

CASE STUDY

Ghazipur, Uttar Pradesh, India

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Marginalised Dalit community negotiates relocation away from flood-prone area

The village of Semra, populated by marginalised Dalit households, is located in a flood-prone area. Since 2007 the Social Development Foundation (SDF) has worked in the Ghazipur district of Uttar Pradesh to develop democratic community institutions comprising women and men from marginalised groups. In Semra these people received support to strengthen their livelihoods, enhance their social status and achieve just and dignified lives even in the event of natural or man-made calamities. Eventually, they could negotiate with the local government authorities and secure access to land outside the flood area.

PRINCIPAL ORGANISATIONS INVOLVED

Social Development Foundation (SDF)

NREGS *Mazdoor* Union (National Rural Employment Guarantee Schemes Workers Union) of the village of Semra

LOCATION

Semra, Mohammdabad block, Ghazipur district, Uttar Pradesh, India

TIMELINE

2012-2016

TARGET AUDIENCE

Civil Society Organisations

KEYWORDS

Community empowerment, legal assistance, displacement

GOOD PRACTICES

Towards making land governance more people-centred

This case study is part of the ILC's Database of Good Practices, an initiative that documents and systematises ILC members and partners' experience in promoting people-centred land governance, as defined in the Antigua Declaration of the ILC Assembly of Members. Further information at www.landcoalition.org/what-we-do

This case study supports people-centred land governance as it contributes to:

Commitment 1 Respect, protect and strengthen the land rights of women and men living in poverty

Commitment 2 Ensure equitable land distribution and public investment that supports small-scale farming systems

Case description

Background issues

Annual floods and changing river courses affect millions of families in India (WRIS 2016).

The impact of these recurrent phenomena remains neglected in most disaster-preparedness and response plans, as the people who live in the flood areas often belong to marginalised groups.

The Constitution of India guarantees the right to defend life and equality before the law¹ and to minimise inequalities in income, based on the Directive Principle of State Policy². The case of the rehabilitation of economically deprived communities displaced by river floods, however, is not covered by the law.

In the absence of an appropriate policy framework in both the administrative and the political systems, displaced people can remain displaced for decades. Their temporary houses on the river embankments are considered encroachments and thus remain devoid of the basic services and facilities provided by the state.

Dalit people living in villages like Semra - Ghazipur district - situated on the bank of the Ganga river, get displaced from their villages every year due to the massive land erosion that is caused by the change of the normal course of the river as well as by floods. Displaced people are forced to move to the upper reaches as no other solutions to mitigate this environmental disruption exist.

¹ Constitution of India, Fundamental Rights.

² Constitution of India, Directive Principles of State Policy.

Semra has a population of about six thousand families. In 2012 the people living on the bank in the hamlet of Shivrai Ka Pura were about 450. A small cemented bund used to divert the flow of the river but after three consecutive years of floods (the first in 2011) the embankment broke. 46 houses on the bank were swept away. The floods of 2013 demolished over 400 other houses and people now live in temporary shelters provided to them quite far away from their original homes.

Solution

Despite the unfavourable policy environment, especially concerning the rehabilitation of affected families, the approach to displacement changed with the launch of a community-led initiative under the guidance of SDF. This initiative was primarily focused on organising and strengthening the community through collective efforts and democratic processes.

In order to facilitate access to legitimate rights, SDF's approach focused on strengthening the socially excluded erosion-affected communities of Semra. The most important aspect of SDF's intervention was their support to collective action processes, aimed at creating and using legitimate spaces where people could engage with the local administration.

SDF also strived to create opportunities for advocacy at the district and state level, and platforms for communication and interaction between rights' holders and other important actors.

The SDF group included women and men from the community. It created general and executive bodies, delineated functions, enhanced transparency, and solicited participation from the lower ranks of the community.

Activities

Drawing attention to the flood-affected

After the 2012 floods, SDF's team - led by local activists - organised the Dalits in the village to start a silent protest at the bank of the river, where huts were swept away. Community representatives verbally requested local leaders to come and address the affected families, offering them a solution. They refused to do so. On June 12th 2012 SDF organised a meeting of the local people affected by the floods and wrote a demand letter to the District Magistrate when the threat of the Ganga river changing its route was looming large. The District Magistrate ordered an inquiry.

On October 17th 2012 the hamlet of Shivrai Ka Pura was completely submerged. On October 19th a memorandum by 59 families that lost their huts was forwarded to the Sub-Divisional Magistrate (SDM) of Mohammadabad. In this period 54 affected families were given a financial relief package of INR 246,980 for the reconstruction of their houses. 117 people from Shivrai Ka Pura were provided medical aid.

