

Resolution

The Citizens' Convention held on 3 November 2006, Friday, 4pm at Juba Kendra, Moulali, Kolkata, has resolved to submit a CITIZENS' CHARGE SHEET against the violations of laws and rights committed by the West Bengal Government, pertaining to its policies related to agriculture, industry and development. The list of charges given below had been placed, discussed, finalised and has been accepted at the said Citizens' Convention. The Convention has also decided to send this resolution to the concerned authorities for their responses.

CHARGE-1

The West Bengal Government is acquiring agricultural land for private owned industry, mine, housing, services and for setting up Special Economic Zones. The Government is doing this as per land acquisition laws and it is then handing them over to private sector organisations. Land is being acquired on the plea that as per law the Government can do this in 'public interest'. The West Bengal Government is not explaining as to how building factories, mine, housing etc. for personal profit by the upper class owners, on the land of the poor tillers, can be deemed to be in 'public interest'. The Government does not explain such questions in its land acquisition policy. There is no such policy explaining whose land will be acquired, what sort of land will be acquired, why the land will be acquired, who will be given the land. However, deprived of any scope to discuss the matter, the citizens observe that whoever asks for land for whatever reasons is being provided land of their choice – irrespective of the protests of the original land owners.

We, the citizens, are asking for a fresh land acquisition policy in writing from the West Bengal Government.

CHARGE-2

The other facet of the said policy on land relates to ascertaining the real value and usefulness of land. Land yields food grains and raw materials for industries and is also the source of fodder for cattle – at present and in the future. Land is a receptacle of living organisms. Various plants and organisms occupy the same piece of land and this biodiversity is invaluable for human life, for nature and for our environment. A piece of land is not only a receptacle of earth but also of water, which is an invaluable natural resource. Land acts as a pasture for grazing cattle. Cattle are an important facet of the rural economy. Land is the main source of income for the rural populace. The livelihood of small land holders tilling their own land, agricultural labourers, sharecroppers, rural based workers involved in processing, storing, marketing and transporting of food is land dependant. The land acts as the storehouse of folk knowledge-based medicine collection and raw materials for the rural artisans. The poor gather and collect food, firewood, organic fertiliser, building / repairing material for their houses and implements of daily household use.

Acquisition of land and the consequent change in land-use alarms us.

The Government does not have any declared policy in this regard. Food security, water security, conservation of nature, preservation of environmental balance, security of the livelihood of the rural people should be considered.

We urge upon the State Government for a written land related policy, which will not only deal with land acquisition but also address issues related to land use and land conservation.

CHARGE-3

There are a large number of closed and sick industries in West Bengal. The West Bengal Government does not have any policy related to the land locked-up in such closed and sick industrial units. This land had been given to various industrialists to set up factories in the past. This land cannot be used for any other purpose, but residential complexes and shopping malls are coming up on such land and they are also being used for other non-manufacturing activities. Government had given the land on lease to factory owners. When such factories do not exist the land is supposed to come back to the Government. Such land is not being offered for setting up of new factories. This surplus land is either remaining unused, residential apartments are being built on them or it is being used for other non-manufacturing activities. Instead the Government is giving agricultural land for setting up factories. Land use maps of various locations, as per Town and Country Planning Act, have been prepared but the Government has not made it public. If published it would be evident that land for setting up industries are available.

The absence of Government policy as regards industrial land is disconcerting and disturbing.

We call upon the Government to come clean with a written policy concerning land locked-up in closed and sick factories.

