Development deadlock: aborted industrialization and blocked land restitution in West Bengal and Andhra Pradesh, India

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This article examines the controversy over land transfers for two proposed but now deadlocked industrial projects in India. Both projects – one in Andhra Pradesh, the other in West Bengal – were initially presented as key to the future development of each state and given strong backing by their respective state governments. They also appeared well financed by technically competent, Indian private sector companies, indicating that swift implementation should have been expected. However, once strong opposition emerged from the potential displacees, supported by both political and civil society, both projects failed to come to fruition. Restitution of the land already acquired for these hibernating projects remains to be carried out however – the land at present lies vacant and is used neither for industrialization, nor for any other productive purpose. We characterize this staledated form of development as ‘development deadlock’ that in effect benefits nobody. Key to explaining this outcome is, we argue, the significant uncertainty and complexity that arises when many different groups, respectively, promote and oppose a project within a fractured politico-administrative and legal system marred by considerable ambiguity. The present deadlock is seen as a combination of neglect and nurture by the actors involved in land struggles.

**Keywords:** development; industrialization; India; land acquisition; protest movement

India has, over the past decade, witnessed ‘thousands of small wars against land acquisitions’ (Levien 2011, 66) that have centered crucially on the transfer of land from small and marginal farmers or indigenous groups to industrial use, mining or Special Economic Zones (SEZ) (Jenkins, Kennedy, and Mukhopadhyay 2014). In a context in which an agrarian crisis is looming large (Reddy and Mishra 2009), proponents of policies aimed at promoting rapid industrial growth through private investments have portrayed the transfer of land for setting up new industrial units and large-scale extractive ventures as one of the most efficient ways of moving people out of agriculture and into alternative forms of employment. Yet as critics have repeatedly pointed out (e.g. Banerjee-Guha 2013; Levien 2012, 2013; Sampat 2013), large-scale dispossession, displacement and the destruction of rural livelihoods and cultures are integral to the kind of neoliberal industrialization policy currently pursued in India. Social movements across the country, supported by activist groups, NGOs and civil society organizations have therefore fiercely opposed the forcible acquisition of land for private industries, insisting instead on the inhabitants’ right to land, livelihood and culture. To many scholars, this new ‘multiscalar geopolitics of popular resistance’ (Banerjee-Guha 2013, 167) not only ‘ruptures the hegemony of the neoliberal development logic’ (Pal and Dutta 2013, 204); it is also sometimes claims to represent alternate articulations of development rooted in more sustainable and subsistence-based subaltern knowledge forms (Pal and Dutta 2013, 204; Banerjee-Guha 2013; Roy 2014, 156–234).

Traditional political economic analysis would assume that in such resource conflicts, one side, typically that supported by key political and commercial interests, will eventually prevail over the other due to superior access to material resources. But, in practice, this is far from always the case. In this article, we attempt to provide an alternative account of the complex dynamics of industrial development and popular resistance in India using two separate land struggles in different state-level contexts – West Bengal and Andhra Pradesh – as our empirical points of departure. Here, we argue, neither the neoliberal industrialization paradigm nor its so-called ‘subaltern alternative’ has been able to win the day. Instead, competing interests operating within an uncertain and complex governance system find themselves locked into a form of stalemate in which no ‘winner’ appears to emerge. This stalemate has,
in turn, produced what we label a ‘development deadlock’ characterized by forced displacement, aborted industrialization and blocked land restitution.

To contextualize the analysis, we proceed below with a brief overview of the link between economic development policy, industrialization and land struggles in India before moving on to the two cases from West Bengal and Andhra Pradesh, two major states which have in recent years walked the tightrope between promoting industrialization and heeding the demands emanating from opposing groups. In the following comparative analysis and conclusion, we offer some tentative reflections on the implications of the two cases for our understanding of the dynamics of industrialization and popular resistance in India.

**Liberalization, industrial development and land wars**

While it is commonly accepted that India has since the 1980s, and increasingly since 1991, pursued a path of liberalizing economic reforms (Corbridge and Harriss 2000) that have seen the state redefine its role in the economy from that of planner to manager (Kurien 1994; Rudolph and Rudolph 2001b), scholars have debated the extent to which the process of liberalization has, in fact, marked a decisive rise of industrial capitalists as the dominant group within the state apparatus, increasingly displacing other dominant classes – notably rich farmers and the salaried (see Bardhan 1998) – and eventually acquiring the power to ‘set the terms to which other political formations can only respond’ (Chatterjee 2011, 232). Without licenses to decide geographical location, and with a radically reduced level of national public investment, state governments have thus since the early 1980s increasingly been forced to compete for investments in a completely new manner. Given that land cannot be transferred to industrial use on the scale required without decisive interventions of state-level governments, it is perhaps unsurprising that the ability of state governments to furnish land for investors has, in this context, become ‘the most important factor in inter-state competition for investment’ (Levien 2012, 944).