Increasing mobilisation after subsequent flooding

The community-led mobilisation efforts put in place in the first year paved the way for greater mobilisation when the river flooded again in 2013. The SDF team kept the authorities informed about the gravity of the situation but the floods of 2013 were far more devastating, as the river changed its route breaking the embankment of Shivrai Ka Pura. SDF's school - used by Dalit children - was swept away too. Over 410 families lost everything and became homeless. 176 houses from Semra and 231 from Shivrai Ka Pura got completely submerged by the Ganges but the government's response was inadequate.

In the aftermath of the flood, thanks to the active mobilisation of the affected community group, 64 families living in semi-permanent clusters and another 55 families staying in hutments were given INR 34,500 per family as a compensation from the government.

Negotiating for more adequate temporary relief

In August 2013, 580 families from Semra shifted to temporary locations where they lived in undignified conditions.

Since most land in Semra was controlled by upper caste people - who resist Dalits owning land - the government purchased 15 *bigha* (2.4 hectares) of land in the Kasimabad block for the rehabilitation of the displaced. This solution was rejected by these people because the designated area was 27 kilometres away from the district headquarters and for them it meant changing domicile rights to another administrative area.

However, thanks to their perseverance with the demand of being given land in and around the village area, 46 families obtained financial help and the allocation of small pieces of land for rebuilding their houses closer to the village.

Following up

In August 2013 SDF's team made an application to Mohammadabad Tehsil officials requesting them to provide for Semra people's basic needs. They organised a meeting with the people of Shivrai Ka Pura, who demanded ration cards for food security purposes. In September 2013 the villagers organised a sit-in and gave memorandums to district authorities.

In October 2013 SDF organised a public hearing in which the administration assured the complete rehabilitation of displaced people once the government overcame the land acquisition problem.

In November 2013 the village community group sent a letter to the Chief Minister. Later that month, through another letter, the District Magistrate approved the rehabilitation of 72 people.

As a result, in December 2013 another 54 people got land deeds for building houses. In January 2014 a list of 371 claims for house entitlement was accepted by the administration. In the same month, SDF's team members received a call from the Secretary of the Chief Minister, who promised them to complete the rehabilitation process.

In June 2014 the SDM established that 150 families would settle over 9 *bigha* (1.44 hectares) of land, purchased from local farmers.

Continuing the struggle

In August 2015 a list of 558 names of people in need for rehabilitation and assistance was submitted to the Sub-District administrative office. This was unprecedented and it was possible thanks to the perseverance of SDF and the training they offered to the community to allow them to pursue their entitlement.

Land to rehabilitate the displaced was bought by the government in the village of Jalalpur at a cost of INR 2,150,000. According to the state's government rehabilitation norms, a family needs a minimum of 20 units (or *dhurs*) of land for housing. This basic premise was flouted as the government offered 377 families only 12 units of land each. The offer was refused.

The newly elected village head (or *Pradhan*) committed to guaranteeing a peaceful life in a suitable location for all the village families.

Importance of the case for people-centred land governance

This case study is exemplary in illustrating how an NGO can work to put a community at the forefront in advocating effectively for their rights, and to support them in their negotiations with the local government on issues of entitlement and relocation.

So far, most displaced families have lived in inhumane conditions. This could have been avoided. However, the people who got displaced were Dalit and the upper castes' facilities (guesthouses or *dharmshalas*) were not made available to them.

The leaders of the displaced Dalit people claim that government officers - in the name of existing laws - allocate to displaced families specific land parcels purchased for them for rehabilitation purposes. This could favour the implementation of people-centred land governance. Nevertheless, in spite of the laws and the availability of land, this case study shows that making democracy work for the dispossessed takes long-lasting and arduous efforts.

The movement on the ground constantly collects and uses evidence in order to activate the law. SDF facilitates this process, not only with the aim to support the people's struggle but also to raise awareness and to compel the government to take action by allocating land to displaced families. Currently, however, the main difficulty remains that land is owned by people from higher castes whose conviction is that people in the lower castes should not be land owners. In this context, upholding the rule of law is extremely challenging. Supporting claims through data collection and monitoring has multiple benefits: it makes claims stronger and more effective in the eyes of government and state's officials; it increases people's confidence when confronting higher castes; it gives their claims legitimacy in the legal framework, even when they upset traditional power dynamics.

Changes

Baseline

Before the intervention of SDF, Dalits lived in a culture of silence and oppression at the fringes of the villages. Local landlords would not want Dalits to hold land and would physically obstruct any move that empowered the community - looked upon with contempt by higher castes. The organisation of this excluded community made people demand for their human right to land and adequate housing.

