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# The Narmada Valley Project: Displacement, Development, and the Dilemma of Social Justice

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## Abstract

The Narmada Valley Project, one of India's largest river valley initiatives, aims to provide irrigation, electricity, and economic growth through dams like the Sardar Sarovar Dam. However, the relocation of over two lakh people, mainly from rural and tribal communities, has led to significant human costs. Although constitutional guarantees and the 2013 Land Acquisition Act exist, rehabilitation efforts remain inadequate and inconsistent. This study adopts a qualitative and doctrinal approach, drawing upon statutory frameworks, landmark judicial decisions, environmental assessments, and civil society narratives to critically examine the legal and social consequences of the project. Through the lens of key legal cases, including *Narmada Bachao Andolan v. Union of India*, and stakeholder perspectives, the paper critiques the contradiction between state-led development imperatives and constitutional rights.

**Keywords:** Development-Induced Displacement; Narmada Valley Project; Environmental Justice; Rehabilitation and Resettlement; Tribal Rights; Socio-Legal Analysis

## 1. INTRODUCTION

In independent India, large-scale infrastructure projects have been central to the agenda of the state. Dams, roads, industrial corridors, and special economic zones have been built in the name of national progress. Of these, the Narmada Valley Development Project (NVDP) is an icon of both technological extravagance and human suffering [1]. Designed in the middle of the 20th century and built across decades, the scheme planned to build more than 30 large dams along the Narmada River, out of which the Sardar Sarovar Dam was the most distinguished. Its intended purposes—irrigation, hydropower, and potable water—were the dreams of a modern India. Yet, these advantages have been dwarfed by its immense displacement. The scale of displacement caused by the Narmada Valley Project is enormous. More than 2 lakh locals, mostly from tribal communities, have been displaced from their traditional habitats. Although constitutional protection exists in Article 21 (Right to Life), Article 19 (Right to Movement), and Article 244 (protection of Scheduled Areas), the response by the state demonstrates a critical disconnect between law and justice. Failure by the administrative systems to provide adequate compensation, shelter, and livelihood rehabilitation has attracted national and international outcry [2].

This paper analyses the Narmada Valley Project as a case study within the general context of “development versus displacement” in India. This paper tries to address basic questions: How effective is India's legal framework in protecting the rights of displaced persons? What has been the contribution of the judiciary in mediating such disputes? Is development sustainable if it excludes those persons who are on the fringes of society? This paper will analyse the consequences of state-led development for vulnerable groups by using a socio-legal approach that encompasses law, policy, and social justice [3]. It makes use of legislative analysis such as the Land Acquisition Act of 1894, its successor—the 2013 Act, the Forest Rights Act, and a number of judicial decisions, including the path-breaking case of (*Narmada Bachao Andolan v. Union of India* 2000). The essay also makes an analysis of the role of

the Narmada Bachao Andolan (NBA), a vibrant grassroots movement that challenged the moral and legal grounds of the project.

Through this analysis, the paper attempts to move beyond a dualistic model of development and rather propose a more participatory, inclusive, and rights-based design for schemes to come. The lessons of the Narmada Valley Project cannot be generalised to a single dam or a single government, but they are necessary to understand how India can strive for economic growth without compromising the constitutional and human rights of its weakest members.

### **1.1. Objectives of the Study**

- To explore the socio-legal implications of the Narmada Valley Project in terms of human rights abuse, rehabilitation, and displacement.
- To examine the extent to which the Land Acquisition Acts and rehabilitation policies, among other legislation and policy documents, address the requirements of rural and tribal communities displaced from their lands.
- To analyse how the judiciary, and more particularly through milestone decisions, intercedes in the dialectic between development necessities and the rights of affected communities.
- To evaluate the impact of large-scale dam construction on the ecosystem of the Narmada Valley and assess the effectiveness of environmental impact assessments.
- To explore the Narmada Bachao Andolan and other civil society efforts have influenced public perception and affected development and displacement policies.