At the same time, India’s current economic development policies are marked by certain continuities with the past. According to Kohli (2007), ‘the development model pursued in India since about 1980 is a pro-business model that rests on a fairly narrow ruling alliance of the political and the economic elite’ (113). Kohli’s interpretation of the trajectory of ‘liberalizing’ economic reforms in India views recent changes not first and foremost as leading to reduced government intervention in the economy with increased reliance on market mechanisms; but rather as a reorientation of government behavior in favor of especially domestic private sector interests. This ‘developmental alliance model’ understands policymaking as an elite-driven process where top politicians favor economic growth over other possible goals in the wider political economy. It thus represents continuity with, rather than a dramatic break from, a past in which the control regimes and red tape of India’s so-called License, Quota, Permit Raj gave bureaucrats and politicians strong possibilities of shaping the economy. Remaining well entrenched today is a small set of top politicians able to utilize decades of experience in ‘managing’ India’s fractured interest groups, and who are now able to ensure preference to particular commercial interests, particularly domestic big business groups, but at times also multinational companies.

Certain means, then, continue to exist for governments to if not control, then at least strongly influence, who gets to operate where: a complete lack of transparency in the award of contracts ensures that only politically favored investors will be considered; and the procedures of administrative approvals remain very complex and hidden from any independent authority, thus opening considerable space for manipulation (Kochanek 2007; Oskarsson 2010, 2013); vital ‘support’ can be extended to not only particular land acquisitions, but also for obtaining a wide range of required approvals, both at state and national levels. Moreover, the system of regulation and control in industrialization remains, despite reform and other efforts aimed at simplification, too complex for any administrator to manage in full; even key pieces of legislation such as the SEZ Act that has often been implicated in the transfer of land to private industrialists have remained in a confusing state of ‘permanent reform’ (Jenkins 2014) and perpetual ambiguity (Jenkins 2014, 47). Lack of information, split responsibilities in the federal system, multiple laws with overlapping and often contradictory content, unclear implementation procedures and frequent changes make it impossible for any involved entity to stay up to date with what the regulatory demands actually involve. This regulatory complexity is a key feature which continues to allow politicians to use their discretionary power for the benefit of select business partners in a system of de jure reasonable market-orientation and democratic distribution of power (Jenkins 1999, 2014).

At the same time, it is essential to acknowledge the significant limitations to how closely comparatively small, elite interest groups can collaborate, not least because of India’s highly fractured mode of governance with frequent realignments of power (Kohli 2009). The recent national assembly elections notwithstanding, national governments have generally come to include an ever larger number of coalition parties, often espousing not readily compatible
on the other. These are, for instance, channeled through different ministries and different parliamentary standing committees which may, in turn, adopt radically different views on a given policy matter. Similar divisions sometimes exist within governments (although they as a rule comprise fewer parties) and individual parties at the state level.

The electorate of course has an important say in this too as politicians are known to be frequently voted out of power because of going against the wishes of their, often predominantly rural, electorates (Yadav and Palshikar 2009). This scenario, coupled with the sheer complexity required for investment approvals, and at least a few transparency clauses under which information has to be shared, particularly via the Right to Information Act of 2005, as well as at least some independent institutions, like the courts, represents openings for oppositional groups to challenge particular industrial projects. There is thus in effect a strong tension between elite-driven political efforts to facilitate industrial investments on the one hand, and the continued existence and even expansion of policies which aim to strengthen local democracy and active citizenship on the other.

It is our contention, then, that in struggles over natural resources, land and industrialization, it is not only the available material resources and capabilities which determine outcomes. If this was the case, industrial promoters would surely come out on top due to their superior ability to influence state functions, and their greater command over technical and financial resources. Arguing for the need to move beyond ‘the dull rigours of economic determinism that dog political ecology’ (Baviskar 2008, 1), Baviskar, therefore, suggests we focus instead on the complex material and symbolic dimensions of how ‘natural resources’ like land come to be imagined, appropriated and contested. Crucially, this approach entails paying attention to the

Plurality of forms of association, roles, groups, institutions, and discourses . . . [T]he means of interpretation and communication are not all of a piece. They do not constitute a coherent, monolithic web but rather a heterogeneous, polyglot field of diverse possibilities and alternatives (Fraser 1989, 165).

It is not just that, in a cacophonous plurality of claims and counter-claims, the sought outcomes from the groups involved are seldom identical; they may not even rely on the same discourse. A core difference exists, for example, when ‘the developmental alliance’ draws on a discourse of economic growth, while civil society concerns over land are articulated in a discourse of identity that pits ‘rooted farmers’ against ‘footloose investors’ (Jenkins 2014, 62). Claims based on redistribution of resources and recognition of identity (Fraser 1997) are thus not necessarily articulated in a shared language. Similarly, the politics of claims-making by civil society, supported by a relatively free media, is likely to occur in a multitude of forums. This includes recourse to courts at multiple levels in order to hold up, or temporarily delay a project. Mass protests at project sites can also be combined with other forms of interventions by those who possess the proper legal and technical skills to oppose implementation. And while a long-drawn court case or government investigation proceeds, new changes in one or the other legal framework, or indeed in overall political economy dynamics, are very likely to throw up new possibilities for ‘law-struggle’ (Sundar 2011) and other forms of contestation.