CHARGE-4

West Bengal Government is with great interest, ushering foreign and national capital investment in industry, mines, building satellite townships, service sector and agro-business. Whereas the Government is signing agreements with the investors, the terms of contract are not being made public. The citizens have the right to know the details of such agreements between the Government and the private investors as per the Right To Information Act. The Government is legally bound to make public the contents of such agreements. By not doing so the Government is undemocratically violating its own law. The significance of not making known the conditions of the contract, we apprehend, is that there could be certain clauses, which are detrimental to the interests of the citizens. The question of subsidy could be an example. It is understood that these investors are being invited to invest in the State by promising subsidy on various accounts. For example tax relief, free electricity connections, discount on electricity tariffs, free water connection and usage etc. These subsidies will be provided from the ordinary taxpayers money and / or loans. It is known from Governmental sources that the State has to take fresh loans in order to pay the interest of the loans it has taken in the past. Such critical debt servicing conditions are typical of a debt trap. After leading the state into a debt trap, the Government is giving agricultural land and taxpayer's money as subsidy to private investors so that they can be assured of personal profit.

We are asking the Government to disclose the terms and conditions of the agreements it has signed with all the investors as per the Right To Information Act.

CHARGE-5

In order to solicit eagerly in favour of investment in West Bengal the State Government, we apprehend, is declaring relief to the investors who will not have to abide by the labour laws. It is heard that contract labour will be allowed at the proposed Tata Motors unit at Singur. Labour Laws, we are being given to understand, will not be implemented in Special Economic Zones. The basis of such apprehension is based on our experience in thousands of cases of locked out and closed industries in which the Government sided with the employers and not with the workers. Workers were denied their legitimate dues. The State Government did nothing to protect their interest. Indifference of the Government of West Bengal towards the workers rights is also evident from the lack of political will to implement the minimum wages the State Government itself has announced for the agricultural labourers, biri workers and brick field labourers.

We urge the Government of West Bengal to formulate a policy in writing regarding labour employment, and implement it in all such proposed industrial units, which have the support of the Government. Moreover we want the Government to reveal, as per the Right To Information Act, text of all the labour related agreements with private investors.

CHARGE-6

In support of its effort to bring in investment the West Bengal Government cites two reasons – application of modern technology and create employment. These two factors are inversely related. More modern the technology, the lesser is the requirement of labour.

The industrialist in order to maximise profit would like to keep costs low. To do it the labour cost catches early attention. To reduce labour cost means replacing labour by using technology. Modern technology works in this direction. The Government has given this right to reduce employment to the investor by allowing the use of latest technology.

We are also concerned about how much friendly some of the technology used in industry is towards the environment. It is the responsibility of the Government to implement proper norms to protect the environment when certain types of technology are being used in a project. We are not too certain whether the Government is playing the right role in this direction, given the over-enthusiastic response it is showing to bring in fresh investment.

In the interest of creating fresh employment, existing workers and the environment, we urge the Government to come out in writing with its policy regarding the use of technology in industry.

CHARGE-7

While allowing various private sector projects on agricultural land, the West Bengal Government is stating as a justification that there would be employment generated here. However it is not giving in writing as to how much will be invested in which project; what will be the amount of subsidy provided by the Government; how many will be employed in which category of jobs. Moreover it is not being computed as to how many are dependant on and how much they are gainfully earning from the parcel of land on which the industry is being set up. The calculations concerning how many jobs will be created against the total jobs destroyed are not being done on behalf of the Government. We are of the belief that more people will lose their livelihood as compared to the number of jobs created in these projects. It is also observed

that the entire spotlight somehow remains focused on such farmers who own land. The employment loss to the *bargadars*, the share croppers, the agricultural labourers and those involved in allied activities demands closer scrutiny.

There is one more aspect to be considered in this issue. It is not just a question of more jobs or less jobs. It involves the nature of jobs created vis-à-vis nature of those destroyed. Why does a skilled tiller have to become a security guard of a factory? Why should a woman worker skilled in allied agricultural activities have to become a maid at a neighbouring housing complex?

In this context we demand an employment policy in writing from the Government of West Bengal.

CHARGE-8

We believe that the ideal areas for creating fresh employments are small-scale industry, village-based industry, cottage industry, cooperative industry and industries based on appropriate technology and consumer goods for low-income groups.

We feel that in its over-enthusiasm to attract big capital the West Bengal Government is ignoring these industries capable of generating huge employment. The Government is supporting the big capital, by allowing subsidy. On the other hand the small industries, where incentives could create employment, are being ignored.