### **1.2. Review of Literature**

The Narmada Valley Project (NVP) has been the focus of intense academic and policy research, particularly with regard to displacement, environmental degradation, and socio-legal accountability. Scholars such as Amita Baviskar [4] have critically explored the tribal resistance and ecological injustice of the project. Her book *In the Belly of the River* is a rich ethnographic account of how displaced tribal communities negotiated identity, culture, and resistance to state-driven development. Baviskar frames displacement not just as a matter of logistics but of ethics as well. Walter Fernandes [5] has examined development-induced displacement across India, tracing the structural injustices and failures in resettlement policy. His research reveals that tribal populations disproportionately bear the cost of industrial and infrastructure schemes without formal land ownership, which further marginalises them through compensation mechanisms. Leela Mehta [6] also conducted a gender-orientated study on the process of displacement and argued that women experience a “double bind”—physically displaced as well as socially and deprived of legal rights and decision-making. Her study emphasises the need for gender-sensitive models of rehabilitation. In legal literature, Kothari and Joy [7] describe how judicial orders and legislation, such as the Right to Fair Compensation and Transparency in Land Acquisition Act (2013), came into force as a result of growing popular pressure and people's movements.

However, the application has been uneven, particularly in mega-sized projects such as NVP. Eco-researchers such as Rohan D’Souza [8] have deplored the ecological cost of mega-dams, e.g., riverine biome disruption, destruction of forests, and loss of biodiversity. It points to the failure of Environmental Impact Assessments (EIA) to predict long-term ecological impacts. The role of the Narmada Bachao Andolan (NBA) and civil society has been a central topic in many studies. Morse and Berger [9] provided an independent examination on behalf of the World Bank and concluded that the project lacked adequate environmental and social protection, leading the Bank to pull out of financing. They are often quoted as having been a turning point in global accountability of infrastructure projects. Despite all these observations, gaps in the literature exist regarding the evolving role of the judiciary, socio-economic consequences of displaced persons in the long term, and policy enforcement challenges.

In addition, while many studies have focused on NBA activism, fewer have examined how judicial and institutional responses have incorporated or overlooked grassroots understanding. This study seeks to address these gaps by offering a rigorous socio-legal analysis of the Narmada Valley Project, examining not only its environmental and social costs but also the effectiveness of India's legal and policy responses to mass displacement. Recent studies also emphasize global parallels. For instance, Xu & Li [10] examine large dam displacement in China, while Pandey [11] documents

continuing socio-economic effects in the Indian context. Internationally, Kirchherr [12] highlights how inclusive rehabilitation frameworks can mitigate long-term impacts.

## **2. HISTORICAL BACKGROUND OF THE NARMADA VALLEY PROJECT**

One of the largest river valley development initiatives in the world is the Narmada Valley Development Project (NVDP). The project, which spans three states (Madhya Pradesh, Maharashtra, and Gujarat), was designed to maximise the Narmada River's water potential. The Narmada is the largest river on the Indian subcontinent that flows west and is the fifth longest river in India. Its creation was intended to revolutionise local water supply, electrical production, and agriculture.

### **2.1. Early Vision and Planning**

The project was first conceived in the 1940s when the concept of constructing a chain of dams on the Narmada River was initially considered. In 1946, the Government of India launched preliminary studies, and post-independence, the Central Waterways, Irrigation, and Navigation Commission was tasked with drawing up an overall plan [13]. In 1961, then Prime Minister Jawaharlal Nehru installed the foundation stone of the Sardar Sarovar Dam, which came to be regarded as the flagship part of the project. However, due to interstate disputes over sharing water, the project was postponed for decades. These disputes led to the establishment of the Narmada Water Disputes Tribunal (NWDT) in 1969 under the Inter-State Water Disputes Act, 1956. It took the Tribunal nearly a decade of hearings to make its findings in 1979 to allow the construction of 30 major, 135 medium, and over 3,000 minor dams along the Narmada River and its tributaries.

### **2.2. The Sardar Sarovar Project (SSP)**

The most controversial and high-profile component of the NVDP is the Sardar Sarovar Project (SSP) in Gujarat. At a planned height of 138.68 metres, the dam is to irrigate more than 1.8 million hectares in Gujarat and Rajasthan, supply water for drinking purposes to thousands of villages and towns, and produce over 1,400 MW of hydroelectric power. Although the economic and technical justification of the dam was for regional development, there were early concerns among critics about the enormous displacement it would entail [14]. The initial government estimate of displaced persons was at about 33,000 families, but for civil society, the actual number of displaced families was over 90,000 families, most of those were from tribal groups residing in isolated forest tracts.