It is within this context of varying policy preferences and multiple and shifting discursive strategies – both within governments and civil society – and an uncertain, complex and fissured governance system, that claims and counter-claims over industrialization and land acquisition are negotiated. Here, the national overarching policy framework in effect provides the lens for contrasting tremendously varied experiences across federal India (Jenkins, Kennedy, and Mukhopadhyay 2014), with the state level becoming the main arena for contestations due to its primacy in land matters. In a context in which highly local factors are thus often important in shaping both state-level policies and the trajectory of resistance movements (Jenkins, Kennedy, and Mukhopadhyay 2014, 20), the two industrial projects we analyze below share the key feature that they were both sought to be implemented in an environment that was at once favorably predisposed to, yet also conducive for resistance to, land acquisition for industrialization. We return to the dynamics of this duality and its broader implications in the latter half of the article.

**West Bengal: The Tata Nano factory in Singur**

In 2006, West Bengal’s Left Front Government (LFG), led by the Communist Party of India (Marxist) (CPI(M)) won a landslide victory at the state assembly election as it was re-elected for the sixth consecutive time. While West Bengal was once India’s industrial powerhouse, a long-drawn industrial decline has been in motion from at least the mid-1950s. Increasing competition from other Indian states (Pedersen 2001); the adverse impact on the state of the nature of center–state’s fiscal relations during the heyday of state-led planning and development in the 1950s, 1960s and 1970s; widespread labor militancy from the 1960s; and the ascent to power in 1977 of the Communist-led LFG that spoke of lessening the stranglehold of the monopoly houses and the multinationals, and of increasing the control of the workers over the industrial sector (Government of West Bengal 1978), have combined to keep industrial investments at a comparatively low level. Economic growth in West Bengal under the LFG’s rule (from 1977 to 2011) has instead predominantly taken place in the agricultural sector, spearheaded by a
comprehensive pro-poor land reform program coupled with
democratic decentralization (Bandyopadhyay 2007; Webster 1992). Yet by the turn of the millennium it had become evident that mounting difficulties in agriculture had produced a situation where non-agricultural activities had become ‘preferable’ for many small-holder rural households, in a context in which there ‘quite simply was not enough jobs for all the people who are willing or forced to work’ (Government of West Bengal 2004, 42; 89).

Against this backdrop, the promise of rapid industrial development as a route to non-agricultural employment had figured prominently in the LFG’s campaign in 2006: its election manifesto had highlighted industrialization as one of the means of tackling the problem of unemployment; and the manifesto’s section on industrialization promised to set up industrial parks and to increase investments in industry. The state would, in addition, establish a minimum of four SEZs (People’s Democracy 2006) which would be earmarked as duty-free enclaves operating under a ‘relaxed and business friendly policy regime’ that would include an ‘expeditious process for land acquisition’ (India Brand Equity Foundation 2005, 16). When speaking in public about his government’s industrial development policy based on private investments, the Chief Minister routinely stressed how the state was presently in a transitional stage in which the state would move ‘towards rapid industrialisation’. Since ‘agriculture alone cannot create new job opportunities and move the economy further’, it was considered ‘imperative to move from agriculture to industry’ (quoted in Chattopadhyay 2007).

In the immediate wake of its 2006 electoral victory, the LFG announced that the leading Indian car manufacturer Tata Motors would be coming to the state to set up a new car factory. Widely projected as a first installment on the LFG’s electoral promises of industrial development, the Tata Motors factory and its ancillary units were estimated to bring in industrial investments worth INR 10 billion and generate more than 10,000 new jobs. But in addition, the project’s symbolic value was significant. Mazumdar (2006) described it in Outlook, one of India’s leading weeklies, as indicative of how LFG policy-makers of this ‘once anti-industry state’ had successfully walked that ‘extra mile’ to woo investors, and attract both corporate attention, investment and praise. According to Tata Motor’s Managing Director, the project would kick-start the entire re-industrialization process of West Bengal (Chattopadhyay 2006). As Samaddar (2009, 154) succinctly observes, in the LFG’s and Tata Motor’s discursive projection of the Singur project, the ‘quick march’ toward industrialization that they envisioned appeared not as ‘an option but a compulsory step’.

Yet the Tata Motors project in Singur ran into trouble almost from the minute the LFG announced that it intended to acquire 997 acres of land from farmers in Singur block in the state’s Hooghly district to make way for the factory. While the land acquisition threatened to dispossess a full 12,000 land owners directly, many sharecroppers, agricultural laborers, seasonal migrant workers and artisans would also be adversely affected. Many among the project-affected population were enraged by the prospect of the removal of a significant portion of agricultural land from the local agrarian economy, and organized to prevent the land acquisition from going ahead. Under the aegis of its local organizing committee, the Singur Krishi Jomi Raksha Committee (SKJRC – Committee to save the farmland of Singur) organized agitations, rallies and demonstrations on a daily basis to express their opposition to the land acquisition.

During the latter half of 2006, the Singur movement gradually, but increasingly, drew the attention and support of social and human rights activists, intellectuals and politicians of many persuasions from across the state and other parts of India and abroad (Roy 2007, 3326). This oppositional coalition included a cacophony of voices, from neo-Gandhian traditionalists, civil rights organizations, donor-funded NGOs, leftist trade unions, Maoist-inspired revolutionaries, the National Alliance of People’s Movements headed by high-profile social activist Medha Patkar, as well as several mainstream political parties from across the political spectrum (Nielsen 2009a, 2010). Drawing on a discourse of active citizenship, they argued for the necessity of ‘deliberation, careful planning, necessity to ensure the consent of the peasantry … the necessity of a wider dialogue on the roadmap to industrialisation… and finally, the need to balance the industrial drive with agricultural stability and growth’ (Samaddar 2009, 159). They also critiqued the LFG for offering Tata Motors a free choice of location for their new factory, rather than planning for the arrival of the factory within the parameters of a broader state-wide industrial development plan. And locally, project-affected land owners complained that the outdated state of local land records, which had not been updated for over two decades, meant that the extensive conversion of mono-crop to multi-crop land, brought about by the introduction of new agricultural techniques and inputs, land reforms and improved irrigation, was nowhere reflected in official records. As a result, most of the affected land owners stood to be grossly under-compensated (Ghatak et al. 2012).

