

# **Politics and conflict in development: land, law and progress in Jharkhand, India**

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under the supervision of Prof. Sara Wilkinson and Prof.  
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To my parents for giving me the courage to pursue my dreams.

## Certificate of Original Authorship

I, Gautam Pingali declare that this thesis, is submitted in fulfilment of the requirements for the award of Doctor of Philosophy, in the School of Built Environment of Faculty of Design, Architecture and Building at the University of Technology Sydney.

This thesis is wholly my own work unless otherwise reference or acknowledged. In addition, I certify that all information sources and literature used are indicated in the thesis.

This document has not been submitted for qualifications at any other academic institution.

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September 18<sup>th</sup>, 2020

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## Abstract

The Adivasis are the indigenous communities of India. After a long struggle for autonomy, spanning centuries, their dream of an indigenous state was finally realised with the formation of Jharkhand in 2000. The birth of Jharkhand brought with it hope that moving forward the Adivasis would have more control over their destiny. However, within three months of Jharkhand being formed the newly formed government of Jharkhand announced the creation of Koel-Karo dam, dampening their vision of self-determination as the state continued to exert its dominance on the Adivasis. The agenda for the creation of Jharkhand slowly revealed itself to be a resource-dependent state that had little regard for Adivasi communities. Today, this conflict continues as the Adivasis enforce their legal right through the Pathalgadi movement and call the state unlawful and corrupt if it enters their land.

Central to these conflicts is the question of development. Seen in its raw form it is the conflict between the 'modern' and 'traditional' pursuits of development by the state and the Adivasi respectively. This contradiction is witnessed in their quest for industrialisation and agriculture respectively. Development ultimately is a product of contestation over the idea(s) of development by different actors making it deeply intertwined within the power and politics that creates enclaves of inequalities and exclusions through the control and distribution of resources. Development becomes a question of contention as the state of Jharkhand is focused on a 'fast-track' model of growth built on 'efficiency' and 'high return' while delegitimising 'traditional' practices for the 'superiority' of liberal capitalism. It is in this context that this thesis undertook a deeper study on the conflict in the state of Jharkhand to identify the development orthodoxies of the key actors in Jharkhand.

It was identified that the actors studied in this thesis – the state, the corporate entities, and the Adivasis – reflected a distinct ideology that is inclusive of their particular style as presented in the literature – the state aligns with the principles of state-led modernisation, the corporate entities lean on the ideology of neoliberalism, and the Adivasis stand for the theory of alternative development. This finding brings to light the deeply entrenched biases of the actors with the conclusion that the conflict in Jharkhand will persist until these differences are recognised and welcomed through participation and collaboration.

## Acronyms

1894 Act	1894 Land Acquisition Act
2013 Land Acquisition Act	The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act
ADB	Asian Development Bank
ADC	Autonomous District Council
AITPN	Asian Indigenous and Tribal Peoples Network
APDR	Association for the Protection of Democratic Rights
BIRSA	Bindrai Institute for Research, Study and Action
BISCO	Bengal Iron and Steel Company
BJP	Bharatiya Janata Party
CAD	Constituent Assembly Debates
CBAA	Coal Bearing Areas (Acquisition and Development) Act, 1957
CII	Confederation of Indian Industry
CM	Chief Minister
CNT	1908 Chota Nagpur Tenancy Act
Convention 107	1957 International Labour Organization Convention 107
Convention 169	1989 International Labour Organization Convention 169
CSO	Civil Society Organizations
E&Y	Ernst & Young
FIAN	Food First Information and Action Network
FRA	The 2006 Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act
GDP	Gross Domestic Product
GEM	Gender Empowerment Measure
GNH	Gross National Happiness
GNI	Gross National Income
Gram Sabha	General assembly of the people of the village
Greater Jharkhand	The original demand for Jharkhand included districts of Bihar, West Bengal, Odisha and Madhya Pradesh
HDI	Human Development Index

HPI	Human Poverty Index
ICT	Information and Communications Technology
IIT	Indian Institute of Technology
ILO	International Labour Organisation
IMF	International Monetary Fund
INC or Congress	Indian National Congress
India Inc.	Collective of top Indian corporations
KPMG	Klynveld Peat Marwick Goerdeler
MGNREGA	Mahatma Gandhi National Rural Employment Guarantee Act
MIT	Massachusetts Institute of Technology
MoU	Memoranda of Understandings
NAPM	Medha Patkar-led National Alliance of People's Movement
NDA	National Democratic Alliance
NREGA	2005 National Rural Employment Guarantee Act
PESA	1996 Panchayat Extension to Scheduled Areas Act
PPP	Public-private partnership model
PPPP	People-public-private partnership model
PwC	PricewaterhouseCoopers
R&R	Rehabilitation & Resettlement site
SC	Scheduled Caste
SC/ST Act	1989 Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act
SEZ	Special Economic Zones
SIA	Social Impact Assessment
SPT	1949 Santhal Pargana Tenancy Act
ST	Scheduled Tribe
TAC	Tribal Advisory Council
TISCO	Tata Iron and Steel Company
UN General Assembly	United Nations General Assembly
UNDP	United Nations Development Programme
UPA	United Progressive Alliance

# 1 Chapter One: Introducing the conflict

## 1.1 Introduction

The term 'indigenous' is universally recognised as the acknowledgement of first-settlers of an area (Das 2015; Sissons 2005; Xaxa 1999). This term has become part of the global legal discourse to protect the rights, customary practices, culture, and heritage of the indigenous communities around the world (Das 2015). In the state of Jharkhand, India, the indigenous communities constitute 26.3 per cent according to the census data of 2011 (Kumar 2018; Shah 2007a). These communities call themselves Adivasi<sup>1</sup>, a term signifying their indigeneity (Ghosh 2006c; Giménez 2017; Mohanty 2011). The Jharkhand government though does not recognise the indigeneity of these communities, and instead follows the stance of the Indian government by calling them 'Scheduled Tribes', a reference to their 'traditional' and 'backward' way of life in the eyes of the state (Ghurye 1959; Saksena 1981; Wahi & Bhatia 2018). This is despite Jharkhand, and the neighbouring state of Chhattisgarh, being the first states in India created outside linguistic boundaries to recognise the rights of the indigenous communities (Prakash 2001). According to the Indian government, there lacks concrete evidence on who the original settlers of India are due to complex migratory patterns (Damodaran 2002; Sengupta 2004; Shah 2007a). Many authors have argued that the label 'Scheduled Tribe' is a deliberate attempt by the government to free itself from implementing laws that protect the indigenous communities from policies of assimilation (Burman 2009; Giménez 2017). This stance by the Indian government was clearly visible when the government ratified the 1957 International Labour Organization Convention 107, that focused on integrating and assimilating indigenous communities, but did not ratify the

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<sup>1</sup> Translated: indigenous – '*adi*' meaning beginning and '*vasi*' meaning inhabitant in the Old Indo-Aryan language of Sanskrit.

succeeding 1989 International Labour Organization Convention 169 as it focused on the protection of the indigenous people, their lands, culture and distinctiveness (Kurup 2008; Xaxa 1999). It has been speculated that this stance by the Indian government to not recognise the indigeneity of these communities was deliberate to avoid the calls for autonomy by the Adivasis (Karlsson 2003; Xaxa 2008).

Curiously, despite the Indian government not ratifying the Convention 169, they did eventually implement aspects of the 1989 Convention in the 1996 Panchayat Extension to Scheduled Areas Act (PESA). This included participatory governance, management of natural resources in Scheduled Areas<sup>2</sup>, employment and education opportunities, environmental protection, enforcement of laws that regulate the indigenous customs and protect the indigenous interests (Kurup 2008). However, it is important to note that despite this act, and the other acts enacted to protect the welfare of the indigenous communities – namely; the Scheduled Caste<sup>3</sup> and Scheduled Tribe (Prevention of Atrocities) Act, 1989 (popularly known as the SC/ST Act), the 2005 National Rural Employment Guarantee Act (NREGA), the 2005 Right to Information Act, the 2006 Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act (FRA), the 2013 Food Security Act, and The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act (also referred to as the 2013 Land Acquisition Act) – the injustices towards the indigenous communities of India continued (Ananth & Kalaivanan 2017; Bandi 2013; Dandekar & Choudhury 2010; Patnaik 2007b). This is in spite of the Supreme Court of India proclaiming in

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<sup>2</sup> Scheduled Areas are areas designated by the Indian Constitution where the 'Scheduled Tribes' reside.

<sup>3</sup> Scheduled Caste (SC) is another designation given to the 'backward' communities in India. SC is however not associated with the indigenous communities and so is out of the scope of this thesis.

2011 that the 'Scheduled Tribes' are the 'indigenous people of India' (Das 2015, p. 23) and that the Indian state needs to take steps 'to undo the historical injustice' done to them<sup>4</sup>.

Such continuing injustices towards the indigenous communities is witnessing a growing number of NGOs, activists and scholars around the world who are siding with the indigenous communities and challenging the government rhetoric (Dungdung 2013; Mohanty 2011; Sundar 2005a). This chapter introduces the conflict that has become the symbol of indigenous politics in Jharkhand and the on-going debate of inclusion and citizenship for indigenous communities around the world in contemporary societies. The chapter concludes by outlining the research questions addressed in this study and provides an overview of the chapters in this thesis.

## 1.2 The story of Jharkhand

Situated in the Chota Nagpur plateau of eastern India, the state of Jharkhand was part of Bihar until 2000, however conflict in this region dates back to the colonial period (Bandyopadhyay 2004; Damodaran 2002, 2005). The Chota Nagpur region was predominantly an indigenous<sup>5</sup> populated region with the communities in the region living autonomously and practicing self-governance (Damodaran 2002; Joshi 1997; Shah 2009). This rich Adivasi history and heritage was however marginalised by the British as mining, deforestation and migration of outsiders into the region displaced the Adivasis and turned them into minorities in 'their own territory' (Damodaran 2002, p. 78). To regain control of Chota Nagpur region, the Adivasi communities united in a violent protest against the colonial policies of domination and subordination

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<sup>4</sup> *Kailas & Ors vs State Of Maharashtra Tr. Taluka*, [2011] S.C.C. at para. 39.

<sup>5</sup> Moving forward I refer the indigenous people as Adivasis except when quoting other authors or explicitly requiring to use 'Scheduled Tribe' for my argument. The term Adivasi carries a political meaning in the struggle for inclusion in the Indian Constitution and NGOs, activists, scholars, books and media have begun referring to the 'Scheduled Tribes' as Adivasi in a gesture of empowering them in their identity struggles (Banerjee 2006; Basu 2012; Burman 2009; Damodaran 2002; Mohanty 2011)

(Damodaran 2002; Shah 2007a). The resolute and uncompromising nature of these revolts forced the British to enact laws of Adivasi welfare. The Kol Rebellion of 1830s led to the formation of the 1834 Wilkinson Rule, which ceded state control to the Adivasi's self-rule in the Kolhan area of Chota Nagpur; the Santhal rebellion of 1855-56 resulted in the Santhal Pargana Regulation Act, which restricted the transfer of land in the region of Santhal Pargana region of Chota Nagpur; the Sepoy Mutiny of 1857 and the Sardar Movement of 1859-65 led to the Chota Nagpur Land Tenure Act; and the Birsa movement of 1895-1900 led to the Chota Nagpur Tenancy Act of 1908 (CNT), which restricted the transfer of Adivasi land to non-Adivasis (Guha 1999 [1983]; Munda 2004; Singh 2002). Despite these acts, the denigration and marginalisation of the Adivasis continued. Overall, the Adivasis were considered inferior by the colonial rulers for wanting to remain isolated from the rest of the world.

The British used a dualistic approach to govern the Adivasis. On the one hand, they studied and developed an encyclopaedic knowledge of the Adivasis, acknowledging their deep connection to land, and creating laws of isolation to protect them from state's influence (Barber 1970; Upadhyay 2011). Concurrently, the British viewed the Adivasis as "underdeveloped", "imperfect", "childlike" or even "criminal" (Damodaran 2002, p. 82), and formalised their land using a revenue system that ignored customary land rights (Chandra 2013b). Through such means, the British continued to acquire their land for mining and industrialisation despite enacting laws to protect the Adivasi welfare. For example, between 1915 and 1925, 100,000 acres of Adivasi land was acquired in the Jharkhand region of Chota Nagpur for the Bengal Iron and Steel Company (BISCO) and Tata Iron and Steel Company (TISCO) (Jewitt 2008). This dualistic model that celebrated and denigrated the Adivasis continued in post-colonial India.

After India's independence, the Adivasis of Jharkhand in Chota Nagpur region experienced the continuation of colonial practices. In the words of Sundar (2011) (quoted in Chandra (2013b)), 'consequences of colonial primitivist policies have only been exacerbated in postcolonial India' (p. 159). Under the rule of Bihar state<sup>6</sup>, the region of Jharkhand was exposed to 'massive exploitation of the forest and mineral wealth... while maintaining its official "tribal" policies that the "tribals" should be allowed to develop according to their own genius' (Damodaran 2002, p. 98). Between 1950 and until the state of Jharkhand was formed in 2000, thousands of acres of Adivasi land were lost to new industries (Damodaran 2002). Beyond industries land was also acquired for urbanisation due to gentrification in the Jharkhand region. The census data of 1971 disclosed that the Adivasi population was falling across the Chota Nagpur region and the area 'could not really be categorised as predominantly Adivasi' anymore (Damodaran 2002, p. 101). Despite the fall in Adivasi numbers, further displacements pursued when the coalfields of India nationalised in 1972 giving the state control over the coalfields in the region of Chota Nagpur (Stuligross 2001). With fears of losing autonomy in what was expected to be 'their own territory' the demand for a separate state, called Jharkhand, grew (Damodaran 2002, p. 78).

The first demand for a separate administrative state of Jharkhand dates back to the colonial period, when the demand was placed before the Simon Commission in 1928 (Ghosh 1993). This demand for a separate Jharkhand state grew stronger after India won its independence and the Adivasis witnessed the continuation colonial practices of exploitation and marginalisation in their region of Chota Nagpur. Known as the Jharkhand Movement, this movement began in 1950s with Jaipal Singh as the leader of the Jharkhand Party asserting the

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<sup>6</sup> The state of Jharkhand bifurcated to become a separate state from Bihar in 2000. From 1947, when India became independent, to 2000, Jharkhand was part of Bihar.



need for an Adivasi state to give the Adivasis political and cultural autonomy from the state rule (Basu 2012; Corbridge 2002; Devalle 1992). However, failing to gather government support, the Adivasis turned to protests and rallies that ultimately turned violent (Stuligross 2008). This resistance grew to unbearable levels as exploitation and dispossession grew (Das 2015). On September 8, 1980, when the Adivasis in the region of Chota Nagpur were protesting against the state for not enforcing the Adivasi welfare acts and neglecting their traditions and cultures the police fired 59 rounds to suppress the protest movement and arrested the Adivasi leaders (Corbridge 1995). A total of 17 Adivasis and 3 policemen were killed in this violent outbreak.

Soon after that incident, 'the police let loose a reign of terror' on the Adivasi protestors who opposed the state rule and sought autonomy through the creation of a separate state, Jharkhand (Jewitt 2008, p. 72). 'Thousands of innocent Adivasis were dragged out of trains, buses, etc. [sic] or picked up from weekly haats [markets], courts or their places of work and put in prison. Villages were raided and women raped and beaten up' (Areparampil 1992, p. 166). As the violence increased, the Adivasis resorted to blockades by refusing the state access to the coalfields in Jharkhand (Munda 2004). With these protest growing in intensity, the government concluded that 'everyone's interests would be best served if their region [Jharkhand region] were granted autonomy' (Stuligross 2008, p. 83) and the Jharkhand statehood movement 'became a political compulsion across political divides' (Balakrishnan 2003, p. 14). Finally, in the year 2000, the state of Jharkhand was formed.

It is important at this juncture to stress that the state of the Jharkhand that formed in the year 2000 only partially fulfilled the vision of the Adivasis. The Adivasis wanted Jharkhand to encompass the Scheduled Area districts of Bihar, West Bengal, Odisha and Madhya Pradesh

(henceforth referred to as Greater Jharkhand) (Corbridge 2002; Roy 2000). The intention was to form a single state for all the indigenous communities of eastern India (Bharti 1989; Fernandes 1998a). Instead, the vision of Greater Jharkhand got separated into two smaller and separate states – Jharkhand and Chhattisgarh. Consequently, the political representation of Adivasis in Jharkhand, and Chhattisgarh, was minimised as majority of the key government officials of the newly formed Adivasi state were held by outsiders, non-Adivasis, who aligned with the development trajectory of the Indian state (Munda 2004) – this point, and its implications, is discussed in more details in section 4.5. It is argued that the separation of Greater Jharkhand was deliberately crafted by the Indian state to avoid calls of autonomy because according to the Indian Constitution, a state with majority Adivasi population would be classified as a Sixth Schedule state, giving the Adivasis greater autonomy in governing their state. By bifurcating Greater Jharkhand though, the Indian government split the Adivasi population into Jharkhand and Chhattisgarh, making them a minority in each state, and therefore labelling these states as Fifth Schedule. In a Fifth Schedule state, the Adivasis have partial autonomy in governing their state. It is reasoned that the vision of Greater Jharkhand and the autonomy of the Adivasis could not be realised because the region of Greater Jharkhand is a mineral rich area and the Indian state wanted to maintain its control over these resources (Bharti 1989; Fernandes 1998a). Understanding Fifth and Sixth Schedule states, its vagueness in definition by using the term ‘majority’ and ‘minority’, and the consequent impact on the Adivasis is vital to the debates of indigenous identity and the conflict over land in Jharkhand. I discuss Fifth and Sixth Schedule in more detail in chapter 4, but for now it is important to highlight that while the state of Jharkhand was successfully created, it was not a complete picture of what the Adivasis had fought for.

Despite that, the birth of Jharkhand became the site of the longest and best-known Adivasi movement for territorial autonomy in India and the Jharkhand identity became synonymous with Adivasi identity (Devalle 1992; Prakash 2001). Due to time constraints, this thesis focuses only on the politics and conflict over development in the state of Jharkhand; however, similar study needs be conducted in Chhattisgarh because Jharkhand, and later Chhattisgarh, were the first states created to recognise the rights and identity of Adivasi communities after the Indian government tried to erase their existence by separating them through the creation of linguistic borders (Ekka 2000). The creation of Jharkhand and Chhattisgarh were necessary in the eyes of the Adivasis because the laws enacted to protect the welfare of the Adivasis, such as PESA Act, were 'ineffective' in states created using linguistic borders (Upadhyay 2004, p. 2). The state of Jharkhand, and Chhattisgarh, predicted a paradigm shift to better meet the interests of the Adivasis (Stuligross 2008).

However, that idea was short-lived. Within the first two weeks of the newly-formed government of Jharkhand, the state proposed to build the Koel-Karo dam and quell any Adivasi protestors (Ghosh 2006b). By 2001, eight Adivasis were shot by the police for protesting against the Koel-Karo dam (Tillin 2011). In 2006, the state of Jharkhand led an anti-extremist and anti-terror campaign to arrest the opposers of the state under the Terrorism Act (Shah 2006); and later in 2009, the government of Jharkhand launched a military operation called 'Operation Green Hunt' to wipe out the Adivasi revolutionaries (Shah 2013c). The Adivasis were incensed by the state's 'corrupt practices' (Shah 2009, p. 296) for stealing their dream of an Adivasi state and replacing it with 'everyday tyranny' (Nilsen 2010, p. 49). By 2017, the fading vision of an Adivasi state saw the rise of Pathalgadi movement in Jharkhand to assert the rights of the Adivasis as stipulated in the Indian Constitution (Singh

2019). Pathalgadi movement is a political movement that emerged to challenge the authority of the state in the Scheduled Areas of Jharkhand (Singh 2019). Pathalgadi is unique from the previous movements because it gains legitimacy from the Constitution, and the laws that were designed by the state for the welfare of the Adivasis. It involves erecting stone slabs outside the villages with inscriptions of the Fifth Schedule of the Indian Constitution which reinforce Adivasi authority of self-governance as stipulated in 1996 PESA Act (Singh 2019). By inscribing the provisions of Fifth Schedule, the Adivasis are making a political stand by calling the state unlawful if it enters the Scheduled Areas of Jharkhand.

In 2009, the future of Jharkhand was claimed to either see the sustained Adivasi movement and continued rejection of the state; or the transformation of Adivasis to detach from their traditional customs and rituals and join the rural elites (Shah 2009). In 2020, the former still holds true as the Adivasi-state relationship sits on a precipice with the Pathalgadi movement crossing Jharkhand borders and entering the Adivasi villages of Chhattisgarh, Odisha<sup>7</sup>, parts of West Bengal and Madhya Pradesh as this conflict, that has stretched for multiple centuries, is seemingly no closer to reaching to an end (Ekka 2018; Mohanty 2018a). The future of Adivasi-state relationship is precariously balanced as tensions mount with each passing year of unresolved conflict.

### 1.3 The stance of the Indian state

In 1947, India became a sovereign state after a long hard-fought battle against the British Empire (Chandra *et al.* 2016; Greenberg 1942; Mehrotra 1979). India's independence heralded a new beginning for its citizens. However, for the Adivasi population of Jharkhand, and the rest of India, India's independence was just another chapter in their ongoing struggle

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<sup>7</sup> Formerly Orissa

for survival and autonomy. In many respects, the Adivasis continued to experience the colonial practices of repression and discrimination, the only difference being that it was under a different administration (Shah 2007b, 2010). Chandra (2013b) stated that the key provisions of colonial rule were ‘unwittingly reworked and renewed’ by the Constituent Assembly of India tasked with framing the Indian Constitution (p. 152). Four months prior to India becoming an independent state, the soon-to-be first Prime Minister of India, Jawaharlal Nehru, argued for the continuation of the colonial laws until a better solution was found to protect the Adivasis: ‘the tribal people should be protected in every possible way... but certainly the existing laws should continue and may be, should be, added to when the time comes’<sup>8</sup>. The history of post-colonial India has shown that ‘the time’ only came when the Adivasis protested and resisted against the state machinery.

Tasked with the challenge of becoming a self-sufficient state, post-colonial India followed western liberal policies of economic and technological growth with industrialisation at its centre that proved exploitative and oppressive to the Adivasis (Shah 2009, 2013c). Land displacement, deforestation and growing reliance on outsiders for their survival became common for the Adivasis, as the state took on the parental role of treating them as ‘childlike primitive subjects’ who needed guidance to modernise and join the mainstream fold (Chandra 2013b, p. 152; Guha [1983] 1999; Kurup 2008; Skaria 1997). According to the state, the Adivasis were a waste of space in the ‘modern’ society: ‘they did not deserve their language and, finally, did not deserve to exist except as insignificant cogs of a monolithic state’ (Damodaran 2003). The Adivasis were treated as ‘wild savages’, because they resided in the

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<sup>8</sup> Constituent Assembly Debates, April 30, 1947 *speech by Jawaharlal Nehru* 31, available at [http://cadindia.clpr.org.in/constitution\\_assembly\\_debates/volume/9/1947-04-30](http://cadindia.clpr.org.in/constitution_assembly_debates/volume/9/1947-04-30) (Last visited on September 2, 2019).

jungles, and as 'backward', because they isolated themselves from the urban centres of 'modern' society (Shah 2007b; Shah & Shneiderman 2013). India's modernising bourgeoisie dominated the post-colonial polity as the Adivasis were relegated, along with their culture, traditions, customs and laws (Damodaran 2002; Kurup 2008; Shyamlal 2000; Singh 1994). As Rothermund (1978) stated, the elite of the state viewed the Adivasis as 'followers rather than trend-setters' (p. 565).

However, the resistance against the state was growing. The failure of post-colonial India to address the needs of the Adivasis was becoming obvious (Guha 2007; Vaidya 2018). The Adivasis were losing trust in the leaders of the state who they had largely supported during India's independence (Vaidya 2018). It was becoming clear to them that their fate was not changing from when the British ruled India (Guha 2007; Vaidya 2018). In the 1960s, the communist uprisings, known as Naxalite movement, heralded the start of the Maoist revolution in India (Guha 2007; Shah & Pettigrew 2009). The Naxalite movement recruited predominantly from the disadvantaged and excluded Adivasi communities and led violent peasant uprisings to challenge the state machinery (Guha 2007; Shah 2013b). By 1970, the state responded with 'a brutal counter-insurgency to check the advance of the Naxalites, imprisoning, torturing and even murdering activists without remorse' (Chandra 2014, p. 415). These hostilities intensified when the government of India refused to ratify the 1989 International Labour Organisation Convention 169 to acknowledge the existence of indigenous people in India (Karlsson 2003).

Concurrently, in 1991 the Indian economy opened its doors to global capital. The state formed an alliance with the corporations in the name of 'national interest' and began acquiring land from the Adivasis and leased it to the corporations (Banerjee-Guha 2013; Fernandes 1998b;

Kurup 2008). This alliance further marginalised the Adivasis and enabled the corporations to bypass the local protective laws that otherwise disallowed the transfer of Adivasi land to non-Adivasis (Kurup 2008). The 1991 economic liberalisation of India unleashed a rush to acquire the mineral rich lands of central and eastern India with little or no consideration of the implications (Levien 2017). The unprecedented rate of Adivasi displacement forced the Naxalite movement to strengthen their political will and historical consciousness and resist the state's attempts to eradicate their existence, culture, heritage, tradition and way of life (Rycroft 2014). They garnered support from many national, regional and district level grassroots organisations as they challenged the state bureaucracy that did not protect, represent, or provide them with adequate public goods (Lerche 2013; Shah 2013a; Vaidya 2018). They questioned the state policies that privatised and liberalised while further subjugating the Adivasis to structural violence. The Maoist insurgency is considered the most powerful opposition of the Indian state's ruthless policies of accumulation, dispossession and displacement (Shah 2013b). These movements have become 'a marker of dissent in the belly of the Indian boom' (Shah 2013b, p. 499).

To calm the rising unrest, the government of India introduced the PESA Act in 1996. It signalled a new mode of governance in the Scheduled Areas by abandoning the top-down model of command and control with a participatory model of devolution (Kurup 2008). However, it soon became clear that PESA was an act on paper only as the Adivasis continued to be 'culturally deprived and economically robbed' (Harit 1996, p. 53). The reality was that neither PESA, nor the other acts designed to protect the Adivasi's welfare, prevented the acquisition of land in the Scheduled Areas (Rath 2006). Despite these acts, the Adivasis continued being denied self-governance as their rights to the land were controlled by the

state (Barik 2006; Kurup 2008). The Indian state monopolised its power over the Adivasis and reduced them to a 'minority' to disallow them from entering the political sphere and changing this course of action (Damodaran 2002, p. 81; Banerjee 2017; Kumar 2018; Xaxa 2001). In the seven decades since India's independence, the Adivasis 'remain[ed] protégés of upper caste or middle caste leaders' (Mohanty 2011, p. 2). Scholars argue that besides Jaipal Singh, a prominent Adivasi leader in the Drafting Committee of the Indian Constitution, there has been no strong Adivasi political leader capable of influencing the national policies (Corbridge 2002). Therefore, the critical voice of the Adivasis has been largely absent within the Indian political system (Guha 2011).

According to Mohanty (2011) though, this was a deliberate setup by the dominant ruling class of India as the major political parties in India did not want to allow a strong Adivasis political leader to emerge. With no significant Adivasi political leader, the state was free to take steps to subdue uprisings by implementing acts, such as the PESA Act, yet keep these act 'vague and ineffective' (Upadhyay 2004, p. 2). Upadhyay (2004) highlighted the nature of these inefficiencies in the PESA Act in her study: 'through carefully using the wordings in law... the word "consultation" under the PESA instead of "consent" significantly waters down' the effectiveness of the act (p. 3). The Adivasi history has been marred with false hope and promises, with some authors suggesting that the state's only interest with the Adivasis is their votes during election years (Mohanty 2011). It is thus not surprising the Adivasis have lost trust in the state apparatus and seek autonomy instead (Shah 2007b, 2009; Stuligross 2008).

With continued Adivasi resistance against the state, in 2006, the former Prime Minister of India, Manmohan Singh, declared the Naxalites as India's 'single biggest security threat' (Shah and Pettigrew 2009, p. 226; Shah 2006). In a parliament speech he stated, 'if left-wing



extremism continues to flourish in parts which have natural resources of minerals, the climate for investment will certainly be affected' (Shah 2013b, p. 483). Soon after, the Naxalites were labelled a 'terrorist' organisation (Shah 2006; Shah & Pettigrew 2009). In the name of safety and security of the citizens, the state began suppressing the protestors until they retreated (Damodaran 2002; Shah 2006). This century old conflict between the Adivasis and the state machinery is still ongoing today as Adivasis play tug-of-war with outside forces to maintain and grow their power and influence to reclaim their rights, their culture and heritage amidst the increasing dominance of the 'modern' society (Singh 2019).

#### 1.4 Industrial development – a reason for conflict

Central to these conflicts between the Adivasis and the state is the question of development. While development in the contemporary notion is discussed mainly in economic terms, the theoretical and philosophical understanding of development is more holistic, dealing with the overall progress of a society, spanning beyond economic factors to include, but not limited to health, education, employment, and welfare. The focus in this thesis is on industrial development because Jharkhand is one of the richest mineral states in India and in the eyes of the Indian state, Jharkhand is crucial to the progress and growth of India. The complication of industrial development arises with the element of land. Land is essential for industrial development, and in the state of Jharkhand where land is central to the livelihood of an Adivasi, contestations turn bloody and violent. This is true now more than ever because the Jharkhand government is ramping up its efforts to industrialise the state by attracting investors from around the world, and the Adivasis are ramping up their efforts to have their rights recognised by enforcing the rule of law through Pathalgadi movement. Therefore, this

thesis focuses on the contests over corporate-led, state-supported industrial development<sup>9</sup> with the primary focus on the question of land. The debates on industrialisation and the use of land do crossover with the discussions of urbanisation, education, and employment; however, the primary focus of this thesis remains land. Doing so, the thesis does not negate the importance of other development variables. It acknowledges that every variable is important for the overall development of a society and each one warrants a dedicated research study.

Seen in its raw form, the conflict over land in the Scheduled Areas of India is between the 'modern' and 'traditional' pursuits of development by the state and the Adivasi respectively (Banerjee-Guha 2013). This contradiction is apparent in their quest for industrialisation and agriculture respectively. In India, where agriculture was the major contributor to GDP until the 1970s, and employed 70 per cent of the working population in 1980s, the pursuit of industrialisation agitated the farmers as the agricultural workforce declined steadily to 60 per cent by 2008 and 53 per cent by 2010 (Lerche 2013; Patnaik 2008; Ray 2011; World Bank 2007). This transition to industrialisation in a heavily agriculture-driven country 'excluded the majority from the orbit of development' (Banerjee-Guha 2013, p. 165); resulting in an 'irreversible socioeconomic structure that favoured the rich' (Banerjee-Guha 2013, p. 166) by bringing a world of 'dark reality... [that] heightened inequalities, increasing expendability of the poor and a growing environmental crisis' (Banerjee-Guha 2013, p. 165). Displacement and dispossession of the Adivasis, and environmental degradation emerged as the structural components of 'modern' development with the state emerging as the 'grand abettor' of the entire process (Banerjee-Guha 2013, p. 166; Mohanty 2011). Across India, and the

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<sup>9</sup> Moving forward, in this thesis the word development signifies industrial development.

neighbouring countries of Pakistan and Bangladesh, the pattern was the same as mineral rich lands were acquired for the purposes of industrialisation and urbanisation (Banerjee-Guha 2013; Lakra 2010; Shah 2013b). Furthermore, the promise of jobs and better living conditions were reaped by outsiders, who were more educated and skilled, while the Adivasis remained poor, without electricity, water, sanitation, roads, health care and education, relying heavily on forest products, wage labour and farming to make ends meet (Chandra 2014; Sanhati 2011; Shah 2013b). Therefore, the pursuit of 'modern' development and decline in agricultural investment witnessed farmer suicides across the country (Lerche 2013; Patnaik 2008; Ray 2011).

Development becomes a question of contention when the state is focused purely on 'efficiency' (Banerjee-Guha 2013, p. 173) and 'high return' (Banerjee-Guha 2013, p. 173) while ignoring 'all alternative viewpoints' (Banerjee-Guha 2013, p. 173) leading to 'uneven development' (Banerjee-Guha 2013, p. 178). The 'modern' developmental narrative delegitimises 'traditional' practices discarding them as 'mythical or irrelevant' for the 'superiority' of liberal capitalism (Vaidya 2018, p. 320; Nandy 1983, 2003). Following this 'fast track' model of development (Banerjee-Guha 2013, p. 165), supported by international financial institutions such as the World Bank, the International Monetary Fund (IMF) and the Asian Development Bank (ADB), the Indian state facilitated global capital in all economic sectors while promoting urbanisation and privatisation (Banerjee-Guha 2009). Adivasis residing on fertile mineral rich lands were made homeless as their lands were converted into Special Economic Zones (SEZs), or subsumed into government land banks and leased to private investors (Banerjee-Guha 2013). This practice was clearly visible in Jharkhand – where 37 per cent of India's total mineral reserves are located (Government of Jharkhand 2003;

Sundar 2005b) – as the state of Jharkhand nationalised the land, water and forests in the name of development (Areeparampil 1996; Ghosh 2006c; Shah 2009).

To make matters worse, these mineral reserves in Jharkhand were predominantly in the Scheduled Areas where the Adivasis resided (Shah 2013b). Despite the protective laws, the government of Jharkhand pursued the ‘modern’ route of industrialisation by releasing the Jharkhand Industrial Policy 2001 and the Jharkhand Vision Document 2010 to make Jharkhand more ‘investor friendly’ and reducing the hurdles for industrialisation through the creation of land banks (Sundar 2005b, p. 4461). In many instances, the land banks were found to be Adivasi lands claimed by the government for ‘national interest’ projects and later leased to the corporations (Kurup 2008; Upadhya 2005). The state turned into a ‘vociferous facilitator of private capital’ by facilitating dispossession through its ‘monopoly of violence and definitions of legality’ (Banerjee-Guha 2013, p. 170). In pursuit of progress and growth, the Adivasis across India were ‘being squeezed’ (Vaidya 2018, p. 329) by the state’s rhetoric of development that claimed ‘there is no place for them [Adivasis] in the modernising India’ (Vaidya 2018, p. 329; Dungdung 2015).

Critics though questioned this model of development arguing that it does not value the quality of life or wellbeing of the ordinary people (Banerjee-Guha 2013; Mahana 2019; Mohanty 2018b). ‘Modern’ development focuses predominantly on economic growth, with Gross Domestic Product (GDP) measuring the growth and progress of a state (Martinussen 1997; Peet & Hartwick 2009). Explaining the flaw in this rhetoric, Torri (2015) stated that India accounts for the largest number of homeless, illiterate and malnourished people in the world despite the growth in India’s GDP figures. In ‘modern’ development, the ruling class pursues personal profit by maintaining dominance through resource appropriation while giving false

promises of redistributive justice through the trickle-down economic theory (Banerjee-Guha 2013; Shah 2010; Sundar 2005b). The policies of privatisation and liberalisation have increased poverty, starvation and displacement, while concurrently turning millionaires into billionaires (Chancel & Piketty 2017; Shah 2013b). Shah (2010) observed that 'modern' development filters through 'class structure that keeps the poorest firmly outside the material benefits of such development' (p. 72).

While majority of the Adivasi protest movements are not driven by socialist ideals, and nor are they violent (Banerjee-Guha 2013), the Maoist movement is communist driven; 'aimed at annihilating class enemies, creating liberated zones and seizing state power through the barrel of the gun' (Shah and Pettigrew 2009, p. 225). By fighting for the cause of the Adivasis against the state and corporations take-over, the Maoist recruit the Adivasis in their socialist movement (Borooah 2008; Sen & Teitelbaum 2010). These movements challenge the state's development rhetoric and its policies as the contradiction over development turn into an 'armed revolutionary struggle' (Chandra 2014, p. 414). Beyond claiming to fight against the state's unjust treatment of the Adivasis, these Maoist movements further legitimise their stance by referencing global environmentalism and stating that the local people are the best stewards of the landscape (Damodaran 2002). These movements label the state as 'autocratic' and force the people's agenda through violent protests until the state yields and shifts the balance of power with the enactment of laws designed to address people's welfare and needs, and in particular to address Adivasis and forest-dwellers rights (Chandra 2014, p. 414; Das 2015). However, the enactment of these laws did not change the development trajectory as the state lacked the will or the intent to implement and enforce them (Das 2015).

In the end, these laws appeared only to be a ploy to pacify the revolutionary movements because the history of Indian politics has shown that the Adivasis 'never had the luxury of self-determination, whether to decide how mineral resources under their homes will be utilized or how mining revenues will be shared, or even if they wish to be subjects of the postcolonial Indian state' (Chandra 2013b , p. 162). In the name of 'public interest' the government of Jharkhand, and India, has shown to bypass the protective laws of Adivasis with the support of the Supreme Court of India: 'the government is the "best judge" to determine if a public purpose is served by an acquisition' (Kurup 2008, p. 104; Jewitt 2008). Therefore, when the government – which according to the Supreme Court is the 'best judge' in deciding public purpose and protecting the welfare of the Adivasis – has shown to deliberately leave the Adivasis out of 'the orbit of development' (Banerjee-Guha 2013, p. 165); development becomes a highly contentious matter. Thus, Levien (2013) states the politics of development in India is 'combustible and consequential' (p. 1).

Development ultimately is a product of contestation over the idea(s) of development by different actors making it deeply intertwined within the power and politics that create enclaves of inequalities and exclusions through the control and distribution of resources (Mohanty 2018b). It is in this context I undertake a deeper study to identify the orthodoxies behind the developmental conflict in the state of Jharkhand.

### 1.5 Research Questions

This dissertation addresses the following research questions related to the conflict in the state of Jharkhand:

1. How do the key actors of Jharkhand conceptualise the questions of land, law and progress?

2. What methods are employed by the individual actors to further their conceptualisation of land, law and progress?
3. What do these debates say about their development orthodoxies?
4. What is the way forward for Jharkhand in the current climate of development conflict?

In the pursuit of identifying the development ideologies prevalent in Jharkhand, I narrowed the focus of this thesis to the debates of land, law and progress. The reason I chose land, law and progress is because progress, predominantly measured in GDP, is central to the debates of development, and land is central to the debates of progress; while law, gives legitimacy to these debates on land and progress, making land, law and progress inseparable in the politics of development (Ambagudia 2011; Basu 2012; Jewitt 2008; Upadhya 2011). Furthermore, the key players identified for this research project are – the state, the corporate entities and the Adivasis – because the literature of Jharkhand shows that the state acquires lands in the Scheduled Areas to pursue development in the name of ‘national interest’ and leases that acquired land to the corporations for economic growth (Areeparampil 1996; Behera 2019; Gupta 2014; Kumar 2018; Lahiri-Dutt *et al.* 2012; Muṅḍā 2003). Therefore, with land fuelling progress, the pursuit of industrialisation over agriculture violently collides in the heart of Jharkhand as the capitalist ideology of the state seeks ‘control over natural resources’ that belong to the Adivasis (Sundar 2005b, p. 4461). These conflicts have detrimental impacts on Jharkhand state politics which is stuck in a cycle of reactionary governance of violence and coercion. By analysing the debates on land, law and progress this research develops a rich understanding of why disagreements exist between the key actors in Jharkhand, enabling a proactive style of governance where coercion can be replaced with collaboration to grow Jharkhand together.

Using the findings from the first research question, the second research question dives into identifying the theoretical underpinnings that rationalises the stance of the key actors in their debates of land, law and progress. For this purpose, I comb through the development literature to compare, analyse and identify the orthodoxies reflected in the debates of the key actors in Jharkhand. In doing so, this research develops a deeper understanding of how the conflicts are firmly embedded in the ideological foundations of the key actors in the state of Jharkhand. This finding brings to light the deeply entrenched biases of the actors with the conclusion that coercion exacerbated the nature of conflict in Jharkhand. The state of Jharkhand faces an uphill battle unless it recognises that these divergent orthodoxies exist and learns to accept these differences instead of trying to squash them.

In the third question, I analyse how the actors in Jharkhand further their personal orthodoxy by studying the means and methods employed by each actor to outdo the other. Doing so, this research highlights the nature and dynamics of power relations at play in Jharkhand. Alliances are formed to gain, maintain, and control power as differences in ideologies get bloodied on the ground in a violent clash for survival. Following the retaliative approach, akin to 'an eye for an eye', these actors blow punches at each other hoping to tire the other party and win by forfeit. However, the Adivasis have continued to resist against the odds for centuries, suggesting they are not likely to forfeit; therefore, the state of Jharkhand needs a new plan, with new ideas to resolve this conflict.

In the final research question, I discuss the possible way forward for the state of Jharkhand. Jharkhand is the birthplace of indigenous conflict, therefore it harbours deep-seated grudges (Balakrishnan 2003; Corbridge 1988; Upadhyya 2011). Using coercion in such a context is akin to 'fighting fire with fire'. What Jharkhand needs to do is repair these wounds of distrust by



working together and building collaboratively. Jharkhand needs to carve its own path and welcome inclusion and participation, even if that means digressing from the 'modern' route of development. This is not going to be easy as the pressures to meet economic growth targets will make collaboration more challenging. Furthermore, it will involve the state to enforce the rule of law that it enacted to rebuilt trust and legitimacy of the state. The peaceful coexistence of Jharkhand depends on the government of Jharkhand to be open to a joint development effort.

This research therefore has both theoretical and policy significance. On the theoretical note, the research challenges the top-down nature of development that threatens the Adivasi communities in the name of progress and growth. It questions the global development discourse that seeks to subjugate plurality and highlights the importance of an international debate on the nature of development. On the policy front, the research stresses the need for greater participation in the development process and argues for a collaborative form of governance. Finally, the research provides a theoretical framework through which similar conflicts around India, even the world, can be studied to develop a deeper understanding of the rationality behind the conflicts. By acknowledging the different perspectives of each actor, this research hopes to influence meaningful discussions and better policy outcomes, thus contributing to the field of developmental politics and conflict resolution.

## 1.6 Outline of the chapters

The rest of this thesis is structured into seven chapters. In chapter two, the thesis develops a deeper understanding on the debates of development by discussing the various theories of development. There is an extensive literature on development, therefore chapter two begins by briefly summarising the major theories relevant in post-colonial context before converging

on three relevant theories for this thesis – state-led modernisation, neoliberalism and alternative development. The reason for choosing these three theories is clarified in chapter two by explaining the development trajectory of India since independence. Chapter two then reintroduces the case of Jharkhand to validate the rationale for choosing Jharkhand for this study. It then presents the framework and the themes used in this thesis to analyse the debates to identify the developmental ideologies of the key actors in Jharkhand. Finally, chapter two concludes by discussing the methodology and the limitations of this research.

Chapter three provides the history of developmental politics in India since independence. This important chapter sets the scene for the thesis. This chapter analyses the early days of India's independence when the Constitution was being framed to dissect the debates surrounding the question of land and citizenship. By focusing on the three themes of analysis – land, law and progress – this thesis reveals that the newly formed government of independent-India continued the colonial rhetoric in post-colonial India despite accusing the British. In the name of 'national interest' the government of India continued to exert its coercive hand to dispossess the Adivasis from their land, who in the government's opinion were considered to be 'backward', and therefore needed the government's 'paternal' guidance to prosper and grow.

In chapter four the focus shifts to Jharkhand and the first key actor for analysis, the state. During the formation of Jharkhand in 2000, the Adivasis were protected by the 1908 CNT Act, the 1949 SPT Act and the 1996 PESA Act. In the years following, these protection laws grew to include the 2006 FRA Act and the 2013 Land Acquisition Act. Despite these acts, the Jharkhand government pursued the national development agenda that dispossessed the Adivasis. Chapter four discusses the steps taken by the government of Jharkhand to minimise

the impact of Adivasi welfare acts on state's development agenda. This chapter reveals why the creation of Jharkhand did not change the narrative for the Adivasis as the power remained in the hands of non-Adivasis, who held the key positions in the Jharkhand government, and therefore controlled the trajectory of development within the state.

In chapter five this thesis studied the corporations and the role they play in development. Since liberalisation in 1991, the corporations have been a key figure in state's development agenda with the state-corporate nexus developing and the states taking on the role of facilitating land deals for the corporations (Levien 2013). The corporations have emerged as the dominant players since liberalisation and have heavily influenced the state policies of development (Nielsen & Nilsen 2017). Their influence in bringing the Modi government to power and the subsequent ordinances to dilute the 2013 Land Acquisition Act is one such example discussed in chapter 5. Furthermore, the growing influence of corporations in land governance as they assist the Jharkhand government with maintaining the land records is indicative of their indispensable role in Jharkhand state polity. Using this position of leverage, the corporations pressure the state to develop land banks and threaten to invest elsewhere unless the Jharkhand government eases the process of land acquisition in Jharkhand.

The final key stakeholder, the Adivasis are studied in chapter six. The Adivasis have for long challenged the top-down development narrative that subjugates them to human rights violations and social injustices. In this chapter, I discuss the arguments used by the Adivasis to question the legitimacy of top-down elitist development paradigms; and instead propose an alternative model that is more inclusive – one that respects culture, heritage, land, and environment. This chapter revisits the Pathalgadi movement as the Adivasis reinvigorate their

demands for autonomy and self-determination to protect their knowledge and longstanding ties to their land.

The final chapter of this thesis is the discussion and the conclusion. Chapter seven begins by discussing the importance of being careful with the use of terminology in identifying, and therefore, defining groups and communities. The use of a term to describe a group plays a vital role in the treatment and the governance of that group. Therefore, labelling one group as 'modern', 'mainstream', 'developed', while the other as 'backward', 'third world', and 'Scheduled Tribes' builds a hierarchical society that is exploitative and destructive. In a resource rich state of Jharkhand, such terminologies result in constant conflict as the Adivasis fight to make their voices heard and their identity protected from extinction, while the state takes steps to erase these communities. The chapter then goes on to provide a summary of the research findings and how they answer the research questions. The thesis concludes by highlighting the contribution to knowledge and the future research areas.

## 2 Chapter Two: The challenge of development

*India simultaneously exists at several points along the path to modernisation and development. The ancient, colonial, post-colonial and post-industrial imperatives swirl around each other and sometimes violently collide (Vaidya 2018, p. 329).*

### 2.1 Introduction

To understand the reasons behind the contestations over land in Jharkhand it is important to establish the theories of development that have been debated for millennia. In chapter 1, I highlighted that development is a marker of holistic growth that spans beyond economic factors to also include education, health, and employment. While this thesis narrowed the focus of development in Jharkhand to industrial development; in this chapter, I study the holistic concept of development as I analyse the theories of development. There is an extensive amount of literature on development. It is not the purpose of this chapter, nor this thesis, to discuss all the development theories in depth, as many volumes have theorised the different schools of thought. This chapter begins by discussing the major theories, their propositions, and their impacts to paint a picture of how the concept of development has, and continues to, evolve before focusing on three theories relevant to this research study – state-led modernisation, neoliberalism and alternative development. The reason for choosing these three specific theories is explained in this chapter as I explore the development trajectory of India since its independence, and later Jharkhand.

