

(Un) Settling Special Economic Zones in Maharashtra

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Paper presented at the International RC21 conference 2011

The struggle to belong: *Dealing with diversity in 21st century urban settings.*

Amsterdam, 7-9 July 2011

Session 13: Urban Politics between contention and control

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Acknowledgments: This research is being carried out in the framework of a collective project titled *The politics of Special Economic Zones in India* coordinated by the Centre for Policy Research and the Centre de Sciences Humaines in New Delhi and Hunter College, City University of New York. I gratefully acknowledge the support from Centre de Sciences Humaines, and the Ford Foundation, New Delhi. I wish to acknowledge the trust showed by Ulka Mahajan, Shashi Sonawane, Vilas Sonawane and many residents of the forty-five in Pen and Uran Taluka who opened avenues towards understanding the anti-SEZ struggle. I also wish to thank the following individuals who helped in shaping this study: Benita Menezes, Anirudh Paul, Vinita Gatne for their support in conducting the field research, and Robert Jenkins, Lorraine Kennedy and Partha Mukhopadhyay whose suggestions have immensely benefitted in shaping this paper.

List of Abbreviations

BJP	Bharatiya Janta Party
CIDCO	City and Industrial Development Corporation
CPI (M)	Communist Party of India (Marxist)
GoM	Government of Maharashtra (or State Government)
GoI	Government of India (or Central Government)
ha	Hectares
IT	Information Technology
ITES	Information Technology Enabled Services
JNNURM	Jawaharlal Nehru National Urban Renewal Mission
JVKS	Jagtikikaran Virodhi Kruti Samiti
MMSEZ	Maha-Mumbai SEZ
MEDC	Maharashtra Economic Development Council
MIDC	Maharashtra Industrial Development Corporation
NCP	Nationalist Congress Party
NGO	Non Governmental Organization
SEZ	Special Economic Zone
SEZVSSS	Maha-Mumbai SEZ Virodhi Shetkari Sangharsh Samiti
SIA	Social Impact Assessment

Conversion Rates

1 hectare = 2.47 acres.

1 acre = 0.4 hectares.

100 hectares = 1 sq. km.

1 Euro = 64.99 Indian Rupees, on 2 June 2011.

1 USD = 44.86 Indian Rupees, on 2 June 2011.

Abstract: Engaging with theory from the fields of planning and social movement studies, this paper critically examines the micro 'institutional politics' of state-social movement relations in (un) settling Special Economic Zones (SEZs) in Maharashtra advancing three arguments. First, as against accounts in the existing literature on India's SEZ phenomenon that render their spatiality as a consequence of the agglomeration effects of cities, SEZs, as economic enclaves, are much more integral to an emerging discourse of regional development that has abandoned the pursuit of 'balanced development' and now articulates 'Investment Regions' based on City-Marketing strategies. Second, if state strategies with regard to SEZ establishment in India can be characterized by a 'politics of stealth', then the case of Maharashtra shows that social movements have shown equal guile in developing place-based responses by mobilizing resistance that unsettle and even thwart SEZ implementation. Third, the evolution of the state-social movement relations bring to light ideologically contrasting positions around the vectors of 'land' and 'livelihoods' within existing approaches to 'developmentalism', which open out multiple avenues for the futures of industrialization.

1. Introduction

India's Special Economic Zones (SEZ) Act, 2005, catalyzed an enormous response from the private sector as well as state government officials eager to attract investment into their jurisdictions, and in doing so, unleashed an equally powerful land acquisition drive. But by mid 2006, the process of settling SEZs was being unsettled by grassroots protests with an immense resolve to fight. While researchers and anti-SEZ mobilizations were characterizing SEZs as a neo-colonial form of "capital accumulation by dispossession" (Banerjee-Guha: 2008), India's Prime Minister emphatically claimed that "SEZs are here to stay" (Financial Express, 24 March 2007) and the Commerce and Industry Minister reiterated "SEZs have nothing to do with displacement" (Sampat: 2008). This zeal of the national State (Government of India, GoI) to settle SEZs as a part of India's neo-liberal reform as well as suppress and manage protests can also be found in the sub-national State of Maharashtra (Government of Maharashtra, GoM). Contrary to expectations of the state and private developers, however, this zeal has been unsettled on several occasions. Newspaper articles highlighting various critiques that have emerged in the process of opposing SEZs in Maharashtra refer to a very small number of large SEZs – around twenty in number - that have led to the requisitioning of a land acquisition of approximately three-fourth of the total area of all SEZs envisioned in Maharashtra.