The project was also criticized for the lavish subsidies the LFG ostensibly offered to Tata Motors as part of a deal otherwise clouded in secrecy, and the contents of which LFG politicians refused to disclose because they were considered ‘trade secrets’ (Ghosh 2007, 84). When the deal was finally disclosed after considerable public pressure, it was found to contain considerable direct and indirect subsidies: the land was handed over to Tata Motors on a 90-year lease without any down payment and at a very low rate; the LFG offered the Tata group a
loan worth INR 200 crore carrying a nominal interest of only 1% – to be able to do so, it even had to take a loan from the market at a much higher rate (Samaddar 2009, 171); and the entire proceeds for the first 10 years of the value-added tax on the sale of the car in West Bengal were to be handed back to the Tatas, again at a nominal interest of only 1%. In all, it was estimated that Tata Motors were ‘being offered the allure of around INR 850 crore by the state government’ (Mitra 2007). These figures led to considerable controversies within the ruling LFG where some of the junior coalition partners – most notably the Revolutionary Socialist Party and the Forward Bloc – criticized the CPI(M) for not having taken its partners into confidence when adopting the policy of forcibly acquiring agricultural land at the behest of a private capitalist investor.

Initially, however, it appeared that the Singur protests would be futile. Notwithstanding both internal and external criticism, and regardless of the potentially complicated fact that while the West Bengal unit of the CPI(M) was seen spearheading a neoliberal strategy of industrial development, the CPI(M) in many other Indian states were fiercely opposing the very same policies, the LFG went ahead and used its power of eminent domain to acquire and fence the land in Singur in December 2006. By then, Mamata Banerjee, the leader of the main opposition party in West Bengal, the Trinamul Congress (TMC), had emerged as the champion of Singur’s land-losers. To force the LFG to backtrack, Mamata Banerjee conducted a prolonged fast in the center of the state capital Kolkata; but while her fast attracted the attention of the media and political VIPs from across India, it achieved nothing in terms of making the LFG budge. She finally called it off after 25 days; soon after Tata Motors announced that the factory would be up and running in a year.

Simultaneously, several land-losers and civil society organizations had sought to contest the land acquisition through the legal system. During the construction period, 11 petitions challenging the legality of the land acquisition that had been filed with the Calcutta High Court were heard. Most of them contested the legality of the land acquisition by claiming that it had not been carried out in accordance with the law of the land, which requires that a land acquisition must be undertaken for a ‘public purpose’. But the result was disappointing from the point of view of the SKJRC as the court ruled that the land acquisition was legal, valid and carried out with bonafide intentions (Nielsen 2009b).

In spite of the many setbacks for the Singur movement, car production never started. Throughout the construction period the SKJRC continued its movement which reached its crescendo in late August 2008 when thousands of farmers from Singur were joined by sympathizers from across the state and laid siege to the construction site. Leaders and activists of the TMC spearheaded the siege, supported by politicians from several other, smaller political parties, along with social activist Medha Patkar and many Kolkata-based intellectuals, theatre personalities and actors. More than 20 camps were set up on the Durgapur Expressway, the national highway from which the factory site could be accessed, and apart from the many trucks carrying food for the protesters, traffic on the highway was blocked and work on the factory suspended. By October, the corporate leadership of Tata Motors had had enough. It declared that operating a plant amidst continued agitation and hostility was not a viable way for them to proceed. The Chairman of the Tata Group, Ratan Tata, accordingly announced that his company would abandon its yet-to-be completed car factory for more hospitable pastures in the state of Gujarat.

By spearheading the Singur movement, Mamata Banerjee acquired a reputation as the new defender of agrarian interests against the onslaught of industrial capital. Riding a wave of popular support, she successfully ousted the LFG from power at the 2011 state elections. Returning a portion of the forcibly acquired land in Singur – which had remained walled-up and in the formal possession of Tata Motors even after their departure – to its erstwhile owners had topped Mamata Banerjee’s agenda prior to the elections; but realizing this aim once in power through political fiat turned out to be exceedingly difficult. Because Tata Motors had continued to renew its lease on the land, it retained the right of use. And because the 1894 Land Acquisition Act, under which the land in Singur had been acquired, contains no provisions that allow for the return of acquired land to its former owners, land restitution could not commence. Seeking a way out of the imbroglio, the TMC-led state government tabled and passed the Singur Land Rehabilitation and Development Act in 2011. The Act was designed with the sole purpose of enabling the return of the 400 acres of land that was acquired without the consent of the land owners. Yet as Tata Motors moved to challenge the legal standing of the Singur Land Rehabilitation and Development Act in court, a division bench of the Calcutta High Court eventually ruled, in 2012, that the said act was ‘unconstitutional and void’ since it had, among other things, not received the assent of the President of India required for a state act to prevail over a national act (Ghosh and Saha 2012).