The remainder of the chapter comprises of seven sections. In section two, I briefly introduce the key developmental theories prevalent in low income countries. In section three, I discuss in more detail the three theories relevant to this thesis – state-led modernisation, neoliberalism and alternative development. In section four, the focus shifts from theoretical to empirical by briefly discussing the story of India and explaining why these three selected

theories are relevant in the case of India. In section five, the case of Jharkhand is re-introduced, which is a state in eastern India and the central focus of this thesis. By critically analysing the literature of Jharkhand, section six presents a theoretical framework and the analytical themes that serve as the basis of study throughout this thesis. Finally, section seven discusses the methodology and research design, along with the limitations.

## 2.2 Development post-World War II

After the Second World War, a topic that was greatly debated by many developmental theorists was the question of developing the so-called 'less developed' countries. This thesis focuses on the theories after the war for two reasons. Firstly, during this time a major international financial organisations, World Bank, was formed to oversee the development of the 'less developed' states (Carroll & Jarvis 2015; Sandbrook 2000). The importance of this institution in the development sphere becomes clear by the end of this chapter. Secondly, and more relevant to this thesis, in 1947 India became an independent state as it broke free from the British colonial rule, and the theories that emerged after the war played an important role in India's development trajectory. As highlighted above, this thesis does not undertake an in-depth discussion of all the development theories and this section is only a quick and brief summary to introduce the various development theories before I dive into the three relevant theories – state-led modernisation, neoliberalism and alternative development.

After the war, a theory that gained in prominence in 1950s was the modernisation theory (Eisenstadt 1966, 1973). Modernisation theorists argued that all societies follow the same blueprint of growth, and the 'less developed' societies of today are where the 'developed' societies were in the past. Thus, through appropriate assistance from the 'developed'

countries, these theorists argued that the 'less developed' countries can join the so-called 'developed' countries (Rostow 1960). Modernisation theory was criticised for generalising the 'less developed' countries; and in the 1960s critics developed the dependency theory using a Marxist lens. Dependency theory argued that 'less developed' countries are 'less developed' because the 'developed' countries appropriated the resources from the 'less developed' countries for their personal gain (Galeano 1973). The dependency theory branched into the world-systems theory in the 1970s, which focused on the global system, as Wallerstein suggested the development prospects of a state is more dependent on the global system and its position in the international economic and political hierarchy than its internal structures (Wallerstein 1974). The 1970s also saw the Basic Needs model introduced by the International Labour Organisation (ILO) as a critique to the failure of modernisation theory in alleviating poverty and combating inequality in 'developing' countries (ILO 1976). This approach shifted the focus to societal matters by identifying the minimum resources required for human well-being – namely food, water, shelter, clothing, sanitation, healthcare, education (Denton 1990).

The 1980s saw neoliberalism come to prominence. Neoliberalism is based on the 19<sup>th</sup> century idea of liberalism that advocated for *laissez-faire* and free market economy system (Bloom 2017). The neoliberalist development model favoured the Washington Consensus – a policy reform package developed by the IMF, World Bank, and US Department of Treasury – that argued that 'less developed' countries are growing slowly because of heavy state regulations on markets and trade (Thornburg 2011). This school of thought suggested that countries needed to liberalise markets, free their trade and minimise state intervention to prosper (Bockman 2013; Brohman 1995; Mirowski 2013). The 1980s also saw the rise of post-

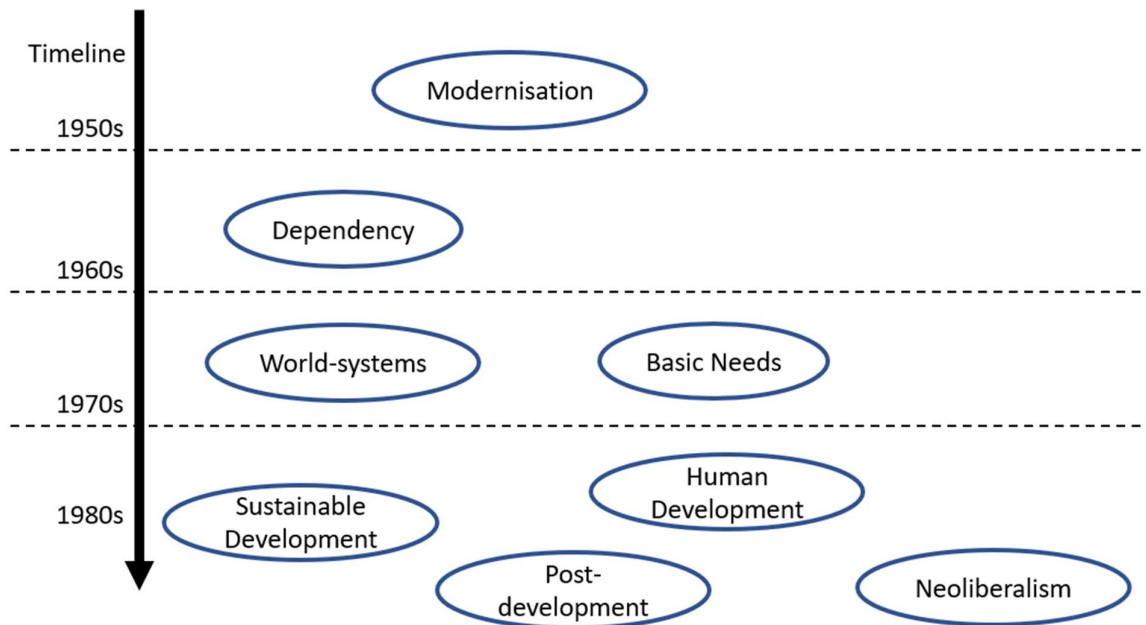
developmentalist theory that rejected the ideals of modernisation and the notion of economic development claiming development is a colonialist concept where 'developed' countries are portrayed as 'advanced' and 'progressive', while 'less developed' countries are portrayed as 'backward' and 'primitive' (Escobar 2018; Sachs 1992). Post-developmentalists argued that development was always unjust and focused on breeding a hierarchy where the 'underdeveloped' countries were made to believe that they permanently needed assistance from 'developed' countries (Escobar 1992). The post-developmentalists instead searched for an alternative to development by promoting pluralistic approaches and bringing in local cultures and knowledge through grassroots movements (Escobar 2018).

The 1980s also saw the emergence of sustainable development theory that gave primary importance to development with tomorrow in mind (Sachs 2015). Sustainable development aims to ensure that the needs of the future generations are not compromised. The goal of sustainable development is to not overuse the natural resources and ecosystem services in today's development so that future generations' economic and societal needs can be met (UN General Assembly 2015). Finally, the 1980s saw the emergence of human development theory by making a shift from welfare economics in search for an alternative model for growth (Anand & Sen 2000; Sen 1999). This theory breaks from the traditional economic approach to focus on the capability approach of humans by putting humans at the centre of development (Sen 1999). This theory aims to optimise the human capital in an economy as they argue that capabilities, and not their income, determine their wellbeing. By highlighting the importance of human capabilities, a human-focused measurement of development was developed by United Nations Development Programme (UNDP) called the Human Development Index (HDI) which has become popular around the world with many countries annually publishing HDI



figures alongside GDP figures (UNDP 2019). Figure 2.1 lists these dominant theories according to the decade they came to prominence.

Figure 2.1: Prominent development theories since World War II



Source: Author's construct

It is hard to grasp the depths of these theories when summarised so quickly. The purpose of this brief discussion is not to suggest that the theories do not require a more in-depth analysis but merely to set the scene for the three chosen theories and, more importantly, to highlight that these theories are in constant battle with each other. It is important to highlight that there are many more developmental theories, both classical and Marxist, that have been debated since millennia; and that humankind is no closer to reaching to a consensus on what development should look – in 1984, Riggs (1984) identified 72 different theories of development. This thesis now shifts its focus to the three relevant theories – state-led modernisation, neoliberalism and alternative development – for a more detailed study because they align closely with the ground realities of the conflict in the state of Jharkhand.

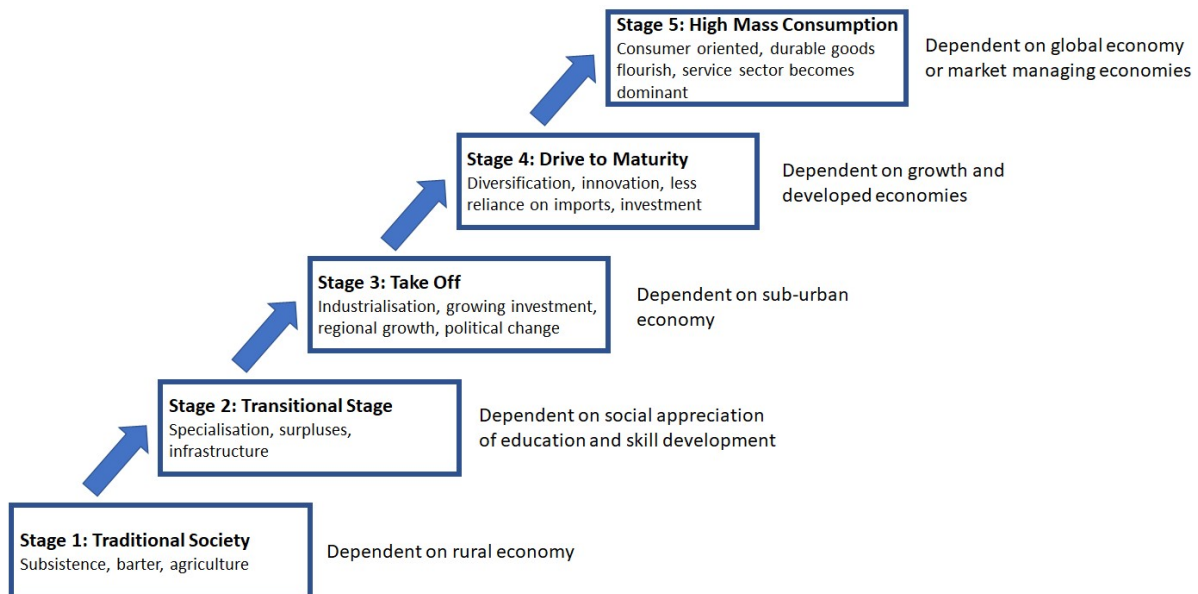
## 2.3 The paradigms in focus

### 2.3.1 State-led modernisation

One of the early and dominant theories of development after the Second World War was the theory of modernisation. It came to prominence in the 1950s premised on the notion of bringing 'modernity' into the lives of 'traditional' societies (Brohman 1995; Eisenstadt 1973). The argument for progress was that development meant to be like the West, that is to say the western countries, and anything less was considered 'primitive' and 'backward' (Eisenstadt 1966; Nash 1963). Modernisation, as an ideology, furthered the capitalist agenda by portraying the capitalist class as the beacon of progress and the farmers as irrational who needed guidance and support. Industrialisation was considered the reason for western countries developing quicker; and thus, great focus was put on the impeding factors to industrial development in the 'less developed' countries (Eisenstadt 1973; Rosenstein-Rodan 1957). Industrialisation was argued to be the driver of growth, while agriculture was relegated to the backseat, claiming its role was in providing the raw materials for industrial development.

A key theorist of modernisation was American economist, Walt Whitman Rostow (1960). In his work *The Stages of Economic Growth*, Rostow argued that industrialisation was essential for the overall development of a society. He stated that every society goes through five stages of growth (see Figure 2.2) and defined industrialisation as the key step in breaking from one's 'traditional' path and transforming into 'modernity'. Development according to Rostow was uniform and linear, where the rest of the world was trying to 'catch up' to the West (Peet and Hartwick 2009, p. 22). Thus, he advocated for the states to pursue industrialisation to progress through the stages of growth.

Figure 2.2: Rostow's five stages of growth



Source: Umachandran (2014)

The modernisation theorists have strong views about traditions. According to them, traditions are seen as an obstacle to economic growth and therefore, western countries were made responsible to educate the 'traditional' countries on the benefits of modernity (Smith 2003). They argue that traditions, such as identifying oneself with one's tribe and not with the state or treating resources with cultural significance instead of making them available to the highest bidder, are roadblocks to the successful pursuit of industrial development and thus the development policies need to overcome these hurdles to achieve autonomy from traditional agricultural interests (Eisenstadt 1973; Higgott 1978). They claim that traditions stem from the peripheries and are far from the origins of innovations (Hagerstrand 1952; Thornburg 2011), therefore need guidance from the 'modern' societies to join the urban centres and have 'a more open attitude toward change' (Thornburg 2011, p. 4). Modernisation theorists argue that the path to progress is in front of these 'less developed' states, and all they need to do is open their borders and allow change to enter through foreign aid, investments and

corporate involvement (Doidge & Holland 2015; Peet & Hartwick 2009). They claim, 'less developed' countries need to replicate the 'developed' countries, which successfully brought themselves out of their 'traditional' and 'backward' ways and transformed into 'modern', wealthy and powerful societies.

There are many variations to modernisation theory, and in this thesis, I focus on state-led modernisation theory because my focus is on the role of the state in modernisation theory. A crucial element of state-led modernisation theory is its alignment with the Keynesian model – where the state is viewed to be the engine of growth and economic transformation. To these theorists, markets are considered imperfect, therefore state intervention is considered necessary to maximise human well-being (Keynes 1963; Moggridge 1980). According to them, economic growth depends on the aggregate demand for consumer and investment goods; and in a 'less developed' country where the poor do not have enough resources and income to create demand, the market system would fail to meet the needs of the poor (Martinussen 1997; Nurkse 1953; Smith 2003). Therefore, they argue for the state to take on a paternalistic role and become the caretaker of the development agenda (Bernstein 1971). Through state intervention these theorists advocate for the development of markets and urban centres; building of specialised economic activities and transport networks; and promoting modernisation through education and media (Eisenstadt 1966; Lindo-Fuentes 2009; Soja 1968).

Modernisation was posited to be a way of thinking and therefore, the responsibility of the state in state-led modernisation was to bring change in how people thought, tackled problems and adapted because the 'status quo' was not seen in a positive light; and instead continuous growth and progress was promoted (Soja 1968). Modernisation theorists favoured

universalism and considered the state's use of coercive means to break 'traditional' barriers as not only necessary in state-led modernisation but also positive in the long-run as the benefits were argued to eventually trickle down to all members of the society, even the vulnerable groups (Doidge & Holland 2015). This notion of trickle-down effect was central to the policies of modernisation that saw economic growth as the answer to alleviating poverty and bringing 'modernity' into all societies (Kunz 1997).

It is important to highlight that behind this cloak of modernisation's spread to 'less developed' countries was the fight against the spread of communism. By aiding to fight against poverty and promising to bring stability to the so-called 'less developed' states, the spread of modernisation through globalisation was critical in advancing America's interests during the Cold War era (Kunz 1997; Peet & Hartwick 2009). Modernisation was a theory of western elites to build a western new world order – a capitalist system that compelled exploitation and competition (McMichael *et al.* 1974; Petras 1981). This exploitative nature of capitalism was echoed by Smith (2003):

Countries with the highest rates of industrialisation not only have the highest concentration of foreign capital, they also have the highest rates of exploitation of labour, and the lowest rates of working-class mobilisation. They are in effect police states (p. 99).

Modernisation theory therefore faced heavy criticism from Marxists alike. It was criticised for dismissing traditional and indigenous cultures as 'primitive' and 'backward', and for claiming it to be not conducive to a happy existence or lacking in value (Bauer 1981; Brohman 1995; Thornburg 2011). Modernisation was branded as an elitist top-down approach that furthered the divide between the rich and the poor as the promised trickle-down effect did not

materialise to the 'third world' countries – another label created by the western economies to belittle the 'less developed' states (Frank 1969; Szentes 1976). Despite the accusations, modernisation paved the path for neoliberalism by spreading capitalism and developing markets in 'less developed' countries.

### 2.3.2 Neoliberalism

Neoliberalism shares similar ideological biases to modernisation in that it is an elitist model that takes a universalistic approach in expanding the western ideals of global capitalism to these so-called 'less developed' states (Brohman 1995; Williamson 1997). The similarities however stop there as neoliberalism favours markets with the state power reduced to only facilitate the market systems (George 1999; Harvey 2007; Springer *et al.* 2016). Neoliberalism was a shift from the Keynesian model to a market-based economy through policies of market-oriented reforms that increase the role of private sector (Bloom 2017; Haymes *et al.* 2014; Vincent 2009). It is based on the 19<sup>th</sup> century idea of liberalism; but unlike liberalism that pushed for a *laissez-faire* society and free market economy, neoliberalism favours a strong state to facilitate reforms of market systems in every aspect of the society (Goldstein 2007). These market system reforms include deregulating the corporate sector and the capital markets, lowering trade barriers and corporate tax, eliminating price controls, and privatising the public sector (Boas & Gans-Morse 2009; Springer *et al.* 2016). Neoliberal theorists thus argue for the state to advance a free market society as it promotes economic growth, income distribution and technological progress (Spence 2015).

In the eyes of the neoliberals, the market is a perfect system, and flaws such as unemployment are due to the ineffectiveness of state intervention (Lapavistas 2005; Tabb 2004). They argue that an economy run by markets is good at meeting the needs of all strata

of population, even the poor, because every citizen is a consumer in their book; therefore, where companies and products do not exist, new companies will form with cheaper products to fill that void to gain a 'competitive advantage' (Munck 2005; Srivastava *et al.* 2001; Zhou *et al.* 2009). It is even suggested that privatisation is better for the environment as it would control the exploitation of resources without hindering capitalist development (Hardin 1968). The role of the state is thus to promote market efficiency, only intervening when the market system is ineffective. This philosophy of neoliberalism is explained by Ludwig von Mises: 'a state may be necessary, but liberalism teaches that its power must be minimised and, especially, laissez faire should be left unhampered to work its miracles of development' (quoted in Peet and Hartwick 2009, p. 78).

Neoliberalists argue that the market-economy is about freedom because when states control economic activity, freedom to use property and wider political freedoms are curtailed (Friedman 2009). In the words of Friedrich Hayek, the state's control of the economy is 'the means for all our ends' (Hayek 1944, p. 95). In light of these ideological assumptions, the neoliberalists shifted the narrative of developmental politics from a state driven growth model to a market driven model using the principles of Washington Consensus.

The Washington Consensus is an economic policy reform package developed for the so-called 'third world' countries by institutions based in Washington, D.C. – namely the IMF, World Bank, and US Department of Treasury. By taking advantage of the deficits of 'less developed' countries, these institutions leveraged their position of power to force these states to reform their policies in favour of the Washington Consensus (Thornburg 2011; Williamson 1985). The policy reforms included – increasing the role of the private sector in the economy through policies of trade liberalisation, deregulating industries, privatisation of state enterprises and

the minimisation of state influence in the economy (Jones 2012; Williamson 1990). Countries such as Vietnam, Rwanda, and Uganda are some of many examples where the World Bank reformed the domestic laws to liberalise the economy (Bruce *et al.* 2006). Even India, as will be discussed in more detail later in this chapter, transitioned into neoliberalism in 1991 as it was a prerequisite stipulated by the IMF for a loan to bail itself out of bankruptcy (Yergin & Stanislaw 2002).

The neoliberal school of thought has been criticised for its eternal faith in the efficiency of the markets that has turned citizens into consumers (Peet & Hartwick 2009; Smith 2003), eroded democracy (Easterly 2006; Martinussen 1997), destroyed the environment (McCarthy & Prudham 2004; Peet & Watts 1993), increased poverty (Lewellen 1995; Robinson 2002) and heightened inequality (Black 1999; Isbister 2003; Robinson 2002). It has been criticised also for promoting modern-day imperialism where the 'less developed' countries are controlled by powerful international organisations and financial institutions (Chatterjee & Finger 2014; Peet & Watts 1993). Under neoliberalism, the corporations grow stronger by expanding around the world unimpeded through trade protections while the weaker members of the society are exploited to foster long-term dependency and perpetual indebtedness (Deva 2003; Walker 2008). The next section shifts the focus to alternative development theories that arose out of the failures of the top-down models of development.

### 2.3.3 Alternative Development

The final theory is alternative development theory whose theorists push for a change from an economic driven model of growth to a more inclusive and holistic one that takes humans and environment into consideration. Alternative development theories arise out of the failures of 'mainstream' economic models as the 'less developed' countries continue to battle poverty



despite rising GDP figures (Bhaduri 2008; Patnaik 2007c; Peet & Hartwick 2009). These theories, such as post-development, sustainable development, basic needs, and human development advocate for the participation of the people, their wellbeing and livelihood, and the preservation of the environment. They maintain that the top-down approach of modernisation or neoliberalism are ineffective as the elites who make the decisions are biased and not in contact with the needs of the people (Chambers 1983; Loha 2018; Torjman & Makhoul 2012). They propose instead a bottom-up approach that promotes local culture, knowledge, values, and safeguards human wellbeing and environment conservation.

Alternative development has many aliases, such as participatory development, people-centred development, autonomous development, or holistic development, and cover a wide array of approaches such as grassroot democracy, empowerment, democratisation, citizenship, human rights, development ethics (Hodgson *et al.* 2017; Pieterse 1998). All these theories argue that democratic development is for everyone and that no one should enforce their ideals on others because all cultures and social forms are equal (Hastrup 1990; Hodder-Williams 1984; Riley 1991). They advocate for the use and adaptation of traditional practices by suggesting that the poor are capable of helping themselves, even others.

This thesis predominantly focuses on the alternative models of post-development and human development, but also touches on basic needs and sustainable development because the alternative model in Jharkhand is evolving and is an inter-mix of all these models. This is a good juncture in the thesis to also highlight that all these development theories have grey areas and do have crossovers, for example modernisation and neoliberalism while different, have many similarities too (this is discussed in more detail when developing the framework); same with the alternative models being discussed in this section. None of these models are

clear-cut and perfect as each model has its own strengths and weaknesses. It is from the weaknesses of modernisation and neoliberalism that models of alternative thinking gain in prominence. I will first discuss post-development and human development, before touching on basic needs and sustainable development.

Post-developmental theorists claim that the entire notion of development portrays the Western-Northern domination of ideals over the rest (Escobar 1992; Sachs 1992). They reason that development is rooted in western models of growth that hold the western economic structures as 'advanced', 'progressive' and the universal model of growth, while the other economies are considered 'backward' and 'primitive' who need to replicate the West. This point was stressed by Sachs who explained that the term 'underdevelopment' was popularised by American President Harry Truman's in his 1949 inaugural speech as a deliberate attempt to reinforce the notion of America as the dominant developed country and its ideals that every other country needs to replicate (Sachs 1992).

According to the post-developmentalists, this discourse of the West directing the rest of the world is very colonial and universalist in its thinking (Escobar 1992, 2018). The result of such a discourse has infiltrated the leaders of other countries to think that economic growth is the centre of human happiness and wellbeing. This point was conveyed by Majid Rahnema when citing Helena Norberg-Hodge who noticed that the idea of poverty did not exist in the minds of the residents of Ladakh, India, when she visited in 1975; however in 1997, the same residents of Ladakh considered themselves to be poor (Rahnema & Bawtree 1997). Rist (1997) also noticed this shift in people's perception of poverty as the western ideals of economic growth spread around the world, 'you are poor because you look at what you do not have' (p. 274).

It is this universalistic nature of development that portrays the Western model of development as the singular model of development resulting in a hierarchy of 'modern-superior' and 'backward-inferior'. It is this mindset that considers 'underdeveloped' as undignified; and argues that these societies should look outside their cultures for assistance to come out of their so-called 'backwardness' and join the 'modern' society. This universalistic model of development changed perceptions across the globe as formerly satisfactory ways of life became dissatisfying and thus the 'less developed' countries have shown to deliberately exterminate indigenous cultures that otherwise lived a psychologically and environmentally rich and rewarding modes of life (Hodge 1992). The post-developmentalists thus seek for an alternative development model that promotes pluralism by giving voice to the people, and breaks the barriers of inequality through grassroot movements using local cultural knowledge (Escobar 2018).

The next alternative model is human development which suggests that humans should be the central focus and not a by-product of development (Doidge & Holland 2015). In 1990, a group of scholars, notably Mahbub ul Haq and Amartya Sen, prepared the first human development report for United Nations Development Programme (UNDP) by focusing on humans and their capabilities (UNDP 1990). The opening sentence of this report read: 'this report is about people' (UNDP 1990, p. 1) because to these theorists 'people are the real wealth of the nation' (UNDP 1990, p. 9). This report challenged the 'mainstream' rhetoric of human development with a more holistic model that focused on human wellbeing. Using a comprehensive index called HDI this report measured life expectancy, literacy and standard of living (Desai 1991). By bringing the focus back to the people, the human development theory aimed to re-centre the purpose of development from wealth accumulation to human wellbeing. By investing in

people and developing their skills and knowledge, this theory aimed to empower growth, expand choices and increase the value of life (Sen 1985). The human development theory therefore sought to enlarge human choices beyond economic wealth to social, cultural and political areas (Ul Haq 1995). Ul Haq (1995) thus argued the role of public policy was to create a link between income growth and human welfare because market mechanisms failed to provide services and opportunities equally to the poor, weak and vulnerable populations.

The basic needs model was also a popular alternative model for suggesting that growth should not be confused with development and thus the policies should focus on meeting 'the minimum standard of living which a society should set for the poorest groups of its people' (International Labour Office 1976, p. 7). The basic needs theory arose in the 1970s to combat the rising poverty amidst the prevalence of modernisation development theory (Martinussen 1997). Famous for coining the term 'poverty line', this approach measured the absolute poverty in countries to identify the minimum income required to satisfy the basic needs. This theory argued that economic growth was unsuccessful in poverty alleviation as people were stuck in deepening poverty traps, therefore recommended the redistribution of capital and other resources for physical, mental and social development of all human beings (Streeten *et al.* 1982). While the basic needs theory has been criticised for lacking theoretical rigour and practical precision, the fundamentals of basic needs have been adopted and elaborated by many researchers and organisations such as World Bank (Martinussen 1997). Overall, the basic needs approach has failed to represent an alternative approach to development because critics argued the basic needs model is limiting the growth of the society as it is predominantly focused on eradicating poverty and not advancing the society economically (Peet & Hartwick 2009; Smith 2003).

Finally, the sustainable development theory where the natural resources and the ecosystems of the societies are controlled and managed so that the future generations' development needs are not compromised in the pursuit of today's economic development (Sachs 2015). The sustainable development theory is well-known to the general audience due to popularity of Sustainable Development Goals (SDGs). Released by the United Nations General Assembly, the SDGs are 17 global goals designed to build a better and more sustainable future by the year 2030. These goals range from reducing poverty and hunger; to improving health and wellbeing, education and equality, and employment and sustainable economic growth. However, the SDGs have come under heavy criticism for being too idealistic (Easterly 2015). Furthermore, it has been criticised for claiming to be an alternative model that misleads the audience into a false perception of holistic growth. This point was stressed by Heloise Weber who performed an in-depth analysis on the (in)effectiveness of SDGs. According to her analysis, SDGs 'comprises an overt ideological framing of development in accordance with the neoliberal variant of capitalism' (Walker *et al.* 2018, p. 99) that 'directly prioritises commercial interests' (Weber 2017, p. 400). In Weber's opinion, the implementation of SDGs will further 'reinforce the conditions which sustain deprivation of fundamental entitlements to life-sustaining needs for many, such as for example, to water, food, shelter, decent work, and lived lives of dignity' (Weber 2017, p. 401).

The road for alternative development has not been easy, especially as it opposes the top-down elitist ideologies, but alternative development has had some success stories along the way. NGOs and grassroots movements playing a key role in developmental debates is one such example (de Sousa Santos 2006; Pieterse 1998). These NGOs are no longer just localised, but part of a 'transnational networking of local/national/global linkages' (de Sousa Santos 2005,

p. 30) that fight against social exclusion and unequal power relations to redistribute resources on the basis of equality and the recognition of difference. de Sousa Santos (2005) calls this the 'counter-hegemonic globalisation' that 'fight[s] against the economic, social, and political outcomes of hegemonic globalisation' (p. 29). Arguably, this display of growing power and transnationalism of NGOs can be witnessed in the World Social Forum, which is an annual meeting run concurrently to the World Economic Forum, to challenge the global hegemony and promote the alternative – 'another world is possible' (de Sousa Santos 2007, p. 6).

Another success of alternative model is the evolution of the definition of 'development' to incorporate aspects of human well-being and environmental sustainability after UNDP released the annual Human Development Report measuring HDIs – that looks at variables such as life expectancy at birth and Gross National Income (GNI) per capita, as well as other measurements of Human Poverty Index (HPI) and Gender Empowerment Measure (GEM) that measure various aspects of development beyond economic growth (Martinussen 1997; Watkins 2006). Even the World Bank acknowledged the importance of fighting poverty by claiming it should be 'the fundamental objective of economic development' (World Bank 1990, p. 24). It must be stressed that these shifts from economic-driven ideologies were the result of long and hard-fought resistance and revolts against the elitist, top-down, technocratic models of development. This point was seconded by Martinussen (1997) in his summary of Guy Gran (1983) study titled *Development by people: citizen construction of a just world*, 'no government will use necessary resources on mass development and mass welfare unless the poor population majority is sufficiently powerful to force such a policy upon the government' (p. 335).

A major criticism of alternative development by many is that it lacks a theory – it is ‘like a ship without a rudder’ (Pieterse 1998, p. 350). Pieterse (1998) argues that it has a lot of attractive features such as basic needs, self-reliance, sustainability, but ‘attractive features put together do not necessarily add up to a paradigm’ (p. 348). Critics argue that the variability of alternative development gives it no strong personality as it becomes the counterpoint to whatever the ‘mainstream’ development is at a particular point in time (Peet & Hartwick 2009; Pieterse 1998). However, alternative development continues to evolve and make a mark as the failures of modernisation and neoliberalism are becoming increasingly obvious. Table 2.1 summarises the alternative development models discussed in this section.

Table 2.1: Summary of alternative development models

<b>Development paradigms</b>	<b>Description</b>
Post-development	Rejection of western development ideologies Western ideologies to blame to ‘backward-primitive’ labels Values pluralism, traditions and cultures
Human development	People at the centre of development People are the real wealth of the nation Increase human capabilities
Basic Needs	Minimum resources required for long-term physical well-being Coined term ‘poverty line’ to measure absolute poverty Food, housing, water, health, education
Sustainable development	Meeting present needs without compromising needs of future 17 goals to be achieved by 2030

Source: Author’s construct

### 2.3.4 Summary

Table 2.2 summarises the development theories discussed in this chapter. The selection of these three theories become clearer in the next section as the focus shifts to India and study the development trajectory taken by India since it won its independence in 1947.

Table 2.2: Summary of the development theories in focus

Development paradigms	Description
State-led modernisation	State-led development Stages of economic growth Replicate the West Trickle-down effect
Neoliberalism	Free competitive markets Privatisation Ineffective state intervention is the cause for poverty Markets better at regulating needs of everyone, even poor One World: new world financial system, deregulation, globalisation
Alternative development	Holistic development model Inclusive participatory growth model Value human wellbeing and environmental conservation Celebrate plurality

Source: Edited from Telfer (2009, p. 153)

## 2.4 The politics of development in India

Since independence in 1947, India went through a series of development theories. It is not the purpose of this thesis to discuss this evolution in detail as it has been debated extensively in numerous volumes. In this next section, I briefly skim through the rich history of post-colonial India and only highlight information that is relevant to this thesis. I acknowledge that



while this thesis focuses on state-led modernisation, neoliberalism, and alternative development, there were other development theories of prominence, however they are not relevant to this thesis.

#### 2.4.1 India after independence (1947-1990): State-led modernisation

India won its independence from the British empire in 1947. The first Prime Minister of India, Jawaharlal Nehru, was tasked with the challenge of turning India from a colony to a self-sufficient country as fighting poverty was the main economic issue after independence (Yergin & Stanislaw 2002). India was desperately short of resources and skills, and therefore focused on developing the 'modern' economy (Corbridge 2010; DeLong 2003). According to Gandhi, India should have pursued the route of *swadeshi* – a model based on self-reliance where basic goods were produced in the household to build a self-sufficient village (Chakravarty 1987; Gandhi 1967). Gandhi's stance was based on the argument that people should make their own clothes instead of exporting cotton to Manchester only to import it back in the form of expensive clothing. Nehru, on the other hand, held vastly different views. To Nehru, industrialisation was the answer (Nehru 1889 [1946], 1962 [1936]). Nehru believed in technology and progress of the machines and disagreed with Gandhi's ideals of building self-sufficient villages because in Nehru's view villages were 'backward', and no progress could be achieved from a 'backward' environment (Akbar 1988). It is worth noting that Nehru was from a wealthy and privileged Indian family who got his education from Harrow, one of England's most prestigious schools, and thus it is not a surprise that he considered villages as 'backward' that needed to be modernised (Yergin & Stanislaw 2002).

Under Nehru's leadership, independent-India established a society of hierarchy where the elites took on the responsibility to impart wisdom and bring the people in the villages out of

their perceived 'backwardness'. Nehru's approach to bringing India out of poverty was through a modern, planned, industrialised, socialist economy where the state generated development by capturing and controlling the economy (Hanson 1966). The leaders of post-colonial India strongly believed state-led modernisation was the answer to breaking India's shackles from its colonial past and becoming a self-reliant country (Lerche *et al.* 2013; Saren 2013; Vaidya 2018). This thought process was explained by Corbridge (2010):

Modernization was conceived as a diffusion process wherein great pulses of social and economic change—ultimately liberating and uplifting, if often disruptive of established ways of life in the short-run—would push outwards from India's major cities to its smallest towns before reaching into the countryside (Corbridge 2010, p. 4-5).

For nearly four decades after independence, the role of the state dominated the Indian economy, becoming a symbol of national pride (Levien 2013; Yergin & Stanislaw 2002). The state was to be the guardian of wisdom and impartiality where the elite in the country were tasked with managing the development (Yergin & Stanislaw 2002). The state was dominant and provided a 'big push' through heavy industrialisation to deliver development and growth. The state controlled some sectors exclusively while allowing the existing private enterprises to function; but took charge of all new undertakings as a state-owned public enterprise, such as power utilities, chemical plants, automobile assemblies and state-owned banks.

For Nehru, state control of the economy was the only route India had because after independence, India's economic and political problems were enormous as large sections of the population were poor with no capital market or middle class (Chakravarty 1993; Yergin & Stanislaw 2002). The state was tasked with developing the skills of labour force as Nehru set up the Indian Institute of Technology (IIT) to educate and foster the technical elite of the state

(Ratti 2016; Sharma 2013). IIT was modelled on Massachusetts Institute of Technology (MIT) to develop India's bright scientists and engineers to drive India on an upward trajectory. Nehru wanted swift progress and did not want to wait a hundred years; therefore, the state took charge to make strides in that direction. Nehru did not trust the private capitalists who in his opinion would pursue their own private interests (Corbridge 2010; DeLong 2003). It was for this reason India took the route of a state-controlled economy using a mixed economy model that integrated the best of the Western-European economic model and Soviet Union's planned 'big push' for industrialisation through command-and-control (DeLong 2003; Yergin & Stanislaw 2002). The Indian government after independence assumed the responsibility of state planning, strong state control and government knowledge because the state did not want to waste time building consensus with a million decisions makers (Chandra 2000; Jha 2008).

Despite all the planning, the Indian economy did not grow as predicted. India built a complex and cumbersome system of permits making the economy stagnant and inefficient (Sanders 1977; Singh 2016). India was said to have transformed from 'British Raj' to 'Permit Raj' (Singh 2016). 'Permit Raj', also known as 'license raj', was a label given to describe the state-controlled economy of post-colonial India because of the elaborate system of licenses, regulations and red-tape involved in setting up and running a business. Narayan Murthy, founder and CEO of Infosys, a technology firm in India, explained his frustrations with 'Permit Raj' for even simple tasks, such as importing a computer: 'two years and fifty trips from Bangalore to Delhi to get permission to import a computer worth \$1,500' (quoted in Yergin and Stanislaw 2002, p. 228).

After Nehru's death, in 1964, his daughter, Indira Gandhi, became the Prime Minister of India and centralised the political power around herself in favour of the central government. Her reign saw the democracy of the state questioned as it entered an authoritarian rule that suspended civil liberties and imposed censorship (Dhar 2000; Mayer 1984). Enraged by this unwieldy top-heavy system, Indira Gandhi was ousted, and a coalition party came to power with their incoherent economic policies that threatened international companies of nationalisation. As international companies began to leave, India borrowed constantly, internationally and domestically, to keep the economy afloat as the efficiencies of 'Permit Raj' were questioned.

After Indira Gandhi was assassinated, her son, Rajiv Gandhi, became India's next Prime Minister. While Rajiv Gandhi was not passionate about politics, under his leadership the government considered to reform 'Permit Raj' because the government deficits were growing, but failed (Lal 2008; Panagariya 2005). After Rajiv Gandhi too was assassinated in 1991, it was P. V. Narasimha Rao who became the next Prime Minister of India tasked with the onerous task of saving India from the brink of bankruptcy as India was left with only a few hundred million dollars in foreign-exchange reserves (Srinivasan 2000). In his swearing in speech, the 9<sup>th</sup> Prime Minister of India (1991-1996), P. V. Narasimha Rao said, 'India faced no "soft options" and must open the door to foreign investment, reduce red tape that often cripples initiative and streamline industrial policy' (Weinraub 1991). Within the first hundred days of his reign as the Prime Minister of India, Rao began dismantling the state-controlled economy and changed the direction of India economy dramatically.

#### 2.4.2 A new chapter in Indian history (1991 onwards): Era of neoliberalism

After becoming the Prime Minister of India, P. V. Narasimha Rao appointed Manmohan Singh as the finance minister of the state (later the Prime Minister of India as well, from 2004 to 2014). As an economist, Singh had studied other Asian economies and was stunned by the growth experienced by Japan and South Korea. While South Korea's per capita income was ten times that of India in 2000s, in 1960, India and South Korea were on the same economic level (Auty 1994; Yergin & Stanislaw 2002). It was hard for the Indian politicians to not look outside, at other Asian countries that were advancing at a much greater pace than India, but also to the western countries, because they had a striking realisation – 'why are Indians such a success outside India? It couldn't be the drinking water. It had to be economic systems under which they flourished' (Yergin and Stanislaw 2002, p. 220).

After completing his analysis, Manmohan Singh concluded that India's state-led development model had held India back and marginalised itself in a rapidly growing world economy (Ghosh 2006a; Yergin & Stanislaw 2002). He noted that the Asian countries of Japan and South Korea prospered because they promoted and supported businesses, while India had regulated them (Ahluwalia & Little 2012; Lal 2008). According to him, by turning inwards for self-sufficiency and not orienting with international trade, India failed to meet the same growth trajectories as their Asian counterparts (Baru 2015; Bhushan & Katyal 2004). Singh's conclusion was that four decades of the 'Permit Raj' steered the country in the wrong direction (Bhagwati 1995; Lal 1980). Finally, in 1991 when the Indian government approached the IMF for loans, the conditions stipulated by IMF reinforced the state's need to reform the economy (Ghosh 2006a; Sanders 1977).

After 1991, the role of the state in the Indian economy changed, though faith in redistribution through the trickle-down effect continued. By early 2000s, the Indian government posited that India needed to grow 9 to 10 per cent annually for two decades to eradicate poverty (Yergin & Stanislaw 2002), and it was argued that liberalisation and integration with the world economy was the answer (Gupta 2005; Kelkar & Rao 1996). By passing the reign to private enterprises the government worked to free-up cash to eliminate severe fiscal debt and invest in infrastructure to eradicate poverty – such as electricity, water, education, transport, health. The building blocks of ‘Permit Raj’ were removed to allow the private enterprises to flourish. Privatisation and foreign direct investment were brought to the forefront of the state’s economic agenda as the Indian government eliminated debilitating subsidies, increased the rate of privatisation, allowed companies to charge market rate for products, foreign ownership of Indian enterprises, and greater participation in international trade (Bhagwati 1995, 1998).

Furthermore, import restrictions were eased, tax policy was made more favourable, and the Indian rupee was devalued making India more attractive for the domestic and international corporate entities. Foreign investment in India went from near zero to over two billion US dollars annually (Sharma 1996; Yergin & Stanislaw 2002). With the end of state monopoly in communications India gained an improved internet bandwidth which furthered the Information and Communications Technology (ICT) sector in India. Theorists and politicians posited liberalisation would push India to become an important part of world economy in the future (Kapur 2006; Perkovich 2003). In the words of Palaniappan Chidambaram, the former commerce minister of India under Prime Minister Rao’s administration, ‘the lesson to be learned is, the less the regulation, the further the government is away from business, the

better it is for business' (quoted in Yergin and Stanislaw 2002, p. 230). Similar sentiments were shared by the finance minister Manmohan Singh, 'no power on earth can stop an idea whose time has come. The emergence of India as a major economic power in the world happens to be one such idea' (quoted in Yergin and Stanislaw 2002, p. 230).

Despite this optimism, the neoliberal developmental model in India faced resistance just as the state-led modernisation model did because industrialisation was given greater priority over agriculture which required resource restructuring where land was acquired from farmers for industries (Banerjee-Guha 2008). In the next section I look at the Adivasis resistance movements against the top-down models of development.

#### 2.4.3 The story of the Adivasis: Fight for alternative models of development

The path of modernisation, and later neoliberalism, embarked on by the Indian government since its independence required resources. One of the main resource the Indian government needed to pursue this economic growth model was land (Adnan 2017; D'Costa & Chakraborty 2017); and these mineral rich lands were located in remote forests where the Adivasis resided. As Levien (2013) stated, the Adivasis 'would have to be removed in larger numbers for this natural wealth to see the light of day' (p. 33).

After independence, Prime Minister Jawaharlal Nehru relied on the approach of appealing to his citizens because the Indian people trusted and believed in him. Levien (2013) called this approach normative appeal: 'they believed in his promise of a future of plenty to be shared by all. And they half accepted the trauma of displacement believing in the promise of irrigated fields and plentiful harvests... they accepted their sufferings as sacrifice for the sake of the nation' (Sharma 1992, p. 78). The citizens of post-colonial India felt a 'sense of patriotic duty'

to do what was best for national development (Levien 2013, p. 42), even if that involved being displaced from their land for state-led projects.

Around the 1970s, and particularly the 1980s, the Adivasis noticed that the promised trickle-down effect of economic growth was not being experienced as capital accumulation failed to enter the Indian countryside due to poorly designed land reform programs (Byres 1993; Mohan 2016; Myrdal 1968). The Adivasis pushed against the elitist model of development and forced the agenda of a more inclusive bottom-up approach through the involvement of the civil society organisations (CSOs). The Adivasis stood their ground through staged rallies, demonstrations and protests that involved blocking roads, railway tracks and clashed with police to put pressure on the state for a fair, democratic and transparent society. In a state of electoral politics built on competitive populism (Chatterjee 2017), these actions cannot be ignored: 'the agrarian crisis and farmer suicides that plague India cannot be ignored by any government that is elected' (D'Costa and Chakraborty 2017, p. 34). Thus, to increase the legitimacy of its regime and ensure its survival, the Indian state enacted various laws that favoured the alternative development model. For Adivasis, the most important legislations are the 1996 PESA Act and the 2006 FRA Act. The PESA and the FRA Act are designed with the intention to decentralise the governance structure and enable self-governance mechanisms in areas that are densely populated by Adivasi communities (Bhattacharya *et al.* 2017). Bhattacharya *et al.* (2017) explains that both PESA and FRA grant autonomy to the Adivasi communities and make it mandatory to obtain their consent for any acquisitions.

Despite these laws, the course of development did not change. In the name of economic development, the state employed coercive methods – including force, falsifying or hiding information (Bhattacharya *et al.* 2017; Lahiri-Dutt *et al.* 2012; Shah 2007a). One of the most



famous examples was the transfer of 997 acres of agricultural land in Singur, West Bengal, to Tata Motors in 2006 to build a factory for their flagship ‘people’s car’, the Tata Nano, where the transfer of land was done ‘under heavy police cover and amidst much violence’ (Nielsen and Nilsen 2017, p. 134). The Singur movement attracted attention from NGOs, activist groups, organisations such as Association for the Protection of Democratic Rights (APDR), the Institute for Motivating Self Employment, the Food First Information and Action Network (FIAN), the Medha Patkar-led National Alliance of People’s Movement (NAPM), and the leading opposition party of West Bengal at the time, Trinamool Congress. Ultimately, the project was cancelled as Tata Motors abandoned their plans and moved to Gujarat where the Governor at the time, Narendra Modi (the Prime Minister of India at the time of writing this thesis) offered a parcel of land under their land bank scheme (Roy 2011).

The Singur incident, among many others, sparked a massive debate on the legitimacy of land acquisition in India – at the time India was still using the 1894 Land Acquisition Act (henceforth referred to as the 1894 Act) enacted by the British. The 1894 Act allowed the government to acquire large sections land under ‘eminent domain’ for development projects, despite the reliance of the Adivasi and peasant population on those lands for survival. However, growing protests and agrarian movements were seen to delay the land acquisition process, forcing the government to call an ‘urgent need to streamline land acquisition and environmental clearance’ in India’s Twelfth Five-Year Plan (2012-2017) as timely completion of infrastructure projects became a top priority for the India’s development agenda (*Press Trust of India* 2011).

On January 1st, 2014, India released the 2013 Land Acquisition Act to replace the colonial 1894 Act. The 2013 Land Acquisition Act is considered a significant step forward in recognising the rights of citizens with increased compensation and strengthened consent requirements

(Chakravorty 2011; Ghatak & Ghosh 2011; Nielsen & Nilsen 2017). It is important to stress that this act, and the other acts that protect the interests of the Adivasis, were the result of violent revolts and uprisings against the 'mainstream' ideology of development (Kumar 2018; Mohanty 2011; Rycroft & Dasgupta 2011; Sundar 2011; Upadhya 2011). However, as with the other acts, the new 2013 Land Acquisition Act did not stop the expropriation of the Adivasis and by 2017, the Adivasis decided to take matters into their own hands and started the Pathalgadi movement to enforce the rule of the law and fight for autonomy.

#### 2.4.4 Summary

Convinced by the western approach of development, the government of India pursued the path of state-led modernisation after its independence. In the process, social relations between the dominant and subaltern groups were modified through state coercion, alienation and destruction of common collective interests for individual accumulation (Banerjee-Guha 2013). This trajectory of development was controlled by the dominant parties, with the state as the guarantor of development in post-independent India (Mohanty 2018b). While the policies of development did dispossess and displace the Adivasis, it was premised on the framework adopted post-independence which held at its core that economic development was the answer to breaking the shackles of poverty and moving into a life of 'modernity' (Palmer et al. 2009). During the entire process the local, affected communities were not consulted (Kurup 2008; Levien 2011), in effect widening the gap between the dominant and subaltern groups and giving the dominant groups a comparative advantage to influence the development policies (Ghosh 2006b; Karlsson 2003).

