. The fertile lands have been lost and are left with no alternative means of livelihood. Indeed, in some instances it was found that those who used to be the owner of the land earlier are working for the project developers as a daily wage laborer on the same land.

To ascertain the actual position the researcher approached the office of a project developer and was told that most of the projects that have been undertaken in Sikkim are smaller ones involving lesser acquisition. As far as possible, they try to avoid cultivable land and as such, there is minimal displacement. In the event of any displacement they go by the instructions received from the State Government.

9. When we look into the average response to the ninth question, we find that 55% of the respondents believe that it is the responsibility of the Government to provide employment to the displaced persons. 30% of the respondents fix this responsibility to the project developers and 15%, to both. The survey reveals a general opinion that people are basically not satisfied with the nature of employment that is being provided. They opine that the criterion of job to one member of the affected family is not sufficient. Since the land had the capacity to fulfill the need of the whole family, the job so provided does not seem to work out their problem. They also feel that such jobs are not of a permanent nature. They get employment only till the commissioning of the project. Realizing this situation, the Government, of late, has initiated a massive need based capacity building campaign to create skilled man power, so that people get permanent and better employment.
10. Similarly, majority of the respondents feel that Government is responsible for providing job to the displaced family. The reason cited for this was simple; since it is the Government who takes away the land for projects, Government should provide them with jobs.
11. In response to eleventh question, only 1% of the respondents have preferred monetary compensation as a better alternative for rehabilitation of the displaced persons. However, it must be noted that the least preferred mode of compensation, i.e. monetary compensation is the most prevalent mode of compensation. This speaks volume about how far policies of the authorities have been people centric. The opinion survey reveals the fact that monetary compensation has not been suitable for rehabilitating and resettling the displaced family, in fact majority of respondents support the view that a combination of the entire package would be suitable for resettling them.

Therefore, in view of the researcher monetary compensation should not only be the basis of rehabilitating them because the displaced families tend to utilize this amount in monetary pleasure without thinking of their future. Counseling session should be conducted for them and a combination of the above mentioned alternative be made available for them.

12. It may be noted here that in response to the twelfth question most of the educated respondents who responded in the negative were of the view that the Government should also conduct the counseling session to guide the people regarding judicious utilization of the amount of compensation. In addition to this, the Government should also keep a track on how people are spending the money. Some of the respondents also suggested that the Government should invest the money in favour of the beneficiaries in such a way that they get regular income out of it.
13. 63% of the total respondents responding to thirteenth question, who felt that the ancestral land cannot be compensated in terms of money, opined that land has always been scarce to them. Since agriculture has been their main occupation from time immemorial; it has been their means of subsistence and hence, it cannot be compensated in terms of money. In fact, one of the respondents inquired the researcher, "*Can you help us to decide the price of remaining hungry for life?*"
14. The response to the fourteenth question reveals the fact that majority of respondents are not satisfied with the approach of the government in protecting the rights of internally displaced persons. Some were of the view that the people so affected should be in a better position than where they were earlier, then only it can be said that the Government has been successful in protecting their rights. Indeed, there are many instances where the condition of people has worsened.

15. The last question was, in fact, put to ascertain the degree of legal awareness among the respondents. It is heartening to note that the degree of legal awareness among the respondents is as high as 80%, but still some did not hesitate to say that they would go to political leaders for redressing the wrongs done to them.

6. SUM – UP

The people in Sikkim, though they are aware of the problem of displacement, cannot be compared with the displaced population of West Bengal, Madhya Pradesh, Gujarat and Kashmir. The displaced populations of Sikkim are in a much better position than their counterparts. The degree of violations they are subjected to is much less than that compared to other State. But in days to come the situation will surely change and create problem, not only for the people, but also for the Government and project authorities. Things might change and the story may go otherwise.

After having perused the entire opinion survey it may be concluded that the people are very much aware of the issue of internal displacement and the term 'displacement' is no more a stranger for the people but the frequency is less as compared to other States in India. This does not mean that we are in a better situation than other States. The only thing which can be predicted is the fact that in near future the situation can be worse. As the State witnesses more of such developmental projects, the ratio of displacement is bound to rise proportionately. Though the authorities claim that there has been minimal displacement in Sikkim but the situation may not remain same in future. Specially so in view of the mushroom growth of developmental projects in the State.

The opinion survey has revealed that development induced displacement has a largest share of responsibility in causing internal displacement in the State.

This share is bound to become even larger as more and more of such developmental projects come up. This situation is going to become a major challenge for the policy makers in a very near future.

It is a fact that people in Sikkim are very simple and basically their main avocation is agriculture. They have not known about power project or for that matter, development projects which are of very recent origin in the State. The politicians and project developers have caused the simple people to believe that such development projects will uplift their way of living and improve their standard, which, on a number of occasions, has not been true. Slowly, the project developers are encroaching upon land situated in notified protected areas which basically belong to the tribals. Further, there is no fixed or uniform criteria and procedure in acquisition of land. Different procedures are adopted for different areas and different kind of land which largely depends on the policies of individual project developer. The irony is the fact that no private person can directly acquire land from the people nor negotiate with him. But ultimately the Department / agency of the State acquire the land and hand over the land to the concerned project developer. In fact, the State acts as a middleman and ultimately helps a private person. That is to say, what cannot be done directly is being done indirectly.

Further, it is pertinent to note that the people are not happy with mode and quantum of compensation which is provided to them on acquisition of their land. They say that they are not provided with real value of the land while on the other hand, they are rapidly loosing their means of subsistence.

The major lacuna in such development induced displacement is that there is no Rehabilitation and Resettlement policy though the State tends to assert that it has the Central Policy of R&R. The State also does not talk about any situation where due to any circumstances the project fails or the project cannot be completed due to any reasons. In such situation there should be clear provision to

the effect that the land so acquired shall, as far as practicable, be returned to its original owners.

Therefore, in the light of the above study, the following points may be highlighted for consideration:

- i) The State, if it is fair enough, needs to formulate an R&R plan/policy which must not only be in consonance with the Centre Policy but it must keep in mind the peculiar position availing in the State of Sikkim. The State needs to spell out its policy first and then the project developers need to do their task accordingly because the State should always be committed towards its people even when the project developers are not committed towards their task of R&R.
- ii) The criterion of job / employment must also be made clear. It should also be made clear whether the employment would be till the completion of the project or even afterwards. Accordingly, the female members should also be given importance in the matter of employment.
- iii) The Government should direct the project developers to make public their yearly progress. The authority should also make it incumbent for the project developers to lay down in their memorandum and publish in the newspaper their ways and means of developing the project and as to how they would develop the particular place and area where rehabilitation of the displaced person is taking place. The bottom line would be that the entire process has to be made more transparent.
- iv) The private developers should also be made accountable to the people directly. The Government should also make provisions of inquiring into the ultimate utilization of the land because the project developer might be having excess land with them which can be returned to the original land owners.

- v) The Rehabilitation and Resettlement policies formulated should also provide for the indirect impact or the collateral damage that the project might be causing in the vicinity.
- vi) The State should also endeavor not to encroach upon tribal areas and grab their land, to which they have not only emotional attachment but also religious and spiritual attachments.