As this is being written, the legal imbroglio over the land in Singur is still undecided, but no immediate way out appears to be in sight. The land in Singur still lies vacant, uncultivated by its original owners and unused by the current lessee Tata Motors, who have not yet ruled out a return. Of the Tata Motors factory only the skeleton-like concrete framework remains – the bricks, tin sheets and iron rods have long since been pilfered by local villagers and used for house improvements or sold off as scrap iron. With neither land nor any new
employment-generating industries in the vicinity, the project-affected population – including land owners, sharecroppers and agricultural workers – currently receive a monthly government stipend of INR 2000 per family as well as rice at INR 2 per kg to get by.

Andhra Pradesh: The JSW Alumina refinery in S. Kota

Having never quite been center stage among Indian states economically or politically, Andhra Pradesh shot to sudden fame in the early 1990s when Chandrababu Naidu of the regional Telugu Desam Party (TDP) became the first Chief Minister of any Indian state government to openly embrace economic reforms (Rudolph and Rudolph 2001a). After 10 years in power, the accusation of neglecting the countryside inflicted damage on the TDP government, however, and the opposition Congress party returned to power in 2004 (Suri 2005). Of paramount importance in the new Congress government was Chief Minister Y. S. Rajashekhara Reddy (YSR), a powerful factional leader who had managed to unite the Congress party and remove the seemingly unbeatable Naidu (Balagopal 2004). Compared to his predecessor, YSR formulated a rhetorical shift away from open support for industrialization in favor of populist welfare ‘packages’ for the rural poor. Industrialization and economic growth remained highly relevant in actual policy, however, as indicated by the many SEZs which were proposed in the state (Srinivasulu 2014).

Increasingly competitive politics in the state has created further demands for representation from neglected groups and regions; but members of the Reddy and Kamma castes remain remarkably in control of state politics (Vaugier-Chatterjee 2009). Many, if not all, of the most powerful politicians in Andhra Pradesh are also businessmen who have been able to convert surpluses from land ownership into investments in private sector enterprises. This included YSR who via his son saw a major business empire take shape – including a state-wide newspaper and TV news channel, a cement plant and IT parks – during the mandate period 2004–2009. The Minister of State in the national Ministry of Mines, T. Subbarami Reddy, was similarly a major roads contractor; and the treasurer of the Andhra Pradesh Congress party, P. Pratap Reddy was an important investor in a highly controversial aluminum project by AnRak Aluminum Ltd (Oskarsson 2010, 2012). The approach taken in industrialization in Andhra Pradesh was thus one involving high personal stakes for leading state politicians.

One part of Andhra Pradesh which has largely remained untouched by efforts to industrialize is the northernmost Adivasi territories, the so-called Scheduled Areas. In these areas Constitutional and state-level protection related to land (and other measures) existed for groups not necessarily seen as indigenous but nonetheless deemed in need of support due to their poor socio-economic development. In the 1970s, however, it was discovered that some of India’s largest deposits of bauxite ore existed in the hills of Visakhapatnam District; and ever since, the state government has attempted to set up industries to extract and refine this mineral. Efforts intensified in the late 1990s with the increasing importance of private investors in the economy.

NGOs and popular movements have, over the years, come to oppose mining based on the dispossession of Adivasis. The matter was taken to the Supreme Court in 1997 and resulted in the so-called Samatha Judgment which upheld local land rights over private mining and industry, stating that only the Adivasis themselves or the government which acts in the public interest can own or lease land, whereas private companies cannot (Supreme Court of India 1997). But the Supreme Court verdict did not lead to complete protection against mining as could have been expected. A new project was proposed in 2000 but public pressure from opposition parties and tribal advocacy groups was such that the plans had to be abandoned (Vagholikar and Moghe 2003).

In 2005, bauxite mining and refining was again proposed in an investment estimated at INR 90 billion (approximately USD 3 billion). The promoters were a combination of the state government and a private investor, Jindal South West (JSW), a subsidiary to Indian big business firm Jindal Steel. To circumvent the state land transfer legislation which was crucial to the Samatha Judgment, the project was split in two parts. The state government would mine the ore from the Scheduled Area mines and transport it to non-Scheduled land where the privately owned refinery would come up on regular agricultural land. This in effect created two projects with separate project plans and implementing agencies set in close proximity to one another.

The location of the refinery, or the size of land required, was not mentioned in the original agreement in 2005. Eventually a site was chosen next to Srunugavarakoputa (S. Kota) town in Vizianagaram District, as close as possible to the proposed mines along the existing railway line to cut down on transport costs, but still on general land. Officially the land was described as owned by the government, and the acquisition as resulting in little displacement, thus giving the appearance of being uncontroversial. The few displaced families would be compensated according to the then recently approved Andhra Pradesh Resettlement and Rehabilitation policy of 2005 which provides for cash compensation for agricultural and other forms of land, and for resettlement in case houses are acquired. In addition, the company promised each family one job in the upcoming factory and supportive payments until construction had been completed. Of the 1,350 acres, 170 acres was private land which was acquired directly by the company (Government of Andhra Pradesh, Revenue
Department (2007a). Several unofficial sources placed this compensation significantly higher than what was paid for the land.9