Maharashtra has a total of 206 proposed SEZs followed by Andhra Pradesh (189), Tamil Nadu (147), Karnataka (102), Haryana (98), and Gujarat (87)¹. Of these 206 SEZs, 64 are Notified, 104 have acquired Formal Approval and 38 have acquired In-Principle Approval. In the wake of the implementation of the SEZ Act, the early debate has focussed on analyzing sectoral and spatial patterns² (Refer Appendix I and II, pp. 25-26), cost-benefit analysis of incentives and subsidies, land speculation, inadequate compensation, potential displacement of people, and the fear of environmental damage. But, in rightly pointing out to these issues, the SEZ debate has tended to concentrate only at the 'macro scale'. This focus has missed out on the micro

politics of planning which surrounds the contestations around competing claims to 'economy', 'territory' and 'citizenship' in settling India's neo-liberal economic reform through SEZs.

What exactly, then, is being articulated in the process of (un) settling SEZs in Maharashtra? What are the state-social movement relations and how have they evolved? This paper addresses these questions by engaging with theory from the fields of planning and social movement studies.

Focusing on the micro 'institutional politics' in (un) settling large SEZs helps advance three arguments. First, as against accounts in the existing literature on India's SEZ phenomenon that render their spatiality as a consequence of the agglomeration effects of cities, SEZs, as economic enclaves, are much more integral to an emerging discourse of regional development that has abandoned the pursuit of 'balanced development' and now articulates 'Investment Regions' based on City-Marketing strategies. Second, if state strategies with regard to SEZ establishment can be characterized by a 'politics of stealth', a politics that has characterized India's economic reform since the 1990's (Jenkins: 2011), then the case of Maharashtra shows that social movements have shown equal guile in developing place-based responses by mobilizing resistance that unsettle and even thwart SEZ implementation. Third, the micro 'institutional politics' of contestations in (un) settling SEZs brings to light multiple avenues for the futures of industrialization within which are embedded ideologically contrasting positions around the vectors of 'land' and 'livelihoods' within existing approaches to 'developmentalism'.

This paper is structured in three sections. Section 2 examines the micro 'institutional politics' of the implementation of GoM's SEZ Policy and Maha-Mumbai SEZ (MMSEZ). Wherever relevant the discussion includes field notes from the case studies of three other SEZ projects in the Mumbai-Pune-Nasik economic region – viz. *Rajiv Gandhi Infotech Park*, *Bharat Forges SEZ* and *Pan India Paryatan SEZ*. Section 3 elaborates the arguments advanced.

2. (Un) Settling SEZs and the Politics of Planning

This section traces the evolution of state-social movement relations by mapping the micro 'institutional politics' in (un) settling SEZs. The analysis draws methodological support from three inter-related literatures. A first set draws from the *institutionalist perspective* of economic settings, which articulates that everyday life connects with a complex terrain of institutions through which competing interests pursue their own strategies via their formal and informal

networks to shape public policy, projects as well as investments (Benjamin: 2000), and therefore, territory. A second set draws from the framing of *insurgent planning histories* (Sandercock: 1998) which provides for a rich narrativization that is not only able to locate the *noir* of planning within the institutional architecture of contestations around competing claims but also recognize multiple forms planning that pose a challenge to “official” planning practices. The third set addresses the evolution of state-movement relations drawing from McAdam, McCarthy and Zald’s (1996) synthetic approach to the study of social movements through three factors designated as *mobilising structures, political opportunities, and framing processes*³.

2.1 The politics of GoMs SEZ Policy implementation

In an atmosphere where sub-national states compete in a spiral to the bottom to attract investments for economic development, one of the key instruments employed has been the framing of an enabling framework in the form of state-level policies.

Framing and mobilizing GoMs SEZ Policy: The goal of economic development

States like Gujarat, West Bengal, Madhya Pradesh and Maharashtra were already in the fray to frame a state-level SEZ Policy based on the SEZ Rules in *Export-Import Policy, 2000*. GoM formulated the *Policy regarding the setting up of Special Economic Zones, 2001* (GoMs SEZ Policy), four years prior to the implementation of GoIs *SEZ Act, 2005*. The significant variation in the framing of GoMs SEZ Policy from that of other states is found in the extent of incentives provided - most importantly, the relaxation of labour laws that no other state has attempted to tamper with⁴. This policy was tabled in the Maharashtra State Assembly as the *SEZ Bill, 2002*, but was not voted into an Act.

While GoMs SEZ Policy was being drafted there were ongoing processes to frame the economic development vision - *Maharashtra Vision, 2004*. This vision framed Mumbai–Pune–Nasik ‘Golden Growth Triangle’ and SEZs as the two big strategies for Maharashtra’s economic development (Refer Appendix III, pp. 27). It was *mobilised* through Maharashtra Economic Development Council (MEDC), which represents big business interests within the state. *Maharashtra Vision’s* endorsement by the GoM indicates that it is being used as a basis to guide state-level plans, policies and investments. There has been neither a consideration within GoMs SEZ Policy and *Maharashtra Vision, 2004*, to formulate a spatial strategy for locating SEZs such that less developed areas of the state could benefit from them nor a conscious attempt to think through the sectoral nature of employment or supporting policies, projects and programmes that need to be framed to absorb the growing labour force. Implicitly embedded in these vision

statements are expectations of SEZ advocates that conflicts could either be bypassed by framing new legalities in policy frameworks that modify statutory planning processes or be managed by carefully calculating political opportunities in the implementation process.