In the closing decades of the 20th century, India transitioned to neoliberalism with the corporate entities becoming the dominant player in the Indian economy (Bardhan 1998

[1984]; Nielsen & Nilsen 2017). With the onset of neoliberalism, the states took on a new role to facilitate land acquisition for industrialisation as corporations became partners in state's economic development. This new dynamic held private corporate-led industries as the preferred path of development 'citing a globally hegemonic discourse of "efficiency" and "high return"' (Banerjee-Guha 2013, p. 173; Kohli 2012; Nilekani 2009; Sinha 2010). It was the start of the 'privatisation' of governance (Cutler et al. 1999; Haufler 2001). Promoting this narrative were international financial institutions, such as the World Bank, IMF and ADB (Banerjee-Guha 2013; Deininger *et al.* 2011).

While the narrative of development in India since its independence shifted from state-led modernisation to neoliberalism, it is important to note that state-led modernisation did not cease to exist in 1991 – rather in the global development discourse, modernisation theory made a resurgence in the 1990s (Knobl 2003). Modernisation theory, and its variations, continues to exist at varying degrees and collide with the neoliberal, and other schools of thought (Vaidya 2018).

Concurrently, the Adivasis continually challenged the elitist top-down model of governance and forced the agenda of bottom-up politics. Anticipating dispossession, the people's movements aspired and influenced the democratisation of development through protests and staged rallies. As the state is not 'immune to popular pressure' (Sampat 2015, p. 19; Levien 2013; Nielsen and Nilsen 2017), the subaltern groups came up with imaginative ways to stall projects to gain leverage in bargaining for their rights (Bhakta 2017; Munda 2004). This is not unique to India as the growing pressure from the grassroots movements around the world was voiced by World Bank:

In most societies, democratic or not, citizens seek representation of their interests beyond ballot as taxpayers, as users of public services, and increasingly as citizens of NGOs and voluntary associations. Against a backdrop of competing social demands, rising expectations and variable government performance, these expressions of voice and participation are on the rise (World Bank 1997, p. 113).

As illustrated in this thesis, disputes over development are becoming common and the importance of governance to manage these disputes is growing, making the politics of development one of the most contentious issues in India (Basu 2012; Deininger *et al.* 2009; Kohli 2012b; Mohanty 2018b; Mukherji 2009). Therefore, conflicts over land, law and progress arise from these disputes over the questions of development – how should land be governed, how should the law be designed, who should be the caretaker of development, and how should poverty be tackled. The form of development being experienced in India can rightly be described as an amalgamation of top-down and people-centred politics. This thesis illustrates how this model emerges out of the clashes between the assumptions of state-led modernisation, neoliberalism and alternative development theory, as reflected in disputes over land in Jharkhand.

## 2.5 Jharkhand: A hotbed of ideological conflicts

This thesis focuses on the Adivasi populated areas, known as Scheduled Areas, in the state of Jharkhand. The reason I am focused specifically on the Scheduled Areas of Jharkhand is because this area is mineral rich, and the state and corporate entities seek to acquire these lands for industrial development. Therefore, the coercive measures used by the state to acquire these lands has turned the Scheduled Areas of Jharkhand into a hotbed of



forward the disadvantaged Adivasi communities of Jharkhand would have more control over their destiny (Basu 2012; Giménez 2017; Singh 2004).

Less than three months after the formation of Jharkhand, eight Adivasis were shot for resisting the acquisition of land for the Koel-Karo dam (Corbridge 2002; Ghosh 2006b). This immediately suggested that Adivasi land rights would not feature prominently in the agenda of the newly formed state of Jharkhand (Corbridge 2002). In only four years since its formation, Jharkhand topped the list of Adivasi land alienation in India according to *The Annual Report of Ministry of Rural Development 2004-2005*. This narrative has not changed, as nearly two decades passed and the benefit from statehood has been minimal to the Adivasis (Areeparampil 1996; Nathan & Dayal 2009; Sharan 2005). The creation of Jharkhand had slowly revealed itself as one of a resource-dependent state, that had little regard for the Adivasi communities (Corbridge 2002). The Adivasi communities of Jharkhand, and the land they lived on, were threatened.

The only protection for the Adivasis were the laws which the Adivasis fought for. Adivasi movements, such as 1830s Kol rebellion, 1855 Santhal Insurrection, Birsa Rebellion of the 1890s led to the creation of the 1908 CNT Act and the 1949 SPT Act to protect the sale or transfer of Adivasi land to non-Adivasis in Jharkhand (Chacko 2016). Furthermore, these Adivasi communities were also protected by the national laws, namely the 1996 PESA Act and the 2006 FRA Act. All these laws were the result of resistance against the top-down ideology of development through armed revolts (Ananth & Kalaivanan 2017; Bandi 2013; Dandekar & Choudhury 2010; Patnaik 2007b).

Now, in the name of development the state has shown to blur and skirt these protective laws and even attempted to amend them to ensure the development trajectory hits no roadblocks

(Bhakta 2017; Chacko 2016; Mukherjee 2009; Pandey 2017). This is because Jharkhand sits on the mineral belt of India and is a rich mineral state, accounting for 30 per cent of India's coal, 23 per cent of iron ore, 33 per cent of copper, 46 per cent of mica reserves among other minerals (Areeparampil 1996; Giménez 2017; Roy 2000). These mineral resources however are under Adivasi community lands which are protected by law from transfer to non-Adivasis for non-agricultural purposes (Giménez 2017; Gupta 2014). By sidestepping these laws and continuing expropriation, the government of Jharkhand shows its intent to change the narrative of development in the name of 'national interest'.

The Adivasi communities feel cheated and betrayed as the future envisioned with the formation of the new state was quickly being replaced with one of survival (Eswarappa 2017; Giménez 2017; Vaidya 2018). In the name of development, forced industrialisation and displacement became common practice in a state where the Adivasis were meant to be protected by law (Chandra 2013a; Corbridge 2002). To make matters worse, there is little to no communication with the Adivasis, most of who learn about their land being taken when the information is posted in the local newspaper (Levien 2011). Once displaced, Adivasis are left to fend for themselves. Landless, alienated, marginalised, jobless and with the growing divide between the rich and the poor they question who is really benefitting from these development projects (Baka 2013; Banerjee-Guha 2013; Upadhyay 2011). Furthermore, companies bring skilled migrant labour into the region, rejecting local Adivasis for the jobs, which further displaces the Adivasis due to gentrification. Adivasis are consigned to menial low-paid work, as cleaners or gardeners (Bandyopadhyay 2004; Corbridge 2000, 2002). Having lost their land and unable to support themselves, farmer deaths and suicides are common (Baka 2013; Banerjee-Guha 2013). The hope of autonomy with the hard-fought

creation of Jharkhand disappeared as the technocratic elites of the state took control of their destiny (Ambagudia 2014; Ghosh & Munda 2012; Levien 2013; Mohan 2016).

However, as in the past, the Adivasis did not bow out. Using protests, processions, and blockades to prevent the outflow of raw materials, the Adivasis time and again brought the government to the negotiation table and stalled development projects (Bhakta 2017; Munda 2004). They persevered and came up with imaginative ways to fight back, get their rights recognised and prevent the government from amending Adivasi protective laws. This sentiment was echoed by Damodaran (2002) who noted that ethnic politics express themselves more forcefully when the state becomes increasingly undemocratic. These revolts by the Adivasis have been instrumental in questioning the dynamics of the top-down model of governance in this area.

The unique setup of Jharkhand that combines top-down development with a bottom-up governance model – reflected in policies that favour both industrialisation and the protection of the Adivasis – has riddled the state with conflicts to the point where even the topic of development has become a sensitive matter that no one wants to discuss (Gupta 2014; Kumar 2018). For all these reasons Jharkhand is the ideal location to study this developmental conflict in India. In the next section a framework is developed and themes for analysis are identified that form the basis for in-depth study of this thesis.

## 2.6 Designing a framework

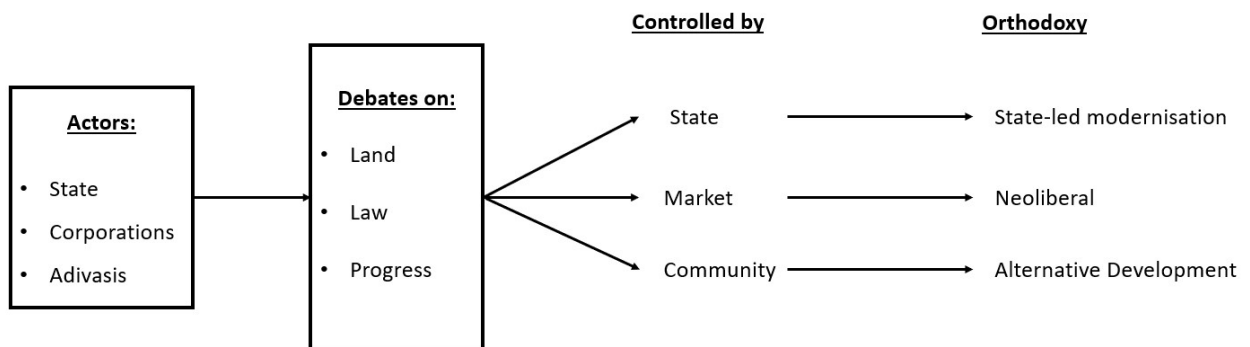
The developmental theories chosen for the purpose of this thesis – state-led modernisation, neoliberalism and alternative development theory – are distinct in their approach of theorising and implementing their model of development. To briefly summarise these theories, state-led modernisation theory advocates for a state-led development where the



role of the state is key in meeting the national agenda and making the state self-reliant against dependency. The state is responsible for the wellbeing for every citizen. The neoliberal approach argues for a market-driven growth model where state intervention is seen as a hindrance to the efficiency of growth. In this model, the role of the state is argued to only facilitate market systems and access the global markets after which the competitive nature of the market system is claimed to bring the best out of the society. Finally, the alternative development theory that challenges state-led modernisation and neoliberalism on the grounds that their top-down elitist model of growth and promise of trickle-down effect have not materialised in practice and instead led to a greater divide between the rich and the poor, violations of human rights and destruction of environmental habitat. The alternative development model suggests a shift from a top-down model of governance to a more inclusive model that favours participation, human welfare and environmental conservation.

Using this literature, the thesis developed a framework to study the debates on land, law and progress and identify the orthodoxies of the key actors in Jharkhand. The framework is presented in Figure 2.4.

Figure 2.4: Framework for analysis



Source: Author's construct

Using the above framework, I analysed the primary data sources – interviews and official reports released by governments and corporations – to identify the development orthodoxy of the key actors in Jharkhand. By analysing their debates on development and triangulating the findings with the literature I narrowed these debates to distinct ideological biases – where the debates reflected state-led modernisation when progress was driven by economic growth and subjugated the Adivasis as ‘backward’; considered land as national asset, thereby controlled by the state; and the laws were paternalistic in managing the economy and the overall development of the country. In the same vein, the debates reflected neoliberalism when progress was driven by a market-led economy; land was controlled privately; and the laws were designed to favour the interests of private capital. Finally, the debates reflected alternative development when progress looked beyond economic growth and was more holistically driven; land was argued to not be a commodity and was controlled by the community; and the laws sought for autonomy. To put it simply, if the debates on land, law and progress were controlled by the state, then it reflected the state-led modernisation theory; if they were controlled by the corporations, it reflected the neoliberal theory; and if they were controlled by community, it reflected the alternative development theory.

I stress here that the three constituencies were selected for the ease of structure and I acknowledge that there are limitations by using such an approach. This study is a heuristic and schematic model to draw out the key lines of differences around development by mapping the three constituencies onto established general paradigms of development. The three constituencies do have grey areas and overlaps, especially between state-led modernisation and neoliberalism, however they are still very distinct ideologies. For example, state-led modernisation approach speaks to the purported nation as a whole and argues its

actions for national interest. This is distinct from the neoliberal model which calls on the state to act in the corporations' interest for a trans-national economy. The neoliberal model is corporation-led and relies on the state to develop market economies. These distinctions do tend to get blurred as the boundaries between the models are unclear; however, for the purpose of this thesis, these three constituencies are selected to highlight the key lines of debate around development in the state of Jharkhand. Doing so, while this thesis develops a framework to understand the conflict in the state of Jharkhand it is only a part of the entire picture. The important point to takeaway here is that these theories are in conflict and have negative implications on the ground because these ideological distinctions between the key actors in Jharkhand still exist today. Therefore, studying these distinctions is important in understanding how the future of Jharkhand is seen by different actors and how it can be achieved.

Furthermore, the scope of this thesis is limited to identifying the dominant constituency visible in the interview discussions with each actor group. I acknowledge that proclivities exist, and their existence is touched on in this thesis, however it is not in the scope of this thesis to identify the scale, depth, and implications of it. Therefore, further research would need to be conducted to develop a deeper knowledge of these differences within the same actor group.

#### 2.6.1 The themes for analysis

In the field of developmental studies, the themes are not separate to each other but are intertwined in a complex web of causal relationships where the ripples from the conflict in one theme can be felt by other themes. For example, land (one theme) being taken from the Adivasis has a detrimental effect on the Adivasis' citizenship (another theme), their labour relations (another theme) and their rights (another theme). Development is said to be a

holistic approach to improve not only the economic but also the socio-political aspects of the entire society. It is for this reason that while there exist numerous sites of contestations, this thesis has chosen to focus on three – land, law and progress. These themes have been chosen for analysis based on the critical nature of their contestations in the realm of developmental debates, their impact on a wide array of other socio-economic themes, and finally, the reoccurring nature of these themes in the research participant interviews.

### ***Land***

The first theme chosen for analysis is land. Land is one of the greatest development resources on the planet. It intersects numerous socio-economic and political objectives with a multitude of stakeholders and powers of influence. No longer just a local or regional issue, land has been put on a global pedestal and trans-nationalised with complex global issues such as climate change, rapid urbanisation, demand for natural resources, and food and water insecurity all having a clear dimension in land. Theories on how to define and govern land, who should own land and what should be the purpose of land have been debated for centuries. In 2020, just as the centuries past, the answer to these questions are still being debated as we are no closer to reaching a consensus. The state-led modernisation theory argues that land should be under the state jurisdiction as the state is the best mediator for meeting everyone's needs. The neoliberal theory argues that the state is prone to corruption and inefficiencies, and thus land should be privatised and commodified with the market being the mediator on who should own land and what should be the best use of land. The alternative development theory argues that land is not merely an economic asset but part of a holistic system that plays an integral role in the welfare of the people and the environment and thus should be treated with more respect.

In India, the politics of development is 'fundamentally about power and the political economy of land' (D'Costa and Chakraborty 2017, p. 27). In the state of Jharkhand, land is a site of great contestation because the mineral resources situated in areas where the Adivasis reside are seen to be essential for growth by the state, and the corporations (Corbridge 1988; Singh 2004). Land plays an important role in the debates of development as the meaning and value of land is contested by each actor – should land be used for development, for profit, or for livelihood? In the eyes of the state, land is a national asset that belongs to the state and crucial for the national development agenda. For the corporations, land is a commodity that should be privatised and sold in the market as the landed resources are critical for their profit motives. Finally, the Adivasis oppose the state and the corporations stating that land is not an asset, but a life-giving source that needs to be nurtured and protected. According to the Adivasis they are the best caretakers of land because they do not seek to exploit and take advantage of landed resources but live in symbiosis with it. These contradictions between the state, corporations and the Adivasis lead to conflicts because land is crucial for each party's survival (Adnan 2017; D'Costa & Chakraborty 2017; Saxena 2011). Thus, each actor fights to acquire and maintain access to land for their survival. This thesis shows how this conflict over land is playing out in Jharkhand.

### **Law**

The second theme chosen for analysis is law. The reason for choosing law is twofold. Firstly, there was not a single interview participant who was quiet about the law, and secondly, the laws dictate how land should be governed and progress should be defined. Furthermore, due to the differences in opinion held by each actor, conflicts arise when discussing how the laws should be designed – what should the laws include, who should be consulted and who should

be protected. Laws are the product of collision over ideas in the arena of politics. Beyond land, laws play an important role in encompassing a holistic picture for the socio-economic wellbeing of all parties. For example, a law might exist to acquire land from a group of people for mining purposes. Such a law would benefit the state's development agenda and the corporations' profit needs, however a group of people get displaced in the process, lose their home and their source of livelihood. It is imperative that the state does not neglect a large portion of the population, especially in a country run on electoral democracy (D'Costa & Chakraborty 2017; Stepan *et al.* 2011). Thus, the state designs policies of fair compensation packages, resettlement and rehabilitation to ensure the displaced communities get adequate skills and training to find a new job, and return to stable lifestyle as quickly as possible.

The laws have the tricky task of balancing all parties' interests; or seeming to balance all parties' interests because as this thesis will reveal the balanced approach in India is a façade that still favours the elite of the state. In India, this seemingly balanced approach is achieved using an approach called development through integration – which is discussed in more detail in the next chapter – but essentially the Indian state takes the middle path to finding a solution that meets economic growth of the state alongside uplifting the social justice matters (Wahi & Bhatia 2018). It is for this reason Jharkhand is built on the principles of balancing elitist development ideology alongside people-centric politics. Many scholars though have questioned the claims of balanced approach because no state is neutral: 'equilibrium is a fiction... development is violent, exploitative and competitive' (Peet and Hartwick 2009, p. 153). According to Peet and Hartwick (2009) the state is a political arm of the 'economically dominant class' (p. 155). The process of lawmaking is contested and this

contestation is explained in the following quote. The quote is long but critical in examining this misconception of neutrality:

The state is not a unitary actor. Although it may be commonplace to ascribe particular decisions or policies to states or governments, a state or government is composed of competing individuals, interest groups and bureaucracies, each with its distinct view and motivation on specific issues. Given the federal structure of the Indian polity, the number of actors involved, multiplies. Competition, coalition building and compromise are inevitable and ultimately a decision or policy is made which is then announced in the name of the government. Thus every legislation, every policy carries behind it a larger story about the contestations and lobbying carried out by various actors, governmental (like administrative departments) and non-governmental (like NGOs and interest groups), including the influence exerted by something as amorphous as public opinion. It is therefore important not to conceive of the state as a neutral administrative agency, nor simply in terms of its capacity for public governance. On the contrary, the state is a set of inter-related institutions and organisations, shaped and driven by political forces and processes (Bose 2010, p. 10; Leftwich, 2007).

The inherent conflicts when designing laws that aim to meet contradictory agendas is the reason why development is such a sensitive topic in Jharkhand. How is this seemingly balancing act playing out, who is benefiting and how do the other parties respond are all studied through the lens of lawmaking by understanding the rationale behind the laws and the orthodoxies they support. This thesis shows how the conflict over the framing of laws is playing out and the effect it has on the different parties and their fight for survival in Jharkhand.

***Progress***

The final theme chosen for analysis is the concept of progress. The idea of progress is rooted in the debates of modernity, where traditions are seen as 'backward'. The term 'backward', as highlighted in section 2.3.3, is the western portrayal of the rest of the world catching up to them. It builds a hierarchical society where the centres are viewed as the carriers of 'modernity' while the peripheries are considered to be 'traditional' and 'backward' (Peet & Hartwick 2009). In state-led modernisation theory, and later the neoliberal theory, the term 'backward' was defined using economic terms. Thus, 'backward' represented poor, uneducated and unskilled labour force who were incapable of assisting in driving the state's economy forward. Under state-led modernisation theory, the state took on the responsibility to spread the good word of 'modernity' to the peripheries so that they can leave their so-called 'traditional' ways and assist in progressing the country. In the neoliberal model, the markets were made responsible to achieve progress on the assumption that competition is good for everyone as it would drive every individual to improve themselves. According to the neoliberals, the markets are the best regulators in meeting the needs of every strata of the population. Therefore, the neoliberals argued that even the poor communities would progress in a market-based economy as competition would give birth to new businesses and drive innovation to produce cheaper products to meet their needs. The alternative development model questioned this logic of progress based on economics because the quest for 'modernity' led to large scale human rights violations and social injustices. They challenged the rights of urban centres to impose their ideals of greed onto the simple yet happy and fulfilling lives in the peripheries. They argued that by not exploiting the resources they are not 'ignorant' or 'primitive', and instead they live a life of respect where they understand the synergy of the resources in their lives. It is this relationship they share with the planet that



nurtures admiration to the resources and thus they reject the idea of making profit off the resources by commodifying and selling them.

In Jharkhand the conflict over progress plays a key role in how the key actors interact with each other. In the eyes of the state, the Scheduled Areas, where the Adivasis reside, is mineral rich and buried wealth that is waiting to be dug up. It is wealth that according to them would greatly boost the Indian economy. Therefore, they contend the Adivasis are 'primitive' for not seeing the wealth they sit on. They are 'backward' in the eyes of the state for having an emotional attachment with their land. In this respect, agriculture was also considered 'backward' while industrialisation represented 'modernity' (Eisenstadt 1973; Rosenstein-Rodan 1957). The corporations deployed similar prejudices, seeing the Adivasis as a hurdle for progress (Hebbar 2015; Raghuram & Sunny 2015; Saxena 2015). They contend that the minerals in the Scheduled Areas of Jharkhand should be open for investment as they argue for the government to ease the provisions of the acts that prevented industrial development in Jharkhand. These assumptions are challenged by the Adivasis who argue that progress should not be based on monetary value, and instead advocated for a more pluralistic model, that values cultural heritage and takes happiness and wellbeing into account. To them, the top-down model of growth is exploitative and destructive.

## 2.7 Research design and methodology

The empirical research initially focused on the Scheduled Area districts of Jharkhand to develop a deeper understanding of the conflicts in the area. A qualitative case study approach was used to study, analyse and identify the developmental ideologies that describe and explain the position of the key actors in the debates and contests over the idea of development. A qualitative approach is recommended to develop a deeper understanding of

a conflict through the history and the evolution of the tensions between actors (Sherman 1993). A qualitative approach is suggested when the research topic is highly contentious with no conclusive answer (Creswell 2013; Kaplan 2004; Naoum 2012; Rudestam & Newton 2014). Qualitative research approach has been used by many researchers to study the conflict in Jharkhand – some of the prominent researchers include Basu (2012); Ghosh (2006b); Lahiri-Dutt *et al.* (2012); Prakash (2001); Shah (2007b, 2010); Upadhya (2011).

After initial research it became clear that the story of Jharkhand could not be studied separately as it is deeply interconnected with the story of India and the treatment of the Adivasis, that is to say; the effects of the central government are felt in Jharkhand (Ambagudia 2011; Basu 2012). It was thus important to study the history of India since its independence in 1947, and its treatment of the Adivasis (Balakrishnan 2003; Chandra 2013b; Corbridge 1988). Extensive research was undertaken on central government archival documents to capture the developmental trajectory taken by the Indian state since its independence. These documents included the Constituent Assembly Debates (CAD), the parliamentary proceedings and reports released by central government's Ministry of Tribal Affairs and Ministry of Rural Development – to get a peek into the rationale behind the development trajectory and the lawmaking process. Archival study has proven to be a valuable source of data to understand the history and the evolution of the Adivasi conflict in India, including Jharkhand (Chandra 2013b; Damodaran 2002; Das 2015; Upadhya 2011). These reports paint a clearer picture of the rationale behind the government of India choosing a certain development model and the questions of land, law and progress.

In any research of social sciences, internal biases are inevitable (Giménez 2017). To avoid such biases, case study data was used to enhance the archival data and appreciate the perspective

of the key actors. Case study is a common approach to develop in-depth knowledge about a subject (Creswell & Poth 2017; Merriam 1988; Yin 1989). Open-ended in-depth interviews were conducted with 46 interview participants comprising of members of the state – including policy makers and civil servants at both the central level and Jharkhand state; members of the corporations – including international mining corporations in Jharkhand, industry lobbyist firms, and international financial institutions; and members of the Adivasi community – including CSOs; because CSOs are commonly consulted by the governments to take consideration of the voices of the subaltern due to the relative ease of consulting CSOs (Ansell & Gash 2008; Basu 2012; Chakravorty 2013; Kurup 2008; Palmer *et al.* 2009; Singh 2014a). It is also acknowledged that CSOs can be biased based on their personal agenda (Oya 2013). To overcome this hurdle, the data was triangulated with other primary and secondary sources (Banik 1993; Greene & McClintock 1985; Leech & Onwuegbuzie 2007; Thurmond 2001).

The interview participants were identified through Indian universities because academic scholars had interviewed various government officials and corporate representatives in the past. Furthermore, often faculty members of universities sit on the board of corporations, give policy advice to government officials, or research the social wellbeing of the Adivasis. Therefore, universities were identified to be an appropriate informed knowledgeable source. Numerous universities were contacted until enough interview participants were identified for the first round of interviews; after which a snowball effect approach was used to identify other interview participants (Beamer 2002; Richards 1996). The selection criteria for interview participants was their involvement in the debates on the question of land. Therefore, members of the state were selected based their work in areas of designing or

implementing the land acquisition law or Adivasi protective laws. Similarly, corporate representatives were selected based on their direct dealings with negotiating land deals or advising the state members in formulating land acquisition laws. Finally, members of the Adivasi community were chosen if they were displaced from their land from acquisition or are an activist advocating for land rights against acquisition. Most of the Adivasis interviewed were conducted at a Rehabilitation and Resettlement (R&R) site after they were displaced due to a development project, while some Adivasis interviews were conducted in the office of the CSOs. The R&R sites were identified through the help of CSOs. When selecting members of the Adivasis, an equal portion of educated and uneducated were chosen to get a sense of their negotiation approaches, their knowledge of the law and their rights, and finally their ability to find a job after being displaced. Interviews were predominantly in English, while some interviews with the Adivasis needed to be in Hindi. Being a native Hindi speaker, I then transcribed the interviews in English for analysis. A list of all interview participants can be found in Appendix 1.

Interviews were conducted over two trips to Jharkhand in 2017 and 2018. After completing the interviews in 2017, more interviews needed to be conducted to provide richness to the data because most of the field trip involved trying to obtain appointments with the interview participants. Land is such a sensitive topic that many government officials and corporate representatives refused to be interviewed with the fear of the interview going public – the challenges of obtaining elite interviews was explained by Beamer (2002); Richards (1996). This was despite the interview participants being informed that their identity would remain anonymous in the research – anonymity was found to ease the interviewee participant to discuss a matter more openly (Creswell & Poth 2017; Glesne 2015; Harvey 2011; Patton 2014;

Silverman 2013). Often, appointments were cancelled; and depending on the importance of the interview participant further contact was made over days until finally another appointment was given. All interviews with the government officials were tailored to the interviewee's position in the department of the government – the importance of this was highlighted by Richards (1996), who noted from his experience of interviewing government officials: 'interviewer to know his/her subject thoroughly, and to be prepared to be flexible in an interview situation' (p. 199). Such an issue was not faced with the Adivasis who readily took up the opportunity to get their voices heard (Kapoor 2009; Kujur 2001). In total, I was in Jharkhand for five months to collect all the data from the interview participants.

The research interviews did not cover the opinions of all the responsible participants as more interviews can be conducted to get richer and more comprehensive data. However, taking into consideration the time constraints of a PhD and the challenges involved in obtaining access to many interview participants, this thesis gives a rich account of 46 interview participants along with other official archival documents released by government ministries and corporate entities. While most of the government documents were readily available online, the internal corporation reports – including the meeting minutes between the lobbyist firms and the government officials on matters of land acquisition law are not publicly available and were shared with me after the interviews were concluded and a level of trust was established.

All the interviews were recorded for accuracy (Glesne 2015; Kvale 2008; Perakyla 1997; Silverman 2013), except the two state member officials and one corporate member who refused to be recorded. In such an instance notes were taken during interviews. All interviews were transcribed and broken down into themes for analysis (Bazeley 2013; Braun & Clarke

2006). Where further clarification was required with the interview participants they were contacted via email.

## 2.8 Conclusion

This chapter began by briefly discussing development theories in ‘less developed’ states before digging deeper into the three orthodoxies – state-led modernisation, neoliberalism and alternative development. While many developmental debates were touched on in the beginning of this chapter, the main argument of this chapter is that there is no consensus on the basic principles of development – what elements should development cover, who should govern, and how should progress be brought to every member of the society are all questions that continue to be heavily debated today. In practice, development is still a top-down model shaped by the powerful elites who have access to the state (Martinussen 1997; Peet & Hartwick 2009; Smith 2003).

In India, the top-down model of governance began with the state taking on the responsibility to oversee development by following the principles of state-led modernisation (Chandra 2000; Corbridge 2010; DeLong 2003; Jha 2008). The private sector was not trusted as they were seen to pursue their own selfish profit motives which would not benefit the national interest. Thus, the state managed, and controlled, the Indian economy through strict regulation. This period was known as ‘Permit Raj’. However, the cumbersome paperwork for even simple tasks, such as importing a computer, drove businesses away (Yergin & Stanislaw 2002). The Indian economy was failing as the country’s deficits were growing from domestic and international loans. Being on the brink of bankruptcy, India agreed to end ‘Permit Raj’ and liberalise the economy in 1991 when accepting a loan from IMF.

By liberalising the economy, India transitioned to neoliberalism (Banerjee-Guha 2009; Patnaik 2007c; Walker 2008). The corporations have since formed a strong alliance with the state in pursuit of economic development, with the state playing the role of a facilitator and land broker for the corporations. Previously state-owned sectors were opened to private interests as the corporations became the dominant players in the Indian economy (Bardhan 1998 [1984]; Chatterjee 2008). Since 1991, the Indian economy has been steadily rising with the 'Permit Raj' paving way for 'Billionaire Raj' (Chancel & Piketty 2017). The transition to neoliberalism led to massive displacements across India as it unleashed a rush to acquire the mineral rich lands of central and eastern India (Levien 2017).

Challenging this technocratic top-down model of governance are the Adivasis who question the development trajectory of India and the onslaught of human right violations, environmental destruction and inequality. The Adivasis instead advocate for an alternative form of governance that is inclusive, fair and democratic. Development according to the Adivasis should be holistic and favour human wellbeing and environmental sustainability. Often sidelined in the political discussions, the Adivasis resort to protests and staged rallies to voice their opinion and force the agenda of bottom-up politics in the Indian political system.

Similar contradictions in approaches to development are rife throughout Jharkhand as the key actors in Jharkhand – the state, the corporations and the Adivasis – are in constant conflict with each other over the question of development. Therefore, understanding the ideological assumptions supported by each actor paints a clearer picture of the reasons behind these conflicts. Using the framework presented in Figure 2.4, I performed a deep study to

understand the underlying biases of the key actors in Jharkhand and establish why they do not see eye to eye on the topic of development.

In the next chapters, this conflict is studied in more in-depth as the debates over the question of development by the key actors of Jharkhand are analysed. Before diving into the state of Jharkhand, it is necessary to first study the development history of India because the consequence of Indian politics plays an important role in how Jharkhand is governed.



### 3 Chapter Three: The top-down model of Indian state

*India is an excellent case of “too much” social structure, infinite hierarchy and a superabundance of the past in the present (Appadurai 1981, p. 204).*

#### 3.1 Introduction

After independence in 1947, economic development was made the main priority in India as industrialisation was equated with growth and agriculture was seen as economically ‘backward’ (Banerjee 2006; Burman 2009; Carrin 2013; Mohan 2016). The form of governance experienced in India after its independence is often referred to as ‘Nehruvian socialism’<sup>10</sup> (Levien 2013, p. 29) though, according to Levien (2013), it was more an accurate representation of state capitalism where the state worked to centralise the authority over the natural resources. Besides consumer goods, which were left to the private sector, the state controlled steel, heavy engineering, mining, oil and gas, roads, railways, airways, banking and insurance (Chatterjee 2017). Coal was turned into a national asset giving the state authority to exercise coercion in the name of national interest (Lahiri-Dutt et al. 2012; Mukherjee 2009). As stated in the Coal Bearing Areas (Acquisition and Development) Act, 1957 (CBAA) – ‘establish greater public control over the coal mining industry and its development, provided for the acquisition by the state of unworked land containing coal deposits or of rights in or over such land’ (Lahiri-Dutt et al. 2012, p. 40). Such practices of state-led modernisation prevailed for over four decades after India’s independence as the state played the paternalistic role to pursue industrialisation in the name of the nationalist agenda.

In 1991, India transitioned from state-controlled economy to a market-controlled economy by entering into neoliberal era of governance (Chatterjee 2017). The liberalisation of the

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<sup>10</sup> Named after India’s first Prime Minister, Jawaharlal Nehru

Indian economy unleashed a mineral rush as domestic and international private investors began taking control of previously state controlled sectors namely industrialisation, mining, transportation, telecommunications, infrastructure, banking, and insurance (Chatterjee 2017; Levien 2017). The states across India also welcomed this shift as they began competing with each other by designing policy packages and offering concessions in land prices to attract large-scale construction and development projects to their state (Adnan 2017; Bhaduri 2008; Chatterjee 2008). Even the states of West Bengal and Kerala, which had a traditionally left-wing government joined this competition signifying the ‘virtual consensus among all major political parties’ for rapid economic growth through the neoliberal form of governance (Chatterjee 2008, p. 57).

In this chapter, the history of India, that started with state-led modernisation and eventually transitioned into neoliberalism, is critically analysed to understand how the three chosen themes of land, law and progress have been debated in the central government of India. It is important to examine these debates at the central level before analysing the chosen case of Jharkhand, because the state of Jharkhand sits in the tribal belt of India and the governance of tribal belt has been, and continues to be, heavily debated by central government. It is also important to note that while the formation of Jharkhand is framed as a victory for the Adivasis it is also a failure because the state of Jharkhand was unsuccessful in fulfilling its true vision of Greater Jharkhand. The original demand of Greater Jharkhand intended to encompass majority of the Adivasis in eastern India, but in the end the vision of Greater Jharkhand was split into smaller states of Jharkhand and Chhattisgarh – this point is discussed in more detail in chapter four. However, to understand why the vision of Greater Jharkhand was not realised, it is crucial to understand the position the Indian state took, and continues to take,

on the Adivasis, their lands and the laws that govern them. This understanding sets the scene for the rest of the chapters moving forward as I discuss in more detail the context of Jharkhand.

I stress at this juncture, that while this chapter begins from 1947, it does not ignore the history of this conflict prior to India's independence. The question of land, land conflict, and Adivasi autonomy have played out for many centuries, predating even the colonial period. It is argued that many of the existing dilemmas and challenges around the question of land and Adivasi autonomy are the direct result of colonial policies that sought to protect the Adivasis from state's influence through policies of isolation, such as CNT and SPT Acts, while at the same time ignoring their customary held land by formalising it using the land revenue system (Barber 1970; Upadhyaya 2011). Despite the passing of 70 years since India's independence, the central and state governments of India still heavily rely on colonial land records – this point is discussed in more detail in section 3.5. The continuation of these colonial policies and practices is why Chandra (2013b) stated that the key provisions of colonial rule was 'unwittingly reworked and renewed' in post-colonial India (p. 152).

The rest of this chapter is broken down into six sections. In section two, I focus on the concept of progress to study why the Adivasis were perceived to be 'backward' by the Drafting Committee of the Constitution after India won its independence. In section three, I highlight the importance the Drafting Committee of the Constitution gave to projects of 'national interest' suggesting that cultures or traditions would not come in the way of progress and growth. Section four provides a history of Scheduled Areas and the treatment of the Adivasis under the British rule to develop an understanding of why the Adivasis became recognised as 'backward' by the state. The next section focuses on the commodification of land with the

government of India moving towards conclusive land titles through methods of coercion. The final section studies the laws that governs land to show how the top-down model of governance has been challenged over the years as the government of India has been forced to implement a more inclusive and participatory governance model. Interviews are the main source of data for this chapter along with archival documents of CAD, parliamentary debates and supreme court hearings.

### 3.2 'Mainstreaming' the Adivasis

After independence, the newly elected government of India, under the leadership of Prime Minister Jawaharlal Nehru, intended to take immediate steps to turn India into a 'modern', self-sufficient country (Akbar 1988; Ratti 2016). According to Nehru, the process of becoming a self-sufficient country asked that all citizens aligned themselves with the state agenda as pockets of tribes or clans slowed the process and prevented India from achieving its full potential. Therefore, when framing the Indian Constitution, the question of the Adivasis was heavily debated by the Drafting Committee. These questions included – which communities should be recognised as 'Scheduled Tribes' and how should they be governed?

The first government of independent-India blamed the isolation policies of the British for creating an ununiform society where a large portion of the Indian population remained 'underdeveloped' and 'backward' in the eyes of the state; and, not in a position to aid India in its path of progress (Government of India 1961; McMillan 2005). Thus, the Indian government took it upon itself to ensure that these so-called 'backward' communities were developed so that they could be used in progressing the country, that is to say that they would be able to fulfil the role of labour force in the process of state-led industrialisation (Yergin & Stanislaw 2002). The following extract from the Drafting Committee of the Indian Constitution

highlights this paternalistic role the government bestowed upon itself to fulfil this nationalist agenda of development.

These Scheduled Tribes and areas must as soon as possible become a thing of the past. They must come up to the level of the rest of population and must be developed to the fullest extent. I only want that these Scheduled Tribes and scheduled areas should be developed so quickly that they may become indistinguishable from the rest of the Indian population and that this responsibility should be thrown on the Union Government and on the Parliament... I want that the responsibility for their welfare, and their advancement must be laid on the Central Government only<sup>11</sup>.

This notion of ‘mainstreaming’ the Adivasis was supported by other members of the Drafting Committee<sup>12</sup> and endorsed by the Supreme Court as well – ‘the tribals... need to be taken care of by the protective arm of the law... so that they may prosper and by an evolutionary process join the mainstream of the society’<sup>13</sup>.

Originally, the Drafting Committee had anticipated that the task of developing the Adivasis would take until 1960 after which the Indian population would have a uniform society where every strata of the society would be on the side of economic growth (Corbridge 2000). However, Jaipal Singh, the only Adivasi member in the Constituent Assembly, suggested to the members of the Drafting Committee that they needed to be realistic and assume that it would take ten years to build trust with the Adivasi before they would be willing to co-

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<sup>11</sup> Constituent Assembly Debates, September 5, 1949 *speech by Shibban Lal Saksena* 24, available at [http://cadindia.clpr.org.in/constitution\\_assembly\\_debates/volume/9/1949-09-05](http://cadindia.clpr.org.in/constitution_assembly_debates/volume/9/1949-09-05) (Last visited on February 12, 2019).

<sup>12</sup> *Ibid.* Brajeshwar Prasad 29, Babu Ramnarayan Singh 33.

<sup>13</sup> *Amrendra Pratap Singh v. Tej Bahadur Prajapati*, [2004] 10 S.C.C. 65 at para. 15.

operate<sup>14</sup>. For the members in the Drafting Committee of the Constitution, who were intent on modernising and would consider it a failure if not all 'traditional' societies were transformed into 'modern' societies agreed that the Indian government should stick to its paternalistic role, even if the job was not completed by 1960. To the Drafting Committee, the timeframe was not as important as the main objective of subsuming the Adivasis and getting rid the perceived 'backwardness' so India could be recognised as a 'modern' country. This sentiment was echoed by Lakshminarayan Sahu in the Drafting Committee:

I think we should not bother about the period, whether it be ten years or twenty years, for the Adivasis are so backward that the period of ten years prescribed here may be safely extended to twenty years. We need not worry about this. The main thing that we should be anxious about is that we do not forcibly bring them into our fold. Some of us advocate that we should force them to come into our fold. It is very improper. It is only by a gradual process of creating closer relations that they should be absorbed amongst us<sup>15</sup>.

It is interesting to note that Lakshminarayan Sahu did expect resistance and acknowledged that rushing the process would have detrimental effects on the state's development narrative. Therefore, he urged the members of the Drafting Committee to be patient, akin to luring a mouse into a trap before it got 'absorbed'. The use of the term 'absorbed amongst us' and 'our fold' clearly evidence state-led development theory of the government that bestowed upon itself the superiority role to bring the Adivasi out of their perceived 'backward' and 'miserable' condition. This paternalistic approach taken by the Indian state

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<sup>14</sup> Jaipal Singh, *Supra* note 11, at 40.

<sup>15</sup> Lakshminarayan Sahu, *Supra* note 11, at 31.

towards the Adivasi has been noted to bear close resemblance to a colonial system (Sartre 2006). This was raised by Babu Ramnarayan Singh of the Constituent Assembly, 'it pains me and I think it must be paining everybody in this country to find that we have begun to do things now against which we have, protested so long during the British rule'<sup>16</sup>.

However, as stated in the previous chapter, India was not wanting to wait a hundred years to progress and therefore made the call for immediate industrialisation (Yergin & Stanislaw 2002). The exploitative nature of absorption employed by the state to 'mainstream' the Adivasis left one interview participant to describe the fate of the Adivasis on numerous occasions as 'unfortunate', almost seeming to suggest the process would have been more peaceful if the Adivasis were cooperative:

After independence the need to modernise and the pressure to become a self-sufficient country which has a name in the world, a place, a standing in the world becomes a major concern and unfortunately for the tribals in India they were sitting in the largest metallurgical and mineral deposits which were required at that point for advancement (Jharkhand Bureaucrat Interviewee 7 2018).

### 3.3 The pursuit of national interest

The paternal approach taken by the central government did not win plaudits. The Bhuria Commission Report, a committee of the Ministry of Tribal Affairs, noted that the Adivasis were 'averse to attempts, overt or covert, that aimed at their assimilation. They wish to preserve the integrity of their culture and personality' (Bhuria 2004, p. 2). The stance of the government though, was that India is a democratic state and in 'a democratic organisation

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<sup>16</sup> Babu Ramnarayan Singh, *Supra* note 11, at 31.

one has to abide by the decision of the majority of the people, whatever may be his own individual opinion about that decision'<sup>17</sup>. In the eyes of the Constitution Drafting Committee, the Adivasis were not only 'backward', but also a minority and so the decision of the majority took precedence. According to the Indian government there was only one agenda, and that was the national agenda of state-led modernisation and the Drafting Committee was very clear in ensuring that India's interest was always given the highest priority: 'If there is any interest which seems to conflict with the interests of India as a whole, that interest must be opposed and liquidated'<sup>18</sup>.

In the interviews with the Adivasi participants, the interviewees expressed their concerns over this fallacy of democracy as anyone who opposed the national interest was labelled anti-national or anti-development. They said that any opposition to the national agenda was accompanied with coercion to suppress the dissent voices either by arresting or threatening to arrest (Adivasi Interviewee 4 2018; CSO Interviewee 3 2018; CSO Interviewee 6 2017). In the state of Jharkhand, a study was done on 102 Adivasis participants who were on bail after being arrested on links to Naxal organisation, an organisation branded as 'India's largest internal security threat' (Alpa and Pettigrew, p. 227). It was identified that only 2 out of the 102 individuals were affiliated with the Naxal group while the rest were arrested to spread fear and crush any uprisings against the state (Adivasi Interviewee 2 2017; Adivasi Interviewee 3 2017; CSO Interviewee 4 2018; CSO Interviewee 7 2018). According to the Adivasis, labelling them as Naxalites was a common practice for the state if they stood in the path of, and opposed, the nationalist development agenda (Adivasi Interviewee 2 2017).

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<sup>17</sup> Brajeshwar Prasad, *Supra* note 11, at 27-28.

<sup>18</sup> Brajeshwar Prasad, *Supra* note 11, at 29.



I acknowledge that 102 is a small sample size for generalisation because many Adivasis did join the Naxalite revolutionary movement to fight against the exploitative state apparatus (Borooah 2008; Sen & Teitelbaum 2010; Shah 2013c). However, the important point of that study was that it highlighted many instances of false accusations as well where protestors are labelled as Naxalites (Borooah 2008; Guha 2007). The branding the Naxalites as a 'terrorist' organisation by Prime Minister Manmohan Singh in 2006, legitimised the state's use of coercion to suppress the anti-national voices (Antony *et al.* 2016). This approach of the state has left many Adivasis frustrated, as one interviewee questioned the nationalist development ideology of the state: 'I have been living peacefully all this time, who are you [government] to come and impose a different kind of administration. Who are you [government] to tell me who the land belongs to?' (Adivasi Interviewee 10 2018).

Opposition voices such as this were voiced during the Drafting Committee as well, however they were quickly subdued (Chandra 2013b; Kurup 2008). As noted in chapter two, Nehru saw the Adivasis as 'backward' and that no progress could come from villages (Akbar 1988). It is thus no surprise that the Constitution Drafting Committee which had a total of 299 members had only one Adivasi, Jaipal Singh (Wahi & Bhatia 2018). It is a clear indication of the precedent the first government of India set on the Adivasis of India. By only having one Adivasi in the Drafting Committee, it stressed the extent to which the state considered their responsibility to oversee the 'mainstreaming' the Adivasis. According to the Drafting Committee, the Adivasis were not seen on the same level as the rest of the Indian population and their advice was not rational. During the framing of the Indian Constitution, many concerns voiced by Jaipal Singh were often shushed by others claiming that he, and the other

Adivasis, needed to look outward to those who brought themselves out of their 'backward' condition for guidance:

Even my friend Mr. Jaipal Singh does not know anything about the tribals outside Bihar – his own province. He does very little touring in other parts. I would wish him to do that. I would see that he is provided with money to tour everywhere, wherever he likes to go in the tribal areas or other parts of the country than Bihar. Bihar is not India<sup>19</sup>.

Therefore, the Drafting Committee asked the Adivasis to not resist, and instead allow change to enter their communities so the state can help them out of their perceived misery.

### 3.4 The history of Scheduled Areas

To understand why the Adivasis were 'less developed' in comparison to the rest of the Indian state it is necessary to take a deeper examination of the history, the governance and the development of the Scheduled Areas.

The history of Scheduled Areas dates back to the British era, when it was formalised in the Government of India Act 1935 as Excluded Areas. These areas were introduced to protect the Adivasis of India from the state's ideologies of development. They were designed to protect the distinct primitive identity of the Adivasis and their pace of development (Kurup 2008; Wahi & Bhatia 2018). The Excluded Areas were divided into 'Excluded' and 'Partially Excluded Areas' based on the preponderance of Adivasi communities in those regions. Regions that had majority Adivasi population were declared 'Excluded Areas' and given autonomy of governance, while regions that had a substantial Adivasi population with a minority of non-Adivasis were declared 'Partially Excluded Areas' and were therefore were partially

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<sup>19</sup> A. V. Thakkur, *Supra* note 11, at 35.

autonomous. The intention of these areas was to ensure that the Adivasis were given the 'security of land tenure, freedom to pursue their traditional means of livelihood and a reasonable exercise of their ancestral customs' because they held no affinity historically, linguistically, socially and culturally with the 'mainstream' (Wahi and Bhatia 2018, p. 14).

In these 'Excluded' and 'Partially Excluded' areas, the British administration resorted to 'identity-based isolation' governance style on the Adivasis and their land. Best described as 'leave them untouched' (Kurup 2008, p. 26), this approach was implemented because the British administration realised that management in the interior Scheduled Areas was difficult and challenging. Furthermore, it was also decided after numerous rebellions by the Adivasis, namely the 1830s Kol rebellion, 1855 Santhal Insurrection, and Birsa Rebellion of the 1890s, that isolation would protect the Adivasis against hostility and exploitation. The policy of isolationism was formulated by anthropologists, such as W. V. Grigson (1938), who advocated 'indirect rule' to 'preserve' the culture and customary law of the Adivasis. It was this policy of protectionism that culminated in the creation of 'Excluded' and 'Partially Excluded' areas, which after independence was renamed to Scheduled Areas, namely 'Sixth Schedule' and 'Fifth Schedule' Areas respectively (Sundar 1997). It is important to note at this juncture that Excluded, and Partially Excluded Areas was vague in its definition of what constituted as majority, substantial, and minority Adivasi population. This vagueness in definition carried over to Fifth and Sixth Scheduled Areas after independence and the consequence of this will be discussed in more detail in chapter 4 (Chandra 2013b).