While the initial planning of the bauxite mining and refining project took place in hidden forums controlled by political and business interests and came with little public insight, implementation opened up the project for scrutiny by the press; by public institutions not necessarily controlled by the project promoters; and, crucially, by the wider civil society which had in the past used public interest litigation – including the Samatha Judgment – and public mobilization to counter similar plans. The area chosen as the location for the refinery, at the very foot of the bauxite-bearing hills proposed for mining, had seen an influx of outsiders acquire the best land from what was only a few decades ago described in interviews as a forested area inhabited almost exclusively by tribal communities. Some of the villages now losing land to the refinery had existed for generations but were for some reason never included when the Scheduled Areas were demarcated, thereby remaining outside of the protective land rights legislation. Other tribal villages were displaced into the area when an irrigation dam was built nearby in the 1960s. At the time they were rehabilitated with new houses and on good land but now faced displacement again. The villages affected by land acquisition were thus mainly from Adivasi groups, despite the non-Scheduled location, mixed with lower caste Hindu communities (Oskarsson 2010).

The Environmental Impact Assessment (EIA) report did not mention the fertile land and the mainly Adivasi villagers who were making a living at and immediately surrounding the proposed site. Land use was instead described as ‘waste land with agricultural activities in patches’ (Vimta Labs 2007, C1–2). Ownership was also not an issue according to the EIA since 85% of the land was owned by the government (Vimta Labs 2007). In actual terms 919 acres of the site was so-called assigned land, that is, land given to a poor farmer as part of government land distribution programs. This land cannot be sold and thus officially remains government owned. In reality, this meant that while the site was planned for a location with predominantly poor farmers,10 it gave the appearance of coming up on government-owned, non-fertile land. Official documents counted the displaced as being 75 families (Government of Andhra Pradesh, Revenue Department 2007b). Many more, about 400 families, or about 2000 people, in total, lost their agricultural land and main source of livelihood (Government of Andhra Pradesh, Revenue Department 2008). However, a conscious attempt to circumvent the house plots appears to have been made since acquiring such plots would make the affected people ‘officially displaced’ according to the state’s R&R Policy. The alumina refinery thus left many families on the immediate outskirts of the proposed refinery possessing no other real skills than agriculture to hope for the one promised job in the refinery for future sustenance for the entire, often joint family. But the lack of a strong, local NGO or other actor who could spread knowledge about these injustices hampered mobilization toward a larger oppositional movement.

While the state bureaucracy, and particularly the crucial local Revenue Department in charge of the land acquisition, had initially appeared as not only highly motivated but also competent in getting administrative tasks completed, poor information management skills of employees stuck largely in a pre-computer era with 1950s facilities posed serious challenges. Even though officials at times used remote sensing technology like Google map satellite imagery to plan for the land acquisition, the more detailed management had to be dealt with on the ground at S. Kota. Official revenue maps were handed over to the company and digitized openly enough for the official land acquisition map to be labeled ‘JSW Aluminium’; even though it was the government which was the acquiring agency. But, however well maps are digitized, this process cannot compensate for poor input data. Since many land transactions had taken place since the maps were made, the result was inaccuracies which had to be updated while land was being acquired in a process which depended on moving swiftly before the local project opposition had the chance to build momentum.

A large number of individuals and organizations seized on this and similar uncertainties to demand accountability. This ranged from mass protests against the land acquisition at the refinery site, to NGOs filing court cases, or political parties asking questions in the state legislature. The larger protests focused almost exclusively on the mining part of the project, however. Building on earlier struggles against proposed mining, and invoking the image of Adivasis in the hills being connected culturally and materially to their lands, resonated strongly in civil society as well as among large sections of political society where especially the left parties were very active. Some groups, like the refinery-based Bauxite Vyathirekha Porata Committee (Struggle committee against bauxite), attempted to connect the refinery displacement with the mining case in order to achieve more leverage but remained a somewhat marginalized voice in the overall protest (Oskarsson 2010). It was, however, equally possible for the promoters to make use of the mining protests – they managed to secure environmental approval for the refinery by blaming ‘outsiders’ for the protests in S. Kota (Ministry of Environment and Forests 2007).

Since 2009, with land acquired for the refinery, construction has not been able to move ahead. A clear reason for this has never been officially communicated either by the state government or JSW, but it clearly relates more to bauxite mining protests than to refinery land. Certainly, overall civil society protests including a number of court
cases and subsequent Ministry of Environment and Forests (MoEF) special investigations played key roles in delaying implementation. But other factors at state and national levels were also important, including the demise of Chief Minister YSR in an accident which threw state politics into turmoil over who would take over as leader of the state. And in 2010 a national approval for Vedanta’s bauxite mine on nearby Niyamgiri Hill in Odisha state was denied by the MoEF, thus making it difficult for the same ministry to support a similar project in Andhra Pradesh.