A 'Wait and Watch' Game: Calculating political opportunities to implement the state-level Policy

The state ruling party's [Congress I - Nationalist Congress Party (NCP) combine] careful calculations of *political opportunities*, based on its tenuous position within and outside the state, bore significant consequences on the status of GoMs SEZ Policy, which till date has not achieved the status of an Act. States like Gujarat, Madhya Pradesh and West Bengal, which framed their draft policies at almost the same time as Maharashtra, went ahead with voting them into state-level Acts. Interviews with political and social movement leaders in the state, point to three reasons that played out in the GoMs SEZ Policy not acquiring the status of an Act in the initial phase from 2002-05, the year when the GoIs SEZ Act was enacted.

First, the ruling party had assumed power in the State Assembly in the 2000 elections in Maharashtra by overthrowing the Bharatiya Janta Party (BJP) – Shiv Sena coalition. At the Centre, however, it was the BJP-led National Democratic Alliance of thirteen political parties including the Shiv Sena that was in power. The political strategists within the ruling party did not want to create a controversy that could lead to the opposition in the Maharashtra State Assembly as well as the ruling party in the Centre to seek mileage out of the complex nature of issues involved in settling the SEZs⁵. Therefore, Maharashtra's ruling party decided to adopt a position of 'wait and watch' rather than going full throttle to take the SEZ Policy to its logical conclusion. In Gujarat and Madhya Pradesh, the BJP was in power in the State Assembly when their state-level SEZ Acts were enacted whereas West Bengal has been under undisputed control of the Left Front for the last quarter century with the Communist Party of India (Marxist) [CPI (M)] at the helm.

Second, it was considered apt to push decision-making over the policy to a more appropriate time since the pressing issue in implementing large SEZs would be 'land', whose acquisition would require some time. The focus, therefore, was on identifying land at various locations in the state for SEZs. This agenda was pushed through by identifying land from existing 'land banks' in the hands of GoMs industrial development corporations or by initiating a process to acquire land afresh. Additionally, private developers were encouraged to acquire land through market negotiations with the belief that it would be a speedier process for land acquisition. The

later processes of developing SEZs, it was thought, could be achieved easily under the urban and regional development laws applicable within Maharashtra even without a state-level SEZ Act in place.

Third, state strategists of the ruling party sought to focus their efforts on creating a more conducive environment for urbanization and industrialization in Maharashtra by making changes or implementing new allied policies, for instance *Maharashtra State Water Policy, 2003*, and the *Special Township Scheme, 2005*. The former sets a benchmark in prioritizing water for industries over agriculture and could be interpreted in lieu of the changing conceptualization of cities⁶, whereas the latter aims to address the housing shortage within the state and to assist landed farmers in periurban areas exploit the potential of urbanization, and thereby, benefit a notion of “public interest”⁷. Given the post-independence experience of periurbanization in India the latter also raises the question: whether the outcome of such an allied policy is an unintended consequence or is it a disguised opportunity to fuel the speculative land markets in the context of the urban bias of state-level policies?

GoIs SEZ Act was enacted in 2005 when the United Progressive Alliance, a coalition in which the Congress I was the core party, came into power at the Centre. With the GoIs SEZ Act in place, it asked State Governments’ to formulate their own SEZ Policies and forward them for sanction by the Centre⁸. It was in this political climate - when the Congress I party was in power at the Centre as well as in the State and the opposition parties in Maharashtra had been accomplice to implementing SEZ Policies in other states where they were in power - that GoM’s SEZ Policy was approved by the Maharashtra State Assembly in 2006 and sent to GoI for sanction. In 2008, after a period of two years of prolonged correspondence, GoIs Commerce Ministry decided to sanction GoMs SEZ Policy on the condition that labour laws will not be relaxed⁹. After incorporating the changes suggested by the Commerce Ministry, GoM did not take the policy to the State Assembly due to the controversies for some SEZs regarding land acquisition but decided to bring an Ordinance (Business Standard: 04 March 2009). In order to get the Ordinance passed, the Commerce Ministry’s clearance was needed, and therefore, the Bill was again sent to the Centre. This process was met with objections from the Centre and the SEZ Policy had to be introduced by the ruling party in Maharashtra State Assembly in April 2010 (*ibid*). Despite being listed on the agenda it was not taken up for discussion during the 2010 Monsoon Session of the State Assembly due to internal differences in the ruling party (rediff Business: 03August 2010) and protests from the Shiv Sena - BJP opposition (DNA: 04August 2010). As a result of these issues a detailed debate was called for in the Winter