In practice though these policies of isolation had an adverse effect as the Adivasis were segregated and unmonitored leaving them open to exploitation by money-lenders,

contractors, *zamindars*<sup>20</sup> and middlemen. Kuper (1988) blamed these isolationist policies for the 'invention of the primitive' (p. 1). India's first Prime Minister, Jawaharlal Nehru described these policies as an 'anthropological zoo' (McMillan 2005) because according to him the Adivasis were treated as 'specimens in a zoo' or museum for anthropologist's study (Deogaonkar 1994, p. 27). The isolationist approach was criticised by many Indians as 'compartmentalist' where the Adivasis were left in the state of underdevelopment with no education and medical facilities (Government of India 1961; Wahi & Bhatia 2018). They claimed that the divide and rule policy was harmful, as it prevented the Adivasis from developing a political and economic consciousness (Ahmad 1937; Corbridge 1987; Damodaran 2002).

Anthropologist Verrier Elwin, noted that isolation was not an acceptable approach in the twentieth century stating, 'we do not want to preserve the tribesmen as museum specimens, but equally we do not want to turn them into clown in a circus. We do not want to stop the clock of progress, but we do want to see that it keeps the time right' (Elwin 1959, p. 13). Even anthropologists S. C. Roy, often referred to as the father of Indian anthropology, stressed isolation was not the answer to the Adivasis oppression, and suggested they should be protected from exploitation through other means (Upadhya 2011).

In 1930, the Simon Commission recognised that isolation was not a long term solution to protecting the Adivasis from exploitation, and instead advocated for their education so they can 'stand on their own feet' (Chandra 2013b; Wahi & Bhatia 2018). After independence the isolationism policies were replaced with the idea of undoing the damage left by the British. To this end Adivasis had to be brought into 'national mainstream' or at least made compatible

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<sup>20</sup> Land-owners

with 'national interest' (Ambagudia 2011). To the Indian state, economic development was the solution to the perceived 'backwardness' of the Adivasis (Ghurye 1959; Upadhya 2007). Driven by the narrative of G. S. Ghurye (1959), a nationalist, this school of thought focused on accelerating the process of building a self-sufficient country and maintaining independence. Therefore, the governance of Scheduled Areas after India's independence followed the modernist orthodoxy to transform the 'traditional' Adivasi societies into the 'modern-mainstream' fold as the policies of isolation transitioned to assimilation and finally integration (Dam 2005; Damodaran 2002).

### 3.5 The commodification of land

The modernist route to land governance involved the state controlling and managing land to ensure the state's development agenda are met (Behera 2019; Chandra 2013a; D'Costa & Chakraborty 2017). To the state, land was an asset, a commodity, that has an economic value; and not fulfilling its economic purpose was deemed a waste (Baka 2013). To the Adivasis, the significance of land is far greater than the contemporary use as an asset. Land to them signified dignity, pride, identity and spirituality (Areeparampil 1996) without which they are 'helpless, subservient and subjugated like a bonded labourer without dignity' (Kujur 2001, p. 19). Land is the 'territory of their existence, given by the forefathers, the abode of the spirits and their dead, their livelihood, their religion and culture in a symbiotic relation with nature' (Giménez 2017, p. 233). Therefore, while the state governed land through property rights, the Adivasis followed customary rights (Upadhya 2005). Customary rights are ancestral land rights that are passed down to family members generation after generation. Customary rights do not hold a legal land title and often lead to disputes within the communities, as well as with the state administration when it attempts to formalise it (Chandra 2013b; Upadhya 2004).

After India's independence, the state took various measures to improve the land records in India through land reforms (Ekka 2005; Saxena 2011); however, it faced many hurdles due to the presumptive nature of land titles in India (Jharkhand Bureaucrat Interviewee 6 2018). Presumptive land titles means the land is presumed to be in an individual's name until it is challenged at court (Indian Bureaucrat Interviewee 1 2018; Morris and Pandey 2009). To understand why the land titles are presumptive, it is important to understand its origins in the *zamindari* system when the British attempted to improve the land records in India by converting customary land titles to formal land titles. The *zamindars* were the permanent title holders who collected rent from farmers and paid rent to the government (Wahi 2015). However, the rent paid by farmers was unregulated leading to gaps in the legal framework and poor administration of land records, ultimately leading to land titles being inconclusive when Indian government took control and abolished *zamindari* system (Wahi 2013).

Due to outdated land records, presumptive land titles became a major hurdle for India as identifying the correct land owner led to delays in acquiring land for many development projects (Mishra & Suhag 2017; Morris & Pandey 2009; Sinha 2009). Therefore, for the Indian government it became imperative to transform the presumptive land titles system to a conclusive land titles system. In a conclusive system, as the name suggests, once the property is registered under an individual's name it cannot be challenged in front of the court (Indian Govt. Interviewee 1 2018; Wadhwa 2002). This transition to a conclusive land title system according to a government official interviewee is an important step in India becoming 'modern' like the western countries:

Unlike Australia, or UK [United Kingdom], or America where the [land] titles are conclusive, which means once a property is registered [to someone] no one can

challenge it as such. It requires a heavy burden to prove that it is not your property. In India, the titles are presumptive, which means that it is presumed to be in your name unless someone challenges it. Which is why you see High Courts inundated with property and title disputes (Indian Bureaucrat Interviewee 1 2018).

In 2008-2009 the Department of Land Resources began implementing the National Land Records Modernisation Programme with the objective of building an up-to-date and real time land records system and ushering in a system of conclusive titling (Ministry of Rural Development 2014). Interviews conducted with the government officials though suggested that there was a disconnect between the central government and the local state government where the central government envisioned the use of satellite images to identify who owned the land before the cut-off date of December 13, 2005, claiming it is 'not a rocket science' (Indian Bureaucrat Interviewee 3 2018), while the local state governments complained about the lack of technological and human resources. Interviews with the Jharkhand local government revealed that while the central government expected land surveys to be completed in 4 years, lack of manpower and infrastructure resulted in land surveys taking over 40 years (Jharkhand Bureaucrat Interviewee 4 2018; Jharkhand Bureaucrat Interviewee 6 2018). This disconnect between the central government, that makes the laws, and the local governments, that enforces the laws, is striking. The expectation of the central government to pursue the path of state-led modernisation is failing to take into consideration the expertise of the local government in achieving modernisation. A Jharkhand politician noted this disconnect in his interview stating: 'PMO [Prime Minister's Office] is so far from the ground reality' (Jharkhand Politician Interviewee 4 2018). According to this interviewee the

expectations of the central government are not in contact with the everyday challenges of governance.

The ground reality, according to a Jharkhand government interview participant is that conflicts over ownership of land arise at the time of surveying too, and in many instances, even after the survey has been completed (Jharkhand Bureaucrat Interviewee 6 2018). However, a civil servant from the central government's Department of Land Resources brushed aside these concerns stating that these conflicts arise due to people's selfish nature and technology would resolve this issue: 'trusting people is not working... greed is a second nature of man. A lot of people are putting up claims even when they are not eligible' (Indian Bureaucrat Interviewee 3 2018).

Therefore, using the narrative of being the caretaker of the national agenda, the state has employed various methods to move from presumptive to conclusive titles. One of the most prevailing methods has been the creation of land banks (D'Costa & Chakraborty 2017; Levien 2017). The idea of land banks uses the notion of 'wasteland' by acquiring land that is not fulfilling its economic potential and converting them into industrial land (Government of Tamil Nadu 2007). This notion of wasteland fits into the classic mould of state-led modernisation, as land is seen as a commodity; and not putting it to its best economic use, that it to say not using land for industrialisation, deems it to be a wasted commodity (Baka 2013; Biswas 2014). As the modernists see industrialisation as the carrier of modernity, all land under Scheduled Area or land that is being utilised for agricultural purposes that does not meet this modernists mould of progress is classified as 'waste' (Baka 2013; Down to Earth 2006). By labelling these lands as 'wastelands', it squarely fits the state's narrative to acquire them under the guise of 'national interest' and the promise of progress and growth.



The idea of land bank was hailed by many private investor interview participants as a miracle as they encouraged more local states to implement it (Corporate Interviewee 5 2018; Corporate Interviewee 7 2018). Using the example of Tata Motors factory again – which after fierce protest was shut down in Singur, West Bengal – they were able to acquire land in Gujarat within three days because Gujarat had implemented a land bank for industrial projects (Roy 2011). An interviewee with a corporate representative called it a miracle, because according to him land acquisition was always a problem in India (Corporate Interviewee 5 2018). At the time when Tata Motors moved to Gujarat, the Chief Minister of the state was Narendra Modi, who is India’s Prime Minister at the time of writing this thesis. In an interview with a corporate representative, the interviewee expressed his support for Prime Minister Modi, who according to him was trying to upscale his efforts of turning India into an investor friendly state by replicating the model of Gujarat and encouraging the creation of land banks (Corporate Interviewee 5 2018).

However, the Adivasis and CSOs interviewees criticised land banks, calling it a ‘stupid idea’, because according to them the land in Scheduled Areas is owned by Gram Sabha<sup>21</sup>, and not the state (Adivasi Interviewee 3 2017; CSO Interviewee 1 2018; CSO Interviewee 5 2017). In their opinion, the government does not have the authority to take ownership of that land; therefore, they claim that land bank is a clear violation of the central government laws, PESA and FRA (Adivasi Interviewee 3 2017; CSO Interviewee 5 2017). This claim by the interviewees that these land banks are community lands still ‘in use’ was proven by Baka (2013):

On paper, India’s governance of wastelands appears sound: such lands are presented as empty...However, when examined on the ground, the state’s conceptualisation of

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<sup>21</sup> General assembly of the people of the village

wasteland disappears: lands designated as wastelands are often in use and, in some cases, privately owned (Baka 2013, p. 426).

An interview with a corporate employee also noted that these land banks are merely Adivasi lands (Corporate Interviewee 3 2018). In his experience of acquiring land from government land banks, the interviewee stated that often industries were misguided into thinking they were getting empty lands, when in fact these land banks were still occupied by the Adivasis when allotted to the industries; 'consent was given, people had already agreed, so legally also there were no issues [*sic*]. The only concern was that although land was acquired people were not evacuated' [*sic*] (Corporate Interviewee 3 2018). The exposing nature of the above statement presents the dark reality the Adivasis face as the states take control of their land to create land banks and leases it to private investors; despite a Jharkhand politician claiming otherwise: 'government does not acquire land for private use' (Jharkhand Politician Interviewee 3 2018).

It is important to stress that coercion is rooted in the process of building conclusive titles. This was evident by the interviewees who mentioned that public hearings were held 50 kilometres from the acquisition site to avoid confrontations (Adivasi Interviewee 2 2017; CSO Interviewee 7 2018). Furthermore, the members of the public that were invited to these hearings were those who were bribed and willing to accept the negotiation (Jharkhand Bureaucrat Interviewee 1 2017; Jharkhand Bureaucrat Interviewee 3 2017). Other examples included taking advantage of the Adivasis illiteracy by falsifying medical papers with legal sale deeds; and printing an advert to ask for any objections to the sale of land instead of conducting a public hearing (Baka 2013; Lahiri-Dutt *et al.* 2012). Baka (2013) also noted that the state refused to provide relief assistance to vulnerable famers who had a year of low crop

yields unless they presented their land documents, which either did not exist, or upon examination, were notified to be false and their land was acquired.

Finally, a surprising strategy used by one interview official to build conclusive titles included reverting to an approach used by India's first Prime Minister, Jawaharlal Nehru, and his call to the citizens to sacrifice in the interest of the country (Ghosh 2006c). The reason this was a surprising discovery is because normative appeal stopped working in the 1970s and 1980s when the Adivasis began losing trust in the government's promises of trickle-down effect (Levien 2013). According to Chandra (2013a), Nehru's message proved to be nothing but a cloak that concealed 'a fresh round of primitive accumulation' (p. 54). Despite the lack of trust in normative appeal, a Jharkhand government official used this approach to say that India won its independence for its people with great difficulty; therefore, the people should repay that debt by giving land to the government and clearing the pathway for development (Jharkhand Politician Interviewee 3 2018). In his vivid explanation to stress the neutrality of the Indian state he compared the country of India to a human body, where the legs are the people, the body is the local state government and the head is the central government. While clearly symbolising the superiority of the government and its ability to think, be rationale and do the right thing for the general good, he concluded by saying that the head though cannot move if the body and the legs decide to not move. The country would be paralysed, he said, if the people are not willing to adapt and move with time (Jharkhand Politician Interviewee 3 2018). This comparison with the human body sums up the responsibility the state bestows upon itself as the 'head and the brains' for the healthy functioning of the entire body, while the citizens are puppets – 'limbs' that are controlled by the government.

### 3.6 Merging neoliberal and people-centred politics

In 1991, India transitioned to neoliberalism as private actors grew in dominance and state's control in the economy reduced. This transition ensued a resource rush as domestic and international investors took control of previously state controlled sectors, such as mining, industrialisation, transportation and telecommunication (Yergin & Stanislaw 2002). Land banks played an integral role in many investments as central and local governments took on the role of facilitating land deals for the corporations (Banerjee-Guha 2013; Levien 2017; Pal 2017). The role of the state as a neutral actor was questioned, as the alliance between the state and the corporations further marginalised the poor. For two decades since India's liberalisation, land acquisition was governed by the colonial 1894 Act. The 1894 Act was designed with the interest of acquiring land; and thus, the state had more authority to acquire land using eminent domain and the urgency clause (Behera 2014; Kapoor & Prasad 2016; Nair 2014b; Ravindran 2015). These provisions enabled the state to acquire land and create land banks, industrial zones, and SEZs under the guise of national interest projects (Banerjee-Guha 2008) because private investment and world class infrastructure were equated with progress and growth post-liberalisation<sup>22</sup> (Levien 2011; Ramachandraiah & Srinivasan 2011). This neoliberal model of governance faced a lot of opposition as public purpose projects began favouring private actors and their profit motives. This profit motive was corroborated by a corporate representative who in his interview stated: 'industry is not for social development' (Corporate Interviewee 2 2017).

In the 70 years since India won its independence the plight of the Adivasis has not changed. Today, just like when India became independent, the government officials consider the

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<sup>22</sup> Lok Sabha Debates, *Land Acquisition, Rehabilitation And Resettlement Bill, 2011*, 28, Session Number 229, August 29, 2013.

Adivasis as 'primitive' and 'backward' (Jharkhand Bureaucrat Interviewee 7 2018; Hardiman 2002; Mohanty 2011). To them, the development of the Adivasis has not kept pace with the rest of the Indian populace, despite their argument that development projects have entered the Scheduled Areas. As in most Scheduled Areas, including Jharkhand, the benefits are experienced by the outsiders while the Adivasis still live in poverty and alienated from civilisation (Hardiman 2002; Singh *et al.* 2012). The promise of bringing the Adivasis along on the journey of development has so far not materialise in practice. Therefore, an Adivasi interviewee questioned this notion of development: 'my land is gone, my culture gone, my home gone but I am watching the electricity in the Bokaro Steel colony and I am in the dark' (Adivasi Interviewee 10 2018).

In response, the Adivasis challenge the top-down model of governance through numerous protests and riots that year after year made the rich-richer and the poor-poorer (Banerjee-Guha 2009; Bhattacharya *et al.* 2017; Lerche 2013; Sharma 1996). By constantly raising the issue, the Adivasis pushed against the elitist ideology of development to incorporate a more participatory model. In 1996, the government of India released PESA Act and in 2006, the FRA Act. In theory, these acts sought to bring a greater level of participation in the governance of the Scheduled Areas as consent was made mandatory before any land could be acquired (Bhattacharya *et al.* 2017). In practice though, these provisions were bypassed as a government official interviewee revealed:

They kept it [public hearings] in a town hall in Hazaribagh with the entire police force. Only those people were brought [for consent] who would agree with the project. I found that sometimes they were not even part of the project [affected land]. They were part of the crowd. If this is the way we are going to do, it is better not to do it (laughs). Why

to do the scam for the sake of it? What is the point of this? It is a pure scam. They should not conduct such things. It is adding to the project cost. It is a scam in the end. Not serving any logical purpose (Jharkhand Bureaucrat Interviewee 3 2017; Mohanty 2011).

Despite the provisions of PESA and FRA, the government was able to bypass the laws and acquire the land because the central land acquisition act at that time – the 1894 Act – allowed the government to acquire land using the vague definition of public purpose and the urgency clause. As one of the interview participants stated,

In the 1894 act one of the major loopholes was public purpose. It was vaguely defined and there was ambiguity on the interpretation of public purpose. Even land acquisition for private enterprise became a public purpose project... Also, the urgency clause was misused, where with a short notice without any justification DC could acquire land for special purposes. This was again misused many a times. Whose lands were acquired their legal or human rights were abused' (CSO Interviewee 12 2017).

With growing unrest and social injustices, the social climate in India was changing and the government of India was under immense pressure to upgrade the outdated colonial land acquisition act of 1894. Finally, in 2011, in *Ramji Veerji Patel Vs. Revenue Divisional Officer*, the Supreme Court of India deemed the 1894 Land Acquisition Act of India outdated and asked for the government of India to design a new act that would take into consideration the general population (Nair 2016a):

The provisions contained in the Act [1894 Act], of late, have been felt by all concerned, do not adequately protect the interest of the land owners/persons interested in the land. The act does not provide for rehabilitation of persons displaced from their land

although by such compulsory acquisition, their livelihood gets affected... To say the least, the act has become outdated and needs to be replaced at the earliest.<sup>23</sup>

On 1<sup>st</sup> January 2014, the Indian government released the 2013 Land Acquisition Act. This new act is considered a significant step forward in recognising the rights of local citizens. It is the first legislation in India to recognise the indigenous communities with no formal legal titles as also victims of land acquisitions (Nair 2014b; Ravindran 2015). A crucial element of 2013 Land Acquisition Act is the importance it gives to obtaining explicit approval from the project-affected populations. Land transactions for private investments require approval of 80 per cent of the affected communities, and for public–private partnerships, from 70 per cent of the affected communities (Bedi & Tillin 2015; Ghatak & Ghosh 2011; Levien 2015). Social Impact Assessment (SIA) has also been made mandatory for all land acquisitions, except for acquisitions under urgency provision (Mathur 2016; Nair 2014b; Singh 2014b). The SIA is required to be completed within six months of the land acquisition process, with the intention of determining whether the project will benefit the public, ensuring consent and approval is obtained from the affected populations, assessing if alternatives have been considered, and most importantly to develop a rehabilitation and resettlement plan for the displaced population (Mathur 2016; Nair 2014b; Samanta 2015).

It is important to stress at this juncture that contestations over the ideology of development are not only externally driven between different actor groups but also are internal, within the same actor groups. During the formation of the 2013 Land Acquisition Act, the Ministry of Commerce and Industry and the Ministry of Urban Development wanted to ‘water

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<sup>23</sup> Justices Lodha and Kehar; order date 2 November 2011. *Ramji Veerji Patel vs Revenue Divisional officer* (Civil Appeal No. 137 of 2003)

down...dilute the consent, compensation and rehabilitation features' (Rajalakshmi 2013, p. 32). The Ministry of Commerce and Industry fought to make land acquisition easier for industries (Nielsen & Nilsen 2017). The Ministry of Rural Development leaned towards clearly defining 'public purpose' and limiting the exercise of eminent domain (Rajalakshmi 2013). Whilst the Ministry of Urban Development favoured lower compensation rates in urban areas, so the urban development projects would not be hampered (Ramesh & Khan 2015). Thus, even within the state apparatus different notions of development are harboured, as also witnessed in the interviews within the Adivasis (discussed in chapter six of this thesis).

While these acts have not changed the top-down nature of governance (Chandra 2015), it has left a substantial marker in the resistance to the norm. As noted by D'Costa and Chakraborty (2017):

If dispossession and displacement without adequate rehabilitation and resettlement goes unaddressed, land acquisition will be stymied. As it is now evident, investments in large non-agricultural projects necessarily require land and the acquisition of land has become a critical bottleneck to seeing these projects through (p. 34).

### 3.7 Conclusion

This chapter provided a brief history of how the conversations of land, law and progress in India have predominantly been controlled by the elite in their top-down form of governance. After India won its independence, Prime Minister Jawaharlal Nehru was tasked with the challenge of building a self-sufficient country. Economic growth through state-led modernisation was seen as the ideal path for India as priority was given to industrialisation. To Nehru, the challenge of making India self-sufficient required dedication and commitment from the people, even sacrifices, to a bigger cause of a brighter future. The Adivasis were seen



by the elite of the state to not have that vision of the bigger picture and so the government took a paternalistic role to bring them out of their 'traditional' ways. This was important according to the Drafting Committee of the Constitution as the interest of India as a whole came first.

Furthermore, the Drafting Committee argued that the British, and their policies of isolation, were to blame for the perceived 'backwardness' of the Adivasis. The result of the isolationist policies meant that the Indian government saw it their responsibility to 'modernise' the Adivasis so they too could play a role in India's growth. To the state, 'modernising' the Adivasis was imperative because the Adivasis sat on mineral rich reserves of India and held an emotional attachment to their land. In the eyes of the state not utilising the mineral resources to its most economical and profitable use was not only a waste but also a hindrance to the industrial agenda of the state. Therefore, the state began acquiring land using eminent domain claiming it was essential for the 'national interest'. This narrative of 'national interest' allowed the state to bypass the provisions of the laws designed to protect the interests and wellbeing of the Adivasis as the elites of the country continued to control the narrative of development.

India's pursuit of industrialisation though faced the challenge of presumptive land titles, leading to delays in land acquisitions due to conflicts over land ownership. In response, the Indian government began creating land banks and converting the presumptive land titles to conclusive. However, the creation of land banks was accompanied with coercion. In the process, the legitimacy of the state was questioned as lands that were not put to economic use were seen as 'wastelands' by the state and subsumed into state lands banks. In many

instances, land banks were found to be Adivasis lands taken control by the state because the Adivasis were seen to be 'wasting' valuable resources by not putting it to industrial use.

These practices of the Indian government have shown to continue the resemblance of its colonial counterpart. The upcoming chapters show why some researchers even suggest that the post-colonial India has been called more ruthless and cunning than its predecessor (Giménez 2017; Kurup 2008). In chapter four the focus shifts to Jharkhand to undertake a concentrated analysis on how the politics over the ideology of development is playing out.

## 4 Chapter Four: Jharkhand – progress, growth and governance

### 4.1 Introduction

In this chapter, and in chapters five and six, I develop a deeper understanding of how, and why, the debates of development are central to many of the conflicts in Jharkhand. I begin by examining the formation of Jharkhand and its treatment of Adivasis, before studying the industrial policies and strategies employed by Jharkhand government to maintain top-down governance in a very people-centred society.

The politics of Jharkhand is filled with conflicts as Jharkhand sits on the mineral belt of India and the contemporary model of progress and growth collides with that of the Adivasis'. Jharkhand is recognised as a Fifth Scheduled state (Burman 2006; Singh 2013). A Fifth Scheduled state, as mentioned in chapter three, was renamed from Partially Excluded Area after India became an independent state (Wahi & Bhatia 2018). Being a Fifth Scheduled state, the Adivasis in Jharkhand are protected by central laws; namely the 1996 PESA Act, and the 2006 FRA Act (Gawas 2017; Shirsath 2014). Furthermore, they are also protected by local laws of Jharkhand, namely the 1908 CNT Act and the 1949 SPT Act.

These laws protect the Adivasis from the state's development agenda by safeguarding the traditions, culture and heritage of the Adivasis through a combination of semi-autonomous and inclusive form of governance (Gawas 2017; Shirsath 2014). However, in the eyes of the state, and the corporations, these laws are the reason Jharkhand is still considered 'underdeveloped' (Giménez 2017; Gupta 2014). Driven to change this narrative and intent on better utilising the resources, the first government of newly formed Jharkhand aligned the policies of Jharkhand with the economic priorities of the Indian state (Behera 2019; Chandra 2013a; Corbridge 2002; Stuligross 2008).

This chapter is broken into eight sections. In section two, I discuss the formation of Jharkhand with special focus on why the vision of Greater Jharkhand was not realised. In sections three and four, I look at the steps taken by the Jharkhand government to eradicate the perceived ‘backwardness’ of the Adivasis. Section five examines how the laws designed to protect the Adivasis’ interest are made irrelevant by politically displacing the Adivasis through gentrification. Section six reveals how the government makes the argument for industrialisation by suggesting that the Adivasis are not interested in agriculture. Finally, in section seven and eight, I analyse the methods employed by the state to amend the local protective laws in Jharkhand to ease the process of land acquisition for industrialisation. The main source of data for this chapter is interviews with government officials in the Jharkhand state.

#### 4.2 The failed vision of Greater Jharkhand

Figure 4.1: The Demand for Greater Jharkhand



Source: Corbridge (2002, p. 59)

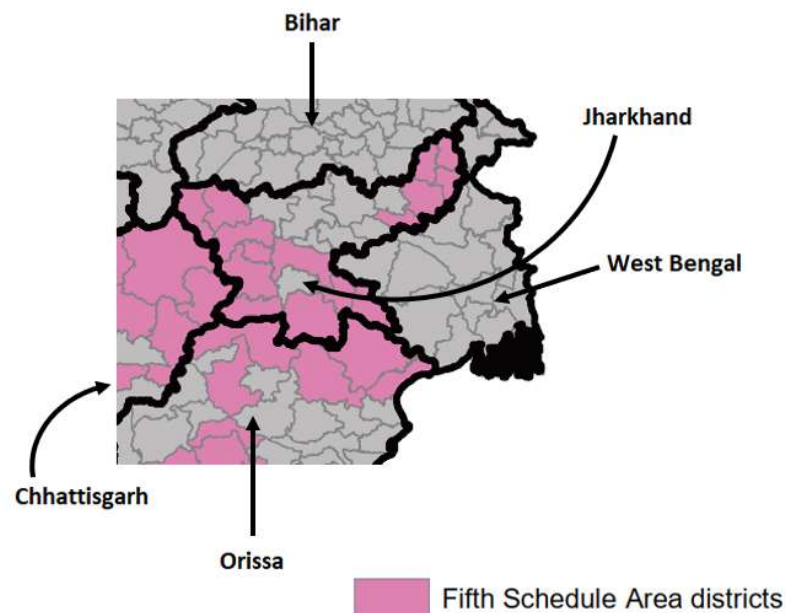
As noted in the introductory chapter of this thesis, the original demand for Jharkhand (referred to as Greater Jharkhand) included the Scheduled Area districts of Bihar, West Bengal, Odisha and Madhya Pradesh (see Figure 4.1) (Corbridge 2002; Roy 2000). The intention of Greater Jharkhand was to form a single state encompassing majority of the Adivasis in eastern India (Bharti 1989; Fernandes 1998a). Instead, what is seen today is a partial vision of Greater Jharkhand – split into Jharkhand and Chhattisgarh. This section analyses the reasons Greater Jharkhand did not come to fruition. Before doing so, it is important to develop a deeper understanding of Fifth Schedule and Sixth Schedule states because this information is pertinent to why the state of Greater Jharkhand did not eventuate.

In a Fifth Scheduled state, the state identifies areas that have more than 50 per cent politically recognised Adivasis, in other words ‘Scheduled Tribes’, and labels them as Scheduled Areas. These Scheduled Areas are semi-autonomous where the interests of the Adivasis are taken into consideration through a Tribal Advisory Council (TAC). A TAC is a constitutional body in a Fifth Schedule state where three-fourth members of the council are Adivasis. However, despite the three-fourth membership, these councils have known to be bribed to misrepresent Adivasis' interests (Sundar 2005a). Many Adivasi interviewees expressed their concerns over the malpractices of TACs that represents the political party's aspirations (Adivasi Interviewee 3 2017; Adivasi Interviewee 5 2018). In comparison, a Sixth Scheduled state has more autonomy through greater devolution and decentralisation of powers locally. In a Sixth Schedule state, an Autonomous District Council (ADC) exists. The ADCs enjoy legislative powers on specific subjects, including powers to set up and administer governance and justice on matters of land, revenue, forests, education, and public health.

While the distinction in governance between Fifth and Sixth Schedule is clear, the complication arises in the definition. I already noted in chapter 1 that the Indian Constitution is vague in defining the cut-offs for high and medium preponderance of Adivasis in a state. This vague criterion adds greyness by opening it to interpretation. The confusion over the criterion of definition based on a vague term 'majority' and 'minority' was stressed by Wahi (2013): 'many villages with a majority (emphasised) tribal population that are contiguous to the existing Scheduled Areas have not been given the same status. Consequently, they are excluded from the protection of the state land transfer laws, which enables alienation of tribal lands in these areas' (p. 53). The consequence of such a vague definition is that the state can control the level of Adivasi autonomy based on intent rather than a well-defined criterion. The importance of this point gets highlighted as I develop my argument for why the vision of Greater Jharkhand was not realised.

It is not uncommon for Adivasis in Fifth Scheduled state to seek greater autonomy as designed in a Sixth Scheduled state (Malhotra 2013). The PESA Act of 1996 was expected to devolve certain powers in a Fifth Schedule state to replicate a Sixth Schedule state (Das 2015), however in many states PESA has not been implemented, with one interview participant stating, 'PESA is dying a natural death' (Adivasi Interviewee 4 2018). This is not to suggest that Sixth Schedule would put a stop to land acquisition. Fernandes and Barbora (2008) showed that the state wields its power to acquire the resources in Sixth Schedule states as well. However, that does not stop the Adivasi communities to hope for a better future with greater autonomy under Sixth Schedule.

Figure 4.2: Geo spatial representation of the Scheduled Area districts



Source: Edited from Wahi and Bhatia (2018, p. 27)

It is argued that the vision of Greater Jharkhand was to create a Sixth Schedule state by forming of a single Adivasi state including districts of Bihar, West Bengal, Odisha and Madhya Pradesh. The districts surrounding Jharkhand, in Chhattisgarh and Odisha, are predominantly Adivasi populated, making these areas Scheduled Areas (see **Error! Reference source not found.**). When all these Scheduled Areas merge to form a single state of Greater Jharkhand, the majority of the population in that state would have been Adivasi (Ghosh 2016). As highlighted in previous paragraph, states are labelled Fifth and Sixth Schedule based on the vague definition of medium and high population of 'Scheduled Tribes' in that state, where Sixth Schedule states are recognised to have a majority 'Scheduled Tribe' population. Therefore, if the vision of Greater Jharkhand was realised, the Adivasis would have had a majority demographic and a strong impetus to move from a Fifth Schedule to a Sixth Schedule

state (Kurup 2008; Wahi & Bhatia 2018). This notion was suggested in an interview with an Adivasi:

If the particular areas of Chhattisgarh, Jharkhand, and Orissa [Odisha] - such as Sundargarh from Orissa [Odisha]; Raigarh and Jashpur from Chhattisgarh; Gumla and Ranchi from Jharkhand – formed a state then surely majority would have been tribals and Sixth Schedule could have been possible (Adivasi Interviewee 1 2018).

A question arises at this point – how does Greater Jharkhand being labelled a Sixth Scheduled state matter? Seen in Figure 4.3, Greater Jharkhand sits in the mineral belt of India and if Greater Jharkhand was realised then majority of the mineral reserves would be inside the newly formed state. These resources in Greater Jharkhand are identified by the Indian state to be essential for the state’s development agenda of fulfilling the dream of ‘India Shining’ (Shah 2007a, p. 1814). If Greater Jharkhand was to turn into a Sixth Schedule state, then the Adivasis would have greater autonomy to govern their land. The history of Jharkhand has shown that the Adivasis have an emotional attachment to their land – the movement for Greater Jharkhand, known as Jharkhand Movement, was driven by the injustices associated to land (Basu 2012). This attachment to their land was highlighted by a Jharkhand government interviewee who highlighted the common slogan used by the Adivasis in their protest against the elitist ideology of development: *‘jaan denge, jameen nahi denge; jaan denge, jungle nahi denge; jaan denge, jaal nahi denge; jaal jameen jungle jai ga toh, tumhara astitwa khatam jaega’*<sup>24</sup> (Jharkhand Bureaucrat Interviewee 7 2018). Thus, it is argued that the reason Greater Jharkhand was not realised was because it would hamper the state’s development agenda.

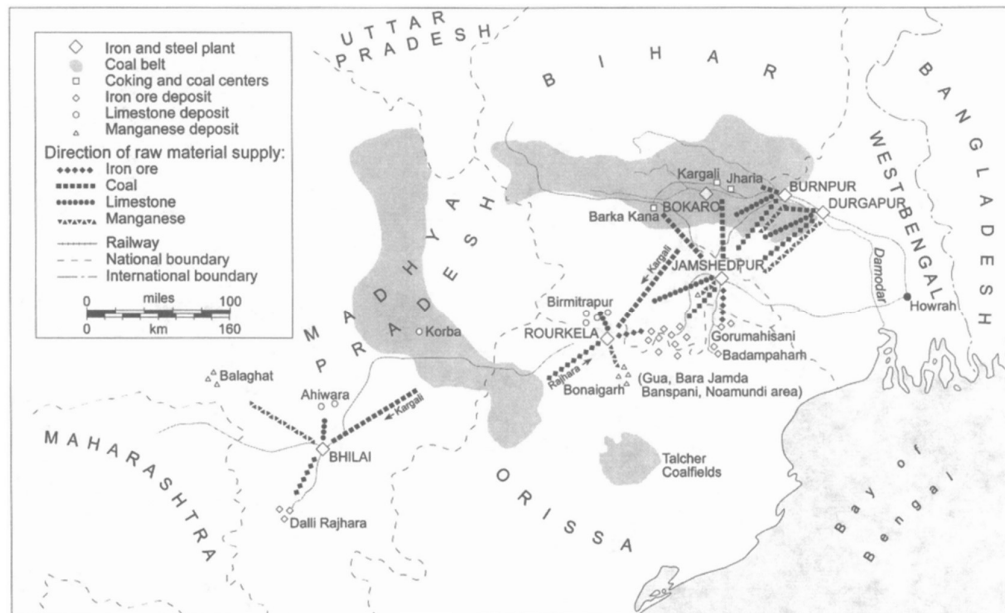
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<sup>24</sup> Translated: We will give our life, but not our land; we will give our life, but not our forests; we will give our life, but not our water. If we lose our land, forests and water then we will lose our identity.



The vision of Greater Jharkhand came in conflict with the state's notion of development (Bharti 1989; Fernandes 1998a).

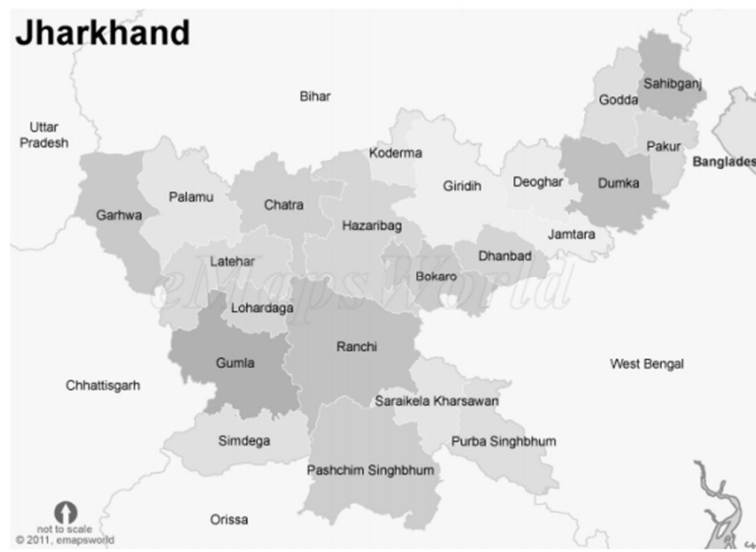
Figure 4.3: Geo spatial representation of mineral deposit reserves in Greater Jharkhand



Source: Corbridge (2000, p. 71)

Development in the eyes of the Indian state favoured industrialisation; and the creation of Greater Jharkhand, and subsequently its potential push for autonomy by becoming a Sixth Schedule state proved too great a risk for the Indian state's developmental objective (Kurup 2008; Wahi & Bhatia 2018). As explained by Echeverri-Gent (1992); Pfeffer and Salancik (1978) the concentration of resources increases the dependence of the state. In the eyes of the Indian state, this dependence could be broken by mobilising the economic resources controlled by the Adivasis. Thus, the Adivasis' dream of Greater Jharkhand was split into Jharkhand and Chhattisgarh. On 15th November 2000 the state of Jharkhand was formed from Bihar (see Figure 4.4) and in the same year, Chhattisgarh was created from Madhya Pradesh, while the districts of Odisha and West Bengal remained in their respective states.

Figure 4.4: Map of Jharkhand after splitting from Bihar



Source: Giménez (2017, p. 25)

The newly formed government of Jharkhand rationalised this separation of Greater Jharkhand by stating that it would make development more efficient and effective (Mawdsley 2002). However, many Adivasis and CSOs argued that separating Greater Jharkhand into Jharkhand and Chhattisgarh was a deliberate act by the state to break the strength and unity of the Adivasis whilst ensuring they remained a minority in their individual states (Adivasi Interviewee 1 2018; Adivasi Interviewee 3 2017; CSO Interviewee 5 2017). As one Adivasi member stated in his interview: ‘the states were divided in such a way that there was no possibility of even considering Sixth Schedule’ (Adivasi Interviewee 1 2018). Another interviewee compared the division of Greater Jharkhand with an act resembling colonial intentions: ‘they were blaming the colonialists for employing divide and rule, but these people [post-colonial Indian state] themselves did the same thing with the Adivasis’ (CSO Interviewee 6 2017). The division of Greater Jharkhand has been claimed to ultimately be a move by the government to maintain control over the resources in the area of Greater Jharkhand and oversee the development as it saw fit. In the words of Basu (2012), this division of Greater

Jharkhand 'fits squarely into the rational bureaucratic model of state development' (p. 1295).

This stance was in the end confirmed by a Jharkhand politician in his interview:

There is a belief that this state was created for the interest of the tribal only. Though this is not the fact. The State was created for the development of this area on the basis of the natural resources existing here (Jharkhand Politician Interviewee 4 2018).

In the next sections I look at the methods employed by the state of Jharkhand to modernise the Adivasis.

#### 4.3 The question of Adivasis

Soon after the formation of Jharkhand in 2000, the government of Jharkhand released the 'Vision 2010' document (Sundar 2005b). The 2010 vision focused on modernising Jharkhand through industrialisation, commercial exploitation of the mineral and forest reserves, and integrating the Adivasi communities into 'mainstream' development (Basu 2012). Furthermore, in 2001 Jharkhand released the Industrial Policy of Jharkhand 2001 to assist and encourage rapid expansion of mining and industrialisation by private companies (Lahiri-Dutt *et al.* 2012). In the words of Areeparampil (1996), 'the entire Jharkhand area, rich in minerals will be now thrown open for plunder and loot' (p. 1528). The state of Jharkhand pushed for foreign capital and took on the role of a facilitator by signing a Memoranda of Understandings (MoUs) with 74 private companies that acquired 98,547 acres of Scheduled Areas between 2000 to 2008 (Basu 2012; Corbridge 2002). The 'land broker' state exposed the state's alliance with the large corporations as scholars referred to it as an 'unholy alliance' and 'vulture capitalism' (Lahiri-Dutt *et al.* 2012, p. 40; Walker 2008).

When it came to integration, the state of Jharkhand implemented various methods to impart ‘modern’ ideals into Adivasi societies. While many of the methods employed by the state involved coercive means using the argument that the communities will adapt and grow once industries enter their societies (Bhattacharya *et al.* 2017; Lahiri-Dutt *et al.* 2012; Shah 2007a), other methods were more subtly crafted, such as the use of media as suggested by one of the politicians: ‘now TV [television] I think is in every village. They can see what is going on all over the world, then their mindset may change’ (Jharkhand Politician Interviewee 4 2018). In this section I focus on one very specific approach – education.

In the theory of modernisation, one of the most relied method to modernise a community is education. Education is a tool to mould the individual to think and breathe with the majority so that they agree with the majority (Martinussen 1997; Peet & Hartwick 2009). Education breeds a new way of thinking that aligns with the principles and values of the state’s wishes. The importance of education was highlighted in the Drafting Committee of the Indian Constitution, where a member suggested that the government should take the responsibility to educate and ‘mainstream’ the Adivasis:

Let the Government educate all the children of the aboriginal people and other backward people in this country entirely at the cost of the Government... Then, I feel there will be no distinction in social status, the people will have their own way and the general level of the well-being of the people will be one, and there will be no such thing as backward people or aboriginal people<sup>25</sup>.

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<sup>25</sup> Babu Ramnarayan Singh, *Supra* note 11, at 32.

The predicted outputs of education though did not materialise on the ground. In an interview with a Jharkhand government, the interviewee claimed the Adivasis continue to be seen as 'backward' in the eyes of the state and further education is required (Jharkhand Bureaucrat Interviewee 7 2018). He stated that the priorities of the government were misplaced when it pursued education of the Adivasi communities because he argued that the government should have started with the communities that sat on the mineral reserves. According to him, the Indian government failed to fast-track education in the Scheduled Areas of Jharkhand even though the government knew the mineral resources of Jharkhand were critical to India's growth (Jharkhand Bureaucrat Interviewee 7 2018). He noted:

The government should carry out a concentrated effort to increase the HDI of the people so the demand for industry will come from within. Once educated, the Adivasis will question the point of agriculture, and ask for an industry themselves. Grow the demand through the community. That doesn't take long. Just requires one generation, that is only twenty years. A child studying now would be in the market in twenty years. This should have been done long time back, but it has not been done unfortunately. I have a feeling if it was done in these areas where all the coal, iron-ore, bauxite deposits [are located then] they would give their land. They should have pumped in money and educate them [and] bring them to the level of urban people (Jharkhand Bureaucrat Interviewee 7 2018).

It is clear from his statement that education is considered a powerful tool to mould the young Adivasi generation to integrate with the 'mainstream modern' society and break their perceived 'traditional' ties. Through the use of standardised education, the state works to malign Adivasi traditions and norms for a more universalist society (Dar & Najjar 2018;

Rupavath 2016). The traditional worldviews and knowledge are denigrated as the state-centric formal schooling imposes on Adivasis' lifestyle and culture (Gautam 2003). The narrative used to justify this approach is that education frees the Adivasis from oppressive relations as they learn to voice their opinions and stand for justice (Bandyopadhyay 2006; Dreze & Sen 1999). Though, critics claim that exposure to such education methods inevitably inculcate respect for the state-centred ideology by associating it with 'advancement' (Sundar 2010); in effect, breeding a new way of thinking that aligns with the principles and values of state's wishes.

This approach of using education to 'modernise' the Adivasi societies is a clear indication of state-led modernisation. Another important point to mention here from the above quote is the clear priority industrialisation has been given over agriculture: 'once educated, the Adivasis will question the point of agriculture'. Thus, education is considered a major tool by the government to mould the young Adivasi generation so they break from their so-called 'traditional' roots and integrate with the 'mainstream modern' society. In the words of Luykx (1999): 'education processes are... fundamentally cultural processes' (p. xxxiii).

Therefore, while the benefits of education are undeniable – a 'catalyst of social change' (Dreze and Sen 1999: 109), an 'essential investment in human capital development' (Bandyopadhyay 2006: 100), a powerful instrument that will 'effectively establish a new social order based on freedom, equality and justice' (Govinda 1995: 13) – for the Adivasis education has shown to come at a cost to their political identity (Kundu 1994; Saxena & Mahendroo 1993). Thus, I have called education a paradox because while the practice of education has an uplifting feeling with one becoming more qualified and more skilled for the workforce, for the Adivasis, education has revealed itself to negatively impact their identity struggles (Eswarappa 2017).

As in the eyes of the state 'Scheduled Tribe' is a recognition of their 'backwardness', and not their indigenous traits, once the Adivasis are educated, paradoxically they run the risk of losing their 'Scheduled Tribe' status (Eswarappa 2017), thereby the protection of the laws that they fought for. This is one of the methods used by the states to make the laws irrelevant in the state of Jharkhand. To understand how education has an adverse effect on the Adivasis I turn my attention to the politics of inclusion. The following introduction to the politics of inclusion is very brief and is revisited again in chapter six.

#### 4.4 The education paradox

As highlighted in Section 3.2, the label 'Scheduled Tribes' is not a recognition of their indigenous identity but rather their perceived 'backwardness' in the eyes of the state. While the government of India has not clearly defined the criteria for identifying 'Scheduled Tribe' (Ambagudia 2011; Basu 2012; Wahi & Bhatia 2018), the general characteristics are speculated to include – (a) indications of primitive traits, (b) distinctive culture, (c) geographical isolation, (d) shyness of contact with the community at large and (e) 'backwardness'. However, the vague definition has led to inconsistencies in measuring this criterion. This is visible in the state of Odisha, where the communities of 'Paroja' and 'Jhodia Paraja' are recognised as 'Scheduled Tribe' while 'Jhodia', which is synonymous to the other two in every respect is not recognised (Ambagudia 2011). Similarly, the communities of Pondicherry have not been recognised as 'Scheduled Tribes' even though they display the five characteristics (Dorairaj 2008). While it is still unclear what makes a community included for recognition by the Indian Constitution, education has shown to be a clear marker for exclusion (Eswarappa 2017). This point was made clear by a member of the Drafting Committee of the Indian Constitution:

Many tribes that have been recorded as scheduled tribes are politically very advanced. For example, in Orissa [Odisha] there are two tribes named “Dambi” and “Pani” who are politically quite advanced. They have been included in Scheduled Tribes. When we take up the question of that area, we should exclude them from the Scheduled Tribes...I suggest that the “Dambi” and “Pani” tribes of Orissa [Odisha], should be excluded in due course from the Scheduled Tribes<sup>26</sup>.

Once a community gets excluded from the political label of ‘Scheduled Tribe’, they are no longer protected by the laws of the Fifth Schedule state (Ambagudia 2011; Chandra 2013b). The information above is important because government’s approach becomes more strategic with the definition of literacy – as education is often measured by literacy (Eswarappa 2017). While the Census of India defines literacy as the ability to read and write with an understanding in that language (Government of India 2001), in an interview with a government official, the ground reality of measuring literacy was revealed to extremely lax: a person ‘who can sign his name is literate’ (Jharkhand Bureaucrat Interviewee 7 2018; Saldanha 1989). Therefore, the unclear criteria for defining ‘Scheduled Tribe’ and the inaccuracy in measuring literacy leaves the Adivasis in a precarious position as they constantly live in fear of exclusion. It is this vagueness in definition and measurement that opens doors for manipulation through persuasion and interpretation, which is why there are communities like ‘Paroja’ and ‘Jhodia Paraja’, who are recognised as ‘Scheduled Tribe’ while the community of ‘Jhodia’, with similar characteristics, are not recognised (Ambagudia 2011; Kapoor 2009). It is no surprise then that Jaipal Singh, the only Adivasi in the Drafting Committee of the Indian

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<sup>26</sup> Lakshminarayan Sahu, *Supra* note 11, at 31.