The Government is saying that in the interest of industrialisation, agricultural land is being taken away. Does industrialisation mean such capital-intensive factories alone or does it also encompass the healthy growth of other industries too? Does industrialisation mean ignoring the indigenous and local industries while supporting only capital-intensive large-scale industries?

We demand that the West Bengal Government should declare in writing its industrial policy in the interest of employment and small capital based enterprises.

CHARGE-9

When the farmers at Rajarhat (near Salt Lake) refused to hand over their land the Government, with the help of the police, had unleashed a reign of terror. Men, women, senior citizens of the families of farmers were recklessly arrested; many were harassed using the legal instrument of false cases; hundreds were physically tortured, jailed and fined. Similarly those who are trying to protect their agricultural land at Singur – men, women and children – are facing police torture, being arrested, being harassed with false cases, are becoming victims of forced disappearance by the police. Unbelievably thousands of police personnel are camping permanently at Singur.

The Government systematically keeps away from discussions and consultations. The voice of victims and the concerned grass root initiatives have been consistently ignored. The Government it seems is there only to proclaim its decisions. All democratic norms are being flouted.

We condemn such undemocratic attitude and protest such acts of torture, terror and harassment.

CHARGE-10

The West Bengal Government while acquiring agricultural land for private owned industries, mines, housing, services and for setting up Special Economic Zones are expressing opinions which are going against agricultural activities. We, the citizens, are feeling particularly concerned with these statements.

Firstly, the Government is saying that fertile land is not being taken and only single-crop land is being taken. Without going into the debate / statistics on this issue, we state that even unfertile land can in many cases be made fertile. A single-crop land can be transformed into multi-crop land without degrading its quality. Hence this logic is baseless.

Secondly, the Government is saying that agriculture is no longer profitable, hence if the money received from land sale is kept in the bank the accrued interest will yield greater returns. In order to make agriculture profitable the small farmers working on small land-holdings need Government support. And this support has to be provided since these small farmers produce for their own consumption and also for us. It is now beyond doubt that small farms with Government support are most efficient as far as productivity is concerned. This is why there were many other recommendations in this direction during the land reform years, for example farmers cooperative dealing with implements, accessories and ingredients of production.

The Government implemented the first three primary aspects of land reforms, and leaving the rest unimplemented, left the land reform process unfinished. Moreover it stayed away from supporting the small and marginal farmers in agriculture. As compared to its role of patronising the agricultural technology, based on cost-intensive seeds, chemical fertilisers / pesticides, water and machines, the Government could have supported the small and marginal farmers with the environment friendly, farmer friendly, health friendly, folk knowledge based agricultural

process, which it didn't do. Having led agriculture into a cost-intensive anti-farmer livelihood it is now being said that agriculture is no longer profitable and land may now be sold off.

Thirdly, the Government is now saying that economy of West Bengal will now have to be shifted from agriculture-dependency to a more industry-dependent state to ensure economic development. But how is agriculture creating obstacles to industrial development? It is not as if the necessary capital and labour for industry is tied up in agriculture alone. Countless numbers of people are unemployed; they can be employed in industries. Private and institutional capital is available, which can be invested in industries. Land earmarked for industry remains non-utilised. So why in order to develop into an industrial economy does agriculture, farmer, land and crop need to be destroyed?

We demand a written policy from the West Bengal Government regarding the future path of economic development incorporating the equilibrium between agriculture and industry.

At present we the citizens would like to state that Government of West Bengal is committing a series of violations of laws and rights related to its principles governing economic development and their implementation. The above is our charge sheet. The Government submits a charge sheet when it is deemed that an individual has committed an offence / crime. We too hereby prepare our charge sheet to put the Government up for trial.

The following is a select list of citizens, out of nearly 500, who participated at the Citizens' Convention against the West Bengal Government, pertaining to its policies related to agriculture, industry and development, held on 3 November 2006 at Yuba Kendra, Kolkata.