Session of the State Assembly in 2010 but GoMs SEZ Policy has not yet acquired the status of an Act. Most recently, however, the ruling party rectified the *State Water Policy, 2003*, to reprioritise water distribution for agriculture over industry. This change could be read in two ways: first, it signals the electoral pressures of the approximately seventy percent of population in the agricultural sector on the politicians in the upper echelons of the State Government, and second, critics read it as a move that “has silently given sanctity to all previous decisions to divert water from farming to industry” (The Telegraph: 22 April 2011) by rectifying the priority of usage of water but legitimising the existing diversion of water for non-agricultural purposes¹⁰.

The process of GoMs SEZ Policy implementation suggests that during the last decade the ruling party has attempted to go further than GoIs SEZ Act as well as those of other states in terms of deregulation within the SEZ Policy in order to create a more favourable environment for competing with other states. This zeal has been checked on several occasions by calculating the political opportunities and constraints based on its own tenuous position with respect to electoral compulsions within Maharashtra and on others by the Centre. In other words, the process of GoMs SEZ Policy implementation could be most aptly described as a ‘wait and watch game’. In more theoretical terms, it reveals the specific character of the politics of the implementation of India’s economic reform that Jenkins (2011) has conceptualized as a ‘politics of stealth’.

2.2 The politics of project implementation: the case of MMSEZ

With the implementation of the GoMs SEZ Policy being kept on the back-burner in 2002, the implementation of large SEZ projects started to play out in a highly contested manner in Maharashtra. We turn our attention here to Reliance Limited’s venture - the MMSEZ announced in 2002. This ambitious project aimed to create a Multi-Product SEZ of around 10000 ha. on the periphery of Navi-Mumbai in Raigad District.

Framing the MMSEZ: The politics of location and representation

Two issues lie at the core of the *framing processes* of the implementation of MMSEZ that formed the bone of contention in the anti-SEZ mobilization. The first issue concerns the project’s, much talked about, politics of physical location that is fuelled by speculative urbanism - its adjacency to the Navi-Mumbai SEZ, the Jawaharlal Nehru Port, the proposed Navi-Mumbai Airport and Sewri - Nhava-Sheva Trans-Harbour Link to the north as well as the proposed Rewas Port SEZ

towards its south¹¹(Refer Appendix IV, pp. 28). At this location, the project has sought to acquire lands from forty-five villages out of which twenty-two villages fall within the Canal Command Zone of Hetwane Dam. The second issue concerns, the as-of-yet, unspoken politics of mapping and representation of the project area in the Social Impact Assessment (SIA) that was commissioned by the developer in 2004. A reading of the SIA raises two important points.

First, the SIA reveals a lack of clarity of the project's extent and depth of impact. For instance, it acknowledges that 10000 ha. of land would be acquired for the SEZ but identifies only fifteen Project Affected Villages – of which fourteen are located in Uran Tehsil and one in Pen Tehsil. The total area of all these villages adds up to 4800 ha. leaving blanks in the mind of the reader about the location as well as extent and depth of impact of the other half of the project¹². None of the villages from the Canal Command Zone are listed in the SIA as project affected villages. Researchers studying SEZ implementation in India have argued that while the state provides an up-to-date fact sheet regarding the approved and proposed SEZ's, their land requirement as well as export and employment potential, it fails to incorporate critical information about the number of people displaced or how it would attend to the issues of displacement (see Sampat: 2008; Banerjee-Guha: 2008). Seen against the light of projects that are deemed as Public Utilities, the representation of the MMSEZ project area in the SIA can be seen as a case of deliberate 'unmapping' (Roy: 2010) and 'asymmetry of information' that is being used by the developer in conjunction with the state in the service of 'developmentalism'.

Second, the SIA represents of the 'local' – i.e. the population of the project affected area - as passive recipients "in need of development" as against being active agents in envisioning their own futures. It portrays the project affected area as a place of abject poverty due to lack of employment, marginal land holdings and lack of irrigation facilities having consequences on agriculture due to which secondary and tertiary sector activities need to be induced from the outside for sustained economic development¹³. The unfolding of anti-SEZ mobilization in implementing MMSEZ has suggested that the issue at hand cannot be limited to accounting the number of people displaced and how to attend to issues of displacement but also recognizing the alternative futures of development presented by a particular ethnographic context.

The operations for MMSEZ implementation: A politics of stealth

Interviews with several families who sold their land between 2003-05 indicate that most of the owners did so under conditions of distress. Health and marriages are cited as the most common conditions. Other conditions highlight a gender bias in property relations (share of land-

holding of a female member in ancestral property) and absentee land owners, who have out-migrated, whose land-holdings have been sold off by other family members without consent.

