

ABSTRACT

In the contemporary world defining development has been a quagmire, which requires familiarity not only with the colloquialisms but also with the inconsistencies, ambiguities and paradoxes attached to the notion of development. This paper is an effort to understand the dilemma of internally displaced women and children, the question of rehabilitation, resettlement, and reparation, in the process, trying to draw useful and legitimate distinctions between the economic and social rights of internally displaced women and children due to communal violence, mega projects, natural disaster etc.

The study is focused on the larger issues involved in development projects, making a comparative cost benefit analysis of the development on the social and individual welfare and the long term impact thereon. Mega projects broadly defined as projects which transform landscapes rapidly, internationally, and profoundly in very visible ways and require coordinated applications of capital and state power. In India alone involuntary settlement is estimated to have affected about 50 million people in the last five decades. The sheer magnitude of the numbers involved is mind boggling. Experience shows that most people who are forced to relocate often end up worse off than before. Three fourths of those displaced in India over five decades still face an uncertain future. The paper envisages an insight into the projects specifically on the physical forms of development, i.e. projects which require land expropriation and call for displacement by decree.

The pervasive nature of internal displacement and the challenges of responding effectively inspired this policy on internally displaced persons. A broad and integrated approach is required to reduce the human costs of population displacement and resume progress towards long-term development. The provision of concrete, comprehensive

assistance and a durable solution to internally displaced persons needs is a USAID (United Nation Agency for International Development) priority.

Humanitarian law applicable to situations of non international conflicts, Art 3 common to the four Geneva Conventions (common article 3 GC) is the cornerstone to the protection of the internally displaced. Governments are often tempted to label a conflict a mere riot or internal disturbance, rather than internal armed conflict, to avoid application of common article 3GC.

As far as the rights of the displaced people in international area are concerned, the United Nations has played the key role. The part played by the UN (United Nation) can be found in the several Resolutions passed by its General Assembly and the International Instruments issued by the UN. The UN Resolutions and Conventions on Human Rights that articulate the rights of human beings as also the displaced people and which constitute the basis for the making of national legislations.

*The present study aims to highlight not only the UN directives but also the position in the various parts of the world. For instance, it seeks to highlight the displacement of AMERICA where in 2010 adopted Brasilia Declaration on the Protection of Refugees and Stateless Persons in I Americas, which included some elements relevant to IDPs. USA, AUSTRALIA, though, as of now there is no legally binding instrument in international for protection against the IDPs, the **African union has gone a step forward and adopted the African Union Convention on the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention) amongst others.***

Part III of our Constitution provided certain basic human rights to the women and children in form of Fundamental Rights. In fact, Part III of the Indian Constitution reflects the provisions which are laid down in Universal Declaration of Human Rights, 1948, ICCPR and ICESCR. Part III and Part IV of our Constitution attributes some rights as fundamental rights to all the women and children such rights are right to equality, right to life and personal liberty, right to education, protection against arrest

and detention in certain cases, prohibition of traffic in human beings and forced labour, equal justice and free legal aid, enforcement of these rights under Article 32 of our Constitution.

*The Government of India believed there was a heightened public concern on land acquisition issues in India **and therefore it is needed to follow a proper law for the acquisition of land for public purposes which enacted with The Right To Fair Compensation And Transparency In Land Acquisition, Rehabilitation And Resettlement Act, 2013.***

The people in North Bengal Region, though they are aware of the problem of displacement, cannot be compared with the displaced population of Madhya Pradesh, Gujarat and Kashmir. The displaced populations of North Bengal Region 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.

Displacement of people has caused international and nationwide concerns and an issue is to how the displaced women and children can be better looked after by the institution of the instrument as well as the International Institutions. The displacement of large number of people has raised issues like protection, reintegration and rehabilitation. The movement is not just about rehabilitating the displaced women and children but also substantial improvement in the quality of life of all people in the new rehabilitation site as compared with the erstwhile habitat.