Constitution, voiced his concern over the usage of the word 'Scheduled Tribe' as it disregards their indigenous traits:

In my opinion, it should be Adivasi...This word has been in use for a long time. All Adivasis understand it...I am an Adivasi, I call myself an Adivasi. I cannot understand why you wish to give us another name. The fact is that the name 'Adivasi' would be most welcome to us<sup>27</sup>.

The term 'Scheduled Tribe' has been called a bureaucratic and administrative label (Giménez 2017; Hardiman 2002). It is a label that allows the Jharkhand government to keep track of the communities that are still considered 'backward' by the state. It is a label, unlike the term Adivasi, that the government can erase when the communities are no longer perceived as 'backward'. The term 'Scheduled Tribe', according to a lawyer with Adivasi origins, is a label that clearly violates the Indian Constitution. In an interview with this lawyer he explained that the legal definition of the word 'tribe' in the Government of India's Ministry of Law and Justice Legal Glossary is 'a race of people' (Adivasi Interviewee 10 2018). By referring to the Adivasis as a tribe the state is referring to a race which openly violates Article 15(1) of the Indian Constitution, 'the state shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them' (Government of India 1950, p. 7).

To the Adivasis, the label 'Scheduled Tribe' is an insult. Explained by the same Adivasi lawyer interviewee, the term Adivasi has a cultural significance that recognises their indigenous identity. On the other hand, the term 'Scheduled Tribe' is a political label that ignores their indigenous traits and focuses on their so-called 'backwardness'. Despite these accusations,

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<sup>27</sup> Jaipal Singh, *Supra* note 11, at 42.

the bureaucratic label of 'Scheduled Tribe' has become synonymous with indigenous communities because, so long as these communities are politically recognised as 'Scheduled Tribes', they are protected by the laws from the state's ideologies of development. While the label 'Scheduled Tribe' is not the ideal label for the Adivasis of India, they would not want that to lose that label as well and lose the protection of the law (Basu 2012; Damodaran 2002). It is for this reason that the Adivasis protest against the government any time there is any attempt to amend the laws that are specifically designed for 'Scheduled Tribes' (Adnan 2017; Bedi & Tillin 2015; Nilsen 2010). These laws are their 'weapon', as mentioned by an Adivasi interviewee (Adivasi Interviewee 3 2017). Thus, education has been labelled as a paradox because through education the government is able to bypass these laws and make them irrelevant to the communities that are no longer considered 'backward' by the state; thereby, not having to go through the hassle of amending these laws amidst great protest.

While education has shown to de-schedule the 'Scheduled Tribe' label of an Adivasi, being uneducated does not help their cause either because the Adivasis are becoming a minority in Jharkhand with growing migrant population entering to fill the jobs in Jharkhand that the Adivasis are unable to fill (Saren 2013). This drop in the demographic for the Adivasis is ultimately displacing them politically.

#### 4.5 Adivasis getting politically displaced

The narrative used by the state in acquiring land for the development projects is that these investment projects bring employment opportunities to the Adivasis (Levien 2011). The problem with this narrative is that the Adivasis often do not have the skills to fill that gap in the workforce. Nearly 70 years from the creation of the Indian Constitution and the importance of education on the Adivasis being emphasised, there has not been much

progress in raising their education level (as highlighted in Section 4.3). According to the *Jharkhand Economic Survey*, the Adivasis are lagging the rest of the society and lack the skills required to be marketable in today's changing world. Unable to fill the jobs created by these investment projects, the Adivasis are losing out to the growing migrant population coming in to fill these jobs (Saren 2013). In an interview with a government official, the interviewee noted that the Adivasis were not able to capitalise on the jobs being generated because their education level was too low (Jharkhand Bureaucrat Interviewee 7 2018).

The consequence of being displaced due to development has a two-fold effect on the Adivasis. On the one hand they are displaced from their land and risk being unemployed (Baka 2013), and on the other hand, and more crucially, they get politically displaced and lose their power to stop the tide of top-down influence on the Adivasis. To understand how the Adivasis are getting politically displaced and the impact it has on their livelihoods, one needs to turn to the Indian Constitution: 'the [Indian] constitution clearly says that the reservation of seats in the local and central state governments would be done on the basis of the population of the last census' (Jharkhand Bureaucrat Interviewee 7 2018).

To elaborate this point further, according to the Indian Constitution the number of seats reserved for the Adivasis in the local and central government is based on their demographic in their respective states. This delimitation of the number of seats in the local and central government is conducted every twenty years based on the census report generated by the Indian government. The consequence of the Adivasis unable to fill the jobs is that Jharkhand is experiencing a growing migrant population which is affecting the Adivasis demographic in the state. The nature of such a consequence cannot go understated, because in a state where the Jharkhand government is already amending, sidestepping, and making the laws irrelevant,

the last thing the Adivasis want is to become a minority in what was meant to be an Adivasi state. Sundar (2005b) noted this deliberate practice of gentrification by attracting industries in Jharkhand to detribalise the Adivasis.

To see how this is playing out in the state of Jharkhand, in 2000 when the state of Jharkhand split from Bihar, the Adivasis held 28 out of the 81 seats in the Jharkhand Assembly. In 2006, the next delimitation happened based on the 2001 census and the number of seats of the Adivasis dropped from 28 to 22 (Robin 2012). This was a wakeup call for the Adivasis who realised that their vision of Jharkhand as an Adivasi state was slowly slipping from their hands because even in Jharkhand, they were losing their political power (Kumar 2013; Robin 2012). The 2006 delimitation led to huge protests and outcry in Jharkhand, resulting in the President of India to pass an order to say that the delimitation of 2006 would not apply in the state of Jharkhand until 2026, when the next delimitation will take place based on the 2021 census (Jharkhand Bureaucrat Interviewee 7 2018; *Economic Times* 2008). A victory, albeit a small victory for the Adivasis who now fearfully look ahead to 2026 with concerns if their number of seats in the Jharkhand government would fall to 22 or even lower.

The interesting point to note here is the nature of politics being played by the state because if the Adivasis get educated, they lose their recognition of their 'Scheduled Tribe' label as they are no longer considered 'backward' by the state, and if they do not get educated, they fail to fill the jobs being created by the industries and become a minority due to growing migrant population entering Jharkhand to fill those job; thereby getting politically displaced to protect their rights (see Figure 4.5). A government official stated in his interview, 'they are losing their power. They are getting politically displaced' (Jharkhand Bureaucrat Interviewee 7 2018). The

domino effect of development resulting in the dispossession of Adivasis from their land is not merely land dispossession but also cultural and political dispossession.

Figure 4.5: The education paradox



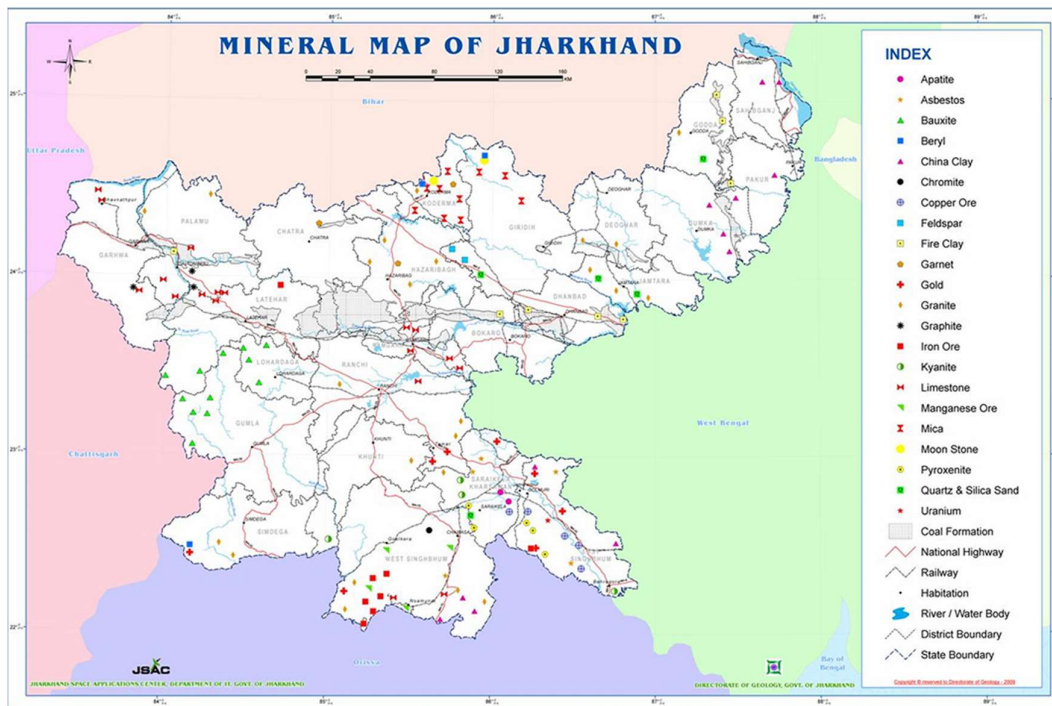
Source: Author's construct

In the next section, I explain how the pursuit of industrialisation has led to even agriculture being considered as 'backward' in the eyes of the state; thereby, labelling the Adivasis and their profession of farming as both 'backward'.

#### 4.6 The pursuit of industrialisation

With industrialisation taking precedence over agriculture, Jharkhand witnessed an explosion of industries to capitalise on the natural resources in Jharkhand (see Figure 4.6). Coal mines were opened in Dhanbad, copper in East Singhbhum, bauxite in north-west Ranchi, manganese, apatite, chromite, quartz, silica, steatite, asbestos and uranium in various parts of Singhbhum (Areeparampil 1996). The iron ore mines in Gua, Jamda, Noamundi, Chifia, Manoharpur, Kiriburu and Meghahatuburu contributed to 40 per cent of India's iron ore produce (Areeparampil 1996). The influx of mining industries in Jharkhand attracted other industries of non-metallic minerals such as cement factories, fertiliser factories, glass factories, agriculture-based industries, thermal power plants and hydro-electricity plants (Areeparampil 1996; Nathan & Dayal 2009). The growth experienced with the intensification of mining and manufacturing activities led to the expansion in urbanisation as well (Indian Politician Interviewee 1 2018).

Figure 4.6: Mineral Map of Jharkhand



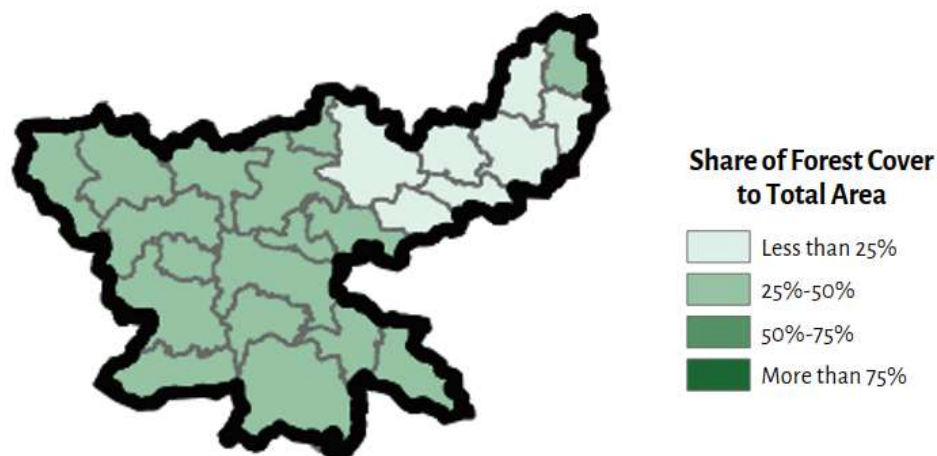
Source: Department of Industries (2019)

The growth in industrialisation came at a cost for the Adivasis. For the minerals to see the light of the day, forests needed to be cut down. As most of the forests in Jharkhand are in Scheduled Areas (see Figure 4.7 in comparison to **Error! Reference source not found.**), dispossession of the Adivasis became a common practice (Giménez 2017). When the Adivasis protested against these development projects, they got labelled as anti-national and Naxalites (as highlighted in section 3.3). This point was clearly highlighted by Mallika Sarabhai (2013) in the Foreword to the book *Whose Country is it anyway?*

Take three maps of India, one showing the habitat of the Adivasis, another showing the mineral and forest deposits, and the third the spread of Maoists. Not surprisingly, they

[the three maps] are pretty much the same. And therein lies the continuing tragedy that the nation and the State unrolls for the Adivasis today [*sic*] (Dungdung 2013, p. xiii).

Figure 4.7: Share of forest cover in Jharkhand



Source: Edited from Wahi and Bhatia (2018, p. 30)

The narrative used by the state to promote industrialisation over agriculture was that the Adivasis were losing interest in agriculture (Chandra 2013a). This stance was visible in an interview with a government official in Jharkhand: ‘youth today don’t want to do agriculture anymore’ (Jharkhand Politician Interviewee 3 2018). Education was one of the key promoters of industrialisation and the declining interest in agriculture, as another interviewee questioned the cost of Adivasis remaining ‘backward’:

Interest in agriculture is declining. Younger generation wants to mainstream even if they lose their identity. What is being a tribe? What does it give them? Youth have calculated the pros and cons and are voluntarily relocating to be closer to modern amenities. As long as it is voluntary it is fine. Who are we to decide for them? The rest of India does

not decide how the Adivasis live, they are independent citizens and can decide for themselves and we should accept (Indian Bureaucrat Interviewee 3 2018).

This statement does raise the question, are the Adivasis voluntarily leaving farming? While there are cases of Adivasis voluntarily leaving farming (Chandra 2013a), research performed by the Bindrai Institute for Research, Study and Action (BIRSA) identified that what at times appears voluntary is in fact driven by necessity (Ghosh 2018). Of nearly five hundred Adivasis surveyed in various parts of Jharkhand, BIRSA noticed that 94 per cent of the farmers wanted to continue farming; however, the lack of government support in agriculture left the farmers with no choice but to leave agriculture (Ghosh 2018). According to an interview with a CSO, the Adivasi members were forced out because the government did not provide enough support for agriculture: 'from the beginning the intention of the government was pro-mining, pro-investor. Until now the government does not have an agriculture policy. They have mining and industrial policy and they are updating them as required' (CSO Interviewee 5 2017). This stance was confirmed by the report released by BIRSA.

Over the years, agriculture has been deliberately kept improvised so as to hasten the process of rural to urban migration. Moving people out of farming is seen as the big ticket reform that the country is waiting for, considered to be absolutely essential for economic growth (Ghosh 2018, p. i).

In the eyes of the Jharkhand government officials, there is an argument for bypassing the agrarian question in today's globalised world. As explained by Lerche (2013) 'agriculture does not appear to support growth significantly in Indian non-agricultural sectors, neither through capital transfers nor through the creation of major rural market for industrial produce' (p. 400). With the growing dominance of globalisation, where the production, distribution and



consumption of agriculture is globalised, the need for capitalism in agriculture ceased to be a prerequisite for capital accumulation (Lerche 2013). The agrarian question in India is being bypassed due to free trade, free markets, and foreign direct investment with the inflow of foreign capital (Bernstein 2006; Byres 1991). However, an activist stressed in his interview that bypassing the agrarian question is risky and could lead to an uprising by the agrarian sector:

The agrarian question is being bypassed by the elites. But it cannot be bypassed because of two reasons - first, the challenge of revolutionary left is centred on [the] agrarian question, and second, just for the opposite reason, in electoral politics these are the big chunks of voters. So, unless you address the agrarian question you cannot have peace in the society. Violence is increasing in India today because of this reason, both in tribal and other rural areas... Agrarian question will be the next central question of struggle... That is why it is going to cause more and more violence. It is being bypassed today at peril, so it has to become the central focus [*sic*] (CSO Interviewee 9 2018; Basu and Das 2013).

This stance was confirmed by D'Costa and Chakraborty (2017) who stated that agrarian transition is 'a necessary condition for capitalist transformation' (p. 17). However, due to the focus on industrialisation and poorly designed land reform programs, India missed the 'transformational opportunity', resulting in the failure of capital entering the Indian countryside (CSO Interviewee 9 2018; Byres 1993; Myrdal 1968). The 'death of the peasantry' predicated by Hobsbawm (1973, 1994) never happened, leaving the peasants in informal economy as they are unable to fill industrial jobs, either due to the lack of jobs or lack of skills. According to the report released by BIRSA in 2018, the dominant economic thinking is

systematically pushing farmers out of agriculture and the state is framing the narrative to make this appear as a voluntary act (Ghosh 2018). Furthermore, by framing it as voluntary, the state furthers the argument that the Adivasis are not interested in agriculture and therefore pursues to amend the laws in favour of industrialisation.

#### 4.7 Amending the laws of Jharkhand

As already stated, the Adivasis of Jharkhand are protected by two local laws – the 1908 CNT Act and the 1949 SPT Act. These acts protect the culture and heritage of the Adivasis and allow them to practice their traditions and customs according to their customary law. These acts were designed to protect the Scheduled Areas from outside influence. The government officials of the newly formed state of Jharkhand though held a different opinion about these laws, and the lands they protect (Munda 2004). Majority of the key government officials of the newly formed Adivasi state were held by outsiders, non-Adivasis, who intended to utilise the resources present in Jharkhand for economic growth. The outsiders followed the elitist ideology of development as they saw land as a ‘pure financial asset’ which the Adivasis were not putting to economic use (Levien 2011). In the book *The Land Grabbers: The New Fight Over Who Owns the Earth*, Pearce (2012) noticed that around the world economically stagnant land was perceived to be empty, with the idlers on that land as squatters. Jharkhand was no different, as the government officials of Jharkhand stated in their interviews that the Adivasis ‘need to be motivated to use the land more productively. If we do not think economically in today’s modern world, we will be left behind’ (Jharkhand Bureaucrat Interviewee 6 2018).

Having prioritised industries over agriculture, the government of Jharkhand began amending the laws of Jharkhand, namely the 1908 CNT Act and the 1949 SPT Act. It must be stressed

though that even prior to amending these laws, the government was acquiring land illegally (Bera 2008). In the words of a Jharkhand politician, ‘everything still happens illegally’ (Jharkhand Politician Interviewee 4 2018). However, to bring the laws on their side and make these acquisitions legal, the government used the argument that the Adivasis are not interested in agriculture (Bhakta 2017; Chacko 2016; Pandey 2017). In their efforts to amend the laws, the Jharkhand government adamantly promoted that the Adivasis are the real beneficiaries of development (Basu 2012). In the words of a Jharkhand politician, ‘there is no hide and seek, no profit and loss. Direct profit to the public’ [*sic*] (Jharkhand Politician Interviewee 2 2017). This recurrent narrative was accompanied with another frequently used argument that the laws were old and outdated:

CNT and SPT Acts are peculiar. Conservative laws designed by British. They were probably beneficial at the time, but now economics all over the world is changing and land as a property maybe beneficiary to many. Change is eminent due to time. Laws need to be made elastic, so it serves not only today’s purpose but also tomorrow’s (Jharkhand Politician Interviewee 4 2018).

To understand the interviewee’s argument of why they position the amendment of the protective acts of Jharkhand as beneficial to the Adivasis, a deeper look into CNT and SPT Acts is required. The provisions of the CNT Act allows for transfer of land only between the Adivasis, where the sale between the Adivasis can only happen when both parties are under the jurisdiction of the same police station, and after obtaining the permission of the Deputy Commissioner. While the law of SPT does not allow for any transfer of land at all (Chacko 2016). According to the interviewee, the provisions of CNT and SPT restrict the movements of the Adivasis to only within the area of their police station jurisdiction (Jharkhand Politician

Interviewee 4 2018). The government official explained that the drawback of such a restriction is that it does not allow Adivasis to improve their situation because if an Adivasi family decided to sell their land and move to a different location to provide better education for their children, they would be unable to purchase land in a different location if that land fell outside the jurisdiction of their current police station. In the interviewee's opinion this ultimately is detrimental to the Adivasis as it holds their development back:

Maybe these provisions would have been of use or beneficial to a few communities at that time, but now all over the world the economics in a view is changing and land as property may be beneficial if we do transactions on the land or take loan from the bank for the land. Now, there is a popular view that there should be some changes be made (Jharkhand Politician Interviewee 4 2018).

The interviewee thus argued that 'the need and requirement of the people at large should be the criteria for amendment' (Jharkhand Politician Interviewee 4 2018). The crucial point that the politician omitted to mention is that if these laws were amended to remove the restriction of the transfer of land between Adivasis only, it also opens the door for an outsider to acquire that land. In a state where the restriction of land transfer between the Adivasis and non-Adivasis is the main hurdle for the state and corporations to acquire land, such an amendment would open the floodgates and be detrimental to the Adivasis. The irony for the Adivasis is that the laws that protect them from dispossession, are the same laws that hold them back; and if they try to improve their situation (as shown earlier in this chapter by getting educated) they no longer qualify for the laws.

While almost all government interviewees noted that the acts of CNT and SPT needed to be updated they were very careful to avoid the word 'outdated' even though the interview

question presented to them was 'are CNT and SPT Act outdated?'. Instead, the interview participants cautiously manoeuvred their response by suggesting that these acts were 'colonial' (Jharkhand Bureaucrat Interviewee 6 2018), 'conservative' (Jharkhand Politician Interviewee 4 2018), 'not outdated, trying to upgrade' (Jharkhand Politician Interviewee 2 2017) or 'need updating in the age of development' (Jharkhand Bureaucrat Interviewee 4 2018). One interviewee even suggested that the government is doing the thankless job of bringing the Adivasis out of their misery and one day their efforts would be applauded: 'their mind will change. It will take time, but they will understand' (Jharkhand Politician Interviewee 2 2017).

While the intention to amend the local protective laws was framed as one that benefits the Adivasis, its true purpose was not very well hidden. In the name of 'national interest', the discovery of coal, iron ore and other minerals in Jharkhand ensured the 'unspoilt' homeland of the Adivasis would soon be spoiled to meet the demands of industry and for profit (Areparampil 1996; Corbridge 2000; Shah 2010). According to Corbridge (1988) India's ideology of growth has long been at odds with the realities of Adivasis. In its efforts to utilise the economic resources in Jharkhand the state has disregarded its priorities towards the subaltern communities (Basu 2012). This stance was confirmed by a Jharkhand government official who in his interview stated, 'there is few chances of smooth industrialisation because land cannot be transferrable [*sic*]' (Jharkhand Bureaucrat Interviewee 6 2018). The Jharkhand politicians claimed that ultimately the Adivasi communities would need to be modernised for the state is to meet its nationalist agenda because in an interviewees words: 'tribals cannot remain for all time' (Jharkhand Politician Interviewee 4 2018) as 'their progress is too slow' (Jharkhand Bureaucrat Interviewee 7 2018).

#### 4.8 Amending the central 2013 Land Acquisition Act

The 2013 Land Acquisition Act has four key elements. These elements include SIA, consent, R&R and compensation (Ramesh & Khan 2015). After the central government released the 2013 Land Acquisition Act, many states within India were unhappy as the act in its original form curbed the power of the state (Indian Politician Interviewee 1 2018). Beginning with the 70/80 per cent of land owners' consent, the officials argued it was time consuming and a major delaying factor for investments (Nair 2014b). Then there were criticisms regarding employment and alternative productive land clause as it would be challenging to provide appropriate jobs or land when they are not available (Hasan 2016; Kapoor & Prasad 2016). Finally, the SIA provision which was claimed to greatly underestimate the skilled manpower required to complete the work involved (Mathur 2016; Nair 2016b). Overall, the governments across India were disappointed because the 2013 Land Acquisition Act reduced their authority to acquire land for development (Kapoor & Prasad 2016; Mathur 2016; Nair 2016b; Samanta 2015). Therefore, the states across India worked to dilute the 2013 Land Acquisition Act. In an interview with a key figure in the framing of the 2013 Land Acquisition Act, he expressed his disappointment as he watched the states across India diluting important provisions of the act:

The governments were dissatisfied. The time taken for acquiring land would be significantly increased. Many states have diluted this [SIA and consent clause] now – Tamil Nadu, Gujarat, Telangana, Rajasthan. See, there were four pillars of the law [the 2013 Land Acquisition Act] – compensation, SIA, consent, R&R. Out of these four pillars, the states have kept two pillars intact – compensation and R&R – but they have played

around SIA and consent. So, out of the four pillars, they have weakened two pillars and retained two pillars (Indian Politician Interviewee 1 2018).

The state of Jharkhand was also one of those states that amended the 2013 Land Acquisition Act. In this section, I focus on the state of Jharkhand and its efforts to dilute the 2013 Land Acquisition Act – the ordinances to the 2013 Land Acquisition Act by the central government is discussed in chapter five. In 2017, The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013 (Jharkhand Amendment) Bill was passed to exempt the requirement of SIA for projects in Jharkhand (Bhakta 2017; Pandey 2017). Backing this amendment of the 2013 Land Acquisition Act, a Jharkhand government official interviewee highlighted the important role the Jharkhand government plays in ensuring that the laws are practical:

If the government has decided that land has to be acquired, then they should come out with a simplified process because finally if you are acquiring then why do you get into this business of social impact analysis. And can you change the location of the project just because there is a maximum social impact? There are certain projects that are very location specific. Suppose you want to have a power plant, it has to be sitting on the pithead, it has to be near a coal block, it has to be near the water source. So, you cannot say just shift the power plant 40km away just because the social impact is more. Either you decide whether you want to have the project, or you don't want to have the project. Very simple. If you want to have the project, then you have to have it (Jharkhand Bureaucrat Interviewee 3 2017).

He went on to say that the government needed to decide on its priorities because while the idea of SIA and consent are good on paper, in practice it adds cost to the project and makes the project 'simply unviable'. In his opinion the government should not try to be socialist:

It has to be thought from the project angle. How to minimise the cost of the project. Because finally that cost is being borne by the normal citizens through taxes. So, we should get out of this business of being unnecessarily socialist about it. We should simply say we want to execute this project. In a vast country like India, beyond a point you cannot have consultation process. As a government, I say you can't find the optimum solution, you need to find the practical solution, which takes care of the problem at that particular point of time (Jharkhand Bureaucrat Interviewee 3 2017).

Similar sentiments were echoed by a Jharkhand politician who stated that the 2013 Land Acquisition Act needed to be amended because in his eyes such restriction on development would ultimately descend Jharkhand into a war (Jharkhand Politician Interviewee 2 2017). Therefore, this interviewee argued that the government needed to play the paternal role in meeting the state's development agenda and preventing the possibility of a war in the future:

In the future we will have a war for water. We have lost waterbodies. Water reservoir has been completely abolished, so from where will the water come if we are not constructing water reservoir? This is a very challenging agenda that will come [*sic*] (Jharkhand Politician Interviewee 2 2017).

This is a good juncture in the thesis to explain how the government of Jharkhand, and other states of Tamil Nadu, Gujarat, Telangana and Rajasthan had the authority to amend the central 2013 Land Acquisition Act. Under the Indian constitution, 'acquisition and



requisitioning of property' falls under Concurrent List of the Seventh Schedule (Government of India 1950, p. 335). For items that fall under Concurrent List, such as land acquisition, both the central as well as the state government can legislate on that subject. Land, however, falls under State List, 'land, that is to say, rights in or over land, land tenures including the relation of landlord and tenant, and the collection of rents; transfer and alienation of agricultural land; land improvement and agricultural loans; colonisation' (Government of India 1950, p. 329). Thus, the central government only designs a framework that the state governments implement specific to their needs. Even land acquisitions for central projects go through state government (Indian Bureaucrat Interviewee 1 2018). Thus, the 2013 Land Acquisition Act merely lays down the minimum guidelines that all the state governments need to implement. The only instance where the state governments can have a law going against the central government is when the President of India approves it.

When the interview participants in the government of Jharkhand were probed on the methods used by the government to acquire land, numerous interviewees highlighted the importance of eminent domain (Jharkhand Politician Interviewee 2 2017; Jharkhand Politician Interviewee 3 2018; Indian Bureaucrat Interviewee 3 2018). As one politician stated: 'let's not forget government owns the land, everyone else is a tenant holder' (Jharkhand Politician Interviewee 3 2018). They argued that without eminent domain development would not be possible because eminent domain allows the government to override the Adivasis' perceived 'primitive' and 'backward' mindset to acquire of land for public purpose projects (Jharkhand Politician Interviewee 2 2017; Indian Bureaucrat Interviewee 3 2018). According to the state, the Adivasis have limited perspective who only think for themselves and do not understand the benefits of development, therefore the state makes the argument for a paternalistic role

in ensuring the Adivasis do not lead the country into a crisis, such as a water war (Indian Bureaucrat Interviewee 3 2018; Jharkhand Politician Interviewee 4 2018). Therefore, the government officials justify the state's nationalistic role as the official caretaker in meeting the public's interest. In their opinion the selfless act of the state should be reciprocated with trust and not protests because the government acts in a fair and just manner (Jharkhand Politician Interviewee 3 2018). Some government officials even stated in their interviews that they are not greedy corporations who work for money and therefore, they should be trusted: 'government involvement is good. Corporates cheat the people' (Jharkhand Politician Interviewee 3 2018). The rhetoric is quite clear as the government of Jharkhand clearly reflect state-led theory of modernisation.

However, not all government officials agree with amending the protective laws of the Adivasis. It must be stressed that these government officials mentioned during their interview that they would speak as a social activist because as a government official they were obligated to comply with the government's objectives (Jharkhand Bureaucrat Interviewee 1 2017; Jharkhand Bureaucrat Interviewee 7 2018). Putting on the persona of an everyday citizen, this government official in his interview questioned the state's rhetoric of development that violated human rights and furthered marginalised the Adivasis:

What kind of economics is working to turn landlords into landless labours? I'm unable to understand how this economy can improve the plight of the poor. Whose interest should be the primary objective of the government? Government needs to explain its course of action and policy amendments. What research has the government done to make the changes? Our urge to industrialise and structural changes in economy should not affect the people living in the margins. Agrarian to industrial economy won't benefit

the Adivasis for 30-40 years as they are not equipped to take benefit of it. A whole generation suffers (Jharkhand Bureaucrat Interviewee 1 2017).

#### 4.9 Conclusion

This chapter began by studying the original demand of Greater Jharkhand, which included districts of Bihar, West Bengal, Odisha and Madhya Pradesh. The vision of Greater Jharkhand was to build an Adivasi dominated state; with the possibility of converting Greater Jharkhand into a Sixth Scheduled state and giving the Adivasis greater autonomy. However, the vision of Greater Jharkhand was split into smaller states, Jharkhand and Chhattisgarh. In the interviews, Jharkhand politicians revealed that the state of Jharkhand was not formed with the intention of creating an Adivasi state, and instead it was formed to better utilise the resources in Jharkhand for the state's development agenda. To further this agenda, the state employed various strategies, from making the laws ineffective to displacing the Adivasis politically.

One such strategy that was studied in-depth was the use of education. As the Indian Constitution does not recognise the indigeneity of the Adivasis, and instead considers them to be 'backward' by referring to them as 'Scheduled Tribes', the government of Jharkhand utilises the tool of education to make the laws inapplicable to the Adivasis once they are no longer considered 'backward'. The alternative of not getting educated to remain protected by the laws has also proven to be detrimental because the Adivasis turn into minorities through gentrification. The consequence of gentrification is that the Adivasis lose their political power because the Indian Constitution states that the seats reserved for the Adivasis in the federal parliament and local state's Legislative Assembly are based on their population. The growing migration of outsiders entering Jharkhand to fill jobs being created by the

industries has witnessed a political displacement of the Adivasis as their seats in the Jharkhand Assembly dropped from 28 to 22 in 2006. The Adivasis wait in fear as the census data in 2021 will reveal if the Adivasis will maintain their 22 seats in the Jharkhand Assembly or lose even further.

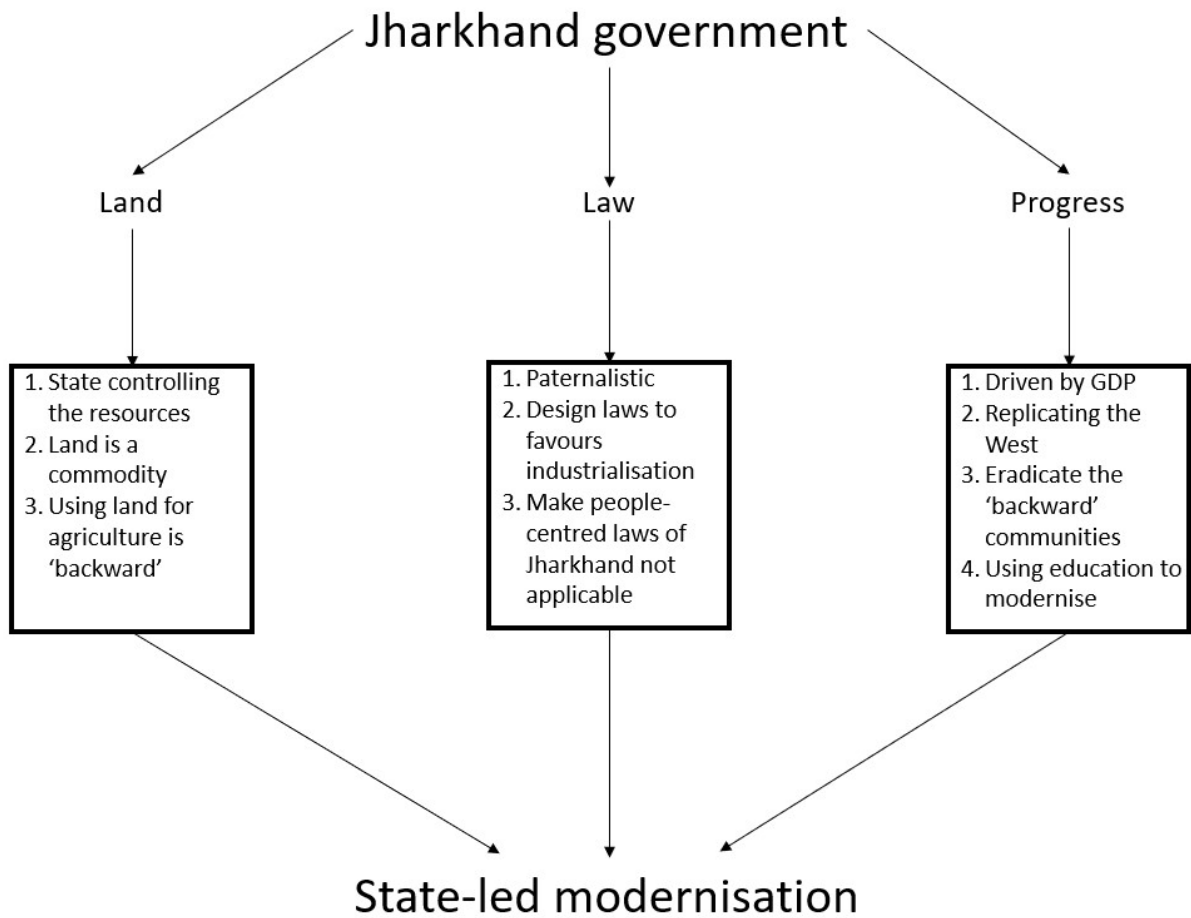
Another strategy employed by the Jharkhand government was the use of information dissemination. Echeverri-Gent (1992) stated, the state plays a big role in disseminating information that 'selectively reward allies and penalise enemies' (p. 351). Therefore, shown in section 4.6, the state carefully selected Adivasis who favoured industrialisation to generalise the entire Adivasi population. Using this narrative, the state worked to amend the laws with the false promises that the amendments would benefit the Adivasis.

By analysing the inner workings of Jharkhand government, the conclusion is clear – the government officials of Jharkhand align themselves with the theory of state-led modernisation (see Figure 4.8). What has appeared to be a victory for the Adivasis through the creation of Jharkhand was short-lived as the state showed to counteract with its own strategies. Take the creations of Adivasi protective laws for example – the state bowed to popular pressure and enacted the laws to avoid a revolution, while carefully crafting steps to make these laws irrelevant by 'modernising' the Adivasis. The notion of modernisation for the Indian state has always been the total eradication of the Adivasis and the growing dominance of the state power. This point was clearly stated by Minocher Rustom Masani in the Drafting Committee of the Indian Constitution: 'either the nation absorbs these minorities or in course of time, it breaks up'<sup>28</sup>.

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<sup>28</sup> Constituent Assembly Debates, December 17, 1946 *speech by* M. R. Masani 2, available at [https://www.constitutionofindia.net/constitution\\_assembly\\_debates/volume/1/1946-12-17](https://www.constitutionofindia.net/constitution_assembly_debates/volume/1/1946-12-17) (Last visited on February 12, 2019)

Figure 4.8: Orthodoxy of the Jharkhand government



Source: Author's construct

In the next chapter I shift my focus to the corporations as I critically analyse the orthodoxy they reflect.

## 5 Chapter Five: The corporations' agenda to further billionaire raj

*With a few blips in between, like in any other economy, we have been in a steady riding path as far as the private sector is considered... The year which is just started, 2018, is supposed to be a very good year. And I see no major hurdles unless the government turns populist during the election year. I see a very good prospect for investment in India (Corporate Interviewee 4 2018).*

### 5.1 Introduction

In this chapter, I shift the focus to the next actor, the corporations. The corporations play a key role in the state politics as they wield substantial economic power by controlling 'jobs, prices, growth, the standard of living and [the] economic security of everyone' (Lindblom, 1977, p. 172). Around the world, the corporations have formed a strong alliance with the state as the corporate elites use their position of power to influence the state policies (Bloom 2017; Bockman 2013; Springer *et al.* 2016).

In India, the story of the corporations is no different (Adnan 2017; Nielsen & Nilsen 2017). However, that was not always the case as the corporations were a relatively subdued actor until the liberalisation of the Indian economy in 1991 (Chandra 2000; Corbridge 2010; DeLong 2003). The history of India's liberalisation was discussed in chapter two; however, for the purpose of analysis in this chapter it will be summarised again. Until 1991, the Indian economy was under the state control as it followed the Keynesian model of state-led modernisation (Corbridge 2010; Jha 2008). The state worked towards centralising authority over natural resources within India, and the period from 1947 to 1990 was known as 'license raj' due to the red tape and elaborate system of licenses and regulations to set up and run a business (Adnan 2017).

Battling bankruptcy in the 1970s and 1980s, India liberalised in 1991 and transitioned from a state-controlled economy to a market-controlled economy (Chatterjee 2017). Since liberalisation, the corporations grew in dominance and formed a strong nexus with the state (Banerjee-Guha 2009; Lerche 2013; Nielsen & Nilsen 2017). With an alliance to grow India economically, the states took on the role of facilitating land acquisition for the corporations, bringing with it a transition to 'billionaire raj' (Chancel & Piketty 2017). In the words of Levien (2017), the state is now a 'land broker' for the corporations (p. 62).

This land broker state resulted in the states across India competing with each other to attract large-scale construction and development projects by designing policy packages and offering concessions in land prices (Adnan 2017). As noted by Patnaik (2007a): 'what we have in India today is not the capitalists competing against one another for state government projects, but state governments competing against one another for attracting capitalists' (p. 1895). The liberalisation policy of the government with the nexus of the ruling class of the country has been labelled as 'internal colonialism' (Areeparampil 1996; Roy 2000) because the Adivasis are 'systematically and methodically being dispossessed of the ownership of their means of production, of the products of their labour and of the very means of human existence. They are dispossessed of their political autonomy and their communities broken up in the name of "development" for "national interest"' (Areeparampil 1996, p. 1526). Land bank and SEZs are an example of how the state promises local people development and employment opportunities, while creating a competitive market to attract the private investors and turn the Scheduled Areas into industrial and commercial zones (Banerjee-Guha 2008, 2013; Ramachandraiah & Srinivasan 2011).

In the state of Jharkhand, the growing dominance of the corporations alongside the state is just another chapter in the century long struggle for autonomy in the lives of the Adivasis. The acquisition of Adivasi lands to create land banks for mining and industrialisation is indicative of the relationship described by Levien (2017) as the 'land broker' state (p. 62). The questionable nature of land acquisitions under the guise of 'public purpose' only to lease that land to the corporations adds to the long history of contestations over land rights in Jharkhand. However, this state-corporate nexus has not gone unresisted. In the state of Jharkhand, this resistance has led to the creation of laws that protect the interests of the Adivasis, namely the central acts of 1996 PESA Act, the 2006 FRA Act, the 2013 Land Acquisition Act, and the Jharkhand state acts of 1908 CNT Act and the 1949 SPT Act. These acts give power to the Adivasis as the dominant ruling class of Jharkhand works to regain power by amending these acts and getting control of land. The rest of this chapter is framed around these acts, as it was evident from the corporate representative interviewees that central to their debates on development were these acts.

The rest of this chapter is broken down into eight sections. In section two, I discuss the reactions of the corporations to the laws released by the government of India and their argument for a neoliberal form of governance in India. In section three and four, I analyse how the corporations lobbied to bring the Modi government to power and the ordinances the Modi government promulgated to dilute the 2013 Land Acquisition Act. In section five, I discuss the leverage of the corporations as they assist the state in formalising and digitising the land records in India. In section six, I analyse how the corporations leverage this position of power to push for the neoliberal agenda and further the billionaire raj in India. In section seven, I return to the concept of the land bank and present the arguments put forward by the



corporate representatives to expropriate land in the name of development. Finally, in section eight, I discuss how the corporations threaten to invest in the neighbouring states if the Jharkhand government does not make the state more investor friendly by amending the laws, because according to the corporations the laws are more favourable for investment in the neighbouring states. The main source of data for this chapter is interviews with corporate representatives in the state of Jharkhand.

## 5.2 Social climate in India

Governance in India has predominantly been top-down (Corbridge 2010; Jha 2008). However, over the years the government of India was forced to bow to the pressure of the masses and release acts that favour alternative development models alongside the already existing policies that favour 'modern' development. These acts – namely the 1996 PESA Act, 2006 FRA Act, the 2013 Land Acquisition Act – challenge the dominant orthodoxy of development. They advocate for an inclusive form of governance where the government and the corporations would need to obtain consent from the families affected by development before undertaking any project, thereby curbing the power of the state and the corporations through the following provisions:

- i. Limits on the amount and types of land that can be acquired;
- ii. Limits on the investment projects to only those listed on the Public Purpose list, found in 2013 Land Acquisition Act under Point 2: Application of Act;
- iii. Mandates to complete SIA to identify, inform, and consult all affected populations before expropriation and resettlement;

- iv. Requirement to obtain approval from 80 per cent of the affected communities for private investments and 70 per cent for public–private partnerships;
- v. Restrictions to minimise evictions;
- vi. Recognition of gender issues; and
- vii. Recognition of the cultural importance of land to the vulnerable populations.

Beyond the restrictions placed on the state and the corporations in pursuing their vision of development, it was also required that if any community was to be affected due to a developmental project then the affected communities would have to be fairly compensated (Nair 2014a, 2014b). This compensation package would need to be paid within three months of being displaced; and it would need to be four-times the market value of rural land and two-times the market value of urban lands, where the value of the land is determined by the District Magistrate (Nair 2014b; Singh 2014b). Furthermore, the affected families would need to be provided with an alternative piece of productive land and given the choice of employment or annuity in the form of one-time payment, or over the duration of twenty years (Behera 2014; Hasan 2016). These provisions were welcomed by the Adivasis and the CSOs, as one CSO interviewee noted, India had ‘a serious imbalance of power between the state and the individual and these laws have tried to readdress some of these imbalances’ (CSO Interviewee 8 2018).

Responding to these provisions, a corporate representative stated in his interview that India is experiencing ‘a social climate’ where the laws have gone too far to protect the farmers (Corporate Interviewee 3 2018). In a report released by the Confederation of Indian Industry (CII) the corporate representatives explained that such provisions are detrimental to India’s

growth as 'planned industrialisation is essential for job creation and inclusive growth' (CII 2012, p. 2). Showcasing clear correlation with the neoliberal school of thought, the report goes on to claim that 'in a democratic, liberalised economy where the private sector is playing an increasing role in the nation's economic growth, there is no place for such differential treatment' (CII 2012, p. 2). This social trajectory according to the corporations is not 'growth oriented' (Corporate Interviewee 3 2018) as it risks India becoming 'uncompetitive in the global market' (Corporate Interviewee 6 2018). In the corporate representatives' opinion, industrialisation is essential for India's growth that ultimately would benefit everybody through economic development and employment generation, thereby they recommend 'public purpose should include acquisition of land for potential use by private sector led industrial development' (CII 2012, p. 2). These responses by the corporate representative interviewees and industry reports clearly indicate biases towards neoliberalism (Lerche *et al.* 2013; Shah & Pettigrew 2009). To suggest that private industry is for public interest sits squarely within neoliberal growth model that blames ineffective government intervention for unemployment and poverty (Lapavitsas 2005; Tabb 2004).

According to the neoliberals, markets are the best regulator of progress and therefore the role of the state in a neoliberal context should be to develop a market economy (the role of the state in the neoliberal context is discussed in more detail in section 5.6). To these theorists, market is unbiased and effective in regulating the needs of the subaltern through a competitive system (Lapavitsas 2005; Tabb 2004). This competition according to the neoliberals ultimately keeps the businesses accountable; therefore, unlike the state, markets are less prone to malpractice and corruption (Spence 2015). They argue that if the needs of the subaltern are not being met by existing businesses then new businesses will form

to fill that void (Bloom 2017; Bockman 2013). The market system is designed to seek 'competitive advantage' (Srivastava et al. 2001, p. 777; Zhou et al. 2009, p. 1063) by turning every 'citizen into a customer' (Munck 2005, p. 65) and therefore new businesses with cheaper products will be developed as technological innovation continues to make products less resource intensive and expensive. According to a corporate representative interviewee, the neoliberal model advocated by the corporates is ultimately for the social benefit of the subaltern: 'they are going to get [the] benefit' (Corporate Interviewee 1 2017).

This brief summary sets the scene of conflict as within the state-corporate nexus there exists contradictions based on the ideologies they follow. It was already identified in chapter four that majority of the government officials in India and Jharkhand align themselves with state-led modernisation school of thought, in which the state controlled the economy. Having established that the corporations visibly lean on the side of neoliberalism (Chandra 2013a; Jewitt 2008), where the market controls the economy, this chapter analyses how the corporations leverage their position of power to force the state of Jharkhand to amend the laws and ease the land acquisition process.

### 5.3 The 'Modi wave'

Historically, the corporate elites supported the major political parties during the national election (Torri 2015), however in 2009 that changed (Chhibber & Verma 2014; Sen 2016). The current Prime Minister of India, Narendra Modi of National Democratic Alliance (NDA), led by Bharatiya Janata Party (BJP, translation: Indian People's Party), was gaining popularity from his tenure as the Chief Minister of Gujarat from 2001 to 2014 (Chacko & Mayer 2014; Sen 2015). During his tenure as Chief Minister of Gujarat, Modi strategically portrayed Gujarat's economic record as *the* (emphasised) model of economic development, a model that

allegedly was invented and implemented by Modi and ready to be replicated in the Indian state (Sen 2016; Torri 2015). During the same time, the central government of India at the time, the United Progressive Alliance (UPA) led by the Indian National Congress (INC, often called Congress), was losing support due to scandals, slowing growth rate and high inflation (Torri 2015).