The fact that in three years only 93 acres out of the proposed 10000 ha. of land has been acquired by the developer led the latter to appeal to the GoM to speed up the process. By 2006 several State Governments' had already entered the land acquisition fray due to the appeals made by developers. GoM *framed* its rationality for entering the land acquisition fray on the basis of the deemed policy status of SEZs - 'Public Utilities' for which land could be acquired under the guise of 'public purpose'. Under GoM's umbrella, land acquisition for SEZs could have been pursued through the Maharashtra Industrial Development Corporation (MIDC), the state's premier industrial development corporation. In carefully calculating the political constraints of possible opposition, GoM did not consider MIDC as a logical option. Instead, land acquisition was pursued through the District Collector's Office under the provisions made in the Land Acquisition Act. Throughout the field-study, several activists have pointed out that in many cities lands acquired earlier by the MIDC for industrial purposes are under used. One of the examples cited has been the case of the under use of existing industrial lands in Pen where the MMSEZ is proposed, many of which are in possession of the same developer. In calculating the political constraints, state strategists have been quick to realise that MIDC's foray into land acquisition would have led to a series of questions to surface very quickly from the anti-SEZ movements that had the potential to cause impediments in this process.

The gravity of importance that the SEZ developers associated with this new *mobilization* route - of land acquisition through the District Collector's office - could hardly be understated. In the implementation of visions of India's neo-liberal reform, as the recent journalistic writings¹⁴ as well as academic literature suggests that big business interests have been able to make inroads into the higher echelons of the state machinery as well as political circuits but have been unable to tap into the network of the lower circuits of the state machinery and local politics (Benjamin: 2000, 2007, 2008). The route of land acquisition via the District Collector's Office sought not only to draw upon the state's power of the Eminent Domain but also to tap into the nodes of power and its networks in the lower rungs of the administrative machinery, for instance, at the taluka level (Land Records Office) and at the grampanchayat level (Talhati - the Land Records Officer, who has an intimate knowledge of land in his / her jurisdiction)¹⁵. This explains the emergence of several layers of informants, middle-men and touts, intermeshed in informal networks from within the state-machinery and the locality of the forty-five villages, whose local knowledge assisted the developer by providing information about lands that could be

immediately procured, assisting the developer in determining the value of the land and directly brokering it. The developers also sought to use local informants, with the collusion of state officials, to misguide the public and political representatives on several occasions, of which two persuasive examples are cited here.

First, when the Parliamentary Committee nominated by the Centre was to arrive in Maharashtra in July 2006 to assess SEZ implementation, the District Collector of Raigad feigned ignorance of their schedule and whereabouts to the anti-SEZ protestors¹⁶. Leaders of the anti-SEZ struggle, through their own informal state-level political connections, contacted this committee and found out that they would be meeting at MIDC headquarters in Mumbai. When the anti-SEZ protest groups arrived at MIDC in Mumbai, “they found out that three bus loads of co-opted farmers along with the District Collector of Raigad were already present in discussions with the Parliamentary Committee. In response, the Chairman of the Parliamentary Committee told the protestors that the Committee would meet them in Raigad at the Khalapur Panchayat Samiti Office the following day. However, in order to sabotage this meeting, the Parliamentary Committee was taken to another location at Naringi Village in Pen Taluka, where hearings were conducted. After a long wait, when the protestors realised that there was a possibility of sabotage, the leaders personally called the Chairman of the Parliamentary Committee and forced the hearing again at Khalapur” (Vilas Sonawane, personal conversation, 15 March 2009)¹⁷.

Second, around 640 cases of fraudulent land transactions for the SEZ have been registered. These transactions show land transfers made by co-opted informants actually not in possession of the land. The filing of cases has brought to light fake electoral cards, ration cards, seven by twelve land extract etc. as “identity proofs” used to make the land transactions possible. Such transactions were only possible through local informants, who had an in-depth knowledge of the local conditions. Apart from these local informants, the process of SEZ implementation has required expert knowledge to bring about changes in the land use as well as the networks of the official processes to make such changes¹⁸. In order to tap into these networks, the developer employed prominent ex-bureaucrats, ex-state planners having an in-depth knowledge and network within the state’s planning processes.

