CRITICAL ISSUES IN LAND - USE PLANNING IN INDIA

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India today is facing a critical situation in relation to land - use planning. Even though the foodgrain production recorded almost a fourfold increase in the post-independence decades, shortage of rice, pulses and oilseeds is growing. Shortages of pasturelands, firewood and fast depletion of the forest wealth are assuming serious proportions. As a consequence of various development endeavours ecological imbalances e.g. soil erosion, rapid situation of dams, shortage of ground water, land and water pollution, water logging etc. are growing adversely effecting the agricultural productivity. Unless special efforts are made towards preservation of the land, water and vegetative resources of the country and its long term sustainable use is planned, the foodgrains and other basic needs of the country's population cannot be met, food security and self-reliance cannot be assured and enhanced livelihood security to the oiling millions in India cannot be ensured.

A review of the five decades of development and the new measures that are being adopted under the Structural Adjustment programme since 1991 would help identify the critical issues in relation to land - use in India in coming decades.

Green Revolution

Plagued with the problem of stagnant agriculture and shortage of foodgrains production in drought years, India accepted the green revolution technology under the advice of various foreign aid agencies. In the short-run, gains in productivity were achieved. However, this petrochemical-based technology is not sustainable because it is resulting in depletion and deterioration of land and water resources. Moreover, water-fertilizer - pesticide-intensive agriculture, crossbred animals and single species forest plantations - a technique borrowed from temperate countries is not suitable to India. The soil characteristics, the rainfall pattern, the wind pattern, the pollination pattern are different in temperate and tropical zones. The soils in the tropics are poor in organic matter because organic matter decomposes quickly under the impact of high temperature and humidity that induced high microbial activity. Because of the long dry spell in the tropics, soil becomes parched and tends to get eroded with high rain. In the humid tropics, nature has provided earthworms and termites and ferns and algae in great abundance as builders of the topsoil, and soil fertility. The use of chemical fertilizers and pesticides in tropics means decimation of soil building species. Unlike temperate countries where pollination is mostly windblown, in tropical countries the main agency is insects. The use of pesticides that kills beneficials is therefore more harmful in the tropics. In wet tropics, chemical fertilizers get washed down the canals and river more quickly and hence poisoning of surface and groundwater level is much higher. The pesticides break down into components and find an easy entry into the biological systems. Hence the accumulation of pesticides components is much greater in the animal and human bodies in the tropics, increasing the risk of cancer.

The non-sustainable nature of the green revolution, white revolution technology and the fast depletion of natural resource base led the Ministry of Agriculture and the Planning Commission to take serious cognisance of the problems of planning and management of country's natural resources. The Ministry of Agriculture initiated in 1987 an extensive research project " Perspective plan for Conservation, Management and Development of Land resources in the country" on a zonal basis. The Planning Commission set up in 1988 Agro-climatic Regional Planning Units. Before the recommendations of the various zonal studies were taken up for serious deliberations the NEP era set in. NEP is in obvious contradiction with the policy of Land use regulation.
Policy Measures Under NEP Affecting Land-Use

i. Relaxation of restrictions on acquisition of land and other immovable property in India by NRIs and FERA companies. The NRIs and foreign companies with income levels hundred times (or more) as compared to the levels of income of the Indian nationals can capture the prime lands anywhere in India. The Multi-nationals are free to grab and mine, pollute, destroy land and water resources. The Government of India is powerless, the Government is not in a position to intervene and regulate the land-use, keeping in view the long term interest of conservation and sustainable use of land, water, forest and marine resources of the country, so long as it is governed by the IMF conditionalities and WTO.

ii. Removal of controls on location of industries and special concession to industry if located in backward districts. This means proliferation of industries in a haphazard manner in rural districts dislocating peasant agriculture, polluting land, water and air, leading to environmental damage over extensive areas.

iii. Relaxation of restrictions on conversion of agricultural lands to non-agricultural uses, and ceiling on agricultural land holdings. This is resulting in a large-scale transfer of lands for speculative purpose, distorting the land market and viability of agriculture.

iv. Promotion of export-oriented agriculture and concessions to agro-processing companies. This is leading to diversion of land peasant farming and exhaustion of soils, mining of water resources due to chemical-input intensive cultivation.

A special study was carried out in Maharashtra State during April- July 1996 to access the impact of NEP on land-use. The results of this study are briefly presented below to get an insight into the processes that are turning futile any regulation of land use attempted by the Government of India, in the national interest.