On a field visit in 2012, the refinery area wore a deserted look. Representatives of the company had not been seen for years after they had erected a boundary wall around the property. In fact, not even a sign was evident to indicate ownership. Some of the farmers used holes in the wall to return to their earlier land and cultivate it. Others could not do so as easily since their cashewnut plantations require significant investment upfront and a number of years to grow before a harvest can be made. The refinery site was thus in limbo between industrialization and agriculture, with some people being able to continue cultivation while others had to depend on various temporary jobs in the area now that payment of salaries from JSW, which was part of the compensation, had ceased. In effect, the cessation of industrialization at S. Kota occurred as somewhat of a side-event to what was seen as the real battle over bauxite mining. To organize a strong enough protest to have the S. Kota land returned to its original owners and users under such circumstances appeared beyond what anyone could hope to accomplish. At the same time, the company appeared to have given up on the project and left the area.

Deadlocks compared
The two cases detailed above bring out some of the many possibilities which exist in India for oppositional groups to raise their voice against the contentious land transfers that have increasingly become an integral component of India’s overall efforts to industrialize. They also point to what appears to be a mutually interlocking capacity of different interests which threaten to confine even successful oppositional projects to a virtual deadlock in which acquired land is neither returned to earlier users nor put to any other productive use.

Key differences obviously exist between the two cases with respect to local agrarian structures, state-level governance, and the finer details of planning and implementation. The much larger number of people affected in Singur compared to S. Kota, despite similar land areas being acquired, point to fundamentally different natural conditions for agriculture as an alternative to industrialization. This difference translated into greater possibilities for local protests in Singur. And unlike in Andhra Pradesh, the nexus between business interests and state-level politicians was less close in West Bengal. This allowed leading Bengali politicians to very vocally and unambiguously support the project-affected people in Singur. In Andhra Pradesh, opposition politicians could voice complete opposition to bauxite mines since these were seen as destructive to Adivasi culture; but not to the transfer of agricultural land for industry. Similarly, Tata Motors could in fact navigate the deadlock by relocating their factory in the face of prolonged local opposition, albeit at a huge cost. Given the need for nearness to the source of supply, the JSW Alumina Refinery had no comparable escape route and became stuck in a deadlock that emerged somewhat as an aside to what was widely seen as ‘the main struggle’ over bauxite mining.

This notwithstanding, the similarities are starker than the differences. State support for pursuing industrialization through private capitalist investors was significant in both states, as indeed they have been across most states in a context in which, in Levien’s (2012, 946) words, Indian states compete ‘with each other to be the best expropriators of the peasantry’. Both projects were clouded in secrecy, at least in the early stages, including with regard to the crucial details of the land to be acquired; the nature of the ‘purpose’ for which it was acquired; and the compensation paid – information that is required for mounting legal challenges. Although the projects initially looked set to be implemented swiftly, they both derailed fairly quickly. Poorly maintained and outdated land records produced flawed pictures of the areas targeted for industrialization and led to poor rates of compensation in both cases. And the benefits of the projects remained opaque to many among the project-affected people. All of this provided comparable fertile grounds for the formation of local resistance and the constitution of broader oppositional networks comprising civil society groups, NGOs and local politicians. Those opposed to the projects have relied on comparable repertoires of contention, working both ‘in and against the state’ (Nilsen 2012) to retain their land. This has included direct action, but also the invocation of citizenship and accountability and, not least, recourse to the language and institutions of law. And importantly, the deadlocks have, in both cases, hugely damaged local livelihoods; squandered public funds; and entailed considerable private investments that have produced no positive tangible result.

While the Singur and S. Kota cases may not necessarily be paradigmatic of how industrial development and resistance play out in contemporary India, they are not statistical outliers either. Many SEZs and other kinds of industrial projects all over India have been ‘stuck in land acquisition purgatory’ (Levien 2013, 353) for several years. This includes, for instance, the controversial POSCO steel project in Odisha, and the several scrapped SEZs in Goa where land restitution has been impossible to carry out.
Concluding reflections

The kind of development deadlock that we have analyzed here in effect combines the worst of both worlds, that is, forced displacement and aborted industrialization followed by blocked land restitution. Thus, while the Tata project in Singur is in suspended hibernation, the lessee is unwilling to terminate the lease and the government is incapable of forcing through a process of land restitution in a legal manner. As a result, the land has lain unused for six years now. In S. Kota, the project officially lingers on despite no actual progress having been made for several years, and in spite of the company management openly indicating a lack of interest in continuing it. Here, some farmers continue to carry out their livelihoods by illicitly slipping inside the industrial ground to cultivate what used to be their plots, while they await further news.

On the one hand, the ability of subaltern groups in West Bengal and Andhra Pradesh to, at least partially, fend off the threat of displacement and dispossession associated with land acquisitions is indicative of considerable political agency. According to Chatterjee’s (2011) recent much-cited work on the relationship between democracy and economic transformation in India, one would have expected most such land struggles to fall short of achieving their goal of preventing a particular industrial project from going ahead. In line with Kohli’s idea of an elite-driven process of policy-making that sees top politicians favoring economic growth and domestic private sector interests, the dominance of the capitalist class is, to Chatterjee, such that its interests are catered to regardless of the ‘particular combination of parties [in] power at the centre or even in most of the states’ (Chatterjee 2011, 220). As a result, primitive accumulation becomes ‘the inevitable companion’ (Chatterjee 2011, 232) to the kind of capitalist growth currently underway in India. The best that popular resistance can aspire to achieve is thus to ‘soften the blows dealt by primitive accumulation’ (Chatterjee 2011, 214) by forcing politicians to reverse its worst effects through the transfer of resources from the accumulation economy to governmental programs aimed at providing basic sustenance for those who are left dispossessed and marginalized (Chatterjee 2011, 232). The cases analyzed here, in contrast, demonstrate the capacity of popular movements to, at least temporarily, deadlock and halt aggressive industrialization in its tracks.