Split at the Roots: Framing of the anti-MMSEZ resistance

Resistance to the MMSEZ took a visible form and developed into an organized social movement only after land acquisition notices were sent to the farmers by the GoM in May 2006 by the

District Collectors office. Three historical reasons help explain the powerful nature of the resistance that emerged. First, one of the major communities within this area is the *Agri* community. Through their ancestral occupations they have been involved in these areas in creating land by reclaiming it from the sea. This aspect of creating their own land has strongly shaped the community's social identity, a factor which was very visible in the anti-SEZ protests¹⁹. Next, two other important historical events contributed in strongly shaping the confrontational social identities of the local populace in this area – the 1930's Seven Year Peasant Strike, which led to the first land reforms in pre-independent India as well as the Forest Satyagraha against the colonial British rule. Grassroots organizations in this area have been fashioned out of this historical consciousness. Third, when the land was acquired for the construction of Hetwane Dam project in the mid 1980's, some of the families displaced due to land acquisition were rehabilitated in the 22 villages that fall within the area to be acquired for the SEZ. The state's unfulfilled promise of not delivering irrigation water-supply and the looming spectre of being displaced for the second time was a powerful mobilising factor in the locality. This past experience created deep doubts with regard to the state's as well as the private developer's promises, thereby strengthening the anti-SEZ mobilization in many of the villages.

Despite the fact that the 45 villages falling under the SEZ are contiguous and grassroots resistance emerged in most – if not all - of these villages, since the beginning, there emerged a deep schism within the resistance that split it into two factions. One faction was composed of a coalition of grassroots organizations like the *Chaubis Gaon SEZ Virodhi Sangharsh Samiti*, *Panchkosi Khar Bhumi Kheti Bachao Samiti* located within the command area of the Hetwane Dam, NGO's like National Centre for Advocacy Studies, *Sarvahara Jan Aandolan*, *Sakav and Ankur*, and political parties like Peasants Workers Party (PWP). They organized themselves under the banner of *Jagতিকারান Virodhi Kruti Samiti* (Anti-Globalization Committee, henceforth JVKS). The second faction was composed of *Lok Shashan Andolan* along with a coalition of grassroots organizations organized under the banner of *Maha-Mumbai SEZ Virodhi Shetkari Sangharsh Samiti* (SEZVSSS).

As a part of the JVKS, the CPI (M) was also involved in the early phases in resisting the SEZ. However, in a public rally, when the Maharashtra state-level leaders of CPI (M) were asked to clarify the position of the party vis-a-vis their lack of opposition while passing the SEZ Bill in the Parliament and the Nandigram instance of massacre in West Bengal, the party found itself in an uncomfortable position (Vilas Sonawane, personal conversation, 16 May 2009). It,

therefore, came under pressure and moved out of the anti- MMSEZ protests due to its conflicting position at various other locations in the country²⁰.

The *Maharashtra State Water Policy, 2003*, played a central role in producing the split between the two groups. The Hetwane Dam, a medium sized irrigation project ongoing since the early 1980s, was 60% complete by the time the GoIs SEZ Act was enacted and the SEZ proposed in these villages²¹. The new water supply plan, based on the *Maharashtra State Water Policy, 2003*, envisaged that the water distribution for agriculture to the Canal Command Zone would be reduced from 88 million cubic metres to 30 million cubic metres and the remaining water would be shared by industrial and urban uses. JVKS reasoned that it would be in the best interests of the twenty-two villages within the Canal Command Zone to argue that they needed to be excluded from the SEZ area using the legalities of Section 44E of the *Maharashtra Land Revenue Code, 1966*, which states that no industry will be built within the Canal Command Zone of a dam. It also opposed the MMSEZ for not obtaining permission in the form of a No Objection Certificate from the Water Resources Department for the acquisition of irrigated land for an industry²². There are at least three other reasons that explain the split within the resistance. First, large geographical distances became a barrier to organise the struggle on a sustained day-to-day basis with the inclusion of the forty-five villages. Second, the ideological positions of key leaders in the resistance split in the way in which the anti-SEZ struggle was framed. Third, several unplanned incidents played a role in creating distrust and dividing the resistance²³.

While both groups have also shown awareness on the need to organise the anti-SEZ resistance at a regional, state and national-level scale – a scale much beyond the project - they framed their resistance in completely different ways.

Counter-operations of JVKS: Legalities of the Canal Command Zone and democratizing opinion

JVKS initiated its mobilization in June 2006 through a camp in Pen Taluka in which five resolutions were made: (1) to frame an awareness creation and advocacy strategy; (2) to form a committee to organize people in project affected villages; (3) involving experts with various disciplinary strengths to articulate the impacts of SEZs in a holistic manner; (4) involving trade unions to fight for workers rights; and, (5) overthrowing the SEZ Act. The first strategy took up three forms – street plays, documentary films, and organizing mock courts in the locality on the SEZ issue. Awareness creation and advocacy drives were carried out in the twenty-two villages

during the month of August 2006. Several discussions were also carried out with leaders of various political parties to involve labour unions in the anti-SEZ struggle.