### **2.3. World Bank Involvement and Withdrawal**

In 1985, the Sardar Sarovar Project was financed by the World Bank, giving it a veneer of international legitimacy. Yet, after massive protests and mounting documentation of human rights abuses, the World Bank's own Independent Review, headed by Bradford Morse, issued a blistering report in 1992, criticising poor resettlement arrangements and environmental audits [15]. After being subjected to vigorous global as well as local pressure, the World Bank finally pulled out of the project in 1993.

### **2.4. The Role of Civil Society and Narmada Bachao Andolan**

The growing concerns regarding displacement, livelihood loss, and ecological damage led to one of India's most influential people's movements—the Narmada Bachao Andolan (NBA). Founded in the late 1980s and led by Medha Patkar, the NBA challenged the size and ethics of the Narmada Project [16]. The movement generated international attention towards the destiny of the displaced and used non-violent resistance, judicial appeals, and international campaigning as principal strategies.

## **3. LEGAL FRAMEWORK GOVERNING DISPLACEMENT AND REHABILITATION IN INDIA**

India's legal regime for land acquisition, displacement, and rehabilitation has changed considerably over the years. The large-scale human displacement caused by the Narmada Valley Project has tested the efficacy of existing legislative mechanisms and the response of organisations responsible for protecting vulnerable groups [17]. The key laws, rules, and court judgements that regulate development-induced displacement in India are discussed in this section, with special reference to how—or if—they operate in the Narmada case.

### **3.1. Land Acquisition Act of 1894**

The Land Acquisition Act, 1894, a law dating from colonial times that granted the state supremacy over the rights of individuals, governed property acquisition in India for most of the 20th century. The Act permitted the government to acquire private land for “public interests” with minimal formalities [18]. Rehabilitation and resettlement were not legally necessary, and compensation was often inadequate. Land acquisition phases in early stages of the Narmada Project were conducted under this Act, which resulted in widespread discontent due to the poor compensation and failure to provide rehabilitation aid.

### **3.2. The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013**

The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (RFCTLARR), was passed by the Indian Parliament in response to criticism of the 1894 law and the growth of resistance activities like the Narmada Bachao Andolan (Raianu, M. 2018). This Act marked a paradigm shift by:

- a) Mandating free, prior, and informed consent of affected families.
- b) Requiring social impact assessments.
- c) Guaranteeing rehabilitation and resettlement packages.
- d) Providing compensation up to four times the market value in rural areas.

Even though the Act had been hailed as progressive, the benefits came late for most individuals who had been resettled by the Narmada Valley Project since most of the land had already been acquired several decades earlier. In addition, there have been instances of underutilisation of resettlement funds and tardy disbursements of land or houses to affected people, which means implementation has differed among the states [19].

### **3.3. Forest Rights Act, 2006**

The Forest Rights Act (FRA), or the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, is another relevant law. It confers individuals’ rights over forest land and resources and recognises the historical injustice visited upon communities that inhabit forests [20]. These rights were extended to various tribal individuals in the Narmada area. Yet the impact of the Act has been minimised through poor implementation and ignorance. Mass evictions thus occurred without adequate legal safeguards or community engagement.

### **3.4. Judicial Oversight and Interpretation**

Where reconciliation of conflicts arising due to huge projects such as Narmada is concerned, the Indian judiciary has been supportive. The Supreme Court allowed the construction of the Sardar Sarovar Dam in the landmark Narmada Bachao Andolan v. Union of India (2000) ruling but made it a condition that any displacement must be with proportional rehabilitation. Growth was needed but not at the cost of fundamental rights (AIR 2000 SC 3751), according to the Court. Critics argue, on the contrary, that social justice and environmental values were sacrificed by the judiciary's deference to the executive. The Court declined to enjoin or reverse its decision in the face of various appeals and new evidence of non-adherence to rehabilitation standards that continued to lead to displacement without adequate safeguards.

### **3.5. National Rehabilitation and Resettlement Policy, 2007**

The National Rehabilitation and Resettlement Policy, 2007 was a key directive to guarantee a fair and open procedure in development-related displacement, despite the fact that it was not a law. It sought to supply homes, means of subsistence, and networks of social support [21]. However, the policy was mainly disregarded in the Narmada case and lacked enforceability in reality. The majority of relocated households complained that the promised packages were not fully implemented, were delayed, or were corrupted.