After the 2009 national election, big businesses rallied in support for Modi for Prime Minister (*The Economic Times* 2013). This move by the top Indian corporations (collectively known as India Inc.) played an important role as they financed the BJP government's election campaign and were decisive in Modi's victory in the 2014 national election (Kazmin 2014). With control over a vast majority of the press and private television networks, India Inc. projected Modi as 'immensely energetic, forceful, intelligent leader, a kind of fearless and blemishless knight' (Torri 2015, p. 59) while, at the same time, highlighting the weaknesses of the opposition leader, Rahul Gandhi (Chacko & Mayer 2014; Sen 2016). The corporations broadcasted and propagated Modi's vision of a prosperous future across the state by spreading his campaign slogan *acche din aane waale hain*, or 'good days are coming', to signal rapid industrial growth with 'modern' infrastructure and mass employment opportunities across the country (Nielsen & Nilsen 2017; Ruparelia 2015). The ability of India Inc. to use their resources to spread Modi's slogan of a prosperous future cannot be understated, because reaching the masses in a country as big as India requires a lot of financial support (Kazmin 2014). With the help of India Inc. Modi was able to win over the middle class and the younger generation (Torri 2015). Furthermore, India Inc. was influential in Modi gaining support of the rural communities in areas he could not visit (Chacko & Mayer 2014; Kazmin 2014; Sen 2016). Figure 5.1 shows an

example of how India Inc. was able to mobilise its resources to spread Modi's slogan to the corners of Indian countryside that Modi himself would not be able to visit.

Figure 5.1: Modi's campaign slogan: *Acche din aane waale hain* on a truck in India



Source: Abraham (2016)

It was clear in the interviews with the corporate representative that their support for Modi was strong. Expressing their agreement of Modi's growth model, a corporate representative said in his interview:

The Chief Minister at the time in Gujarat, Modi, sent a tweet to our chairman, 'welcome to Gujarat, if you want to move your plant'. So, next day we sent a team and everything was laid out for them – red carpet treatment, maps and things. And, our team went and on the spot more or less erected a piece of land which was already under the control of

the government and everything was over in three or four days. For us that was a miracle. Because everywhere else land is always a problem. But where governments have land banks [it becomes easy]. He [Prime Minister Modi] is now trying to do the same with India [*sic*] (Corporate Interviewee 4 2018).

By supporting Modi's government, the corporations wanted a shift in favour of industrialisation as the decade prior had seen the Congress government release various social policies – namely, the NREGA, later renamed as the Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA), where each rural family is provided with hundred days of wage employment in a financial year; the 2005 Right to Information Act, which gave individual citizens and grassroot citizens the right to scrutinise government's work; the 2006 FRA Act, granting land and forest rights to the Adivasis; the 2013 Food Security Act, where a certain amount of food is granted to 80 per cent of the population every month at a reduced price; and the 2013 Land Acquisition Act, providing fair compensation to those whose land has been acquired for economic development (Torri 2015). Of these acts, it was the 2013 Land Acquisition Act released by the Congress government on January 1, 2014, that the corporations desperately wanted the Modi-led BJP government to amend (Ramesh & Khan 2015; Saxena 2015).

After winning the 2014 Indian national election, the Modi government stuck to his promise and began diluting the 2013 Land Acquisition Act (Verma 2015). The amendments to the 2013 Land Acquisition Act proposed by the Modi government intended to make land acquisition easier for certain categories of projects by expanding the definition of public purpose and doing away with the requirement of the consent clause and SIA (D'Costa & Chakraborty 2017; Nielsen & Nilsen 2017; Ramesh & Khan 2015). Saxena (2015) referred to it as 'sharp 'U'

turn...that turned the clock back and restored the durability of the colonial 1894 Law' as the BJP government had only six months earlier approved the 2013 Land Acquisition Act in the parliament (p. 326). Nielsen and Nilsen (2017) too noted this haste. One of the CSOs interviewee questioned this move stating: 'there isn't enough data to say anything about anything. You put a law out there. You got to see how [it] works' (CSO Interviewee 8 2018).

It is important to mention here that the Modi government did not follow the conventional procedure to amend the law but, rather, took the route of ordinances (Nielsen & Nilsen 2017; Saxena 2015).

#### 5.4 Ordinances

An ordinance is a law, introduced to make an urgent legislative change when the parliament is not in session. It bypasses the legislative procedure of the parliament by going straight to the President without the bill being discussed and passed through the support of the lower and upper houses of parliament (Bhardwaj 2019). Furthermore, when the ordinance is in play, it takes superiority over the original Act until the next parliament session, where it must be laid in front of the parliament within six weeks of its first sitting (Dam 2013). This information is important because the use of ordinance by the Modi government to amend the 2013 Land Acquisition Act has been questioned by many authors and interviewees (Nielsen & Nilsen 2017; Saxena 2015; Verma 2015). Before analysing these claims, let me briefly summarise the ordinance released by Modi government to amend the act.

The ordinance – the 2013 Land Acquisition Act (Amendment) Ordinance, 2014 – was promulgated on 31 December 2014. It was approved by the Union cabinet on 28 December, 2014, just a few days after the winter session of the parliament ended (Sen 2015). The ordinance was placed in front of the parliament in the following session, however it failed to



gain support of the upper house, therefore it was repromulgated three times to keep it active, until it finally lapsed on 31<sup>st</sup> August 2015 (Nielsen & Nilsen 2017). After failing to amend the central 2013 Land Acquisition Act, the central government gave the state governments the freedom, and the flexibility, to modify and acquire land under their respective state laws (Hebbar 2015; *Press Trust of India* 2015). It was this freedom that allowed the respective state governments, including Jharkhand, to exercise their power, as stipulated in the Concurrent List, to dilute the SIA and consent clauses.

An Ordinance questions the democratic nature of Indian politics as the parliamentary process is bypassed (Bhardwaj 2019; Ray 1987). While ordinances were not unique to Modi government, Modi has been expressly criticised for challenging the democratic proceedings of parliament. In an interview with an Indian civil servant, who supports the Congress government, the interviewee stated; 'he has attended parliament like 17 times in 4 years' (Indian Bureaucrat Interviewee 1 2018). The interviewee went on to say:

These people [the BJP government] disrupt parliamentary process. They don't convene parliament. They can be in parliament on extremely limited terms of their own liking, where junior ministers will answer questions which should rightly be answered by the PM [Prime Minister]. I think the PM sees the parliament as an inconvenience because he doesn't like explaining himself. The few times he spoke in the parliament, he gave political speeches. Other PMs have sat and listened to criticism. That's not so with this PM (Indian Bureaucrat Interviewee 1 2018).

Speaking in relation to the ordinance released by the Modi government to amend the 2013 Land Acquisition Act, this interviewee held strong opinions. It must be noted that this

interviewee worked very closely in the formation of the 2013 Land Acquisition Act therefore he had intimate knowledge and insight into the issues and process:

It was very very arrogant. If you think they are arrogant now, you should have seen them then at the height of their powers. They felt, I mean the audacity to bring in the ordinance. The irony is that they could have come up with a law and passed it or come up with an alternative version on which they could have built consensus. But they did this in a broken dagger manner [*sic*], which really demonstrated that this guy [Prime Minister Narendra Modi] has no regard for parliamentary institutions. The over-reliance on the ordinance proves one thing, that they see parliament as an inconvenience (Indian Bureaucrat Interviewee 1 2018).

While the parliamentary system is idealised as the embodiment of a democratic system (Rao & Venkateswarlu 1987), it has also been shown to be corrupt (Dam 2013), thereby not democratic (Schmitt 1988). In the book *Presidential Legislation in India: The Law and Practice of Ordinances*, Dam (2013) noted that 'debates occur, but rarely in parliament. And backroom deals rather than the formal vote may decide the fate of the legislative proposals' (p. 2). This notion by Dam (2013) was corroborated by Kaler (2018) in her study of Indian politics where she found that the problem originated in the state's poor governance capacity.

Despite the pitfalls of a parliamentary system, an ordinance is not the alternative to a parliamentary system in a democratic state. In the words of an Adivasi turned lawyer, 'ordinance is a feudal thought, not a democratic thought, it is a short cut' (Adivasi Interviewee 10 2018). The feudal nature of an ordinance can be stressed because an ordinance bypasses the parliamentary system and goes straight to the President of India. The history of Indian Presidents has shown that the Presidents can be associated with a political party – the first

President of India, Rajendra Prasad, was from the Congress party, and the President of India at the time of completing this thesis [2020], Ram Nath Kovind, is from BJP. The importance of this gets further highlighted when you take into consideration that ordinances have been shown to be misused by the government in power (Bhardwaj 2019; Ray 1987). Therefore, the cause for concern can be justified when an ordinance by the government in power is sent to the President who is also from the same political party. The President of India is meant to be neutral (Ghosal 1961), however the neutrality of state actors has been challenged by scholars (Bose 2010; Leftwich 2007). This explains why an ordinance raises concerns of bypassing the democratic procedure of a parliamentary system. Ray (1987) stated:

There has occurred an immense and improper use of the ordinance-promulgating power which in turn has resulted in the substitution of executive law-making for law-making by legislatures. Furthermore, in many cases ordinances are not brought before the legislature, but in total violation of constitutional law and morality are re-promulgated just before they expire. The central government has in some cases misused the ordinance-making power (p. 278-279).

In a democratic state, the parliamentary system gives legitimacy to the state (Rao & Venkateswarlu 1987) and the misuse of an ordinance presents itself as a 'short cut' making it 'an illegal and unconstitutional route' (CSO Interviewee 8 2018). Legitimacy is crucial for the survival of the state and a parliamentary system gives legitimacy to the government in power: 'parliament is the only area where members of parliament can question their leaders, it's the area where the PM [Prime Minister] and his government must answer what they are doing' (Indian Bureaucrat Interviewee 1 2018).

In the 2019 national elections Modi retained his seat to run as Prime Minister for the second term. In the BJP Manifesto titled *Sankalpit Bharat, Sashakt Bharat*<sup>29</sup> released by the Modi government on 8<sup>th</sup> April 2019, one of the objectives listed is to raise India's ranking in the World Bank's ease of doing business index (Bharatiya Janata Party 2019). The re-election of Modi government could see the agenda of the corporations furthered, bringing with it a transition to an era of 'corporate governance' – this point is discussed in more detail next.

### 5.5 Digitisation of the land records – another leverage for the corporations

I already touched on how the corporations were able to use the economic resources in their possession to steer the politics of India to a more neoliberal setting by bringing the Modi government to power that eventually led to the respective states, including Jharkhand, to dilute their Adivasi protective laws. In this section I discuss how the corporations are assisting the government in formalising and digitising the land records in India and how that gives them further leverage over the state.

It was noted in section 3.5 that the land records in India are presumptive and a site of heavy confrontation. It was highlighted that local governments take 40 years to complete land surveys and they are full of contradictions (Jharkhand Bureaucrat Interviewee 6 2018). While attempts are being made to build conclusive land titles, the process is slow. As one corporate representative stated: 'Jharkhand land records are the worst in the country...land records have not been updated in the last so many years [*sic*]. They have records from 1920 in some place and 1960 in other places. Till now there is no development of a correct land record operation' (Corporate Interviewee 3 2018). Even a member of the central government

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<sup>29</sup> Translated: Resolute India, Empowered India

highlighted the inefficiencies of the land records as he suggested land records would have been better had land been governed by the central government:

In my opinion, land should be a concurrent subject because our experiment with different states has shown us that not all states are equal in the way they manage and protect the tribal and citizens of that state. I think overall, there could have been a better national attempt at a land policy. If for example, land was a central subject and centre mandated that every state will upload land records under fear of penalty for the officer within the next one year, every state would have to find a way to comply (Indian Bureaucrat Interviewee 1 2018).

With growing conflicts due to inaccurate land records, the Jharkhand government sought help from the corporations: 'we have computerised the land records. Land record is maintained by PwC [PricewaterhouseCoopers] and all the documentation is being held by corporates' (Jharkhand Politician Interviewee 4 2018). The land records, which is the cornerstone of good land governance, has been privatised and is controlled by the corporations, signifying the indispensable role of the corporations in economic development and land governance. This is because private organisations are known to prevail with technologies in their possession, while the state is generally vulnerable and dependent in that area (Chubb 1983).

The growing leverage being held by the corporations cannot be underestimated. The corporations have emerged as the dominant players since liberalisation with great influence on the state policies (Bardhan 1998 [1984]; Chatterjee 2008). The current trajectory of India beckons the transitioning to a new era, an era of 'corporate governance' as highlighted by a Jharkhand politician (Jharkhand Politician Interviewee 4 2018). Talking further on corporate

governance, this Jharkhand politician explained the power the corporate entities have over the government:

Knowingly or unknowingly we are going to become victims of the corporate governance in the government sector...now the government's own strength is depleting. We are taking help of international organisations like big four – Ernst & Young, KPMG [Klynveld Peat Marwick Goerdeler], Deloitte, PwC [PricewaterhouseCoopers]. Now their experts are filling the gaps among the government as consultants. Now they are making all the reports for the government. Now, a new challenge has been opened. This will ultimately harm us, and this will be a very bad thing' (Jharkhand Politician Interviewee 4 2018).

The indispensable role played by the corporations in aiding the development and governance of the state allows the corporations to leverage their position of power to influence the state apparatus in furthering the corporate agenda, that is to say the neoliberal agenda – as discussed in the next section.

## 5.6 The responsibilities of the state under neoliberalism

The neoliberal ideology comes from the 19<sup>th</sup> century idea of liberalism, however unlike liberalism the neoliberal school of thought places strong importance on the state to further the neoliberal agenda. This is because neoliberals recognise the social hurdles of developing a market economy thereby rely on the state to setup a market economy (George 1999; Harvey 2007; Springer *et al.* 2016). As explained by Bhattacharya *et al.* (2017), in the neoliberal idea, market forces need to be supplemented by state forces. In other words, violence and destruction are essential tools in the capitalist system; and the state holds the monopoly over 'legitimate coercion' (Prakash 2001, p. 14). The corporations' capacity to profit rests in the coercive power of the state, as expressed by an interviewee: 'unlike the state, the corporates

do not have the ability to use force as that would damage our brand' (Corporate Interviewee 2 2017). In a market system, which is built on competition and where the brand of a company is essential for the survival of an organisation (Srivastava *et al.* 2001; Zhou *et al.* 2009), the corporations rely on the state to obtain consent from the project-affected communities, alternatively bypass the laws and use its coercive power to acquire land for the corporations.

The leverage the corporations hold by controlling the economic as well as the technological resources allows the corporations to demand the government to acquire land for them, thereby protecting their brand from damage. Pfeffer and Salancik (1978) observed actors controlling important resources have the capacity to exert power over others that depend on them. This position of leverage the corporations possess is visible in a report released by the CII, 'we have always believed that government should continue to play a prominent role in the land acquisition process for industrial use' (CII 2012, p. 1). The neoliberal inclinations become more evident when a corporate representative interviewee proclaimed their intentions of making profits, by stating that the state should take the responsibility of bearing the risk and dealing with the project-affected communities:

Industry would like government to do things [obtain consent and acquire land], because we can never be good at it, but the government should be good at it. So, it is the job of the government to do it, we should come and do what we are good at – come and quickly put up a project and create an economic activity. Industry is for that. Industry is not for social development. You can draw something out of that [economic activity] and ply it back into social development (Corporate Interviewee 2 2017).

According to this interviewee, the corporations should be left alone to make profits as profits would ultimately have a trickle-down effect on the affected communities. This trickle-down

effect, according to the interviewee, would be in the form of greater employment opportunities, fulfillment in their livelihood as the 'benefits would accrue' (Corporate Interviewee 2 2017). Therefore the interviewee argued, the state should be responsible in managing all the communities that do not agree with the neoliberal path by taking on the role of facilitating land acquisitions and developing market economies (George 1999; Harvey 2007; Springer *et al.* 2016).

However, some government officials retaliated against this dominant force of the corporations. Questioning this path of neoliberalism where the government faces all the community backlash while the corporations reap the benefits, a Jharkhand politician, who aligned himself with the state-led modernisation theory, expressed his concern over people losing their trust in the government: 'peculiar direction we are taking. This corporate mentality is benefit for them, profit for them, and that may be at the cost of the common people. Ultimately, it will become a corporate governance of the duly elected government' (Jharkhand Politician Interviewee 4 2018). The furthering of the neoliberal agenda in India is facilitating a transition from 'license raj' (Adnan 2017) to 'billionaire raj' (Chancel & Piketty 2017).

### 5.7 The concept of land bank

The notion of land bank was already discussed in section 3.5. In this section, I undertake a deeper analysis of the arguments used by the corporations to push for the creation of land banks, and thereby rationalising the expropriation of land rights in the interest of the corporations. This section begins by highlighting the challenges experienced by the interview participants in acquiring land in Jharkhand and finishes by presenting the corporate representatives' arguments for the creation of land banks to bypass the hurdles of land



acquisition. The arguments posited by the corporate representatives further confirm their neoliberal standing.

Firstly, I discuss the frustration the state and corporate representatives expressed with the consent clause. The 2013 Land Acquisition Act requires the companies to obtain consent from 80 per cent of the affected communities. The process of obtaining consent requires identifying the affected population and convincing them of the benefits of investment (Kapoor & Prasad 2016; Mathur 2016; Samanta 2015). A civil servant, who worked as a District Collector in Jharkhand for seven years and brokered numerous land deals noted the challenges experienced in obtaining consent of the affected landowners. Using the example of his experience brokering land deals, he explained with an analogy of a bell-curve: '30-40 per cent agree to it. 30-40 per cent are generally neutral, whatever [compensation] I get, I'll be happy. 20-30 per cent are always unhappy' (Jharkhand Bureaucrat Interviewee 3 2017). This interviewee then stated that the families are also known to change their minds after giving their consent, making the task even more challenging, 'you convince the first 30 families, but by the time you reach the 100th family, some of the first 30 change their mind. How do you handle this?' (Jharkhand Bureaucrat Interviewee 3 2017).

This interviewee then went on to say that adding to the challenge of obtaining consent from the affected families are the vested interests. In an unpublished report to the Ministry of Rural Development by the corporate representatives on the 2013 Land Acquisition Act Bill – which was shared with me after the interview was conducted – the report stated: 'it is anticipated that parties having vested interests could also influence and misguide the land owners' (Corporate-Industry Report 2013). This concern was expressed by a corporate representative in his interview: 'if you think that you just need to convince the people, you are wrong. There

are so many vested interests' (Corporate Interviewee 3 2018). In a frustrated tone, he paused and then continued: 'this [the current process] needs to work. The current system is unworkable. We are stuck in a frigging situation' (Corporate Interviewee 3 2018).

The final concern the state and corporate representatives expressed in their interviews were the escalating cost of land in the land acquisition process. The Jharkhand civil servant who worked as a District Collector in Jharkhand for seven years explained how the process of obtaining consent added cost to the projects. He stated, the vested interests create a market for themselves and keep escalating costs to give the communities the best price for the land, thereby making the cost of the land 'simply unviable' (Jharkhand Bureaucrat Interviewee 3 2017). He argued that if the land needs to be acquired then there should be a limit to negotiations and bargaining because the projects becomes too expensive and unviable otherwise, 'you also have to find a common point. You cannot have a situation where you have different rates for different people. You have to have a common rate for everybody' (Jharkhand Bureaucrat Interviewee 3 2017). In his experience, the communities getting expropriated have realised the leverage of land in negotiating the maximum possible compensation for themselves:

Suppose these 4 plots are not agreeing, you have acquired the rest, but these 4 plots are not agreeing, what do you do? Suppose I [land owner] am sitting on the fringe of your project area, it does not matter much, you will say ok, let it go. But if I [land owner] am sitting in the middle of your project area, you are helpless. My bargaining power is maximum (Jharkhand Bureaucrat Interviewee 3 2017).

It is for these above stated reasons the corporate representatives advocate for the creation of land banks, as the onus of acquiring, negotiating, obtaining consent and expropriating land

falls on the government (Corporate Interviewee 3 2018; Corporate Interviewee 6 2018). Land bank enables the corporations to bypass all the above listed complications while the state would be responsible to deal with them. In the words of a corporate representative: the state should be responsible in handling these complications and provide the land to the corporations, who will 'do what they are best at' (Corporate Interviewee 2 2017). The corporate representatives suggested that the state should facilitate the market economy by acquiring land for them so they can 'do what they are best at', which is running a business and making profits. To the corporate representatives, the concept of land banks is a 'miracle' because they do not have to directly negotiate with the communities (Corporate Interviewee 4 2018), thereby protecting their brand, and saving time and cost. Therefore, in a report released by CII, the industry representatives highlighted that the role of the state in neoliberal India is to clear all the roadblocks for the corporations by taking on the responsibility of the social hurdles and convincing the project-affected communities of the benefits of economic development: 'industry is of the view that land acquisition should be facilitated by the government to fulfil its responsibility for economic development and allow industry to play its role in the development of the nation' (CII 2012). The corporate representatives argued that land banks allow India to develop, meet its growth targets and remain competitive in the global market.

## 5.8 Make Jharkhand investor friendly

In this final section, I examine the arguments made by the corporate representatives to ease the laws and make Jharkhand more investor friendly because Jharkhand is too rights-based according to them.

Jharkhand is one of the richest mineral states, making it a prime target for the industries (Areeparampil 1996; Nathan & Dayal 2009). The rich mineral reserve of Jharkhand, often situated in the Scheduled Areas of Jharkhand, is considered to be crucial in the eyes of the state for India's development agenda (Government of Jharkhand 2003). Linked to the earlier discussion on 'wasteland' in section 3.5, the modernists and the neoliberal theorists see the Scheduled Areas as land that is not being economically utilised, thereby it is viewed as a wasted commodity. This notion of land being the most valuable commodity in India was confirmed by a civil servant in Jharkhand, 'money in India is locked in land' (Jharkhand Bureaucrat Interviewee 1 2017). However in Jharkhand, where the Adivasis do not trust the elitist development ideology (Balakrishnan 2003; Shah 2013a; Stuligross 2008), acquiring land for even public purpose projects can face heavy opposition, generally as these developments have other wider impacts:

The road alignment from Ranchi to Jamshedpur [in Jharkhand], which is very important freight communication for movement of traffic is delayed maximum because of forest diversion and land acquisition. For which the four lane is not yet completed even after eight years. There is also a very sincere effort to put another airport in Jamshedpur, with an intention that if the airport comes then it will be well connected to the rest of the places. That is not able to be come because of this [land acquisition difficulty] only [sic] (Corporate Interviewee 3 2018).

In the corporations' eyes, the laws in Jharkhand are a hurdle for the neoliberal agenda as they argue that the neighbouring states are providing attractive investment packages to the corporations and so should the state of Jharkhand: 'state governments are now bending over backwards to attract investment... it is a good sign. All states are competing with each other

to attract the customer' (Corporate Interviewee 3 2018; Adnan 2017). In the state of Jharkhand though, the corporate representatives contend that the government officials are scared to face an agrarian uprising, therefore the politicians are wary about amending the laws of Jharkhand to ease the process of investment for the corporations: 'nobody is wanting to take any risk. In the government sector, people don't want to take risk. They would rather not take a decision, rather than [make a] decision which can be questioned' (Corporate Interviewee 3 2018). This point was corroborated by a Jharkhand politician who stated that land has become a 'sentimental' issue and the politicians are not even wanting to enter a discussion (Jharkhand Politician Interviewee 4 2018).

The corporate representative interviewees though stressed that the investment climate in India is changing and unless Jharkhand amends their local laws, the corporations would go to the neighbouring states where the policies are more favourable for investment. The corporate representatives contend that the Jharkhand government needs to accept that expropriation is a cost of development and thus they should take on the responsibility to change the laws and make it easier for the corporations to access land:

They [the neighbouring states] are coming with change laws, they are coming with change perceptions, they are coming with clarity, so things are moving there. At least in the democratic process it is moving. You can imagine the private sector players entering into Jharkhand, how difficult it must be. And if it is so difficult to get into a state, why should I get into this state, I will go to a different state (Corporate Interviewee 3 2018).

Amid growing pressure to attract industries and economically utilise the mineral resources in Jharkhand, in 2017 the Jharkhand government signed a total of 210 MoUs with private

investors at the 'Momentum Jharkhand Global Investors Summit' to turn Jharkhand into a high value investment destination (*Press Trust of India* 2017). To incentivise the investors and make the process as seamless as possible, the state provided concessions, subsidies, access to infrastructure and water resources (Banerjee-Guha 2008, 2013; Chandra 2015). When a Jharkhand politician was asked in an interview where would the land be acquired from for these MoUs, he stated: 'land bank has been allotted to MoU projects' (Jharkhand Politician Interviewee 3 2018). In other words, the government of Jharkhand acquired Adivasi lands to lease to the corporations.

Furthermore, in the same year, in a highly undemocratic manner, the government of Jharkhand succeeded in amending the 2013 Land Acquisition Act. This amendment attempted to achieve the same goal the Modi government failed to with the central 2013 Land Acquisition Act. Knowing that any attempt to amend the laws would face heavy opposition, the government passed a Bill – the 2013 Land Acquisition Act (Jharkhand Amendment) Bill – to exempt projects from SIA, before any opposition could raise their concerns (Bhakta 2017). Such a move left the activists enraged, 'Jharkhand passed a bill to remove SIA. This was passed in the assembly very surreptitiously. In three minutes without any discussion the bill was passed' (CSO Interviewee 7 2018). The Leader of Opposition, Hemant Soren, questioned the haste in passing the law and amending the federal act when speaking to the media: 'the government is now desperate to show that it can acquire land and give it to the corporate[s]' (Pandey 2017). A member of the opposition (Congress), Lohardaga Sukhdeo Bhagat, reacted to this move by telling the media that these amendments would give the government 'the authority to forcibly take away anyone's land in the name of development' (*Telegraph* 2017). Left unimpressed by the actions of Jharkhand government to amend the laws to make it easier

for the corporations to acquire land, an Adivasi interviewee stated that the government of Jharkhand has ulterior motives: ‘they are doing it for meeting the promises of industrialists’ (Adivasi Interviewee 10 2018).

## 5.9 Conclusion

In this chapter I discussed the power and influence the corporations wield in the state polity. Having displaced the other powerful influential groups, the corporate capitalists’ influence began entering the political sphere since India’s liberalisation. From then on, the corporations became an indispensable entity in the state apparatus playing the role of the right-hand man in the state’s economic growth.

This chapter began by discussing the corporate representatives’ displeasure of the social climate in India and the growing support for former Gujarat’s Chief Minister, Narendra Modi, since 2009 for Prime Minister of India. During his reign as the Chief Minister of Gujarat, Modi popularised his model of growth as *the* (emphasised) model of growth by favouring industries and creating land banks. The model of Gujarat was lauded as a ‘miracle’ by the corporations because according to them the process of land acquisition was marred with conflict in every other state (Corporate Interviewee 4 2018). It was revealed in an interview that by bringing Prime Minister Modi to power the corporations expected the pro-industry model of Gujarat to be replicated across the country.

Soon after Modi came to power, he stuck to his promise and began dismantling the 2013 Land Acquisition Act to ease the process of land acquisition through an ordinance. The use of an ordinance was questioned by many as ‘illegal and unconstitutional’ (CSO Interviewee 8 2018), signifying the undemocratic route Modi was willing to take to please the corporations. When the ordinance was unable to garner support in the upper house to turn it into a law, the

central government advised the local state governments to amend their respective laws to ease the process of land acquisition, which the state of Jharkhand did by exempting the requirement of SIA.

The role of India Inc. in bringing the Modi government to power is an example of how the corporations' control of press and private television networks played an important role in propagating the neoliberal vision of growth that ultimately resulted in diluting the 2013 Land Acquisition Act in many states across India (Ramesh & Khan 2015). Through the control of major economic and technological resources, the corporations exerted great power to influence the state politics and bring political parties to power, witnessed also in the state threatening to invest elsewhere unless the government of Jharkhand eased the process of land acquisition by amending the laws in Jharkhand. Furthermore, with growing conflicts over the inaccuracies of land titles the government of Jharkhand sought the aid of the corporations to digitalise and formalise the land titles.

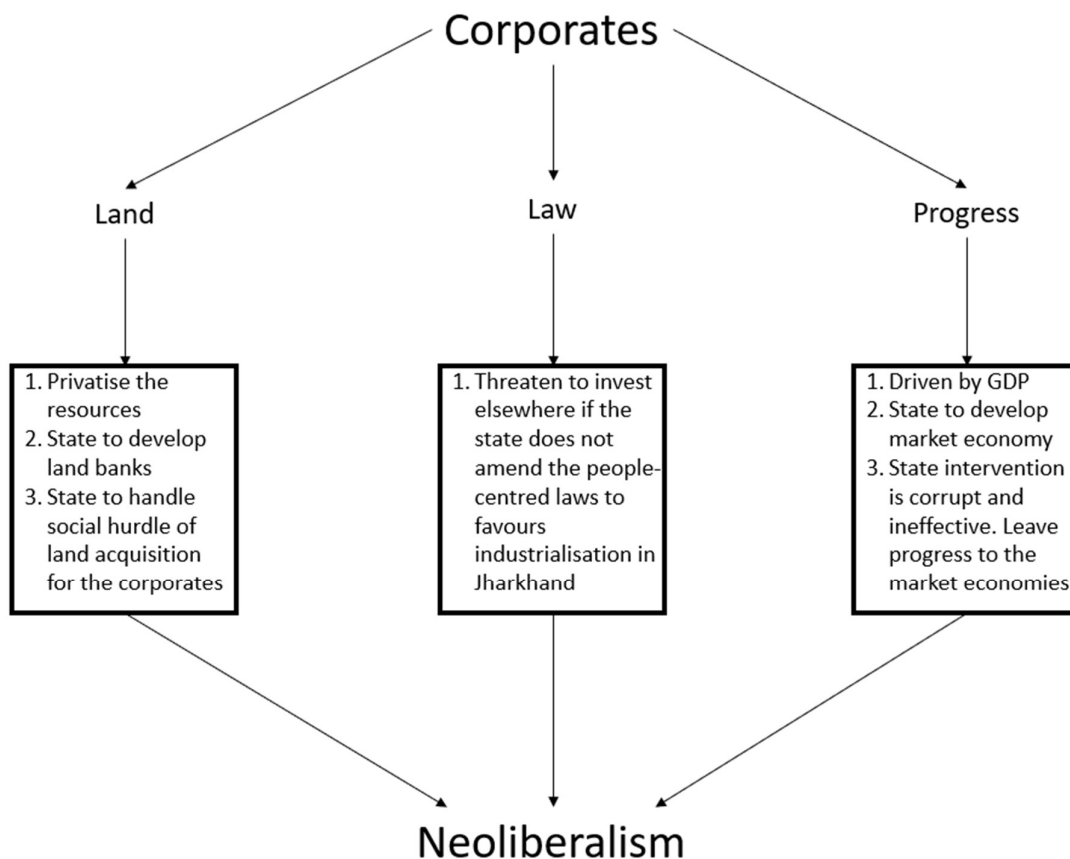
The corporations turned into an indispensable player in economic development and land governance. This growing dominance of the corporations allowed them to form a strong nexus with the state as the state began creating land banks by acquiring land from the project-affected communities for industrial purposes. By asking the state to deal with the social hurdles of economic development and facilitate land acquisitions, the corporations protect their brand, which I noted in this chapter is important to the corporations because the brand gives legitimacy to an organisation in a market economy (Srivastava *et al.* 2001; Zhou *et al.* 2009).

Throughout this chapter I discussed the steps taken by the corporations to tilt the balance of power back in the hands of the dominant class. Their main argument was that industry is vital



for development of India, and therefore the government should play the role of facilitating land deals for the corporations because the current trajectory of India, according to the corporate representatives, risks derailing India from its economic growth objectives and making it uncompetitive in the global market. The corporations therefore advocated for pro-industry policies that according to them would ultimately benefit everyone, even the project-affected families through the trickle-down effect. These debates by the corporate representatives show obvious inclinations towards the neoliberal orthodoxy (see Figure 5.2).

Figure 5.2: Orthodoxy of the corporations



Source: Author's construct

In chapter six, the views of the final actor, Adivasis, are analysed to identify their developmental ideology.

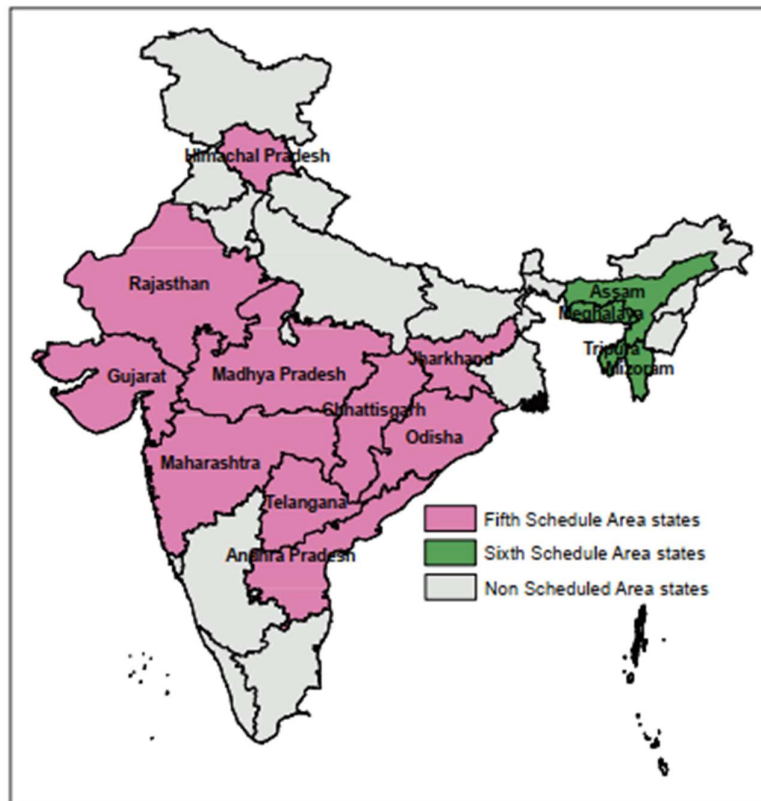
## 6 Chapter Six: The Adivasi and their resistance to top-down models

### 6.1 Introduction

In this chapter I analyse the final actor, the Adivasis, as I continue to develop a deeper understanding of the conflict over development in Jharkhand. To briefly (re)introduce the Adivasis, they are the indigenous communities of India; however, the Indian Constitution does not recognise the indigeneity of these communities, and instead refers to them as 'Scheduled Tribe', a reference to their perceived 'traditional' and 'backward' way of life in contradiction to the 'modern' way of life advocated by the dominant ruling class of India (Basu 2012; Damodaran 2002).

According to the last census performed in India, in 2011, the politically recognised Adivasis, known as 'Scheduled Tribes' constituted 8.6 per cent of the Indian population (Government of India 2011). In 2017, the Ministry of Tribal Affairs' *Annual Report 2016-2017* noted that India has 750 tribes in 26 states and 6 union-territories (Wahi & Bhatia 2018). These states and union territories are classified into Fifth and Sixth Schedule based on the demographic of politically recognised Adivasis identified in that state or union territory, where a high preponderance of 'Scheduled Tribes' in a state is classified as a Sixth Schedule state and a medium preponderance of 'Scheduled Tribes' in a state is classified as a Fifth Schedule state, while the rest of the states are non-Scheduled, or a normal state. Figure 6.1 shows the distribution of the scheduled states and union territories across India. In 2020, India has a total of 10 Fifth Schedule states and 4 Sixth Schedule states. The Fifth Schedule states are Andhra Pradesh, Chhattisgarh, Gujarat, Himachal Pradesh, Jharkhand, Madhya Pradesh, Maharashtra, Odisha, Rajasthan and Telangana. The Sixth Schedule states are the states in north-eastern India, namely Assam, Meghalaya, Tripura and Mizoram.

Figure 6.1: Scheduled states in India



Source: Wahi and Bhatia (2018, p. 11)

The state of Jharkhand falls under Fifth Schedule, meaning it has a medium preponderance of 'Scheduled Tribes' in the state. According to the 2011 census, there are 32 politically recognised 'Scheduled Tribes' constituting a total population of 26.3 per cent of Jharkhand (Kumar 2018; Shah 2007a). However, Ekka (2000) found that the census data misrepresents the Adivasi population of Jharkhand because many Adivasi communities are not politically recognised as 'Scheduled Tribes'. In his article, *Jharkhand tribals: Are they really a minority?*, Ekka noted that if the excluded Adivasi community of Kurmis were politically recognised, then the 'Scheduled Tribes' population in Jharkhand would rise to 60 per cent; and 'more than 60 per cent' if other excluded Adivasis communities of Jharkhand were politically recognised (p. 4612) – the politics of inclusion is discussed in more detail in this chapter. Nevertheless, the impact of displacement from industrialisation is felt by all Adivasis, those who are politically

recognised as ‘Scheduled Tribes’, and those who are not (Areeparampil 1996; Hemadri *et al.* 1999; Parasuraman 1999). Table 6.1 lists the 32 recognised ‘Scheduled Tribes’ in the state of Jharkhand.

Table 6.1: List of politically recognised ‘Scheduled Tribes’ in Jharkhand state

Jharkhand		
1. Asur, Agaria	13. Ho	23. Mal Paharia, Kumarbhag
2. Baiga	14. Karmali	Paharia
3. Banjara	15. Kharia, Dhelki Kharia, Dudh	24. Munda, Patar
4. Bathudi	Kharia, Hill Kharia	25. Oraon, Dhangar (Oraon)
5. Bedia	16. Kharwar	26. Parhaiya
6. Binjhia	17. Khond	27. Santhal
7. Birhor	18. Kisan, Nagesia	28. Sauria Paharia
8. Birjia	19. Kora, Mudi-Kora	29. Savar
9. Chero	20. Korwa	30. Bhumij
10. Chik Baraik	21. Lohra	31. Kawar
11. Gond	22. Mahli	32. Kol
12. Gorait		

Source: Ministry of Tribal Affairs (Annual Report 2017 – 2018)

In Jharkhand, where mining is the largest cause of land displacement, the Adivasis are the most affected population (Areeparampil 1996; Lahiri-Dutt *et al.* 2012; Nathan & Dayal 2009). Between 1951 to 1991, over 34 per cent of land acquired in the region of Jharkhand<sup>30</sup> was used for mining purposes, displacing 7 per cent of Jharkhand population, of which nearly half were Adivasis (Sundar 2009). Furthermore, growing in-migration to fill the jobs being created by industries is resulting in them being displaced physically and politically (Saren 2013). The Adivasis envisioned the creation of Jharkhand with the potential of breaking from the mould

<sup>30</sup> I mentioned region of Jharkhand, and not Jharkhand because Jharkhand was created only in 2000. Until then, this area that is now under Jharkhand statehood was part of Bihar.

of top-down development (Damodaran 2002). However, since the creation of Jharkhand, the government of Jharkhand took on the role of a facilitator by committing to further the elitist ideology of development by acquiring land for private companies (Lahiri-Dutt *et al.* 2012; Sen 2014).

The Adivasis of Jharkhand, and in other parts of the country, remain in the fringes today as they did when India became an independent country. The policies of state-led modernisation, and later neoliberalism, adopted by the Indian government after its independence and its promised trickle-down effect is yet to be realised by the Adivasis, who are still referred to as 'primitive' and 'backward' by the state (Hardiman 2002; Mohanty 2011). Even the laws enacted by the government of India fail to protect them because the rush for land and its resources around the country are forcing the Adivasis out of their land in favour of industrialisation (Areeparampil 1996; Balakrishnan 2003). In this chapter, I study the reactions of the Adivasis to the top-down notion of development.

The rest of this chapter comprises six sections. Section two revisits the debates on the politics of inclusion and why the Adivasis detest the label 'Scheduled Tribe'. In section three, I discuss the Adivasis' arguments against the exploitative and destructive nature of the top-down model of development, which is followed by a discussion on alternative models of growth in section four. Section five discusses the Pathalgadi movement more in-depth and the efforts of the Adivasis to legitimise their protests against the state by asserting their legal rights as stipulated in the Indian Constitution. Finally, in section six, the importance of unity for the Adivasi resistance movements is analysed and discussed. The main source of data for this chapter is interviews with Adivasis and CSOs in the state of Jharkhand.

## 6.2 The bureaucratic label of 'Scheduled Tribe'

Before looking into the ideological biases of the Adivasis, it is important to revisit the politics of inclusion and the consequences of their Constitutional label 'Scheduled Tribe'. This section sets the scene for this chapter as it explains why the Adivasis oppose the top-down ideology of development and why they prefer the label 'Adivasi' over 'Scheduled Tribe'.

Jharkhand is the birthplace of indigenous resistance (Balakrishnan 2003; Corbridge 1988; Upadhyaya 2011). For generations the communities of this area have battled invasions and massacres giving them a strong self-identity and impetus of an indigenous identity (Giménez 2017). This impetus of an indigenous identity came from Christian missionaries, such as John Baptist Hoffman, who in the late 19th century helped construct their identities as hills people distinct from people of the plains (Giménez 2017). These communities of Jharkhand began calling themselves 'Adivasi' by forming the political party Adivasi Mahasabha (the Great Council of Adivasis) in 1938 (Mullick 2003). Today, the term Adivasi refers to the original inhabitants of India, and gives them a historical consciousness of their identity as one that is different to the 'mainstream' (Basu 2012; Corbridge 2002; Kumar 2018).

The Indian Constitution though does not use the term 'Adivasi', and instead it uses the term 'Scheduled Tribe' (Ambagudia 2011; Chandra 2013b). According to Dr B. R. Ambedkar, Chairman of the Drafting Committee of the Indian Constitution, the term 'Adivasi' is a general term with no legal recognition, whereas 'Scheduled Tribe' has a fixed meaning as it enumerates the tribes (Saksena 1981). This stance by the Indian government has been labelled 'bureaucratic' (Giménez 2017, p. 32) and 'administrative' because the government disregards the indigeneity of the Adivasis and focuses on eradicating their perceived 'backwardness' (Burman 2009). The term 'Scheduled Tribe' is representative of 'a melting-pot

model' to enumerate the communities the state considers 'backward' and not a 'salad-bowl approach' that celebrates their identity and diversity (Prakash 1999, p. 473).

Furthermore, many researchers argued that the term 'Scheduled Tribe' has no fixed meaning leading to confusions in the politics of inclusion (Basu 2012; Damodaran 2002). This confusion is visible when looking at the Gaddi tribe of Chamba and Kangra of north-western India. There is no difference between the Gaddi tribe of Chamba and Kangra, yet in 1940s the Gaddi of Chamba was recognised as 'Scheduled Tribe' while the Gaddi of Kangra was not, until finally in 2002 the Gaddi of Kangra was granted the status of 'Scheduled Tribe' as well (Ambagudia 2011; Kapila 2008). This confusion was noted by Kapila (2008): 'they were kins, shared ancestors, had the same cultural practices, and were indeed the same people' (p. 123). The only difference researchers could identify was that the Gaddi in Chamba region was part of the Indian state Himachal and the Gaddi in Kangra region was part of the Indian state Punjab (Ambagudia 2011; Kapila 2008).

The criteria for inclusion is extremely grey, one that no scholar has been able to fully understand yet. Xaxa (1999) stresses that there never was a real debate over the criteria for defining 'Scheduled Tribe' as 'the problem in India was to identify rather than define tribes' (Béteille 1992, p. 59). However, identification comes from definition and the criteria for defining a 'tribe' is vague in the Indian Constitution, therefore leaving it open to confusion. Article 342 of the Indian Constitution referring to the 'Scheduled Tribes' reads:

342(1) Scheduled Tribes — the President may with respect to any State or Union Territory, and where it is a State, after consultation with the Governor thereof, by a public notification, specify the tribes or tribal communities or part of or groups within

tribes or tribal communities as Scheduled Tribe in relation to that State or Union Territory as the case may be.

(2) Parliament may by law include in or exclude from the list of Scheduled Tribes specified in a notification issued under clause (1) any tribe or tribal community or part of or group within any tribe or tribal community, but save as aforesaid a notification issued under the said clause shall not be varied by any subsequent notification (Government of India 1950).

Over the years various committees and commissions were set up by the Government of India to clearly define the term 'Scheduled Tribe' – the 1951 Commission for Scheduled Caste and Scheduled Tribe, the Backward Classes Commission (Kalelkar) 1955, the Advisory Committee on Revision of Scheduled Caste / Scheduled Tribe Lists (Lokur Committee) 1965, and the Joint Committee of Parliament on the Scheduled Castes and Scheduled Tribes Orders (Amendment) Bill, 1967 (Chanda Committee) 1969. These committees concluded that the criteria for Scheduled Tribe includes the following traits – 'tribal origin, primitive way of life, remote habitation and general backwardness in all respects', though this criteria was never included in the Indian Constitution (Ambagudia 2011, p. 36). On this matter, The Ministry of Tribal Affairs noted, 'these criteria are not spelt out in the Constitution but have become well established and accepted' (AITPN, quoted in Ambagudia (2011, p. 36-37)).

Having no clear definition, controversies and conflicts arise as one state recognises one community as 'Scheduled Tribe' and another state does not – such as the Gaddi tribe of Chamba and Kangra region who were identical in every respect other than their geographic location of Chamba being in the state of Haryana and Kangra in the state of Punjab. Another



example of this is the Konda Kapus group which is recognised as ‘Scheduled Tribe’ in the state of Andhra Pradesh but not in the neighbouring state of Odisha (Galanter 1984).

The consequence of this is that not all Adivasi groups get politically recognised as ‘Scheduled Tribe’ due to their different levels of socio-economic development (Dutt 1998; Mullick 2001). If the Adivasis do not get recognised as ‘Scheduled Tribe’ in the Indian Constitution then they do not get protected by the acts that give them autonomy and shield them from the elitist development ideology, namely the 1996 PESA Act, the 2006 FRA Act, and in Jharkhand, the 1908 CNT Act and the 1949 SPT Act. Once an Adivasi community is not protected by these laws, their land can be transferred to non-Adivasis. It now becomes clear why an undefined criterion of ‘Scheduled Tribes’ allows the government to exclude the ‘Scheduled Tribes’ once they get ‘developed’ (Damodaran 2002), thereby exempting the laws that hinder the top-down model of development. As noted by Ambagudia (2011), in the name of development the ‘state will not hesitate to manipulate tribes in order to achieve greater political power’ (p. 40). Though Béteille (1992) sympathises with this vague definition suggesting that no definition would be able to encompass the complexity and diversity of the ‘Scheduled Tribes’ which were geographically and culturally at different stages of social and economic development.