Interviews with several locals in the Canal Command Zone have suggested that their efforts have been to push the state to develop infrastructure for the agrarian and agro-based industrial economy like dams, canals, fishing jetties that support activities like farming, paper production from rice husk, prawn and fish cultivation that supply to fish-processing industries. This 'agency' of actively pursuing their futures has been a central feature made visible in opposing the SEZ. The build-up of the anti-SEZ mobilization by this group compelled Maharashtra's Chief Minister to provide an assurance in the Assembly Session in December 2006 that land would not be acquired for MMSEZ from the 22 villages that were part of the Canal Command Zone of Hetwane Dam. Since no efforts were made to stop land acquisition during the three months from December 2006 to March 2007, JVKS organized a road block on the Mumbai-Goa Highway and an Attention Motion was moved in the State Assembly. During this Attention Motion, Maharashtra's Chief Minister assured once again that land acquisition would not be carried out in the 22 villages. In spite of the second assurance, Section (6) notices of the Land Acquisition Act were issued in May 2007. This lack of action resulted in a hunger strike on 17 July 2007 in which 17 farmers participated along with eminent leaders of JVKS. This hunger strike lasted for eight days until a third assurance was provided by the Chief Minister on 24 July 2007. When the third assurance was not honoured for almost a period of a year another peaceful road block was held on 24 June 2008. Later an indefinite hunger strike was called on 24 July 2008 to mark one year of the previous hunger strike.

As a result of the renewed hunger strike in 2008, the Chief Minister was compelled to announce again that land acquisition would not take place. But this time a condition was laid by the GoM that such a commitment would be honoured provided that the claims for non-acquisition of land were made by the local farmers and not the leaders involved in the protests. In doing so, the state now called for democratizing the process of opinion making over the future of MMSEZ with a 70:30 ratio of votes required in favour of implementing the project. A notice to this effect was sent to the Raigad District Collector who in turn asked the protesting group's opinion on the process in which such an 'opinion poll' should be conducted. This "opinion poll" resulted in the benchmark 'Raigad Referendum' held on 21 September 2008 – the only one held in post-independent India that sought to democratize the planning process by seeking the land owners' opinion on acquisition of land for a deemed "public purpose" project. For the Referendum, JVKS suggested a process whereby every farmer gave their opinion in writing. This, in turn, had to be

officially acknowledged by the Collector's Office in writing. Each farmer had to submit three forms: the first was submitted by the farmer to the Collector's Office, the second was kept with the farmer himself, and the third was collected by JVKS for its official records. In order to prevent foul play by the local informants of the developer, the colour codes for each form were not declared until the day of the poll. JVKS also suggested that the total number of voters should be declared village-wise on the day of the poll itself. As anticipated by JVKS, the Collector's Office agreed to all these suggestions but did not publish the results after the poll.

Two weeks later, when the Collector's office did not make any public announcement about the Referendum's outcome, JVKS announced the results in press from its own official records. These indicated that out of the 6199 land owners that participated in the Referendum, ninety-five percent of the land owners did not want to part with the land and the remaining five percent who wanted to sell the land would agree based on certain conditionalities²⁴. This overwhelming response in opposition to the project seen through the Raigad Referendum suggests either a misreading of the ground conditions on the part of the GoM and the developer or the belief that the Referendum's results could be manipulated to suit the developer. It is interesting to note that in the week leading to the Referendum the compensation package for the land was doubled from one million rupees per acre to two million rupees per acre. Perhaps realizing that results of the Referendum could not be easily manipulated, the developer also moved the judiciary three days before the Referendum by filing a Writ Petition in the Bombay High Court. This petition claimed that such a process violated the Memorandum of Understanding between the state and the developer and requested the Collector to expedite the land acquisition process. The Bombay High Court, on its part, disposed the petition in May 2009 asking the developer to approach the Supreme Court where a number of related cases were pending. The developer also went on to question the authenticity of the Referendum²⁵.

Simultaneous to this process, JVKS co-evolved a strategy of aligning with several other anti-SEZ groups in various parts of the state and nationally. This led to the formation of the state-level and national-level People's Social Audit of SEZs to pressurise the state to repeal the SEZ Act. The Maharashtra State's Public Social Audit was conducted on 15 September 2009 in Pen Taluka – a location that was of symbolic importance as a place where the first and only democratic opinion poll in the country was framed against the MMSEZ. It was structured in two parts: an expert panel discussion and testimonies of project affected persons from various SEZ project locations in Maharashtra. Although representatives of the state and the developers were invited to participate, both these groups refrained from the Audit. Such a strategy not only

sought to address the geographically dispersed nature of the SEZ resistance throughout the state and the country but it also sought to use the social audit as a tool, which has been experimented upon in other government schemes, to pressure the elected government on the basis of accountability. Through factual documentation it has attempted to draw together the *noir* of planning in SEZ implementation in various parts of the state – viz. links of ‘planning to power’ identified through superseding democratic decision making processes, coerced land acquisition, concessions to developers, diverting viable agricultural land and agricultural resources for industrial purposes, inadequate compensation and rehabilitation, loss of livelihoods, environmental and human rights concerns, the displacement of landless agricultural labour. The oral testimonies have attempted to bring about ‘face-to-face’ contact between project affected persons playing a twin role: a pragmatic one, in terms of exchanging (dis)similar experiences, and a symbolic one, to make visible to the state, developer and the wider public, the solidarity of anti-SEZ mobilizations.