## **4. HUMAN COST OF DEVELOPMENT: SCALE AND IMPACT OF DISPLACEMENT**

Human development-induced displacement costs are often irreparable and range from social and cultural to psychological and economic loss. The Narmada Valley Project (NVP), which affected more than two million people, mostly from poor tribal, rural, and forest communities, is a case in point

regarding these impacts. The project systematically dispossessed those already disenfranchised by formal legal and economic means, even though it was done in the interests of national progress [22].

#### **4.1. Scale and Demographic Profile of the Displaced**

As part of the larger Narmada Valley Development Project, the Sardar Sarovar Dam flooded hundreds of communities in Gujarat, Maharashtra, and Madhya Pradesh. According to activists and experts, the actual number of displaced families is closer to 90,000–100,000; however, government numbers initially estimated 33,000 families [23]. Most displaced people are members of Scheduled Tribes (Adivasis), Scheduled Castes, and Other Backward Classes, which already face systemic and historical injustices. For their livelihoods, these populations rely mostly on the land, forests, and river. Their farming methods, cultural identities, and knowledge systems are all closely linked to the environment. Thus, displacement results in the loss of social and spiritual ties in addition to financial loss.

### **5. INADEQUATE AND DELAYED REHABILITATION**

The state apparatus failed to offer sufficient and prompt resettlement in spite of court decisions and legal requirements under the Land Acquisition Act and the later 2013 Rehabilitation Act. Numerous displaced families were either left off of official lists or improperly identified. According to reports from impacted communities, there are lack of essential amenities like clean water, schools, and healthcare in resettlement colonies, as well as delays in land allocations and corruption in housing programs. Instead of receiving land-based resettlement, which frequently failed to restore livelihoods, some communities received financial compensation. Many families were forced to migrate to urban slums as unskilled labourers; they lost their usual jobs, and fell into chronic poverty as a result of not having access to productive land or jobs.

#### **5.1. Psychological and Cultural Trauma**

Deep psychological anguish was another effect of displacement, particularly for older members who found it difficult to accept the loss of their ancestral lands and community life. Research has indicated that the displaced experience higher rates of anxiety, sadness, and helplessness. Additionally, the dispersion of communities across many resettlement sites weakened their social cohesion as their traditional governance systems, familial bonds, and group decision-making mechanisms broke down [24]. Women were also disproportionately affected by the trauma of forced relocation. Due to patriarchal traditions, many were denied access to forest resources that were necessary for food and fuel, experienced increased insecurity in new settlements, and were shut out of land titles and compensation procedures.

#### **5.2. Livelihood Disruption and Long-Term Impoverishment**

The transition from self-sufficient agrarian economies to unstable, cash-dependent resettlement economies was damaging. The displaced were rarely given vocational training, and their lack of formal education further limited their job options. Agricultural land offered as compensation was frequently uncultivable, un-serviced, or distant from the main village. A World Bank-funded research project discovered that most displaced families under the Sardar Sarovar Project did not achieve their pre-displacement income levels even a decade after resettlement. These findings challenge the idea that displacement is a “temporary” annoyance along the road of progress, instead emphasising its long-term impoverishing effects [25].

#### **5.3. Intergenerational Consequences**

Displacement has long-lasting consequences. Children born in resettlement areas have limited access to education, healthcare, and jobs, reinforcing marginalisation. Loss of community land reduces intergenerational asset transfer, jeopardising future generations’ economic security.

### **6. THE ROLE OF JUDICIARY: CASES, VERDICTS, AND DELAYS**

The Indian judiciary has played a key role in reconciling the tension between development and displacement in the context of the Narmada Valley Project. While courts have the constitutional authority to safeguard fundamental rights and examine executive decisions, their performance in balancing these tasks in the Narmada case demonstrates both possibilities and limitations [26]. This



section looks at the landmark decisions, procedural delays, and broader judicial attitudes that have influenced the course of displacement and resettlement in the Narmada region.

### **6.1. Narmada Bachao Andolan v. Union of India (2000)**

The most intense legal intervention was in the case of *Narmada Bachao Andolan v. Union of India* [27], wherein the Supreme Court of India decided in support of proceeding with the construction of the Sardar Sarovar Dam. The petitioners, headed by the Narmada Bachao Andolan (NBA), had contended that the dam infringed upon the fundamental rights of the displaced individuals under Articles 14 (Right to Equality) and 21 (Right to Life), specifically because of insufficient rehabilitation and environmental destruction. The Court, in a 2:1 majority ruling, focused on national development and economic growth. It noted that big infrastructure projects were necessary to mitigate poverty and that the displaced persons would be rehabilitated appropriately according to government assurances (AIR 2000 SC 3751). Justice Kirpal, for the majority, ruled that the project had to go ahead with resettlement being “*pari passu*” (equally paced) with the process of construction. Justice Bharucha, in his dissent, contended that development should not trump constitutional rights and held serious concerns about the absence of proper safeguards.