Conversion of Agriculture Land

The Government of Maharashtra has relaxed restrictions on conversion of agricultural lands to non-agricultural (N.A.) uses, bringing agricultural lands in the speculative market. According to Government Ordinance issued in 1994 permission for N.A. uses is not required in areas where (1) Regional Town Planning Act, 1966 is in operation, (2) legally declared Industrial zones exists or is finally accepted/proposed. In Maharashtra, about 1534 thousand hectares of Government land had been distributed to 773760 persons by the Government. Landless persons especially tribals, dalits, exservicemen, freedom fighters etc. had received land grants and these lands were inalienable. Now the restriction on alienation of these lands are also removed. The agricultural Land Ceiling Act has been amended to permit large holdings if the land is shown as under horticulture and these can be owned by any party. The land owned by scheduled tribes persons is subject to the provisions of sections 36 and 36A of the Maharashtra Land Revenue Code 1966. This means tribal land cannot be purchased without obtaining District Collector's permission. These provisions are being violated under the current 'free market' dispensation.

It is true that even when laws restricting land transfers were in force thousands of illegal transactions were taking place and these transfers were getting legalised in collusion with revenue officials. However, the SAP has opened the flood gates through amendments to land legislation and jacking up land prices through relaxing restrictions of NRIs and FERA companies.

Land Acquisition

The Maharashtra Government has an awry programme of land acquisition for industry, airports, expressways, ports, tourist resorts and offering extensive packages of concessions to multinational and Indian companies.

The Mumbai Metropolitan region is being extended to cover Thane, Kalyan, Bhiwandi, Ulhasnagar and Vasai tehsils of Thane and Uran and parts of Panvel, Karjat, Pen, Khalapur
and Alibag tehsils of Raigad district. Land under agriculture, plantation and forests are being taken over for urban and industrial development with disastrous consequences for agriculture and fisheries due to air pollution, water pollution, destruction of marine wealth and loss of rich rice and plantation lands.

The Maharashtra Industrial Development Act. 1961 provide for acquisition of private land anywhere in the state just by serving a notice to the landowner. MIDC has so far acquired 35000 hectares of land over 200 locations. It has planned land acquisition for 120 industrial areas/estates covering 30000 hectares of land. Nine large industrial townships with size ranging from 2000 to 7000 hectares are planned. The Irrigation Department will earmark necessary water for the townships. MIDC is also planning deluxe industrial estates for attracting NRIs and foreign companies. Air-links to Mumbai are planned to be provided through private sector. Exemption from landing fees, sales tax on aviation fuel is offered for a period of five years. Aquaparks, along the coast are planned through MIDC, equipped with ponds for pisciculture, warehousing, and cold storage facilities. Land is being acquired by the Government for private hotel industry and tourism development.

Large stretches of land are under acquisition for new expressways and airports. For example, 1828 hectares of land for a new Mumbai - Pune expressway and 2000 hectares for megacity projects that are being launched, international airport near Mumbai 2900 hectares of land are earmarked near Mandwa - Rewas in Raigad district, and 5000 hectares for a township near the airport.

**Invasion of Coastal Lands**

The MNCS and large industries are particularly interested in coastal locations in the Konkan districts of the state. The facilities of port are crucial for many MNCS who are import-export dependent. Seacoast provides ample water supply and free space for waste disposal. Besides, in coastal tracks of Konkan stretches of lands are still owned by Khots (absentee landlords) who sell off land dispossessing peasant cultivators.

In the ecologically sensitive coastal districts, chemical, copper smelting, steel, cement factories, thermal power stations, petroleum refinery and several other polluting industries are being invited. The Konkan Railway which is under construction linking Mumbai to Manglore will provide strong land link to the other part of the country. A new coastal highway is under execution. Maharashtra has over 720 Kms. of coastline with two major ports-Mumbai and Jawaharlal Nehru Port in Mumbai Metropolitan region and 48 minor ports. The State Government has announced privatization of all the 48 ports. Existing port facilities at these ports would be given on long lease and the Government would be acquiring additional land for the private companies.