Presidium:

1. Dipankar Chakraborty, Editor, Anik
2. Chandan Sanyal, General Secretary, NFSRU
3. Biswanath Dasgupta, Working President, Nagarik Mancha
4. Subhendu Dasgupta, South Asian Studies, Calcutta University
5. Amitdyuti Kumar, Working President, APDR

Participants (selected):

1. Tarun Sanyal, poet and retired Professor of Economics
2. Sunanda Sanyal, retired Professor of English and ex-Member, Education Commission, WB
3. Debabrata Bandyopadhyay, IAS (retd) and former Commissioner, Land Reforms, GOWB
4. Amar Chowdhury, former Minister and present MLA, RSP
5. Mihir Bandyopadhyay, Secretary, All India UTUC
6. Samar Sinha, UTUC (LS)
7. Debabrata Roychowdhury, Treasure, INTUC, WB
8. Pramathesh Sen, General Secretary, INTUC
9. Basudeb Bose, General Secretary, AICCTU
10. Paltu Sen, Working President, IFTU
11. Meher Ali Engineer, President, WB Chapter, Indian Academy of Social Sciences, ex-Director Bose Institute
12. Pratul Mukhopadhyay, poet, composer, singer
13. Sujato Bhadra, APDR
14. Saibal Mitra, writer
15. Debal Deb, Centre for Inter Disciplinary Studies
16. Sajal Roychowdhury, Bhasha Sahid Smarak Samity
17. Emanul Haque, Bhasha Chetana Samity
18. Keya Dasgupta, Centre for Studies in Social Sciences, Kolkata
19. Pradip Roy, WB Land & Land Reforms Officers Association
20. Guruprasad Kar, Indian Statistical Institute, Kolkata.
21. Abhi Dutta Majumdar, Singur Online Petition Group
22. Tamanosh Bhattacharyya, All India Youth Federation
23. Milan Chowdhury, General Secretary, WBSEB Employees Union
24. Dr. Sujit Das, Drug Action Forum
25. Rabin Majumdar, Scientific Workers' Forum
26. Rabin Chakraborty, Scientific Workers' Forum
27. Pradip Roy, Secretary, AWBSRU

28. Mihir Chakraborty, Nandimukh
29. Swapan Ganguly, General Secretary, Paschim Banga Khet Majoor Samity
30. Sukhendu Bhattacharya, General Secretary, NAPM, WB
31. Saktiman Ghosh, General Secretary, Hawker Sangram Committee
32. Mohit Roy, Vasundhara
33. Sasanka Deb, DISHA
34. Nilotpall Dutta, Rajarhat Jami Bnachao Committee
35. Prithwish Basu, Shramajeebi Samanya Committee
36. Srikanta Rana, All India Agricultural Labour Association
37. Prabir Biswas, Gana Udyog
38. P G Bhattacharya, Indo Japan Steels Employees Union
39. Gautam Sen, Majdoor Mukti
40. Sadhan Roychowdhuri, President, MASUM
41. Srijan Sen, poet
42. Manabi Majumdar, Centre for Studies in Social Sciences, Kolkata
43. Bolan Gangopadhyay, Journalist
44. Tanmoy Chakraborty, Uttarpa Science Club
45. Deblina Ghosh, All India Students' Association
46. Dr. Hiralal Konar, Health Services Association
47. Sumit Chaudhury, Ekhon Samhati
48. Prasanto Chattopadhyay, Kalodhwani
49. Manash Singha, WB Labour Court Lawyers' Association
50. Partha Mukherjee, WB Labour Court Lawyers' Association
51. Bela Adak, Secretary, Shramajeebi Mahila Samity
52. Pranab Bandyopadhyay, Sambad Muktaman
53. Samir Patitunda, General Secretary PDS
54. Bhanu Sarkar, Singur Samhati Udyog

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NAGARIK MANCHA, 134 Raja Rajendralal Mitra Road, Room 7, Kolkata 700085.

Ph: 23731921. Email: nagarikmancha@gmail.com