### **6.2. Judicial Deference to the Executive**

Among the biggest criticisms of the Supreme Court's position in the Narmada case has been its over-reliance on deference to the executive. Rather than insisting on rigid compliance with rehabilitation standards, the Court took government assurances and reports at face value. This judicial attitude, commonly referred to as “executive-mindedness,” watered down the effectiveness of state protection for basic rights in reality [28]. It has been argued by legal writers that the trend is part of a larger pattern where courts eschew questioning major state-sponsored development projects, even when they violate the rights of the marginalised. Judicial review in these cases thus rarely amounts to an effective check on state power.

### **6.3. Delays in Legal Relief and Procedural Hurdles**

Litigation concerning the Narmada Valley Project has been long, complicated, and it has been characterised by continuous delays. The legal process lasted more than 15 years, during which the construction of the dam went far ahead, narrowing down the role of judicial intervention. Procedural technicalities like *locus standi* (the right to sue), absence of documents, and issues of jurisdiction also negatively affected effective legal remedies for the displaced [29]. In most cases, local tribunals and courts were not equipped to oversee rehabilitation steps. Displaced individuals found it difficult to access the judicial system because of language issues, economic limitations, and an absence of legal literacy.

### **6.4. Environmental Clearance and Role of the National Green Tribunal (NGT)**

The matter of environmental clearance also came before the judiciary. In 1993, the Supreme Court directed that construction should resume only after complete environmental clearance and rehabilitation of affected people was in accordance with the Narmada Tribunal Award. However, enforcement of this directive was still weak. In subsequent years, cases about the Narmada Project were heard by the National Green Tribunal (NGT), which was formed in 2010 to hear environmental disputes [30]. The NGT has issued various orders calling for environmental audits and compliance reports, but the judgements have been deferments or watered down owing to the absence of enforcement powers.

### **6.5. Judiciary's Evolving Role in Resettlement Law**

Although the Narmada case is sometimes cited as a squandered opportunity, it sparked a broader discussion about the rights of displaced people. Subsequent decisions in other cases, such as *Orissa Mining Corporation* case demonstrate a more rights-based approach. Courts have progressively come to recognise the significance of tribal consent and sustainable development; however, their implementation remains uneven.

## **7. THE NARMADA BACHAO ANDOLAN: CIVIL RESISTANCE AND POLICY INFLUENCE**

Narmada Bachao Andolan (NBA) is one of India's most powerful social movements of the modern era, as it has emerged as a forceful critique of state-led development paradigms that prioritise infrastructure over the rights of people. Established in the 1980s when the displacement generated by

the Narmada Valley Project became an issue, the NBA evolved as a symbol of popular resistance, employing non-violent protest, legal activism, and global solidarity in opposing the ethical, legal, and environmental underpinnings of the project. This part discusses the genesis, tactics, and influence of the NBA on national policy, law, and public awareness.

### **7.1. Origins and Leadership**

The NBA started out as a local resistance against compulsory evictions in the Narmada Valley but soon grew into a pan-Indian movement. Led by Medha Patkar, along with activists Baba Amte and Arundhati Roy, the movement rallied displaced villagers, tribal people, environmentalists, academics, and human rights activists [31]. The NBA resisted the Sardar Sarovar Dam not only on humanitarian grounds but also challenged the paradigm of development, on which progress was equated with industrialisation and large dams.

### **7.2. Key Strategies and Modes of Protest**

#### ***7.2.1. The NBA Employed a Multifaceted Strategy, including:***

- a) Grassroots mobilisation: the movement planned public meetings, rallies, and foot marches in impacted areas to promote awareness.
- b) Non-Violent Civil Disobedience: NBA activists used Gandhian ideas to protest state apathy and demand justice through sit-ins, hunger strikes, and mass protests.
- c) Legal Interventions: The NBA filed Public Interest Litigations (PILs), including *Narmada Bachao Andolan v. Union of India*, which prompted the Supreme Court to consider the legitimacy of displacement without sufficient rehabilitation.
- d) Media and International Advocacy: The movement attracted widespread backing, including attention from the United Nations and pressure groups in Europe and the United States. The NBA celebrated a significant success when the World Bank withdrew from the project in 1993, following an independent investigation that supported many of the movement's concerns.