On the other hand, the fact that deadlocks in land use emerge within an overarching framework of leading politicians and state governments extending strong support to business actors raises uncomfortable questions about the possibilities for democratic governance in India. Multiple claims made by multiple actors akin to those described here for Singur and S. Kota, have always been part of land contestations in India. But perhaps, as Jenkins (2011) argues, recent developments indicate that the system of selective compensation to powerful interests has reached its limits, with the state failing to provide compensation for the displaced, combined with widespread corruption and rent-seeking in land transfers on such a systematic scale that few still trust the government to provide solutions to complex and intractable land management issues. At the same time, our analysis indicates systemic challenges which appear to go beyond a decline or breakdown in the capacity of governments and leading politicians to mediate between interests in matters pertaining to land transfers and land use. The vast network of laws created to legally enshrine the specific rights of various groups across the country is not only extensive, but also filled with ambiguities. These appear to fuel possibilities for disagreement that lead to blocking procedures rather than closure on one or more of the many interrelated issues that affect the trajectory of land acquisition and resistance. Further spaces for ambiguity and contestation are opened up by the continued neglect of core administrative functions such as proper land records management; and by inefficient court procedures that keep upwards of 30 million cases pending in various courts. The reasons for the continuation of this state of affairs, we suggest, may possibly be found in a mix of willful abandonment of issues pertaining to land and agriculture in general, and the benefits and functionality that neglect can provide. Since managing land relations is key to politicians, not least in the liberalization era, uncertainties and ambiguities in legal regimes, formal procedure, and land details need to be cultivated to sustain the need for political intervention. Even leading business groups may be persuaded to think of the present system as a functional way of getting preferential access to land – the companies active in Singur and S. Kota may not be able to put their respective pieces of land to productive use at present; but they may well be able to do so in the future, if and when the deadlocks can be broken. Similarly, oppositional groups in civil society may see some benefits in the present opportunity structure which enables them to stave off at least some projects that entail large-scale displacement. In addition, the large anti-displacement movements of the 1970s and 1980s which struggled – often in vain – against the large-
scale displacement caused by India’s state-led model of development (and the building of big dams in particular) — including the internationally renowned National Alliance for People’s Movements — have now acquired ‘added political muscle’ (Jenkins 2014, 63) by successfully linking up with the many new anti-SEZ and anti-land acquisition movements. This has given these ‘older’ movements a new relevance in a context in which the state-led development model that they for so long struggled against has increasingly been dismantled and replaced by more neoliberal forms of governance and development policy. The current system with its capacity for at times producing development deadlocks may thus have some measure of support in different quarters. This notwithstanding, future realignments of power in the wake of the recent assumption of office of a new and ostensibly more market-friendly Union government in May 2014 may occur swiftly, thereby opening up new ways of managing, acquiring and transferring land, with potentially significant ramifications for current deadlocks.

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Notes
1. In May 2014, the Hindu nationalist Bharatiya Janata Party (BJP) won a majority of seats the Lok Sabha, the lower house of the Indian Parliament. This was the first time in 30 years that one party could, in theory, single-handedly have formed a majority government. But, tellingly, the BJP chose instead to lead a larger coalition government.
2. Under the Right to Information Act, any citizen may request information from a ‘public authority’ which is required to reply within 30 days. The act also requires every public authority to computerize their records and to proactively make available certain categories of information so that citizens need minimum recourse to access information.
3. In the case of mining, the Forest Rights Act from 2006 represents one such new major possibility in recent years. This act recognizes and vests the long-denied forest rights and represents one such new major possibility in recent years. This act recognizes and vests the long-denied forest rights and occupation in forest land in Adivasis – ‘the original inhabitants’; often referred to as ‘tribals’ – and other traditional forest dwellers.
4. In the 2014 elections, Chandrababu Naidu became Chief Minister again having reinvented himself as a supporter of welfare policies rather than economic reforms.
5. Dominance of the southern Rayalaseema region over the other two regions of coastal Andhra and Telengana has been a strong theme in state politics, resulting in the announcement of the bifurcation of Andhra Pradesh and the creation of an independent Telengana state in 2013.
6. These are territories reserved for India’s Adivasi communities as per the Constitution’s Fifth Schedule.
7. Bauxite is an ore containing aluminum oxide and a range of other elements. This ore is refined in two stages to first produce alumina and then the metal aluminum.
8. The Andhra Pradesh Scheduled Area Land Transfer Regulation 1959 as amended up to 1970.
9. Interviews S. Kota, Visianagaram District April 2008. The company indicated a slightly increased price for the private land in news articles (Rama Raju 2009).
10. An unknown portion of the land meant for the poor was, however, since long in the hands of non-poor farmers.
11. For a concise overview of some of the critique of Chatterjee’s highly influential argument, see Gudavathy (2012).
12. In India it can routinely take over a decade for a litigant to have a case first heard by a district court, reheard in the High Court, and then heard again in the Supreme Court (Robinson 2013, 5).

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