Achievements

Although previously excluded from any policy or disaster management scheme, Dalit displaced people obtained recognition concerning their entitlement. They struggled and persisted in their request for space within the administrative system.

SDF supported Dalit landless people to achieve temporary housing shelter after the 2012 and 2013 floods. They obtained grants and land titles for the construction of houses for Dalit families in Semra.

SDF's advocacy work resulted in officials allotting land to 46 families in safe places in the village. The speed at which the government responded must be noted. It was a great victory for the movement started with the support of SDF. Training and capacity building were provided to Dalit people - particularly to the community leadership - by SDF through a project of Christian Aid.

The most important result of this community-led process was the generation of confidence and self-esteem among the affected people, as well as of awareness that change is possible. Socially excluded families affected by floods became more organised, empowered and capable of taking collective initiatives to access basic services and entitlements. The community effectively managed to negotiate with the local administration, obtaining better conditions in the relief and rehabilitation they were offered.

Thanks to collective action, local government authorities are now more amenable to listen to the grievances of disaster-affected people and to provide support - by offering temporary shelter in local schools, allocating small plots of land or providing financial assistance for the construction of houses. However, relief measures are often still extremely inadequate.

Overall, women played a significant role in the development of a community leadership and in collective action in general. Today, community institutions are functioning without any external financial support.

Evidence

ILC Asia (2012) *Semra Villagers Rebuilding their Lives*,
<http://landcoalition.org/en/news/semsra-villagers-rebuilding-their-lives>

Lessons learned

Lessons for civil society

It is important to:

1. Maintain - when raising public issues - a position that is based on objective facts, such as those linked with displacement and inadequate rehabilitation, like in the case of Semra;
2. Promote leadership among women and more generally community members by creating committees;
3. Ensure that CSOs are seen as backing, not as leading;
4. Collect data and evidence. Officials are more responsive when they are aware of a certain situation. A CSO must be able to prove that a case is worthy of official action.
5. Consider creating a national forum in charge of advocacy, in order to create a national level mechanism of response to river erosion displacement. To achieve this, the social, economic and cultural realities of those suffering from river erosion and flooding must be analysed and understood.

Lessons for policy makers

There are several issues beyond the control and the initiative of the rights' holders that are associated with various factors. The possibility of addressing them depends on the existence of an enabling policy environment and administrative support.

The approach of SDF in partnership with local community groups has been one of constructive engagement with local officials and service providers. In the short term this allowed them to grant relief and rehabilitative support to displaced people. However, finding long-term systemic solutions for affected communities is yet to be pursued. Follow-up efforts involving policy makers will be crucial to address river erosion displacement at the national policy level. The process could be initiated by creating a parliament committee on water resources management.

Challenges

In the absence of an inclusive policy framework, duly supported by legislative measures, the victims of natural disaster remain neglected and bound to endure endless struggles for survival. Dalit people are among the most marginalised groups in the Indian society. Therefore, they still receive inadequate support from the state and civil society institutions. In Ghazipur many officials at the village and district level show an attitude of apathy and opaqueness, and they often procrastinate granting relief and addressing the problems of the communities affected by flooding and land erosion.

The second significant challenge is connected with inter-caste rivalries and power tussle to take control of land. It is important to understand and learn how to deal with the social and economic realities of villages where divisions based on gender, class and

caste hierarchies are particularly accentuated. Without dedicated human and financial resources available to engage with and support the local Dalit community leadership it is impossible to intervene effectively. Finding these resources is presently a challenge for SDF.

Feudalism and a strong patriarchal system are deeply rooted in Uttar Pradesh. Ensuring the participation of women remains a critical area of concern. There is a real danger of women getting isolated at all stages of decision-making and of the process of receiving relief and rehabilitation (discussion, planning and execution).

Follow-up

Currently the majority of the people affected by the floods live in temporary shelters provided by the government. The government has promised that 377 people will get land by March 2016 and a grant of INR 75,000 to build their house.

The river's embankment needs to be constantly checked to avoid that villages get submerged. SDF advised people to keep vigil and to check the rise of waters for their own security.

SDF is leading the protest locally to ensure that all affected people - particularly the elderly - are rehabilitated. This is especially crucial when the monsoons approach. In addition, SDF is working to keep the government officials alert and aware of the problems that continue to affect community members in Semra.

Supporting material

References and further reading

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WRIS (2016) Flood Management. Water Resources Information Service of India,
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