### **7.3. Achievements and Policy Influence**

While the NBA could not stop the dam's construction, it succeeded in transforming public discourse around development-induced displacement. Some of its most significant achievements include:

- a) Judicial Recognition of Rehabilitation Rights: Although the Supreme Court eventually allowed the dam to be completed, it recognised the constitutional importance of rehabilitation and demanded its parallel execution.
- b) Influence on the 2013 Land Acquisition Act: The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation, and Resettlement Act, 2013, included provisions such as prior informed consent, social impact assessments, and resettlement packages, which were influenced by decades of struggle by the NBA and comparable movements.
- c) International Precedents: The NBA's achievement in convincing the World Bank to withdraw funds established a precedent for international financial institutions to reconsider the social and environmental impact of their investments.

### **7.4. Challenges and Criticism**

Despite its triumphs, the NBA has received criticism. Some officials and economists have described it as anti-development and detrimental to national advancement. Critics claim that the movement failed to provide realistic alternatives to large-scale infrastructure projects and occasionally took dogmatic, all-or-nothing attitudes that hampered discussion. Internal problems included the movement's leadership structure, community representation, and the long-term viability of the mobilisation. Nonetheless, the NBA remains one of the most significant resistance movements in post-independence India.

### **7.5. Legacy and Continuing Relevance**

The significance of the Narmada Bachao Andolan extends beyond its legal and policy influence to its articulation of an alternative development vision centred on justice, sustainability, and people's engagement. It sparked numerous more actions across India, including opposition to the POSCO project in Odisha, mining in Chhattisgarh, and urban slum demolitions in Mumbai and Delhi [12]. As India continues to pursue infrastructure-led growth, the NBA's ideals remain highly important. The

movement's focus on "development with justice" has become a rallying cry for underprivileged groups facing comparable issues in the twenty-first century [33].

## **8. ENVIRONMENTAL AND ECOLOGICAL CONCERNS**

The environmental effects of the Narmada Valley Project, particularly the construction of the Sardar Sarovar Dam, have been as significant and contentious as its social impacts. While the project's principal goals included irrigation, hydroelectric generation, and flood control, environmentalists and ecologists claim that the project has caused irreversible harm to ecosystems, biodiversity, and the riverine scenery. This section investigates the project's ecological footprint, the failure of environmental evaluations, and the legislative instruments (or lack thereof) designed to offset such impacts.

### **8.1. Submergence of Forests and Biodiversity Loss**

One of the most notable environmental impacts of the Sardar Sarovar Dam has been the inundation of large areas of forestland. From the Environmental Impact Assessment (EIA) reports, more than 13,000 hectares of forestland have been inundated as a result of reservoir extension. This region comprised forested ecosystems in Maharashtra and Madhya Pradesh that supported a diverse array of flora and fauna, including some threatened species [34]. Not only did the flooding damage natural habitats, but it also affected forest-dependent communities whose livelihoods and lives were dependent on these ecosystems. Moreover, wildlife corridor fragmentation and loss of biodiversity have weakened the ecological resilience of the region. The establishment of extensive monoculture plantations in the areas of compensation has not been able to emulate the richness and ecological significance of the natural forests.

### **8.2. Hydrological Alterations and River Ecology**

The dam has profoundly changed the natural flow of the Narmada River, affecting the seasonal flooding regime that supported riverine agriculture and deltaic wetlands downstream. The modified regime of flow has resulted in sedimentation, interrupted fish migration, and lessened the load of nutrients entering the delta. These adjustments have negatively impacted aquatic biodiversity and lowered fish catches for communities that had fishing as a source of livelihood. Hydrological specialists also cautioned that the decrease in sediment flow may result in coastal erosion along the estuarine areas of Gujarat, also affecting ecological balance and human habitation [35].