In the coastal taluka of Guhagar (Ratnagiri district) MIDC forcibly acquired in 1994 about 650 hectares of land at Anjanwel-Veldur for Dabhol Power Company (DPC) set up by the ENRON Corporation of U.S.A. In 1995 acquisition process of 800 hectares of land for the Hindustan Oman Petroleum Corporation was begun near Devgarh- Marg Tahmane. These lands have a very rich horticultural potential - Alphanso mango, coconut, arecanut, cashewnut plantations, a variety of spices etc. and the coast is rich in marine wealth with good export potential. Hence horticultural and fisheries, the traditional vocation of the toilers of the region, were earlier encouraged by the Government. Now the orchards are being bull -dozed to hand over the lands and the ports to MNCs. MIDC is acquiring about 7200 hectares of land along the stretch from Dabhol creek and Guhagar town on the coast to Marg Tamhane along Guhagar-Chiplun Road. The peasants and fisher-folks are opposing this sell out to the multinationals and big industry and are demanding horticultural and fisheries development. In addition the industrial areas and aqua-parks, the coastal ecology is being disturbed by the development of beach resorts, tourist hotels and sports facilities, express-ways and air-strips. All coastal taluka are earmarked by the State Government for development as special tourism area.

All this development is proceeding inspite of the Government of India CRZ Notification of February 1991. The Notification prohibited within the Coastal Regulation Zone (CRZ)
specified activities such as construction, land reclamation, discharge of waste, mining of sand, rocks etc. However, the State Governments continued unabated industrial and urban developmental activities in the CRZ. In a significant order issued in December 1993, The Supreme Court directed all coastal state not to permit industrial units or allow any kind of construction in the area of 500 meters from the sea water at the maximum high tide. However, the Government of Maharashtra, in gross violation of the Notification is permitting a fast and uncontrolled growth of industries, including thermal power station, development of ports, beach resorts, coastal highway, marine park, acqua-farms etc. ignoring the CRZ regulations. Such a breach of land use regulations imposed within the coastal zones means increased coastal erosion, enhancing coastal flooding and salt-water intrusion, extinction of priceless and rare marine flow destruction of the marine fauna threatening the livelihood of thousands of fisherfolks.

Attack on Hills and Mountains

The Government of Maharashtra, by special notification dated 26th November 1996, threw open for development as Hill Station/ tourist/holiday homes etc. hill tops, hill slopes, forest areas in the state to private developers, violating the provisions of the MRTP Act and the Central Government directives for preservations of forest areas. Hundreds of hectares of forests in Chandrapur and Gadchiroli districts of Maharashtra are being given on long -lease to private companies for coal mining overlooking ecological hazards and the displacement of the tribals. Special tourism areas are being notified in hilly-forested tracts of Maharashtra e.g. Ajantha - Verul in Aurangabad, Chikhaldara in Amravati, Lake District project in Pune district. Hotels, resorts, health farms, motels, water sports facilities, golf courses, amusement parks are being promoted in all the talukas of the state. In the ‘green zone’ or no development zone’ surrounding city area the government is now permitting golf courses, gliding facility, amusement parks, sports facilities etc. The land declared surplus under Land Ceiling Act is being diverted for construction of hotel/motel complexes. Sales tax, luxury tax, electricity duty exemptions for a period of ten years are offered by State Government.

Thus the hills, forest and green areas, the sensitive regions in the ecological balance that need to be preserved as no development zone except for the normal activity of the local people, are being invaded unscrupulously by the MNCs and builders. Exploitation of ground and surface water resources, discharges of untreated waste, alteration of hilly terrains through roads and building construction, destruction of flora and fauna zone, disturbing hydrological cycle and destroying biodiversity and rare flora and fauna.

Apart from the above disastrous ecological consequences of the NEP, the new policy has destabilizing economic effects that are distorting land-use.

Sky Rocketing Land Prices

With the removal of restrictions on land purchases by foreigners and NRI's and on land transfers and land use, the prices of land in Mumbai -the financial centre of India skyrocketed, recording a four or five times increase between 1992-1994. A parallel rise in land prices is experienced in the adjoining konkan districts, Mumbai-Pune conurbation and the major cities of Maharashtra. Black money is flowing even in the remote areas for speculative land hoarding by the land speculators, builders and politicians. Land sales are being forced through manipulation of land records and even by resorting to threats depriving peasant of their means of livelihood. Cultivation is turning non-viable because of the ingress of polluting industries, mining, and other non-agricultural activities. The sum available today from the sale of land appears attractive as its future income from cultivation. Changes in the land-use are thus being effected in a haphazard and ecologically disastrous manner, under the current unregulated market operations.
Changes in Land-Use

