

The Management of Land

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There are three recent examples of how failure to have a proper land use and management policy has resulted in government either facing the humiliation of its programmes being sabotaged, or has led to a situation wherein a planned development programme had to be abandoned. Two are examples from West Bengal, Nandigram and Singur and the third is from Uttar Pradesh, that is, acquisition of land in Greater NOIDA. In the case of Nandigram there was a proposal to acquire 38,000 acres of land and transfer it for industrial purpose. In Singur land was actually acquired and made over to the Tata Group for setting up a factory to manufacture the Nano car. In both cases public agitation led to abortion of the schemes. In the case of Nandigram there was a great deal of violence, whereas in the case of Singur the government first enacted legislation to take back the land, which has now come under a permanent injunction from the High Court because the Act was declared ultra vires. In the case of Greater NOIDA the Supreme Court has struck down both the stated purpose of acquisition and the process of acquisition.

All human activity happens on land because as yet we have not learnt how to build in ether. Roads, railway tracks, education institutions, hospitals, housing development, industry, defence, all these require land much of which is not in the ownership of government. Therefore, quite often land has to be acquired. We have no framework of policy relating to land use and, therefore, both in the matter of location and in the matter of acquisition ad hocism prevails. Therefore, government in one department takes certain decisions, which government in another department negates, behind most of which confrontationist situation is the question of land. The Energy Ministry decides to set up a power plant but the Environment Ministry does not give environment clearance, because of which land cannot be acquired. The Ministry of Coal and Mines does not allocate mines from which the power plant can get its coal, with the result that for want of land and the essential raw material the power plant is not built. There being no national policy within whose framework different ministries can decide their programme, we have totally contradictory views taken by different ministries, at the root of which is the question of land use. The National Commission on Urbanisation had addressed the question of land management in detail and found that it was not possible to get any data on how much land under actual cultivation had been acquired or privately converted to urban nonagricultural use. For want of such data we can only conjecture about valuable agricultural land being lost to nonagricultural use. As a journalistic exercise such speculation may be fine, but for the purpose of planning it is worthless. In order that accurate data about land use may be available the Commission had recommended the setting up of a Settlements Survey of India, duly assisted by the State Commissioner for Land Records, Survey and Settlements and a Directorate of Urban Land Records. The Commission also recommended that at a national level a broad policy may be framed about what land is appropriate for what use and accordingly establish a hierarchy of land uses according to which land should be assigned. At the State level more detailed exercises could be done and at District and City levels detailed development plans could be drawn up. Had such a policy existed the question of whether land should be acquired in Singur for industrial purpose would have been settled and either assignment for industry would not have drawn opposition, or such assignment would not have taken place because the land was better suited to such alternative use as agriculture.

India is fortunately placed in that sixty percent of its land area is arable, approximately thirty percent is under forests, grazing or other common use and only ten percent is uncultivable wasteland. Obviously locating nonagricultural activity on land best suited for agriculture would not be permitted within the framework of the National Land Use policy. In location planning, therefore, a national land use policy is of vital importance. This would then govern our land acquisition policy and whereas land and resources would always be available where necessary for development, the logic of appropriate land use would apply and, therefore, opposition to land acquisition or land assignment could be reduced to a minimum.

We need land for agriculture just as we need it for pastures. We need land for roads, railway tracks, airports, city expansion, industrial location, mining, afforestation, etc. For example, the rivers of peninsular India are not perennial because they are not snow-fed and, therefore, their health is dependent on the forests of the catchment. A national land use policy would zealously guard these forests and their conversion to other use would be prohibited. Because policy would be based on logic which any citizen could grasp, ordinarily there would be public support for forest protection. We need land for grazing, but unfortunately many of our State Governments have adopted policies which have virtually eliminated grazing areas. For example, in Madhya Pradesh under the old dispensation at least fifteen percent of the land in a village was reserved for *Nistar* and, therefore, collectively formed part of the village commons. Digvijay Singh, as Chief Minister followed in the footsteps of his predecessors in reducing village commons till now in Madhya Pradesh by law only two percent of the village area need be kept for common use. A national land use policy would reverse this and attempt to restore village commons so that at least the fodder and fuel requirements of a village are met. Location of industrial activity on fertile land must be discouraged and uncultivable wasteland should be used for this purpose. Gujarat is the one State where government by way of policy has decided not to acquire fertile land for industrial purpose, but to encourage industry to locate in areas such as Kutch where land is totally unsuitable for cultivation. If we take a holistic view of land as a resource and then assign to it an appropriate use we would be able to adopt a sensible land acquisition policy, a logical activity location policy and a framework within which agricultural growth would accelerate in tandem with urban development and industrialisation, with the latter not competing with agriculture and moving forward at the cost of agriculture. All this is possible if we have a properly thought out national land use policy.

Why have the recommendations of the National Commission On Urbanisation, given to government in August 1988, not been implemented? The Secretary, Ministry of Urban Development, told me that he read the report only long after he demitted office and that, too, when he was on a sabbatical. When on the post he could not find the time. Therefore, the report, like almost all reports of all Commissions, rested where it obviously did – in a wastepaper basket. Naturally no one had time to formulate a National Land Use Policy. What hurts is that if such is the fate of all our Commissions, why bother to set them up at all!!