### **8.3. Inadequacies in Environmental Impact Assessment (EIA)**

One of the central issues has been the incompleteness and lack of transparency in the Environmental Impact Assessment process. The original environmental clearance the Sardar Sarovar Project had received in 1987 was subject to conditionality, including the submission of detailed studies and mitigation measures later on. Various key studies, however, were either incomplete or submitted years later when construction on the project had already commenced. The Supreme Court, in 1993, directed that project work be suspended until environmental clearances were suitably ensured. Barring this, construction proceeded under political and bureaucratic pressure [36]. Subsequent environmental compliance reports by government and non-governmental agencies indicated notable non-compliance with mitigation measures, such as the lack of implementation of catchment area treatment, wildlife conservation strategies, and compensatory afforestation.

### **8.4. Institutional Oversight and Role of the Ministry of Environment**

The Ministry of Environment, Forest and Climate Change (MoEFCC), which oversees environmental protection, has been faulted for its lack of strong oversight. The Environmental Sub-Group of the Narmada Control Authority (NCA), whose role is to monitor implementation, lacked enough autonomy and was frequently excluded from participation in decision-making processes. Further, the institutional arrangement failed to include local or independent ecological experts, compromising the credibility and efficacy of monitoring activities.

### **8.5. National Green Tribunal and Environmental Justice**

Though the National Green Tribunal (NGT) did not exist in the early days of the Narmada Project, recent cases regarding compliance and environmental infractions have been brought before the NGT. The Tribunal has sometimes chastised state governments for disregarding environmental responsibilities, but its ability to compel compliance in long-established mega-projects such as



Narmada is limited [37]. The absence of a retrospective environmental justice mechanism has rendered many ecological issues untouched, especially those which have already resulted in permanent harm.

## **9. SOCIO-LEGAL GAPS IN REHABILITATION AND COMPENSATION**

Although there have been several legal provisions and judicial statements in an effort to ensure the just rehabilitation of the displaced persons by the Narmada Valley Project, the ground realities point towards significant socio-legal gaps. These encompass the ineffective implementation of policies, legal ambiguities, exclusion of marginalised sections, and systemic failure in providing justice. This section deals with the mismatch between legal frameworks and their implementation, particularly in displacement, compensation, and resettlement.

### **9.1. Legal Provisions vs. Implementation Realities**

Although the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 was a vast improvement over India's displacement law by requiring compensation, rehabilitation planning, and consultation with communities, its late passage resulted in the vast majority of Narmada-affected individuals being displaced under old or insufficient laws such as the Land Acquisition Act of 1894. Displaced individuals thus got very little compensation, no rehabilitation planning, and were resettled against their will. Despite the 2013 Act, challenges of implementation remained. Compensation was delayed, arbitrarily quantified, or given in cash rather than land, which compromised sustainable rehabilitation. Most of the tribal families that were assured of "land for land" were rendered landless or in possession of non-cultivable plots without irrigation or connectivity.

### **9.2. Invisibility of Women and Marginalised Groups**

One of the principal shortcomings in rehabilitation programmes has been the invisibilisation of women and marginalised groups. Land titles were usually made out in the names of male household heads, leaving women out of property and decision-making. Consequently, women lost rights over forest produce, agriculture plots, and means of livelihood. Widows, unmarried women, and older women were ignored to award the compensation and resettlement plans. Likewise, Dawls and Adivasis frequently lacked legally enforceable documents establishing landownership, thus making them ineligible for compensation at all. Their customary and ancestral use of the land was seldom recognised by the bureaucracy following formal legalistic concepts of tenure, thus excluding an enormous section of the population.

### **9.3. Lack of Grievance Redressal Mechanisms**

Even though the Dawls were subject to such large-scale displacement, there was no independent grievance redress mechanism for the displaced population. The Grievance Redress Authority (GRA) created in some states did not have statutory authority and functioned mostly as an extension of the administrative machinery. Decisions were either delayed or turned a deaf ear to, and most affected families were forced to make long journeys multiple times to make their case known. Lack of legal aid and awareness added to the woes. Most displaced people knew nothing about their rights or did not possess the wherewithal to pursue government inaction in courts. Such failures created a long-term cycle of exclusion, with the poorest and most marginalised being most unlikely to reach justice.

### **9.4. Discrepancies in Data and Identification**

Another significant legal failure was the mismatch in identification of project-affected persons (PAPs). The failure of having up-to-date records, inaccurate surveys, and bureaucratic apathy resulted in thousands of eligible families being excluded from resettlement lists. In a few instances, even families living in inundated villages for generations were labelled "encroachers" and not provided any type of facilities. The failure of the state to build a full-fledged, participatory, and transparent database diluted the very foundation of fair rehabilitation. Petitions to include such families met with bureaucratic red tape and unwieldy administrative procrastination.