With the term ‘Scheduled Tribe’, the idea of indigenous disappears because the Indian state’s official position is that there are no indigenous people in India due to complex migration patterns making it impossible to establish who the original settlers are (Damodaran 2002; Sengupta 2004; Shah 2007a). After years of struggle to protect their identity from the elitist mentality of the state, the Adivasis feel betrayed by the Indian government’s refusal to recognise their indigenous identity. Instead, the government considers these groups as

'backward', with distinct traits and culture, low educational development, geographical isolation, and minimum level of contact with communities beyond their group (Kurup 2008).

### 6.3 Is this development?

Soon after India's independence, internal colonialism became the 'currency of domination of the periphery by the centre' (Chandra 2013a, p. 54). Nehru's call to the citizens after India won its independence was for the people to make sacrifices for a brighter future: 'if you are to suffer, you should suffer in the interest of the country' (cited in Levien 2013, p. 29). Economic development was the main priority of the centre and it was forced upon the Adivasis without consultation (Rath 2006). This approach was indicative of state-led modernisation theory that saw the Adivasis as incapable of making logical and rational decisions for their own wellbeing. In the name of 'development' and 'national interest' the Adivasis were, and continue to be, subjugated to human rights atrocities by the ruling class of the country who systematically and methodically dispossess them from their land (Kapoor 2009; Upadhya 2011).

The Adivasis of Jharkhand question this elitist notion of development because to them it is uneven, where the rich and the powerful benefit from the developmental projects, while the poor continue to struggle. To them, this top-down model of development is driven by economic motives to make profits rather than improving the wellbeing of the citizens of the state. To illustrate this point, an Adivasi who was interviewed explained the uneven development in Jharkhand using the example of Adani power plant that was being setup in the region of Godda, Jharkhand.

The Adani Power Limited, part of the Adani Group, signed an MoU with the government of Jharkhand to generate and export electricity to the neighbouring state of Bangladesh.

Originally, 25 per cent of the electricity was going to be used locally in Jharkhand due to the provisions in the Jharkhand energy policy (Chandrasekhar 2019), however the Adani power plant was converted into a SEZ with the Ministry of Commerce and Industry amending the SEZ Act on 9<sup>th</sup> January 2019, to mandate all electricity generated in SEZ to be exported:

There will be no option for selling any surplus power in the DTA [domestic tariff area] as the entire power will have to be exported abroad or consumed within the SEZ to be treated as export in terms of Section 2 (m) (iii) of the SEZ Act, 2005. Any intent of setting up of power plants to primarily cater to DTA would be curbed. Further, as the power generated is required to be entirely exported, the objective of the SEZ Act - ie. promotion of export gets fulfilled (Internal Government Document 2018, p. 12).

When 41 per cent of households in Jharkhand are power-starved (Chandrasekhar 2018), making an amendment to export the entire electricity adds doubt in the development narrative to the Adivasis. This standpoint gains more weight, when the very next sentence in that internal government document shows no sign of consultation or consideration of the affected communities, 'the present proposal for policy amendment has been deliberated with various stakeholders viz. - Ministry of Power, Ministry of External Affairs, Department of Revenue as well as the State Government of Jharkhand' (Internal Government Document 2018, p. 12). Expressing their distrust in the state's development agenda, an Adivasi interviewee stated, 'today's development is maximising profit to corporates. This is not development. That is my argument' (Adivasi Interviewee 3 2017). Similar sentiment was shared by another interviewee:

Now what is happening in Godda's Adani power plant, the whole thing [electricity] will go to Bangladesh, not for Jharkhand or India. So, this questions [the nature of] public

purpose. First, we need to fulfil our needs before giving it to others. Give the surplus to Bangladesh (CSO Interviewee 5 2017).

From where they stand, the Adivasis have always had to raise the issue of 'development' because they do not receive much benefits from these projects. Their suffrage has not been rewarded in kind as in most instances after they are displaced, empirical studies have noted that they struggle to find a job, get further marginalised, become poor, malnourished and fear the prospect of death (Ghosh 2006b; Shah 2010). The example of Adani power plant is not an isolated incident, as the Adivasis have constantly had to fight to have their concerns brought up for discussion. Take another example of the Koel-Karo dam where the proposed dam was going to drown 124 villages while the benefits went to the *dikkus*<sup>31</sup>.

We have a Koel-Karo dam here, Koel-Karo hydroelectric project. Government tried to make this dam from 1976. [As] always they would say the dams are being made for irrigation. But if you drown my agriculture land, whose agriculture you are talking of? Another claim they make, the water that will go out from there will make hydroelectricity, which is very cheap, big load, very scientific etc. But if you say hydroelectric, then I should get electricity. If you want to be fair, if you have drowned my land, you should give me the fishing rights to become fishermen. But that dam water also you are not letting me enter (Adivasi Interviewee 10 2018).

This Adivasi interviewee is left to wonder where the promised benefits of development and trickle-down effects are, because they experience very little of it. An interview with a member of the Department of Revenue and Land Reforms of the Jharkhand government corroborated

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<sup>31</sup> Term used by the Adivasis to refer to outsiders who take over their land and threaten their identity

this exploitative and uneven growth model of Jharkhand: ‘even though a lot of industries and projects are set up in Jharkhand, the state [of Jharkhand] has not benefited’ (Jharkhand Bureaucrat Interviewee 4 2018). It thus comes as no surprise that the Adivasis do not trust the government of Jharkhand and its promises of jobs and growth (Adivasi Interviewee 5 2018).

Furthermore, the Adivasis question this top-down notion of development that breaks the Adivasis’ connection with their land. To the Adivasis, land is not just an economic asset that is meant to be exploited for profit reasons (Guha 2007; Kumar 2018; Mohanty 2011). To them, land is central to their identity (CSO Interviewee 2 2017). The Adivasis argue that they share a deep connection with land and to them it goes beyond economic means. Explaining this connection of the Adivasis to their land, Areparampil (1996) said, ‘land and blood are homologous. Their society, culture, religion, identity and their very existence are intimately linked to the land they hold. To separate the indigenous people from their land is tantamount to tearing them apart from their life-giving source’ (p. 1526). Two decades since Areparampil’s (1996) article, the Adivasis continue to display the same emotional attachment towards land. The importance of land to the Adivasis was described by an interviewee as mother’s breast and losing their land is like ‘chopping of their mother’s breast’ (CSO Interviewee 2 2017). This interviewee continued by stating that: ‘asking an Adivasi to give up their land is like [saying] we will give you a raft with a crate of mineral water and bundles of notes [money] and put you in the Bay of Bengal or Arabian Sea and you float there’ (CSO Interviewee 2 2017). This deep connection shared with land has remained for the Adivasis despite the state trying to break that connection through education and televisions (as discussed in section 4.3 and 4.4). Therefore, the question of land – what it signifies and

how it should be used – are central to the conflict between the key actors in Jharkhand (Bhattacharya *et al.* 2017; Guha 2007; Upadhyaya 2011).

While modernisation and neoliberal theorists associate progress in monetary terms, the Adivasis have a more holistic understanding of progress, with a deeper connection to nature and environment. Alluding to this synergistic connection an Adivasi in his interview stated: ‘economy does not mean with respect to money, but with respect to nature, environment, ecology. For tribals this is economic because that is their livelihood. That is their source of sustenance’ (Adivasi Interviewee 5 2018). Unlike the elitist model of development that is considered exploitative and destructive, the Adivasis see themselves as the caretakers of the planet, ‘we are the protector of land, we are the saviour of the whole ecology and environment’ (Adivasi Interviewee 5 2018). Therefore, progress for the Adivasis is sustainable that it is not driven by profit motive, and instead for their livelihood and sustenance (Chandra 2014; Sen & Teitelbaum 2010; Shah 2013a, 2013c).

This development model favoured by the community collides with the elitist model favoured by the state and the corporations. The inherent contradictions of the models result in conflicts between the key actors in Jharkhand over the question – what should development look like? A simple question, yet with no simple answer. However, on ground, like in many other states across India, the state controls the narrative of development in Jharkhand with its power to amend the laws to suit its objective (Levien 2017). Therefore, the development narrative in Jharkhand has predominantly been controlled by the state, with an alliance with the corporations (Ghosh 2006b; Jewitt 2008; Shah 2009). This growing state-corporate nexus was stressed by an Adivasi interviewee:

What does development mean? Today development means, take all minerals from Adivasis and give it to corporates. Development today is to build empire of corporate houses. So, basic idea is to build empire. That's why I'm saying today development is to build corporate empire rather than one steel project. This is what you call development – 1) hand over natural resources [to the corporates], 2) build their [corporate] empire, and 3) maximise their [corporate] profit (Adivasi Interviewee 3 2017).

#### 6.4 An alternative model

For centuries, the fate of the Adivasis has mostly remained unchanged – ignored and neglected in the developmental debates because they were considered 'backward' by the British state, and later the Indian state. They were not treated as humans, and instead the government considered them to be part of 'flora and fauna' because they resided in remote forested areas (CSO Interviewee 2 2017). Therefore, to the state, Adivasis were an acceptable sacrifice to meet the objective of economic growth (Levien 2013). Nehru noted this stance towards the Adivasis during India's independence: 'we have to make them [Adivasis] progress... What is good in the rest of India will, of course, be adapted by them gradually' (Nehru 1954, p. 125). The continuation of this narrative was noticed in the interviews with Jharkhand government officials who justified the suffering of the Adivasis for public good. In an interview with a member of the Department of Revenue and Land Reforms of the Jharkhand government, the interviewee clearly reflected this sacrificial stance of the Adivasis: 'Several dams have been constructed [in Jharkhand]. [For] each dam about 100 villages get submerged' (Jharkhand Bureaucrat Interviewee 4 2018).

In 2009, a report released by the Ministry of Tribal Affairs titled *Standing Committee on Inter-Sectoral Issues Relating to Tribal Development: Standards of Administration and Governance*

*in Scheduled Areas* labelled the Adivasis 'mute spectators' to development driven by economic forces (Internal Government Document 2009, p. 49). The Adivasis though have not been a mute spectator in a literal sense. They have constantly resisted and fought against the elitist model of development that prioritised economic development and neglected the rights of the people (Shah 2006; Sundar 2005b; Upadhyaya 2011). Challenging this top-down notion of development, the Adivasis question the nature of public purpose projects by asking – if a project is public purpose, should it not benefit the public?

'Am I not part of the public?' questioned one of the Adivasi interviewees who works as a lawyer (Adivasi Interviewee 10 2018). He argued that: 'the word public, if I go back to Latin, has a very big meaning. I can go to Plato and say what it means. Public comes from "republic"; and you say India is a republic. Then, why I'm not defined in your definition' (Adivasi Interviewee 10 2018). While he is incorrect of the origins of the word public – which comes from the Latin word 'populus' (Harper 2019) – his argument remains valid as public purpose projects have shown to be at the expense of the Adivasi communities (Basu 2006; Rath 2006). Development, according to the Adivasis is very top-down and technocratic that defiles them as 'backward'. Therefore, in the interviewee's opinion the term public purpose does not take the Adivasis into consideration. As the interviewee went on to say: 'if you want to make a big dam, it becomes public purpose, but public that lives there is not public anymore? So, you have [to] argue if the public purpose can be stretched so much that you acquire my land and give it to a private party because he will employ 5,000 people in a factory. Is that public purpose?' (Adivasi Interviewee 10 2018). The history of these public purpose projects have shown that the Adivasis are not considered under public purpose, and instead are 'subjected to livelihood insecurity' (Meher 2009, p. 469).



Challenging this elitist narrative of development, the Adivasis instead opt for an alternative model of development that values participation. They question the top-down model of governance and suggest for a more inclusive form of governance that looks beyond economic variables and celebrates cultural diversity and knowledge of the local people. This alternative model is clearly represented in the above interviewee who recommends the government of India to modify its existing public-private partnership model (PPP) with a more inclusive people-public-private partnership model (PPPP). He explains: ‘your public word is not correct because you have made public so restricted. There are people who are being left out. Why can’t you have partnership with me?’ (Adivasi Interviewee 10 2018).

It is important to note that the government of India did enact laws that favour participation (Ananth & Kalaivanan 2017; Dandekar & Choudhury 2010; Patnaik 2007b). After a lot of resistance to the top-down model of development the Adivasis forced the government of India to enact the 1996 PESA Act, the 2006 FRA Act and the 2013 Land Acquisition Act. These acts advocate for the government to obtain consent from the project-affected communities before the land is acquired for development purposes (Nair 2014b; Patnaik 2007b). However, while good in theory, the Adivasis have stated that these laws are not implemented in practice (Rath 2006; Upadhyay 2004). In the words of a CSO, ‘we have a state that does not follow the rule of the law’ (CSO Interviewee 8 2018). Another CSO suggested that what is lacking is the intent of the government as the system works when the government wants to acquire land: ‘the bureaucracy system works when they want to take land, [so] how does it not work when they have to protect the Adivasis? It is the same system’ (CSO Interviewee 2 2017). Therefore, to the Adivasis, not seeing the laws being implemented leaves them frustrated and angry – as one interviewee questioned the true nature of these laws: ‘are the laws a façade?’ (CSO

Interviewee 7 2018). To the Adivasis who fought, even gave their lives, these laws are their biggest weapon (Adivasi Interviewee 1 2018; Adivasi Interviewee 3 2017).

By analysing this trend of enacting, but not implementing the laws, the intention of the state becomes clear – a practice to avoid an agrarian uprising. To maintain its political legitimacy and avoid an agrarian uprising, the government in power releases policies of social justice alongside economic development policies (Chatterjee 2017; Wahi & Bhatia 2018). In an electoral democracy, where the election studies in India have persistently shown poor and underprivileged sections of the population are relatively high electoral voters (Stepan *et al.* 2011), the state at times adopts social welfare policies to avoid an uprising and maintain its legitimacy (D'Costa & Chakraborty 2017; Prakash 2001). Even during the framing of the Indian Constitution, Nehru considered it imperative to simultaneously embark on a transformation of the economic and social order to prevent a revolution (Wahi 2013). However, as noted in sections 4.7 and 4.8, it is common practice for Jharkhand government to bypass these laws by either not implementing them or amending them to favour the state's development agenda. This stance by the Indian government has left the Adivasis and CSOs frustrated because the laws otherwise are comprehensive:

India as a country has very good acts about labour, women. We have a great act that Modi has further strengthened, the SC/ST Act. Rajiv Gandhi formulated [this act] and Modi made it stronger, but I have not heard a single case in the past 15 years in Jharkhand due to this act. How many non-tribals have been convicted under SC/ST Act? (CSO Interviewee 2 2017).

It is for this reason when the Adivasi interviewees were asked what changes they would like to see in the law, they claimed that they did not want any changes, they only wanted the

existing laws to be implemented (Adivasi Interviewee 2 2017; CSO Interviewee 7 2018). They argued that the intention of the government needed to change because the state is deliberately not implementing the laws as it would lose access to the mineral resources in the Scheduled Areas (CSO Interviewee 2 2018; CSO Interviewee 7 2018). Therefore, the Adivasis realise that they would need to force the agenda for any change to precipitate in the minds of the government officials.

### 6.5 The Pathalgadi movement

In 2017, the Adivasis began the Pathalgadi movement. The Pathalgadi movement is a political movement that emerged to challenge the government's authority and agenda of development while asserting the autonomy of the Adivasis' self-rule movement (Singh 2019). This movement was the direct result of the Momentum Jharkhand Investors Summit that was held in Ranchi, Jharkhand, on 16-17 February 2017 (Parashar & Toppo 2018). During the Momentum Jharkhand Global Investors Summit, the Jharkhand government signed 210 MoUs to turn Jharkhand into a high value investment destination by attracting investors in mining and industries (*Press Trust of India* 2017). To incentivise the investors, the state started a land bank policy (Parashar & Toppo 2018). In a state that was envisioned to be an 'Adivasi state', the Adivasis were alarmed by the steady influx of outsiders entering Jharkhand and increasingly influencing the state politics (Sundar 2005a). With a long history of land alienation and displacement, the Adivasis feared further victimisation in the name of 'development' (Bandyopadhyay 2004; Damodaran 2002, 2005). The Pathalgadi movement was designed to challenge this statist idea of development that kept neglecting and ignoring the Adivasis in the political rhetoric of development.

The Pathalgadi movement involves erecting stone slabs outside the villages with inscriptions of the Fifth Schedule of the Indian Constitution (Singh 2019). The Fifth Schedule in the Indian Constitution lists the *Provisions as to the Administration and Control of Scheduled Areas and Scheduled Tribes*. Through the Pathalgadi movement the Adivasis reinforce the authority of self-governance using the rights of the Gram Sabha as stipulated in the 1996 PESA Act (Singh 2019) – which the government is not implementing, and one interviewee said is ‘dying a natural death’ (Adivasi Interviewee 4 2018). The 1996 PESA Act was designed by the government to replicate the Sixth Scheduled states by promoting self-governance through Gram Sabha in the Scheduled Areas of the Fifth Schedule states (Das 2015).

According to the provisions stipulated in the 1996 PESA Act, the Gram Sabha of the Scheduled Areas control the natural resources in the village (Dandekar & Choudhury 2010; Patnaik 2007b). The provisions therefore require the permission of the Gram Sabha before any mining leases can be granted (Ananth & Kalaivanan 2017). By inscribing the provisions of the Fifth Schedule, the Adivasis are making a political stand by drawing legitimacy from the Indian Constitution to declare autonomy from the state rule as they argue that the top-down model of development is not interested in the development of the Adivasis. These stone slabs assert the authority of Gram Sabha in the villages of Scheduled Areas and restrict the entry of outsiders, including the government officials and the police (Singh 2019). Figure 6.2 shows a village in Jharkhand where the Adivasis are asserting their legal right to ban the government, police, corporations and other outsiders from entering their land without the permission of the Gram Sabha (Bhattacharya 2018).

Figure 6.2: The Pathalgadi movement



Source: Bhattacharya (2018)

Beyond not allowing the outsiders into their lands, the Adivasis are dissociating themselves from the state's governance system and building their own self-governance system (Carrin 2013; Shah 2007b). They have taken the responsibility onto themselves to ensure that the 1996 PESA Act is implemented in practice. They have begun mobilising their own resources to build a strong tribal identity by demarcating their land and 'keeping the state away' (Shah 2007b, p. 129). The Adivasis opened their first tribal bank by rejecting the Indian Banking Regulation System and the Reserve Bank of India (Bhattacharya 2018). They established schools to educate their youth to serve their cause and not the Indian state's (Carrin 2013; Vaidya 2018). They built their own security forces using tribal arms (Chandra 2014; Sen & Teitelbaum 2010). Finally, they are issuing their own identity card under the jurisdiction of the Gram Sabha and boycotting the national identity proofs such as the voter card and Aadhar

card<sup>32</sup> (Bhattacharya 2018). The powerful move by the Adivasis to ignore the social and economic laws of the Indian state signifies the lack of trust in authority of the government and the failure of its policies (Vaidya 2018).

The Pathalgadi movement enforces an alternative development model by the Adivasis that enriches their awareness of their rights according to the Indian Constitution and unites them against the injustices they experience due to the false promises of development by the state. Highlighting the importance of distancing themselves from the state, an Adivasi interviewee stated:

First, who are Adivasis? They are not encroachers, they are the original inhabitants of the land. They are the real owner of the land. How can they be an encroacher? That's [the] government's definition. The definition they are giving is maligning the definition of indigenous people. If you [want to] talk about indigenous people, apart from [the] indigenous everyone else is a foreigner. They are all foreigners. Only the eight per cent tribal people living in India are the real Indians. They [the government] are the people who forcefully occupy the land that does not belong to them. They [state government] are the encroachers (Adivasi Interviewee 5 2018).

The Pathalgadi movement has since spread across the state of Jharkhand to the neighbouring Fifth Scheduled states as the momentum against the dominant ideology of development is growing (Bhattacharya 2018; Mohanty 2018a; Singh 2019). The first stone slab was erected on the boundary of the village Bhandra of Khunti district in Jharkhand on 9<sup>th</sup> March 2017 (Hindustan 2018a). This movement has spread to over a hundred villages in the state of

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<sup>32</sup> National biometric identification card launched by central Indian government in 2009

Jharkhand and over two-hundred villages in the neighbouring Fifth Scheduled states (Bhattacharya 2018; Goswami 2018). The Pathalgadi movement has politicised the unlawful attempts of the government and the corporations in acquiring their land for mining or industrial purposes (Parashar & Toppo 2018). The strong stand by the Adivasis has forced the government to soften its stance towards the movement and enter into discussions with the Gram Sabha over the contentious issue of Scheduled Areas (Hindustan 2018b). However, as 'coercion and negotiation work hand in hand' (Ghosh 2006b, p. 526), the government is counteracting the Pathalgadi movement by labelling the practice as anti-national, and the protestors as Naxalites

'Where there is Pathalgadi, the government immediately says there are Naxalities there and it is a crime', said one of the CSOs (CSO Interviewee 4 2018). This practice of labelling protestors as Naxalites is far too familiar to Adivasis who have numerous criminal cases against their name. One CSO in his interview explained that he had studied the cases of Naxalites in Jharkhand and found that many Adivasis were falsely labelled and accused of being Naxalites and arrested: 'people who assert their rights in the villages, they are termed as Naxalites and they are arrested and put in jail' (CSO Interviewee 4 2018). By labelling the protestors as Naxalites, the government legitimises its use of coercion to suppress dissent voices that oppose the state's authority (Areparampil 1992; Jewitt 2008; Shah 2013c). This point was reinforced by an Adivasi who stated he had criminal records against him for protesting against the state and resisting the acquisition of land for 'development':

I had [a look at the] records showing [criminal] cases had been filed against more than 5000 people who were protesting against forceful land acquisition. Even two cases are filed against me especially in this protest. This is how they are suppressing the dissent

voice. Now we openly see government, especially CM [Chief Minister], saying that people who are opposing the development we will put them in jail. Openly he is speaking in public places (Adivasi Interviewee 3 2017).

By challenging the state's development rhetoric, the Pathalgadi movement is uniting the Adivasis to a single cause. The importance of unity for the success of movements is discussed next.

### 6.6 Strength in numbers

The Adivasi population in Jharkhand constitutes roughly 26.3 per cent broken down into 32 politically recognised groups, referred to as 'Scheduled Tribes' in the Indian Constitution (Kumar 2018; Shah 2007a). These groups are at different stages of development and educational levels due to varying levels of exposure, or resistance, to the outside world (Béteille 1992). This diversity though has not added to their strength, and instead it has damaged their collective voice and identity as there is much infighting between the Adivasis in Jharkhand (Gautam 2016; Kumar & Panda 2018). They are divided on social, political and religious fronts leading to divisive and fragmented politics that is not helping their cause (Xaxa 2017; Yadav 2015). The Adivasi leaders face an enormous challenge to smoothen these differences because these differences and their disunity is exploited by the state for their gain (Ghosh 1993).

The importance of unity cannot be underestimated because the Adivasis for long have relied on movements to get their voices heard (Mullick 1993; Muṇḍā 2003; Singh 2004). These movements are the reason Adivasis have laws to protect their welfare: '2013 Land Acquisition Act came about because of people's movements around the country' (Adivasi Interviewee 2 2017). Despite these laws, the plight of the Adivasis has not changed, therefore the Adivasis



put greater faith in resistance movements and do not trust the legal system (Damodaran 2002). This point was stressed by an Adivasi, 'people have faith in movements rather than going to judiciary' (Adivasi Interviewee 2 2017).

The unity of the Adivasis though has been shown to be transitory, strong in phases such as Jharkhand Movement and Pathalgadi (Prakash 2001; Roy 2000) and weak at other times (Xaxa 2017). While the Adivasis claim they are ethnically the same (Kumar & Panda 2018), they have a rigid caste structure (Sarkar 1979) that has shown to be a 'death to the movement' (Singh 1974, p. 54). Religion has also been a major dividing factor among the Adivasis, especially between the Christian and Sarna Adivasis (non-Christian Adivasis), who are in open hostility with each other as the Sarna Adivasis are strongly of the opinion that the church is conspiring against them to eradicate their community, religion and culture (Ekka 2011). These divisions are directly the result of the Adivasis assimilating with the outsiders at varying degrees (Béteille 1992). This point was raised by a bureaucrat who stated that development through integration is not only displacing the Adivasis from their land, but from their culture and religion also:

I have census record, at one point of time, in the early 20th century, the incidence of tribal writing their religion as tribal religion would be over 90 per cent, but gradually over the decades, if you look at the census now in 2011, you will see that around 37-38 per cent tribals have written Hindu as their religion and about 18-19 per cent have written Christianity. So, you see culture, religion, language, power structure, their way of life is getting displaced (Jharkhand Bureaucrat Interviewee 7 2018).

This division is a problem for the Adivasis' agenda of alternative development. The force of a united front is important when fighting the state's development agenda (Munda 2004). Two

successful examples of resistance stood out for all the Adivasis interviewed – first, the resistance against the acquisition of land in Koel-Karo for the construction of a dam; and second, the resistance against the acquisition of land in Netrahat for setting up a military base. Speaking of the people’s victory against the Koel-Karo dam, one of the CSOs that worked closely with the Adivasis said:

In 2010, the entire project was shelved through a cabinet decision. That was a sort of victory to [the] people, that they could say no to mega projects. [We won] because of sheer determination of the people. [We are happy] because 95 per cent of the population being displaced would [have] been tribal population. As well as, ecological damages that would take place. This is one instance where we felt that there is a clear outcome of people’s struggle. It was a victory for the people in asserting their rights (CSO Interviewee 1 2018).

A similar victory was won at Netrahat: ‘people rose up and we all expressed support and said, “no question of having a field firing range”, which would mean 245 villages would have to be vacated. People succeeded’ (CSO Interviewee 7 2018). These interviewees stated that the government tried to break their unity by bribing a few members of the community but were unsuccessful in doing so, ‘they tried to buy them off to convince them, but people did not agree. People did not budge’ (CSO Interviewee 1 2018). Bribery and deceit are common approaches the state employs to break the unity of the Adivasis (Bhattacharya *et al.* 2017; Lahiri-Dutt *et al.* 2012; Shah 2007a). In the eyes of the state, success stories of Koel-Karo and Netrahat gives hope to the alternative that they can oppose mega projects through unity (Ghosh 2006b).

However, remaining united is a major struggle for the Adivasis (Gautam 2016; Kumar & Panda 2018; Yadav 2015). Divisions emerge when discussing development projects as some fractions of the Adivasi population support them: ‘without industry my kids would have no job, no life’ (Adivasi Interviewee 7 2017), while others do not: ‘we resisted for five to seven years before we gave up our land’ (Adivasi Interviewee 9 2017). The state promotes its pro-development narrative that positions older Adivasi people as ‘backward’, driving a wedge between them and their youth, as one politician argued, ‘youth today don’t want to do agriculture anymore’ (Jharkhand Politician Interviewee 3 2018; Chandra 2013; Chatterjee 2017).

It is for this reason also that the Adivasis realise that their victories are only short-lived because the government has historically shown to always devise a new ploy to acquire the land (Chandra 2013a; Kumar 2018; Upadhyaya 2011). Going back to the Netrahat example, this point was stressed by a CSO: ‘problem is not yet over, it is just on hold for now. Anytime the government will come back’ (Adivasi Interviewee 1 2018). The story of Netrahat eventually played into the hands of the government: ‘virtually for 10 years [the] army was not able to come to Netrahat. However, between 1993-2004, the government tried to forcefully occupy, change laws and acquire the land. To a large extent, lands have been acquired in Netrahat area [now]’ (CSO Interviewee 1 2018). Even the communities that successfully resisted the Koel-Karo dam live in constant fear that the state will return one day: ‘[we are] always living in alert, even in places like Koel-Karo, the government can come back any day’ (Adivasi Interviewee 2 2017). The almost relentless nature of the state makes the Adivasis wonder if they will ever experience victory as one of the CSOs explained: ‘we are also getting old fighting for the same cause for so many years and we are getting frustrated’ (CSO Interviewee 6 2017).

The Adivasis pray that one day their struggles come to fruition. They say, 'we are hoping some human sense will prevail' (CSO Interviewee 7 2018).

Successful examples, albeit temporarily, such as Koel-Karo and Netrahat, can fuel Adivasi movements. Word of such success stories are not seen kindly by the state (Ghosh 2006b). To counteract such movements the state controls information dissemination. This is the reason successful examples such as Koel-Karo or Netrahat have 'received little media attention' (Ghosh 2006b, p. 502), and instead everyone talks of examples like Narmada Bachao Andolan<sup>33</sup>, where even though the resistance movement received international coverage their efforts were futile:

Everybody knows about Narmada Bachao Andolan, Medha Patkar, big coverage. She won an award like Nobel Prize for social work. But it never did save the Narmada valley. People got drowned. No compensation, no relocation, no rehabilitation. And the dam got built also, [so] no *bachao*<sup>34</sup>. [While] the people in that area [Koel-Karo] didn't let that dam get built. Have you ever heard of anybody's name from there? Have you ever heard of any lawyers who have fought cases? (Adivasi Interviewee 10 2018).

By disseminating resistance stories that have not succeeded, the state destroys hope of successful resistance movements, thereby breaking the unity of the Adivasis. Similar power of information dissemination was witnessed again during the 2017 Momentum Jharkhand Investors Summit, when industrialists from around the world flew to Ranchi, the capital city of Jharkhand, to study the investment potential of Jharkhand (CSO Interviewee 7 2018). According to a CSO, during the 2017 Momentum Jharkhand, the Jharkhand government

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<sup>33</sup> Social movement in India against the construction of large dams across the Narmada River, in Gujarat

<sup>34</sup> Translated: *Bachao* is a Hindi word meaning protect or defend.

prevented protestors from rallying on the streets so the investors would leave with the impression that they would face no resistance to mine or industrialise in Jharkhand: ‘we were not allowed to come out and protest as that would give a bad impression to the industrialists. So, we were all kept away’ (CSO Interviewee 7 2018).

Such moves by the state furthers the sense of futility among the Adivasis who question if their efforts are worthwhile. A CSO interviewee who fought against this top-down model of progress stated in defeat that the Adivasis have a long battle ahead of them, ‘the post-colonial state is much more cruel and crafty as compared to its colonial counterpart’ (CSO Interviewee 6 2017). The irony of India being a democratic state is that democracy is an illusion, it is a right that exists as long as it does not oppose the state (Shah 2007b). As numerous interviewees have stated, the price of freedom of speech and the right to livelihood is imprisonment (Adivasi Interviewee 2 2017; Adivasi Interviewee 3 2017). Sharing this sentiment, but sounding defeated in the process an interviewee stated: ‘that’s the phase of democracy we are seeing now’ (Adivasi Interviewee 2 2017).

## 6.7 Conclusion

In this chapter, I began my analysis by studying the constitutional label of ‘Scheduled Tribes’ and the claim by the Indian government that there are no indigenous communities in India (Damodaran 2002; Sengupta 2004; Shah 2007a). I highlighted that the term ‘Scheduled Tribe’ is a strategic ploy by the Indian government because in the Constitution the term ‘Scheduled Tribe’ has no clear definition, leaving the criterion for inclusion and exclusion open to interpretation by the government officials. With no clear criteria, confusions arise over the politics of inclusion as identical Adivasi communities get politically recognised as ‘Scheduled Tribe’ in one state, while not in the other – an example of this was the Gaddi tribe which got

politically recognised in the Chamba region of Haryana state, but not in the Kangra region of Punjab state (Ambagudia 2011; Kapila 2008). The vagueness of the criteria for inclusion leaves the Adivasis in a vulnerable position as they live in uncertainty over their political identity.

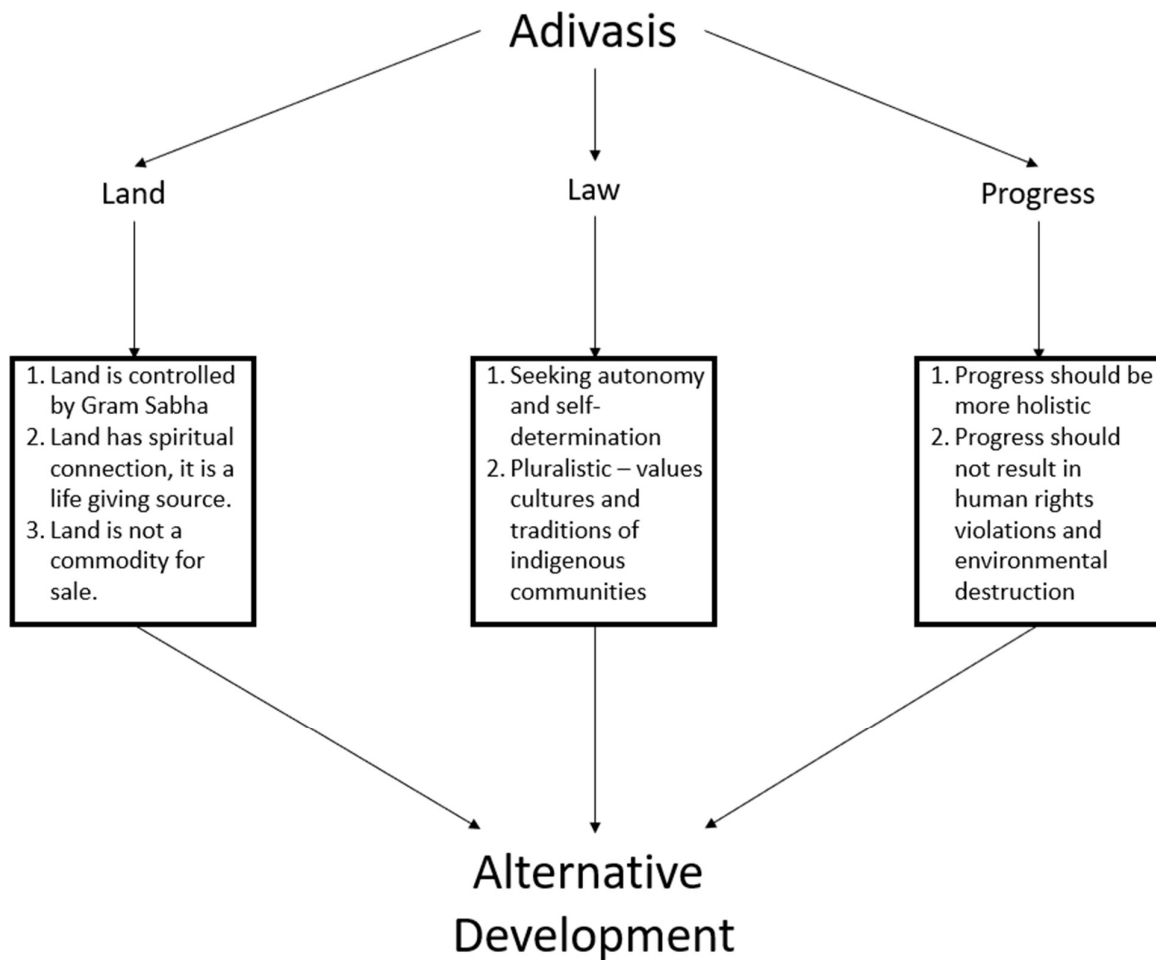
The Adivasis question the top-down model of development that treats them as 'flora and fauna' and subjugates them to mass displacements to meet the state's interests. They argue that development should be more inclusive by taking the project-affected communities into consideration because existing public purpose projects are used to fuel the profits of the corporations (Areeparampil 1996; Shah 2009; Stuligross 2008). Furthering the frustration for the Adivasis is the lack of intent shown by the Jharkhand government to implement the laws that many Adivasis gave their lives for (Rath 2006; Upadhyay 2004). After losing trust in the legal system, the Adivasis realised that their only hope for an alternative development model is through political movements and forcing the agenda.

In 2017, the Adivasis of Jharkhand began taking assertive action by imposing their legal rights and their legal authority through the Pathalgadi movement. The Pathalgadi movement challenged the government's authority in the developmental debates of the Adivasis. By legitimising their resistance with the use of the Indian Constitution, the Adivasis took the battle to the government by suggesting that entering their villages was unlawful. The Pathalgadi movement highlights the sensitivity of the politics of development as the laws of the state collide with the laws of the Adivasis. This parallel system of governance has created a rift between the two actor groups as the Adivasis distrust the government and their agenda of development (Adivasi Interviewee 5 2018). To disassociate themselves further from the government, the Adivasis opened their own bank, established their own school, developed a syllabus that furthers their cultural and traditional studies, built their own armed security

forces, and issued their own Tribal Identity Card through the Gram Sabha (Carrin 2013; Chandra 2014; Sen & Teitelbaum 2010).

These actions by the Adivasis may appear drastic, but when one considers that the Adivasis have suffered the most through development-induced displacement and constantly lived in uncertainty over their rights, such steps only seem rational (Roy 2013). The Adivasis for long have been subjugated to the top-down ideology of development. They have lived in the shadows of developmental debates as their voices have been ignored and neglected by the ruling class of the state. They faced countless atrocities and social injustices in the name of 'development'. Despite being turned into a minority in Jharkhand, the Adivasis continue to mobilise their resources and constantly resist the authority of the government, and its development agenda (Chandra 2014; Sen & Teitelbaum 2010; Shah 2013c). They question the model of growth that only values economic growth and does not give consideration to human and environmental wellbeing (Adivasi Interviewee 3 2017; Adivasi Interviewee 5 2018). They argue that development should be holistic and not purely driven by GDP. According to the Adivasis, the government should stop falling prey to the western mindset of growth, and instead embrace a pluralistic model that values humans, traditions, cultures and the environment. By constantly dissociating themselves from the economic model of growth, the Adivasis clearly reflect the orthodoxy of alternative development (see Figure 6.3).

Figure 6.3: Orthodoxy of the Adivasis



Source: Author's construct

Having discussed each actor, the next, and the final, chapter brings this thesis to a close by revisiting the conflict in Jharkhand in light of the findings, answering the research questions presented in chapter one, highlighting the contribution to literature, and finally, the areas for further research.



## 7 Chapter Seven: Discussion and Conclusion

*The politics that has rendered Indians a minority in India will definitely reduce Jharkhandis to a minority in Jharkhand (Roy 2000, p. 3632).*

### 7.1 Introduction

This thesis began by setting the scene of conflict in the state of Jharkhand. In a state that is rich in Adivasi history and mineral reserves, Jharkhand became a hotbed of conflict over the notion of development. To put it simply, it became a conflict over the perceived ‘traditional’ and ‘modern’ pursuits of development by the Adivasi and the state respectively (Banerjee-Guha 2013). The politics of development became the contests over the idea(s) of development by different actors. In this respect, this thesis set out to develop a deeper understanding of the conflict in Jharkhand by identifying the inner orthodoxies reflected in the development debates of the key actors in Jharkhand – state, corporations and Adivasi. In specific, the research questions posed in chapter one included – *how do the key actors of Jharkhand conceptualise the questions of land, law and progress; what methods are employed by the individual actors to further their conceptualisation of land, law and progress; what do these debates say about their development orthodoxies; and what is the way forward for Jharkhand in the current climate of development conflict?* To answer these questions, I travelled to India to conduct semi-structured interviews and analysed official government and corporate reports. In this concluding chapter I summarise the findings of my research study and answer the research questions.

This chapter has ten sections. Section two focuses on the use of terminology such as ‘modern’ and ‘traditional’, and the impact it has on the communities. Sections three, four and five discuss the individual themes – land, law and progress – to answer the first research question of how the key actors in Jharkhand conceptualise these themes in the debates of

development. Section six answers the second research question of what methods are employed by each actor to further their conceptualisation of land, law and progress. Section seven answers the third research question of what orthodoxies are reflected in the debates of the key actors in Jharkhand. Section eight discusses the way forward for Jharkhand in the current climate of development conflict. Section nine highlights the contribution of this research study to the literature. Finally, section ten touches on the limitations of this research and the scope for further research.

## 7.2 Terminology, definitions and its consequences

This thesis set out to identify the developmental orthodoxies of the key actors in the state of Jharkhand. Each of the actors studied in this thesis – the state, the corporations, and the Adivasis – reflected a distinct ideology that is inclusive of their particular style as presented in the literature – the state aligns with the principles of state-led modernisation, the corporations lean on the ideology of neoliberalism, and the Adivasis stand for the theory of alternative development. These three schools of thought harbour vastly different perspectives on the questions of ‘development’ – including, how should development be defined, what should progress look like, how should land be perceived, how should societies be governed, and how should the laws be designed (Banerjee-Guha 2013; Mohanty 2018b). These debates, though ideological in nature, have real impact on the ground (Areeparampil 1996; Basu 2012; Corbridge 2002). One way of studying these impacts is by analysing the terminology used in defining concepts (Ambagudia 2011; Chandra 2013b).

The use of a term to describe a group or an actor plays a vital role in the treatment and the governance of that group or an actor (Basu 2012; Damodaran 2002). For example, the term ‘Adivasi’ signifies the indigeneity of a community while the term ‘Scheduled Tribe’ refers to

the perceived 'backwardness' of the same communities. The treatment and governance of these communities differ vastly when referred to as 'Scheduled Tribe' in comparison to 'Adivasi'. As per the Indian Constitution these communities are not 'Adivasi', that is to say they are not indigenous, and instead they are deemed 'Scheduled Tribe', a reference to their 'backward' traits in the eyes of the state that needs to be eradicated. Even the term 'backward' is rooted in the debates of economic growth that considers anything that does not comply with 'modern' practices of maximum output through technology and innovation as 'backward' (Eswarappa 2015; McDowell 2012). Similarly, the notion of 'modern' should also be questioned because 'modern' is a western idea that considers the western world as 'modern' while the rest of the world is catching up to them (Martinussen 1997; Peet & Hartwick 2009).

These terminologies create hierarchies by labelling the western countries as 'developed' and the other countries as 'underdeveloped' or 'developing'. In section 2.3.3, I noted that the term 'underdeveloped' was popularised by American President Harry Truman's in his 1949 inaugural speech to enforce the notion of America as the model of 'modernity' (Sachs 1992). This idea was challenged by Smith (2003) who stated that, no country is 'developed' as all countries are 'developing', even the countries that are considered to be 'developed' are constantly developing. However, it is the usage of the term that defines the context and sets precedence for the treatment and governance that follows. Even though the terms; 'mainstream', 'modern', 'underdeveloped', 'third-world' and 'backward' are western influenced (Escobar 2018; Sachs 1992), their usage has spread across the globe with non-western countries modelling to the 'mainstream' of the western world and demeaning the subaltern groups as 'backward' (Bauer 1981; Brohman 1995; Smith 2003).

In the same vein, the term 'development' needs to be critically analysed. The term development in contemporary sense is predominantly framed around economic growth that is measured by GDP (Martinussen 1997; Peet & Hartwick 2009; Smith 2003). Many authors have argued that this definition of development ignores many social, environmental, cultural factors that accounts for the overall development (Bhaduri 2008; Borras & Franco 2013; Hall 2013; Isbister 2003). It has been cited that rising GDP figures have not succeeded in improving the social aspects of growth, and instead resulted in greater inequalities (Bhaduri 2005; Meher 2009). Take the example of America, which the modernisation and neoliberal theorists argue as the epitome of the 'modern' way (Bloom 2017; Bockman 2013; Brohman 1995; George 1999; Harvey 2007; Palley 2005; Springer *et al.* 2016) has substantial disparities between the rich and the poor (Daly & Valletta 2000; Danziger & Gottschalk 1995; Ryscavage 2015; Svizzero & Tisdell 2002). India is no different: 'although India has a very impressive economic growth record over the past two decades, it does not have the same achievements in implementing social policies that could reduce poverty, income insecurity and income inequality' (Jhabvala and Standing 2010, p. 1).

Therefore, many scholars have questioned if this uneven growth model, where a small percentage of the citizens are responsible for the rising GDP of a state while the majority are still stuck in poverty, can be referred to as 'development' (Martinussen 1997; Peet & Hartwick 2009; Smith 2003). One thing is certain, the promise of trickle-down effect and redistributive growth in the economic driven model of progress does not work in practice (Bhaduri 2005; Meher 2009). The Indian government official who stated in his interview that 'greed is the second nature of man' was on point with his analysis (Indian Bureaucrat Interviewee 3 2018). Anand (1977) stated: 'the idea of possession has become so deep rooted in man that in this

mad race, the real man, the real soul, is completely forgotten and neglected... and subjected to [the] greatest violence man has ever known' (p.5).

It is the definition that drives action and it is this definition of 'development' that is driven by economic growth at the centre, that is resulting in a skewed perception of progress and growth. It is this dominant idea that is subjugating communities and countries with terms like 'backward', 'underdeveloped' and 'third-world'. Therefore, some countries have questioned this model of development by opting for a model that values human happiness and wellbeing of its citizens. An example of this is Bhutan, where the government measures the Gross National Happiness (GNH). While Bhutan still measures GDP figures it gives higher precedence to GNH of its citizens (Gupta & Agrawal 2017; Ura *et al.* 2012). The importance of Bhutan's GNH model and measuring social variables such as human wellbeing and happiness was stressed by the United Nations General Assembly in 2011 in a Resolution labelled 'Happiness: towards a holistic approach to development' (UN General Assembly 2011).

This is not to suggest that economic growth is bad per se; it is an important aspect of progress that does have its place in the development narrative, however efforts should be made to make development more holistic (Martinussen 1997; Peet & Hartwick 2009; Smith 2003). Bhutan's GNH model was not the first to tackle this problem. Scholars had made the case for Basic Needs, Human Development, Post-Development and Sustainable Development as alternatives to measure social and environmental factors besides GDP (Escobar 1992; Sachs 2015; Sen 1999). While there is no perfect model of development, as evidenced by the volumes of research into developmental theories (Martinussen 1997; Peet & Hartwick 2009; Smith 2003), I argue like many before me that 'blind faith' in GDP as a metric for progress and growth should be questioned (Banerjee-Guha 2013, p. 168). This is not to suggest that once

the terminologies are redefined the matter will be resolved, because there is still the question of intent of the dominant ruling class of the society. This was visible in Jharkhand, where there are many laws to protect the Adivasis, yet the Adivasis get displaced because the state favoured industrialisation over agriculture. In the words of a CSO: 'in India we have a state that does not follow the rule of the law' (CSO Interviewee 8 2018).

Therefore, I argue that as researchers we should be careful with the usage of terminology. We should break existing cycles that denigrates societies based on dominant perception. We need to accept that terminologies have consequences. I am not the first to suggest this (Basu 2012; Chandra 2013b; Damodaran 2002), yet due to impact on societies I (re)stress the importance of it. Labelling one approach as 'modern' or 'mainstream' is the reason why the indigenous communities, including the Adivasis of Jharkhand, are being forced around the world to absorb the western ideals of progress. The distinctions of 'mainstream' and 'modern' are not so black and white, as each actor argues that their opinion is 'mainstream'. In this thesis, I have been careful with my usage of the term 'mainstream', 'modern' and 'backward' as these terms consider the dominant path as the right path while neglecting and ignoring the alternative paths. This point was highlighted by an Adivasi interviewee: '[by] mainstreaming you mean they [Adivasis] are being put into the 21<sup>st</sup> century modern concept? But if you go to the other side of the river, they [Adivasis] may say their stream is the mainstream. That is what indigenous people are saying all over the world. This is a very controversial question' (Adivasi Interviewee 10 2018).