Apart from the diversion of lands from cultivation to industry, housing, tourism and other non-agricultural uses and the extensive damage to cultivation due to industrial waste, pollution, water extraction by the industries, townships etc., there is a diversion of lands to chemical-intensive cultivation due to the growth of agro-processing companies and export oriented cultivation by rich land owners. Flouting government regulations, monopoly is being established on ground water, and surface water resources by these developers. Inroads are being made even in the tribal areas of Pune, Thane and Nasik districts by agro-processing companies. Consequently, the tribals are being deprived of their means of livelihood and the land under cereals and pulses is declining, threatening food security.

Need for a Firm Land-Use Policy

The experience in Maharashtra noted above is repeated in Gujarat, Andhra Pradesh, Karnataka, Tamil Nadu and most other states of India. The states are removing special restrictions under ‘no development zone’ declared to protect agricultural lands, hill ranges and coasts, ‘reverse forest areas’ ‘biodiversity conservation areas’, tribal areas and regulatory measures in relation to land-use, contradicting the stipulations of the state TRP Acts, Forest Acts, CRZ and other regulations promulgated by the Ministry of Environment and Forests and even the provisions under the Indian Constitution. The states are competing to attract MNC’s giving them special concessions and gifting away lands and forests. Unless the Central Ministry of Agriculture, Ministry of Environment and Forests and the Planning Commission intervene and halt this indiscriminate spread of industry, mining tourism and other urban encroachments into coastal lands, hilly tracts, forests, and tribal homes and the Indian Ocean, the natural resources of the country would be squandered and plundered by the MNCs and the toiling masses ruined. Two pronged strategy has to be planned to avert this disaster. On the one hand, the protective legislation in relation to land, forests and environment has to be strictly adhered to. Today the Ministry of environment is giving provisional clearances (which in fact, means final clearances) to MNCs and State Governments for several ecologically harmful projects even without insisting on submission of scientific environmental impact studies and its evaluation. On the other hand, policy measures have to be formulated and implemented for preservation, augmentation and proper utilization of the land, forest, water and other natural resources of the country. The judicious approach under tropical conditions would be to put stress on conservation and enrichment of the natural renewable resource base. For this it is necessary to deepen our understanding of how the biochemical systems exchange matters with the surroundings all the time, the process of recycling between land surfaces, water surface and the atmosphere, the process of recycling between soil, plant and animal life, the hydrological cycle and energy flows. Holistic understanding will give us clues to simple, inexpensive but efficient techniques beneficial in the long run. Holistic approach will show the way of nitrogen fixation through biological agents, soil enrichment by composting waste products, higher productivity through inter-cropping and crop rotation, pest control through diversity, maximization of food basket through multivarietal crops and multi-pronged culture - viz. forestry, agriculture, horticulture, animal husbandry, poultry, fishery, all interwoven and supporting one another. The variegated needs of the Indian society can be maximized through judicious use of processes of recycling and symbiosis.

A switch from chemical to ecological farming may give lower yield in the initial years i.e. till the damage done to soils is repaired. It also means greater care, labour and skills. However, it is sustainable in the long run, as it is based on the conventional use of the natural resources and not on their exploitative use. Improvement in production levels can be achieved through integrated approach to resources use rather that competitive approach. The basic elements of the new approach are: (i) All the land and water resources are to be treated as social resources and their use has to be planned on the scientific basis, (ii) The land and water use is to be planned on the basis of watershed planning with uplying portion being reserved for erosion control using graded bunds and suitable grasses and trees, so as to ensure stabilization of water supply and improvement in moisture regime that will base, (iii) The desert tract to be put under Silvipastoral treatment, (iv) The mountains and hilly tracts that regulate the hydrology of the country to be fully protected from urban and other
encroachment. Conservation and reforestation to be taken up in cooperation with the local population and the forest resources to be harvested on a sustainable basis, (v) Special protection to coastal regions and marine wealth. To check ingress of seawater and protecting the shore extensive plantation of mangroves and strict enforcement of CRZ regulations. (vi) Ban on clear felling of forests and special measures for regeneration of degenerated forest tracts.

The above measures have to be implemented in full cooperation of the toiling people in the respective regions in such a manner that the people should begin receiving real benefits in terms of a good life and meaningful work with human dignity.