### **9.5. Fragmentation of Legal Responsibility**

The legal and administrative liability for rehabilitation was dispersed among various departments and state governments. In a project spanning multiple states like Narmada, failure of coordination among Gujarat, Maharashtra, and Madhya Pradesh resulted in inconsistent standards and ambiguity over what belonged to whom. The Narmada Control Authority (NCA), which was in charge of

interstate coordination, lacked the necessary authority to enforce compliance or penalise non-compliance. This fragmentation caused policy paralysis. For instance, though Gujarat provided relatively better resettlement packages, the state of Madhya Pradesh fell far behind, resulting in inter-state disparities in the delivery of justice. Rehabilitation measures should be strengthened to support displaced families. For example, successful land-for-land compensation models implemented in parts of Maharashtra demonstrate how resettlement can preserve livelihoods. Similarly, participatory monitoring committees involving displaced tribal communities could ensure that rehabilitation benefits are delivered fairly and transparently.

## **10. FINDINGS OF THE STUDY**

The study concludes that the Narmada Valley Project, though projected as a national development icon, has had harsh social and environmental implications. More than two lakh people—largely tribals and marginalised sections—were displaced with suboptimal rehabilitation and compensation, defying law provisions. Implementation of the rehabilitation policies was found to be variable, poorly tracked, and bureaucratically slow. Environmental protection, such as necessary Environmental Impact Assessments, was either dispensed with or disregarded, resulting in deforestation, biodiversity loss, and riverine ecological disruption. The judiciary's response, while recognising rights, tended to favour development priorities at the expense of displaced people's well-being. Women were specially double marginalised through gender-insensitive resettlement schemes. The Narmada Bachao Andolan acted as a sharp force against these injustices, shaping legal reform and public consciousness. In general, the project identifies systemic shortcomings in India's development planning, particularly in reconciling economic growth and social justice and environmental sustainability.

## **11. CONCLUSION AND SUGGESTION**

The Narmada Valley Project represents the profound conflict between economic development and social justice in India. Though the project sought to provide irrigation, electricity, and drinking water to crores of people, it affected more than two lakh people—largely tribal and rural populations—usually without proper rehabilitation or remuneration. Legal recourse and judicial scrutiny were found wanting because bureaucratic inefficiency and structural injustice expanded the gap between rights enshrined in documents and realities on the ground. Environmental impact assessments were either overlooked or weakly implemented, leading to gross ecological dislocation and loss of biodiversity. While the court recognised the need for rehabilitation, it mostly gave primacy to national development over human rights. The Narmada Bachao Andolan became a strong resistance movement that brought out the moral and human costs of uncontrolled development. The Narmada case is a stark reminder that development cannot be sought at the cost of justice. Proper development has to be inclusive, participatory, and based on human dignity and eco-sustainability.

To avoid future displacement injustices, India has to focus on more effective enforcement of rehabilitation laws such as the Land Acquisition Act of 2013 and safeguard tribal and customary rights. Land-for-land compensation should replace low-ball cash packages, and rehabilitation has to incorporate housing, education, healthcare, and restoration of livelihoods. Women and marginalised groups have to be acknowledged as joint claimants for compensation. Forced public participation by gram sabhas and prior informed consent must be institutionalised. Environmental Impact Assessments need to be transparent and independently audited. Judicial forums need to follow a rights-based approach and enforce compliance stringently. Speedy grievance redressal forums and social audits by civil society can facilitate accountability. Above all, development planning has to be people-centred, where those paying the costs of development also gain from it. Recent research indicates that lessons from the Narmada Project continue to inform India's environmental jurisprudence and the functioning of the National Green Tribunal.

## **12. POLICY RECOMMENDATIONS**

- Mandate independent social and environmental audits before, during, and after large-scale development projects to ensure compliance and transparency. For instance, the audit system used in the Tehri Dam project could serve as a model.

- Establish a time-bound, legally empowered Grievance Redressal Authority with representation from affected communities, civil society, and legal experts. Similar bodies function effectively in mining-affected areas of Odisha.
- Ensure gender-sensitive rehabilitation policies by guaranteeing joint land titles, livelihood training, and compensation mechanisms inclusive of women and other marginalised groups. Joint land titles have been implemented in parts of Maharashtra's rehabilitation schemes.

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