### 7.3 The question of land

The politics of development is a power struggle where each actor fights for dominance by using the leverage they have to shift the power of balance in their favour to protect their

interests and ensure their survivability. Throughout this thesis I discussed various methods employed by the state to acquire land from the Adivasis – from favouring industrialisation over agriculture, building land banks, promising a brighter future, amending laws designed to protect the Adivasis, suppressing dissent voices by labelling them as Naxalites, and arresting them for opposing development. The manner in which the state went about its business questioned the very nature of democracy. While economic growth was a reason for the state to employ such methods, the other reason, and arguably a greater reason, for the state to acquire land was to reduce the leverage of the Adivasis. Echeverri-Gent (1992) explained that dependence is determined by the extent a resource is critical to the performance and survival of the state. If important resources are concentrated and controlled by a few actors, the state tends to become dependent on those actors to acquire those resources. As the state identified the resources required for economic growth situated in Adivasi populated areas of Jharkhand, the state undertook a mixed development approach that on-paper seemed to balance economic development with matters of social justice; while in reality, this balancing act was more precariously fine-tuned to continue economic development by continuing the social injustices as long as it did not attract international attention. This was explicitly visible in the state of Jharkhand.

In Jharkhand, where land is central to state's development agenda, the Adivasis gain leverage over the political system by using land as a leverage to negotiate for policy incentives (Prakash 2001). Locke did state that land ownership is a requirement for citizenship (Baka 2013). The politics of inclusion and exclusion in India is all about recognition, citizenship and rights. In his book, *Jharkhand: Politics of development and identity*, Prakash (2001) discussed the importance of being politically recognised as 'Scheduled Tribe', what he referred to as ethnic

identity. The Adivasi communities that are politically recognised as ‘Scheduled Tribes’ get protected by law from dispossession. Therefore, the Adivasis use the leverage of land to gain ethnic identity (Prakash 2001). If the resources controlled by an actor are paramount to the survival of the state, then the state tends to be accommodative and weak (Echeverri-Gent 1992). This accommodative behaviour of the state is also visible in the form of laws that protect the interests of the Adivasis (Ananth & Kalaivanan 2017; Dandekar & Choudhury 2010; Patnaik 2007b). Therefore, by removing the leverage of land from the hands of the Adivasis through the creation of land banks, the state seeks to maintain greater control of land; consequently, continue economic development unhindered by attracting private investments in the state of Jharkhand.

The first part of the first major research question dealt with the conceptualisation of land by the key actors in Jharkhand. To the state, land is a national asset, it belongs to the state and not to any individual (Jharkhand Politician Interviewee 3 2018). The government officials that were interviewed clearly articulated how land fell under the state’s nationalist duty to ensure it was used effectively so its benefits were shared by all. This nationalist responsibility the state bestowed upon itself was discussed in chapter three – where the Drafting Committee of the Indian Constitution agreed that the national interest would always be given the highest priority<sup>35</sup>. The national interest of India clearly aligned itself with the western growth model, thereby putting the Adivasis in a controversial position that labelled them as anti-national and ‘terrorists’ for opposing the state’s development agenda (Corbridge 2002; Guha 2007; Shah 2007b; Sundar 2005a). Thus, in the name of national interest, the government utilised the

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<sup>35</sup> Brajeshwar Prasad, *Supra* note 11, at 29.



power of eminent domain to bypass the laws and acquire the land under the guise of public purpose projects.

Meanwhile, the corporate representatives contend that land is merely an asset, a commodity that should be available on the market for purchase (Corporate Interviewee 3 2018; Corporate Interviewee 6 2018). However, in the state of Jharkhand where land in Scheduled Areas is non-transferrable to non-Adivasis, and under the jurisdiction of the Gram Sabha, the corporations make the case for the state to acquire land from the Adivasis and lease it to them. They argue that the state should facilitate land deals as the carriers of development through the creation of land banks.

Challenging this rhetoric are the Adivasis who argue that land is not an asset or a commodity that is for sale, but a sacred life-giving source that one should respect (Adivasi Interviewee 5 2018). For the Adivasis, development should be holistic, it should not be driven by profits through the exploitation of humans and the environment (Ananth & Kalaivanan 2017; Upadhyay 2004). Therefore, the Adivasis seek political autonomy and self-determination to govern and rule their land according to their customs and traditions. This contradiction between the Adivasis and the dominant ruling elite class result in fierce conflicts, as they battle each other over the access to natural resources because as Pfeffer and Salancik (1978) said, the 'key to survival is the ability to acquire and maintain resources' (p. 2).

#### 7.4 Law, a political battlefield

The second part of the first major research question focused on framing the law to conceptualise land and progress in the debates of development. While the Adivasis use the mineral resources in Scheduled Areas as a leverage to force the state to design laws that protect their interests, the corporations also counter with powerful resources that influence

the state policies. The corporations, as discussed in chapter five, wield huge economic power by playing a key role alongside the state in the pursuit of economic growth by controlling jobs, prices, technology and the economic security of the citizens (Chubb 1983; Echeverri-Gent 1992; Lindblom 1977). It is this power of the corporations to influence the policies of the state that turned the corporations into the most dominant player in the state polity since the onset of neoliberalism and the government officials in Jharkhand labelling it an era of ‘corporate governance’ (Jharkhand Politician Interviewee 4 2018; Bardhan [1984] 1998; Nielsen and Nilsen 2017). This is not to suggest that the state does not hold any powerful resources. The state controls many goods and services that are in great demand, namely credit, subsidies, licenses, public sector employment, designing and implementing regulations, creating and operating of infrastructure (Levi 1988). ‘The state’s economic resources can determine the fate of entire industries’ (Echeverri-Gent 1992, p. 350). Furthermore, the state wields huge political resources ranging from exercising legal sanctions to mobilising political support in designing and implementing policies (Goggin 1990; Levien 2017).

A law is a legal framework that gives validity to an action. It is for this reason that every actor aims to have the law on their side, so their actions are lawful. However, despite the laws, the state still must display the intent to implement them. Chapter six discussed how the state designed laws to protect the interests of the Adivasis to subdue uprisings but did not implement them, making the Adivasis question if the laws are a ‘façade’ (CSO Interviewee 7 2018). There is also the question of terminology used in the laws – such ‘consult’ instead of ‘consent’ (Upadhyay 2004); ‘Scheduled Tribe’ instead of ‘Adivasi’ (Ambagudia 2011; Basu 2012); and labelling any protestors of the state’s development agenda as Naxalites and ‘terrorists’ (Shah 2006; Shah & Pettigrew 2009) – that make the laws ineffective. In addition

to the above, the laws are vague in defining the terms such as ‘public purpose’, ‘Fifth and Sixth Schedule’ states, and ‘Scheduled Tribes’. The vagueness in terminology adds further complexity in interpreting the law – I already highlighted how identical communities were politically recognised as ‘Scheduled Tribe’ in one state while not in another state, or how land was acquired from the Adivasis and leased to the corporations under the guise of public purpose projects. Such inefficiencies in the law further the argument that the laws are designed with the intent to pacify resistance movements and not with the intent to implement them and give power or autonomy to the Adivasis (Government of India 2002; Xaxa 2001). According to Levien (2017), the state has consistently shown to amend the law to suit its purpose.

The corporations too have leveraged their power to influence the state policies. Discussed in chapter five, the corporate alliance known as India Inc. was instrumental in bringing the Modi government to power that eventually led to the state governments, including the Jharkhand government, to dilute the 2013 Land Acquisition Act by exempting the provision of consent and SIA (Bhakta 2017; Saxena 2015; Verma 2015). Furthermore, as the clause of eminent domain can only be used for public purpose projects, corporations advocated for the creation of land banks to acquire land from the Adivasis by falsely claiming it was for public purpose projects. This position was expressed by a corporate representative interviewee:

What we [industry representatives] propagated strongly [was] that states should really acquire land. Don’t acquire land for company, acquire land for a bank – what we call land bank. You acquire land as land banking corporation or something and you say ‘this land I have acquired for industrial purposes’ and keep giving it [to companies]. But don’t

acquire for a company, which is where controversies were coming (Corporate Interviewee 6 2018).

This move by the state to bypass the laws and acquiring land for the corporations adds more weight to the Adivasis argument that the laws are a façade; and that the intent of the state bureaucracy works when needing to acquire land but not when needing to protect the rights of the Adivasis (CSO Interviewee 2 2017). This position was corroborated by a senior Jharkhand government official who explained that corruption and illegal practices remained in the state of Jharkhand as Adivasi land was acquired despite the laws: ‘illegally everything is going on’ (Jharkhand Politician Interviewee 4 2018). Corruption within the Jharkhand government is not a farfetched claim when one considers the former Chief Minister of Jharkhand, Madhu Koda, who was imprisoned due to illegal transfer of Adivasi land to mining companies (Kaler 2018). Unfortunately, Jharkhand is not the only state in India that has been accused of accepting bribes and illegally transferring land for mining purposes. In her study, Kaler (2018) identified many government officials holding different positions in different states of India that have been involved in various criminal activities during power, in what she called the ‘criminalisation of politics’.

In the end, the state is not a neutral actor (Adnan 2017; Ahluwalia 1998; Banerjee 2017; Byres 1993), despite it claiming to play the neutral role in balancing everyone’s interest (Ramesh & Khan 2015). The state frames the development narrative of India as one that balances economic development with social justice, but the Adivasis do not see this balancing act playing out. The Adivasis are stuck in a complicated position where if they remain united against the state apparatus, they risk being falsely charged as ‘terrorists’ and put in prison (Antony *et al.* 2016), alternatively if they choose to give up their land they are forced to learn

to survive as they lack the skills required to fill the jobs being created by the new industries. With the state twisting the laws to favour its interests, the Adivasis have lost trust in the legal system; and instead they resort to political movements, despite the potential repercussions – and this is exactly what is being experienced in the state of Jharkhand (CSO Interviewee 8 2018; Damodaran 2002).

### 7.5 The debates on progress

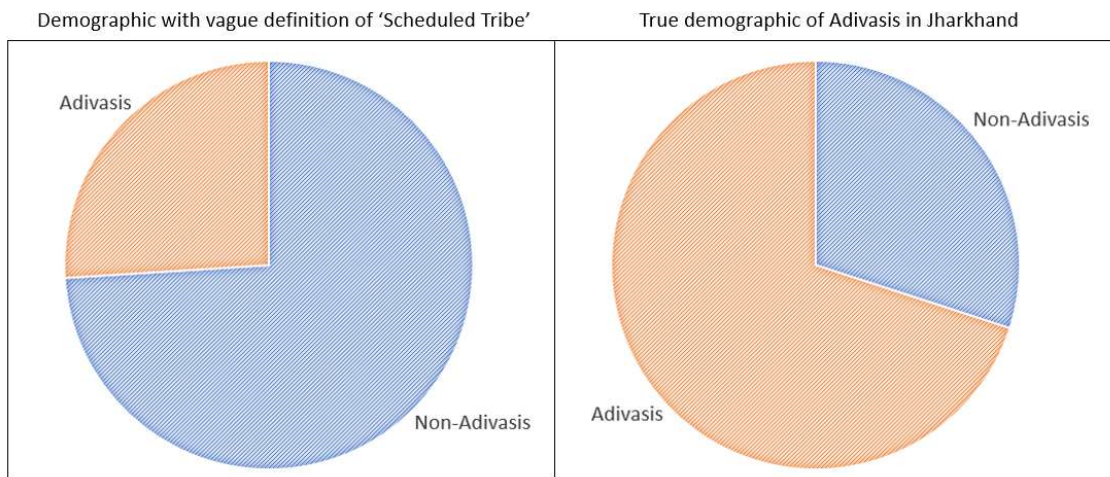
The final part of the first major research question related to the notion of progress conceptualised by the key actors in Jharkhand. The question of progress can be studied from various angles – GDP, HDI, SDG, Basic Needs (Denton 1990; Sachs 2015; Sen 1999). To examine progress across all aspects of growth was clearly beyond the scope of this thesis, so the focus narrowed the study to the state's role of transforming the Adivasi societies to 'modern' in India's pursuit of meeting its GDP targets. This included the state framing the Adivasis as 'backward' (Dungdung 2015) and the methods employed by the state to eradicate their perceived 'backwardness' to bring them into the western idea of 'mainstream'. Therefore, further research needs to be conducted to study the other aspects of progress to develop a deeper understanding of how each of them impacts the conflict in Jharkhand.

It is clear from chapters four and five that progress in the eyes of the dominant elite class of Jharkhand involved replicating the western practices of progress and growth (Sabar 2017; Sahoo 2014). This notion of progress is caught in the trap of quantifying data – thereby focused on economic growth because it is easily quantifiable (Martinussen 1997; Peet & Hartwick 2009). The irony of quantifying this economic growth model that transforms 'traditional' societies into 'modern' is that one day on paper Jharkhand may show that the so-called 'backward' communities have been eradicated, while in reality the Adivasi

communities who challenge the top-down model of development will continue to exist. On paper, Jharkhand would look 'modern' but the conflict resulting from this prejudice will persist. Ekka (2000) stressed this point when he identified that the census data misrepresented the Adivasi population of Jharkhand at 26.3 per cent – that is to say in the eyes of the Jharkhand government there is only 26.3 per cent of 'backward' communities to eradicate in Jharkhand (Kumar 2018; Shah 2007a). According to his research though, many Adivasi groups were not politically recognised as 'Scheduled Tribes'; therefore, while the census report claimed Adivasis represented on 26.3 per cent, the ground reality was that the Adivasis constituted over 60 per cent of Jharkhand population (Ekka 2000).

It is important to note that it is not because the rest of the Adivasis are educated or 'modern' in the eyes of the state that they are not recognised as 'Scheduled Tribes'. Jharkhand is currently a Fifth Scheduled state; and the inclusion of every Adivasis communities would result in the Adivasi demographic in Jharkhand to be over '60 per cent' (Ekka 2000, p. 4612), making Adivasis the majority in Jharkhand. As the Indian Constitution defines Fifth and Sixth Scheduled state with a vague criterion of medium and high preponderance of Adivasis respectively, 60 per cent clearly falls into the category of high Adivasi demographic – see Figure 7.1. Therefore, despite the vague definition of Fifth and Sixth Scheduled state, the manipulation of Adivasi demographics in Jharkhand clearly indicates the Jharkhand government's intent to squash any inclination of a debate to convert Jharkhand into a Sixth Schedule state.

Figure 7.1: Perceived versus true demographic of Adivasis in Jharkhand



Source: Author's construct

While the census report does not report more than half of the Adivasi population in Jharkhand, their presence is still felt during protests and rallies. This point was clearly articulated by an Adivasi interviewee:

The whole point is by definition if anything is missing [if the Adivasis do not meet the criteria of 'Scheduled Tribes'] they will try to reduce the numbers of tribals. Reducing [the numbers] means, becoming a minority. And more reducing is, becoming more minority. And then, one day will come when the tribal people will be there, but in census their number will be so reduced that they will be shown as an extinct community. If something is shown as extinct on record, on paper, [then] the land can be grabbed. And we see that happening. The whole agenda of removing the indigenous people or making them fight against each other, it is all happening. And everything is well planned to grab the resources. Focal point is to grab the resources. Focal point is not about developing the indigenous people. Focus is to shift their identity from indigenous to non-

indigenous, which is so called “mainstream”. So, once they are converted, this place [land] is left blank for them to occupy (Adivasi Interviewee 5 2018).

While the quote is long, it answers many questions of how progress is conceptualised in Jharkhand. The state of Jharkhand is driven to be ‘modern’ and in the theory of state-led modernisation, the path to becoming ‘modern’ involves transforming the ‘traditional’ societies through the use of media, education, and industrial development – all strategies that were employed by the Jharkhand government (Jharkhand Politician Interviewee 4 2018; Jharkhand Bureaucrat Interviewee 7 2018). Where ‘modern’ signified technology and innovation (Petras 1981; Smith 2003), the Adivasis were labelled ‘backward’ for sticking with their ‘traditional’ ways and not pursuing profits despite sitting on mineral wealth. According to the western school of thought that sought economic growth, the pursuit of agriculture did not align with their ‘modern’ notion of development because the mineral wealth under their soil was not utilised to its full economic potential (Martinussen 1997; Peet & Hartwick 2009; Smith 2003). It is for this reason that the formation of Jharkhand did not result in the fruition of an Adivasi state but the continued exploitation under a new administration (Jharkhand Politician Interviewee 4 2018). The state of Jharkhand was ultimately a carbon copy of old practices as the state maintained a top-down model of governance that furthered the pursuit of progress as witnessed in the western world.

Moving onto the next actor, the corporations’ biases were similar, however following the neoliberal model of growth, they argued that the state should manage the social hurdles and facilitate market economies. By forming an alliance with the corporations, the state-corporate nexus ruthlessly pursued economic growth to capitalise on the material wealth not being utilised for economic purposes by the Adivasis (Lerche *et al.* 2013; Shah 2007a, 2009). The



state of Jharkhand released the Jharkhand Industrial Policy 2001 and the Jharkhand Vision Document 2010 to bring more industries into Jharkhand despite the laws in Jharkhand preventing it. The pursuit of industrialisation under the state-corporate nexus led to massive displacements as the Adivasis were being cornered from all angles – through detribalisation if they got educated and no longer considered ‘backward’ by the state, thereby making the laws not applicable (Ambagudia 2011; Basu 2012), or taking away their political power through gentrification.

However, importantly as noted by the above Adivasi interviewee, detribalisation does not mean the Adivasi communities disappear from the face of the earth (Adivasi Interviewee 5 2018), they just cease to exist on paper. Thereby, the conflict in Jharkhand will persist despite on paper the economic growth model of progress may one day show that Jharkhand is a ‘modern’ state. In light of this finding, I argue that unless the model of progress is more inclusive and participatory, the conflict in Jharkhand will continue (Adivasi Interviewee 3 2017; Adivasi Interviewee 5 2018). According to a CSO interviewee, the economic trajectory of progress will intensify the conflict in Jharkhand:

The agrarian question is being bypassed by the elites. But it cannot be bypassed... Unless you address the agrarian question you cannot have peace in the society. Violence is increasing in India today because of this reason... Agrarian question will be the next central question of struggle (CSO Interviewee 9 2018).

## 7.6 The collision of orthodoxies

The second research question focused on studying the methods employed by individual actors to further their conceptualisation of land, law and progress. Throughout this thesis, I exhibited evidence of power dynamics at play between the different actors to further their

particular ideology. Beginning with the state that portrayed a shrewd figure of deceit and deception by giving a false hope of protection to the Adivasis, whilst at the same time labelling them as ‘terrorists’ if they stood up against the state. The state employed various coercive strategies, such as education and media to change the mindset of the Adivasis so they thought and acted with the majority all the while framing the narrative as one that benefits the Adivasis; though in reality it worked to remove the roadblocks for state’s development agenda – leaving one interviewee to call this ‘the age of post-truth’ (CSO Interviewee 4 2018).

Then the corporations who used their position of power to influence the state politics and policies to further their neoliberal agenda. By playing an indispensable role in the national economic development and forming an alliance with the state, the corporations leveraged their position of influence to encourage the state to build land banks and facilitate land deals. Many government officials though questioned this path of globalisation as it shifted the power from the hands of the government to the international financial institutions, such as World Bank and IMF. Therefore, many nationalists within the government opposed the growing influence of the corporations stating: ‘slowly we are losing our originality... we are going to become victim of the corporate’ (Jharkhand Politician Interviewee 4 2018).

Finally, the Adivasis who despite experiencing countless atrocities continue to express and exert their influence on the state politics. Through staged rallies and united movements, the Adivasis constantly pushed against the dominant development rhetoric and forced a holistic growth model that favours economic growth model alongside human wellbeing and environmental conservation. These efforts results in various laws being enacted to restore the balance of power from the dominant parties to the Adivasis – namely the 1996 PESA Act, 2006 FRA Act and the 2013 Land Acquisition Act.

In response, the corporations attempted to tilt the power back into the hands of the dominant parties by forming Indian Inc. and bringing the Modi government to power. While many local state governments diluted the provisions of the laws, the narrative of development has changed. These laws, though not fully implemented, have left a marker in the development politics with the dominant parties becoming more wary of the growing power of the Adivasis. This was witnessed in the interviewees as the corporate representatives compelled the state to handle the social hurdles of land acquisition and the government cautiously tailored and manoeuvred its strategies to avoid an uprising and maintain their electoral votes (Corporate Interviewee 3 2018; D'Costa and Chakraborty 2017). According to a CSO interviewee the politics of development in India is in a 'new normal' where the power of the dominant parties and the use of eminent domain are curtailed: 'new government [Modi government] came into power and they tried to bring it back to normal. It is much harder to take away things once you have already given them. It is very difficult to do that' (CSO Interviewee 8 2018).

Despite the laws though, the Adivasis are not consulted when acquiring land in Jharkhand (Levien 2011). However, the importance of these laws for the Adivasis cannot be underestimated because for the first time the law is on their side, meaning despite not being consulted, the acquisition of land without their consent is unlawful and open to greater scrutiny, domestically and internationally: 'for the first time after Indian's independence, the landowners can ascertain their rights. They can even say no to the project if they are not happy with the compensation or R&R package' (CSO Interviewee 12 2017). One could argue how the law being on the side of the Adivasis or greater scrutiny of unlawful acquisition by the state would change the fate of the Adivasis as the judicial system has shown to take the side of the government (Kurup 2008). While the answer to this question is unclear it is

important to recognise that enacting the law is the first step to implementation. Without the law, the fate of the Adivasis would remain unchanged, hence many Adivasis claim the law is their weapon (Adivasi Interviewee 1 2018; Adivasi Interviewee 3 2017).

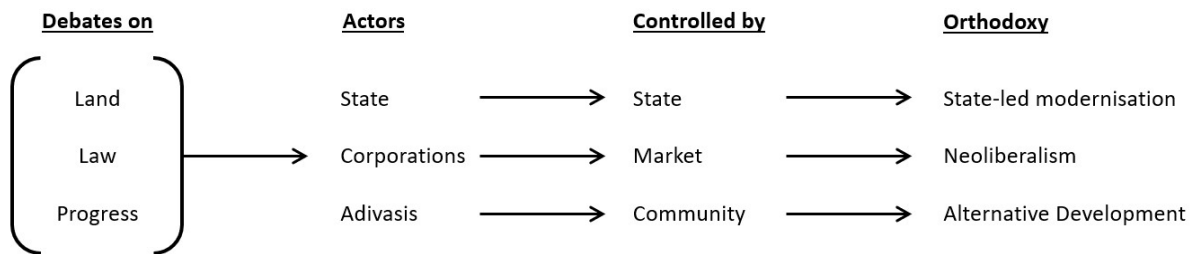
Furthermore, with growing critics against 'mainstream' development ideologies across the globe – not to mention the mounting concerns of climate change and global warming – the importance of rethinking capitalism is on the rise as the dominant development rhetoric is challenged by not only the indigenous communities but also senior scholars, CSOs and general public around the world. In the face of escalating tensions and a growing pool of opposition against the 'mainstream' model of development, the pressure on the state to maintain its credibility and legitimacy is rising. Therefore, this opens the opportunity for further research to study how the politics of development plays out, not only in Jharkhand, but around the world.

In the state of Jharkhand, the power dynamics between the three actors is captivating as each actor is dependent on the other for their survival. The state is reliant on the corporations' economic and technological resources, while the corporations pursuit of profit relies on the state to acquire the land from the Adivasis. Similarly, the survivability of the government in power relies on the electoral votes of the Adivasis, the general public and the corporate representatives, while all three rely on the state for the enactment and implementation of policies of protection. This interplay of interactions between these three key actors means that Jharkhand is constantly in flux as power relations collide with each other to out-do, maintain, and grow their dominance in the politics of development.

## 7.7 The final word on the orthodoxies

The third research question involved the identification of the orthodoxies reflected in the debates of the key players in Jharkhand. After careful analysis of primary and secondary data sources it is clear that the key actors of Jharkhand studied in chapters four, five and six held distinct ideological biases. The Jharkhand government officials aligned with the state-led modernisation developmental theory; the corporations aligned with the neoliberal developmental theory; and the Adivasis aligned with the alternative development theory (see Figure 7.2).

Figure 7.2: The orthodoxies reflected in the debates of the key actors



Source: Author's construct

It must be stressed that while these distinct orthodoxies have been identified for the key actors in Jharkhand, internal contradictions exist whereby not all members of a particular actor group aligns with their identified orthodoxies. These identified orthodoxies were the dominant ideologies that were apparent through the analysis of the interview data. For example, in chapter four, it was noted that some government officials in Jharkhand questioned the state's developmental trajectory: 'what kind of economics is working in converting the landlords into a landless labour. I am unable to understand how this kind of economics can improve the plight of the poor belonging to this community' (Jharkhand

Bureaucrat Interviewee 1 2017). However, whenever this interviewee voiced his disapproval of the state rhetoric, he mentioned that he was not speaking as a government official but rather as a social activist. The irony cannot go unmentioned – the government official advocates for the welfare of the Adivasis only in spirit, but not in actions. Even the Adivasis have competing views as some Adivasis fight for autonomy and self-rule (Adivasi Interviewee 9 2017), while others welcome state's policies of integration and assimilation (Adivasi Interviewee 7 2017).

These three actors are in constant power struggle with each other as the impact of the dominant ideology is experienced by all. Therefore, the three actors continually advocate their preferred philosophy, at times leading into violent conflicts as witnessed in Jharkhand. It must also be noted that the debates on the questions of land, law and progress are inextricably intertwined. Progress in the western notion requires land, thereby the law that favours the acquisition of land intimately relates to progress (Anseeuw & Taylor 2014; Arezki *et al.* 2011; Atkin *et al.* 2009; Zoomers 2010). Similarly, the importance of land in the Adivasis' struggle for recognition have also been highlighted in section 6.2. Therefore, the strain on the resources by every actor for their survival makes land central to all the conflict in Jharkhand (Areparampil 1996; Shah 2013a; Sharan 2005; Upadhya 2005).

Shah (2009) labelled the Adivasis of Jharkhand 'doubly marginalised' because they are some of the poorest people in the country and their fight for recognition as the indigenous population of India has been unfruitful (p. 297). I argue here that the Adivasis of Jharkhand, and the rest of India, are 'doubly marginalised' because they face the double force of two dominant players, the state and the corporations. Echeverri-Gent (1992) stated organisations may sometimes create allies to enhance their power. The state-corporate alliance, while they

harbour different ideological biases, pursues the same objective – to replicate the progress and growth model of the western world (Chandra 2015). They both are driven by economic growth and give great importance to GDP figures, arguing that foreign investment and ‘modern’ technology will have a trickle-down effect to alleviate poverty (Bockman 2013; Brohman 1995; McCarthy & Prudham 2004; Mirowski 2013; Palley 2005). This point of trickle-down effect was disproven in chapter six, as the path of state-led modernisation and neoliberalism have not succeeded in alleviating poverty in Jharkhand (Eswarappa 2017), leading to growing unrest in the Adivasi camp.

While the Maoist movements and Adivasi resistance against the state apparatus is growing, they do face an uphill battle. The unity of Adivasis requires a strong leader who will inspire and lead the fight against the *dikkus* (Adivasi Interviewee 2 2017). A leader is essential in uniting the Adivasis, so they have a collective voice and identity (Kumar & Panda 2018). However, the state has shown to be violent towards any aspiring leaders by suppressing dissent voices and labelling them as Naxalites and putting them in prison. The practice of labelling protestors as Naxalites is far too familiar to the Adivasis who have numerous criminal cases against their name (Adivasi Interviewee 3 2017). This form of accusation is not restricted only to the Adivasis, but any aspiring lawyers and CSOs who intend to fight the cause of the Adivasis (Adivasi Interviewee 2 2017; CSO Interviewee 1 2018).

In 2001, after the new state of Jharkhand was formed, Prakash (2001) ended his book *Jharkhand: Politics of development and identity* by stating:

The twentieth-eight state of the Indian Union – Jharkhand – is now a functioning reality and the question of political recognition of the Jharkhandi ethnic identity has been resolved. Whether this new political and administrative arrangement will significantly

alter the development profile of the new state is a question that will be answered in the coming years (Prakash 2001, p. 359).

Two decades later it can be said that the development profile in Jharkhand has not altered with the formation of Jharkhand state as the Jharkhand government continued the same practices under a new administration leading to greater inequalities, social injustices and environmental destruction (Sundar 2005b; Upadhya 2011). In 2009, Shah noted that the conflict in Jharkhand can end in two possible trajectories – continued rejection of the western model of growth and progress, or integration (Shah 2009). In 2020, the former is still valid as the conflict in Jharkhand is no closer to reaching an end. It will be interesting to watch in the decades to come how this conflict plays out.

### 7.8 The way forward for Jharkhand

The final research question sought to propose a way forward for Jharkhand in the current climate of development conflict. In a state rife with development conflict, the nature of development politics needs to be revisited as the dominant perception of development is incompatible in Jharkhand. The continued imposition of colonial practices in post-colonial setting has resulted in the assertion of land autonomy and land rights against dominant elite. The failure of Jharkhand to find a middle ground between economic growth and social justice is the result of power imbalances where the dominant parties take control of the development narrative and the subaltern parties are left out. This top-down approach of governance has time and again shown to not adequately meet the needs of the subaltern groups leading to a comparative advantage to the dominant groups (Kurup 2008; Levien 2011; Wahi & Bhatia 2018). Pouw and De Bruijne (2015) stated policies of social justice are an 'empty promise' if the subaltern groups are not involved in the process. Such failures of



mainstream model, pave way for alternative models with new visions and understanding of Adivasi development. One such suggested framework is collaborative governance. In the words of an Adivasi interviewee: 'it should be a collaboration, rather than authoritarian' (Adivasi Interviewee 5 2018). Collaborative governance is designed to bring public and private actors together and engage in consensus-oriented decision making. The term consensus oriented is intentionally used because striving towards consensus can result in discovering new areas of agreement:

In the typical adversarial or managerial process, non-state stakeholders are outside observers of the decision making. They may seek to lobby, pressure, or influence public agency decision makers, but it is the agency that is ultimately held responsible for policy outcomes. Collaborative governance shifts 'ownership' of decision making from the agency to the stakeholders acting collectively (Ansell and Gash 2008, p. 559).

This is not to suggest that collaborative governance is void of power imbalances. Many authors have stated the complexity of power imbalances in collaborative governance (Gray 1989; Short & Winter 1999; Tett *et al.* 2003; Warner 2006). In Jharkhand, where the power is vested in the hands of the dominant class, represented by the state-corporate alliance, the perception of the Adivasis needs to change. It is the portrayal of the Adivasis as 'backward' in the eyes of the dominant class that feeds the belief of paternalism within the state. For the collaborative governance to succeed the elite of the state need to move past this demeaning perception of the Adivasis as 'incapable of looking after themselves' and 'have nothing to contribute to the debate'. The Adivasis need to be welcomed with respect and their knowledge needs to be valued.

While consent is in the provisions of the laws, at present it appears to be more patronising and deceitful rather than genuinely wanting to understand and work together with the project-affected communities. Therefore, unless the state takes meaningful steps to rectify the damage done to the Adivasis and build trust with them, the efforts of collaboration will not succeed. This point was stressed by various authors – a prehistory of antagonism and the ‘us versus them’ dynamic is poisonous but can be resolved where there is a high degree of interdependence among the actors and positive steps are taken to rebuilt trust (Andranovich 1995; Gray 1989; Margerum 2002; Weber 2003).

Part of building trust with the Adivasis requires the state to implement laws enacted to protect the interests of the Adivasis; consult the Adivasis for their wealth of knowledge on progress and growth; educate the Adivasis to give them power in building an inclusive society, and not to eradicate their identity; and finally, lift the idea of ‘resource curse’ that subjugates the Adivasis because their ideology clashes with the dominant theories (Nathan & Dayal 2009). Various interviewees also suggested practices of benefit sharing and land pooling (CSO Interviewee 11 2017; Adivasi Interviewee 2 2017), where the Adivasis become shareholders in the development project:

Earlier, it used to be only compensation. Then it became compensation and R&R. Now, the time has come for the government to think about compensation, R&R and “something” – and that is benefit sharing. The traditional way of compensation and R&R is terribly outdated. They [the government] have to come out with innovated ways to win over the trust of the people and be more fair to them. Make them partners in the project rather than paying them pittance. Make them a shareholder so you don’t treat

them differently. Bridge the gap between “you and me”, so that we become “we” (CSO Interviewee 11 2017).

Furthermore, beyond building trust these discussions need to open a two-way channel instead of a unilateral imposition of ideals by the state onto the Adivasis. Unless the negotiations show reciprocity, the Adivasis will lose trust in these discussions and make it harder to build collaboration. An actor’s willingness to participate depends on their expectation of whether the process will yield meaningful results against the balance of time and energy that collaboration requires (Bradford 1998; Geoghegan & Renard 2002; Schneider *et al.* 2003; Warner 2006). More so because, the process of collaboration is time-intensive (Huxham & Vangen 2000; Yaffee & Wondolleck 2003), especially if there exists a prehistory of antagonism; which is why leadership is an essential element in bringing the actors to the table and steering them through rough patches (Chrislip & Larson 1994; Gunton & Day 2003; Huxham & Vangen 2000; Imperial 2005; Lasker & Weiss 2003; Margerum 2002). Therefore, leaders – it is suggested the use of multiple leaders increases the possibility of successful collaboration (Bradford 1998; Lasker & Weiss 2003) – play an important role and must be neutral in facilitating productive group dynamics by presenting clear ground rules for a transparent discussion to promote broad and active participation (Geoghegan & Renard 2002; Gunton & Day 2003; Imperial 2005; Lasker *et al.* 2001).

In the words of Lahiri-Dutt (2003), the time has come for a ‘moral economy’ – a term proposed by Thompson (1993, p. 188) – which involves the ‘full recognition of a community’s various rights and its informed and willing participation’ (p. 76). In her opinion, moral economy is ‘long overdue, will be difficult and lengthy, but is a necessity’ (Lahiri-Dutt 2003, p. 76). Therefore, to have an economy with people and their wellbeing at the centre, collaborative

participation is a must (UNDP 1990). A successful collaborative governance will result in the actors developing a shared understanding of what they can collectively achieve and reach to a 'common ground' (Tett *et al.* 2003; Wondolleck & Yaffee 2000). At the core of collaborative governance are three elements – time, trust, and interdependence – aimed to not finding a win-win scenario, but rather to 'transform adversarial relationships into more cooperative ones' (Ansell and Gash 2008, p. 547).

### 7.9 Research Contribution

My initial PhD research focused on understanding the reasons behind the conflict in Jharkhand, in the naïve belief that once the reasons were understood a solution can be implemented that would keep all parties happy. I found that through my early research the conflict in Jharkhand was layered with intricacies as it sat within a complex web of socio, political, economic, historical contexts and with a multitude of actors – local and international. According to a CSO interviewee, the notion of a win-win solution was, and is, impossible: 'you have to build compromises, that's the way democracy functions. It is never going to be the case where everyone is happy, especially in a very polarised country' (CSO Interviewee 8 2018). Jairam Ramesh, member of the Rajya Sabha and former Union Minister of Ministry of Rural Development who was the mastermind behind the 2013 Land Acquisition Act, called this the 'balanced dissatisfaction' approach (Ramesh 2015, p. 10). According to him, the process of designing a law is always challenging as it is impossible to satisfy every actor, therefore achieving balance is not about 'balanced satisfaction', but rather a 'balanced dissatisfied' approach.

Thus, I shifted my focus from finding a win-win solution to developing a deeper understanding of the conflict in the hope of finding grounds of compromise. To examine this conflict across

all actors, and aspects, was clearly beyond the scope of this PhD, so the focus narrowed to the key actors in Jharkhand – the state, the corporations and the Adivasis – and their underlying developmental ideologies. It also became clear that these conflicts are not only externally driven, that is to say between the different actors, but also internally driven as conflicts over the notion of development exist within the same group of actors. This was evidently visible in the interviews and noted within the thesis, however these internally driven conflicts were outside the scope of this research as the main focus was on the conflict between the key actors in Jharkhand.

This research has contributions on both theoretical and practical fronts. On the theoretical front, this research contributes to the growing field of development politics and the debates that challenge the top-down nature of development. It highlights the inefficiencies of formalised economic structures and questions the blind faith in GDP. The research instead advocates for an inclusive and participatory model of collaborative governance. Inclusive and participatory governance will be challenging but it must happen now (Lahiri-Dutt 2003). The research also contributes to debates of inclusion by presenting what I called the ‘education paradox’ in this thesis. As the Adivasis are politically recognised by the label ‘Scheduled Tribe’ and ‘Scheduled Tribe’ is a recognition of their perceived ‘backwardness’ in the eyes of the state, education has shown to detribalise the Adivasis once they are educated because they are no longer considered ‘backward’ by the state. However, choosing to not get educated to remain politically recognised and qualify for the protective laws also has shown to have detrimental impacts on the Adivasis as they get politically displaced through gentrification. Therefore, education has revealed to have a paradoxical impact on the Adivasis where they get detribalised if they chose to get educated; alternatively, they lose their representative

seats in the parliament and state legislative assembly if they chose to not get educated. This was one of the main research findings of this thesis and has wider implications on global indigenous discourses to study this paradoxical impact of education on indigenous identities.

Furthermore, the research develops a deeper understanding of the conflict in Jharkhand by identifying the development orthodoxies of the key actors in Jharkhand. The key actors I studied in this thesis are the state, the corporations and the Adivasis. By analysing their debates on the questions of land, law and progress and comparing the findings against the literature I was able to identify distinct development orthodoxies reflected in their debates - the state aligned with the theory of state-led modernisation, the corporations with neoliberalism, and the Adivasis with alternative development. Through the identification of their rationality and biases, this research explains why disagreements exist between the key actors on the questions of land, law and progress in Jharkhand. What might appear as a simple question, 'what should development look like', therefore has no simple answer. This thesis thus contributes to the field of development politics and conflict resolution by developing a theoretical framework to study the conflict and develop a deeper understanding of the inner biases of each actor. Doing so, this research hopes for meaningful discussions as each actor appreciates where the other actor comes from and why they disagree on a certain topic, ultimately paving the way for collaboration to find a compromise.

On the policy front, the research has implications for land policy and urban development in Jharkhand. The research questions the legitimacy of laws as they appear to be designed purely to subdue an agrarian uprising and not to protect the rights of the Adivasis. The thesis also questions the legitimacy of land banks that bypass the laws of Jharkhand and acquire land from the Adivasis. The research therefore stresses the need for rethinking the politics of

development. In the state of Jharkhand, where the conflict over development persisted for centuries, it is time for a change in mindset. The policy makers need to step back from their zero-sum game mindset and accept the plurality of opinions. I therefore argue that the policy makers of Jharkhand should welcome participation and collaboration in an effort to build a 'moral economy'.

Being the birthplace of Adivasi movements against the state apparatus, Jharkhand plays a crucial role in visualising this conflict within India (Kumar & Panda 2018; Roy 2000; Shah 2010; Stuligross 2008). The conflict in Jharkhand is intensifying as the pressure from the state and the corporations is growing to acquire the land from Adivasis for economic growth purposes; and from the Adivasis, as support for an alternative model of progress is growing with increasing support from local, as well as global discourses, through activists, researchers and CSOs, that stand for an alternative model that is not abusive and destructive (Adivasi Interviewee 5 2018; CSO Interviewee 2 2017). The story of Jharkhand situates itself within the wider debates of development and the growing field of rural politics and development, often referred to as 'peasant studies' or the study of the 'agrarian question'. Clearly, these are multifaceted questions posed in the context of a complex global socio-historical process. This thesis gave an overview of the conflict in the state of Jharkhand by analysing the inner biases of the key actors in Jharkhand. It is, of course, but one perspective based on my research, however, I believe it provides useful insights into a complex and difficult problem.

#### 7.10 Limitations and future research

A number of lessons were learned while conducting this research project and many relate to the limitations and challenges that were overcome to understand and analyse this complex subject. These limitations have been identified for future research. One of the biggest

limitations of this research was time, due to which the scope of the research was narrowed to include only the state, the corporations and the Adivasis. India however is part of, and influenced by, a multitude of actors – locally and globally (Yergin & Stanislaw 2002). These actors include international financial institutions such as World Bank and IMF, who have shown to change the trajectory of states (Ghosh 2006a; Sanders 1977); local and international CSOs, whose presence is growing in exposing the social injustices arising from development-induced displacement projects; and other countries around the world – as pointed out in chapter two when explaining how the economy of South Korea had impacted the policy makers in the 1990s when India was transitioning to neoliberalism (Auty 1994; Yergin & Stanislaw 2002). While these actors were briefly discussed in this thesis, more research needs to be conducted on the external influencers of development politics in Jharkhand. In the same vein, internal contradictions also need more focus as conflicts exist even within the same actor groups (Nielsen & Nilsen 2017).

Furthermore, this thesis limited the focus on the debates of land, law and progress, therefore further research would need to be performed on other themes of analysis. In respect to the debates on progress, this thesis narrowed the study of progress to industrial development and the attempts by the state to ‘modernise’ the Adivasis. I already highlighted in section 7.5 that this research would greatly benefit with extensive research on other indicators of progress to develop a deeper understanding on the conflict in Jharkhand. Similarly, despite the vision of Greater Jharkhand being split into Jharkhand and Chhattisgarh, this thesis limited the scope of this study to Jharkhand only due to time constraint. Therefore, further research into Chhattisgarh would enhance this study to understand if, and why, the challenges of developmental politics are similar to Jharkhand.



Time was also a crucial factor in the number of interviews conducted for this thesis. I noted in chapter two that getting access to the interviewees was the biggest challenge faced in data collection. Given more time, more interviews can be performed, with more actors, to develop a deeper understanding of the power dynamics at play in Jharkhand. Thus, due to the narrow nature of PhD research, I had to limit my focus to relevant data collected from interviews. Other findings that were uncovered during the research study, including potential recommendations given by each interviewee, such as benefit sharing of land pooling (CSO Interviewee 11 2017; Corporate Interviewee 5 2018), were briefly discussed but not elaborated. The reason for this was to avoid jumping to conclusions without having conducted systematic research (CSO Interviewee 8 2018). Oya (2013) noted this concern with the growing trend of generating 'killer facts' that grab audience's attention, resulting in many reporters and researchers to quickly generalise information to larger audiences. In this respect, I acknowledge myself as a limitation as well as I still familiarise myself in this ever-growing and evolving field of study. Therefore, I need to conduct further research on the recommendations because while these debates are ideological in nature, their impact on the ground is real. This opens the opportunity for further research as a post-doctoral study.

The research also opens avenues for further study into the impact of education on indigenous identities. This thesis highlighted the paradoxical effect of education on the Adivasi communities and its implications on their identities. Further research can be conducted on similar communities across India, even the world, to identify if this paradox exists in other contexts as well. Doing so would contribute to the global development and indigenous discourses on matters of citizenship and identity matters.

Finally, continued research in Jharkhand is required to study how this conflict will play out. The pressure to build inclusive governance and consensus-oriented decision making process is growing in response to the failures of downstream governance models (Kurup 2008; Lahiri-Dutt *et al.* 2012). This is getting all the more important now with the conflict intensifying in Jharkhand as the Adivasis enforce their legal right as stipulated in the Indian Constitution through the Pathalgadi movement and are calling the state unlawful and corrupt if it enters their land (Parashar & Toppo 2018). This conflict is still ongoing at the completion of this thesis and therefore, further research is vital in this field of study to find a way to bring this conflict, that has prolonged for centuries, to an end and stop the mass social injustices and environmental destruction being experienced in Jharkhand.

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## Appendix 1 – List of interviewees

Interview participants at the central government level

Interviewee Code	Department	Adivasi (Yes/No)
Indian Bureaucrat Interviewee 1	Civil Servant, ex-Ministry of Rural Development	
Indian Bureaucrat Interviewee 2	Civil Servant in Department of Land Resources	
Indian Bureaucrat Interviewee 3	Civil Servant in Ministry of Tribal Affairs	
Indian Politician Interviewee 1	Politician, ex-Ministry of Rural Development	
Indian Politician Interviewee 2	Politician Ministry of Tribal Affairs	Yes
Indian Politician Interviewee 3	Politician	

Interview participants at the Jharkhand government level

Interviewee Code	Department	Adivasi (Yes/No)
Jharkhand Bureaucrat Interviewee 1	Civil Servant, Department of Panchayati Raj	Yes
Jharkhand Bureaucrat Interviewee 2	Civil Servant, Department of Revenue & Land Reforms	
Jharkhand Bureaucrat Interviewee 3	Civil Servant, Ex-Department of Agriculture	
Jharkhand Bureaucrat Interviewee 4	Civil Servant, Department of Revenue & Land Reforms	
Jharkhand Bureaucrat Interviewee 5	Civil Servant, Department of Tribal Affairs	
Jharkhand Bureaucrat Interviewee 6	Civil Servant, Department of Revenue & Land Reforms	



Jharkhand Bureaucrat Interviewee 7	Civil Servant, Ex-Department of Revenue & Land Reforms	Yes
Jharkhand Politician Interviewee 1	Urban Development & Housing Department	
Jharkhand Politician Interviewee 2	Politician	
Jharkhand Politician Interviewee 3	Politician	
Jharkhand Politician Interviewee 4	Politician	

## Interview participants of the corporates

<b>Interviewee Code</b>	<b>Organisation</b>	<b>Location</b>
Corporate Interviewee 1	Director of a university in Jharkhand	Jharkhand
Corporate Interviewee 2	Land acquisition specialist in a multinational mining corporation	Jharkhand
Corporate Interviewee 3	Lobbyist who was in discussion with the Jharkhand government over the land acquisition law	Jharkhand
Corporate Interviewee 4	Ex-CEO Multinational mining corporation	Jharkhand
Corporate Interviewee 5	International financial organisation	New Delhi
Corporate Interviewee 6	Lobbyist who was in discussion with the central government over the land acquisition law	New Delhi
Corporate Interviewee 7	Ex-CEO Multinational mining corporation	New Delhi

## Interview participants of the Adivasis

Interviewee Code	Location	Educated (Yes/No)
Adivasi Interviewee 1	Jharkhand	Yes
Adivasi Interviewee 2	Jharkhand	Yes
Adivasi Interviewee 3	Jharkhand	Yes
Adivasi Interviewee 4	Jharkhand	Yes
Adivasi Interviewee 5	Jharkhand	Yes
Adivasi Interviewee 6	Jharkhand	No
Adivasi Interviewee 7	Jharkhand	No
Adivasi Interviewee 8	Jharkhand	No
Adivasi Interviewee 9	Jharkhand	No
Adivasi Interviewee 10	Jharkhand	Yes

## Interview participants of CSOs

Interviewee Code	Location	Adivasi (Yes/No)
CSO Interviewee 1	Jharkhand	Yes
CSO Interviewee 2	Jharkhand	Yes
CSO Interviewee 3	Jharkhand	
CSO Interviewee 4	Jharkhand	
CSO Interviewee 5	Jharkhand	Yes
CSO Interviewee 6	New Delhi	
CSO Interviewee 7	Jharkhand	
CSO Interviewee 8	New Delhi	
CSO Interviewee 9	New Delhi	
CSO Interviewee 10	Jharkhand	

CSO Interviewee 11	Jharkhand	
CSO Interviewee 12	Jharkhand	