Counter-operations of SEZVSSS: Legalities of SEZ implementation and a politics of delay

Being located outside the Canal Command Zone and not being able to fall back on the legalities associated with it became the instrumental reason for the formation of SEZVSSS. In addition, although PWP had a stronghold in the area, grassroots organizations did not want to align with it due to its toned down resistance to the MMSEZ during the eve of the implementation of GoI's SEZ Act. In this context, when the District Collector announced in April 2006 that land acquisition for the MMSEZ would take place within forty five days, grassroots organizations led by local lawyers invited Lokshashan Andolan²⁶ to assist them in framing the anti-SEZ resistance. While Lokshashan Andolan accepted the invitation to strategize the anti-SEZ struggle, it was decided to organize under the anti-SEZ struggle under the banner of SEZVSSS. The thinking behind such a strategy “was to recognize the struggle of the local social identity and to let the form of resistance emerge from it” (Vilas Sonawane, personal conversation, 15 March 2009). This, in turn, framed the basis for several unrecognized local leaders to emerge as local faces of the anti-SEZ movement. Being up against the combined might of the state and one of India's largest private sector enterprises, SEZVSSS realized at the outset that it had to delay the process of implementation as far as possible. This thinking framed the basis for a two-pronged strategy of mass mobilization and providing a legal challenge.

The initial phase before mass mobilization focussed on an awareness creation drive in twenty-three villages outside the Canal Command Zone in April-May 2006. In this drive, SEZVSSS

cautioned the farmers against selling land for the MMSEZ making three arguments against the land sale. The first argument suggested that the commercial rates of land were grossly underestimated for compensation. For instance, while the official compensation package for the MMSEZ determined the cost of 1 acre of land to be one million rupees, in the adjacent Navi-Mumbai SEZ land has been sold to a private company for twelve million rupees per acre (Velamur: 2010)²⁷. The second argument problematized land acquisition from the farmers saying that the developer needed the agrarian land only establish a new industrial zone, and therefore, land could be leased as against being sold. In a context where the anti-SEZ groups have been labelled “anti-development”, the third argument was framed so as to confirm the pro-active approach of SEZVSSS towards development. Laying the basis for an “inclusive development”, this argument suggested that instead of giving loans to the private sector, the financial institutions could provide the same loans to the farmers for undertaking industrialization. SEZVSSS proposed that in order to develop a SEZ in the area, Government – Farmers – Financial Institutions could come together to form a company. This company would lease land from the farmers and would act as a developer. It could then lease the developed lands for industrialization. The benefits of such a proposal being as follows: the farmer would retain ownership rights over his / her land; he / she would get a fixed annual sum of money from the lease; he / she would be a partner in the profits of the company. Such an argument was framed only as a foil to counter critiques of “anti-development” and the SEZVSSS was conscious of the potential losses that farmers could incur in the case of the project’s failure.

SEZVSSS initiated the mass mobilization process when the land acquisition notices under the Section 4(1) of the Land Acquisition Act were issued on May 2006. In order to delay the mandatory Suggestions and Objections process, and therefore land acquisition, individual hand-written suggestions and objections by the farmers were encouraged as against collective ones. Such a individual process was encouraged “in contrast to the JVKS, which had organized a standardised form that had the effect of making the decision process compact and also easier for the government to discard petitions” (Vilas Sonawane, personal conversation, 16 May 2009). Most importantly, in order to make this process visible, SEZVSSS organized processions of farmers in groups of five villages that would create demonstrations in front of the Collectors Office while making suggestions and objections to land acquisition. Through such a form of protest, each hearing served a dual purpose: of being heard by both, the government as well as the wider public.

SEZVSSS, in ways different than that of JKVS, also sought to draw other groups beyond the location of the project into the mass mobilization process. According to Vilas Sonawane, “the filling of debris for the development of low-lying area of the proposed MMSEZ was to be carried out by quarrying Bhamchandragad hill located in Alandi, Pune District. Coincidentally, this hill and the grazing land of Shinde village were also demarcated as the site for the industrial plant for a chemical factory - Dow Chemicals. The surrounding area of Dehu and Alandi is the birth place of Saint Dnyaneshwar Maharaj and Saint Tukaram Maharaj, and therefore, a very important pilgrimage and religious center for the Warkari sect²⁸. Bhamchandragad hill also has several Buddhist caves of archaeological significance. The right to use the hill as a quarry to fill debris for the low-lying area of the proposed MMSEZ was also a strategy in disguise to create developable land for Dow Chemicals. The impending impact on the important assets of national and regional heritage –the Buddhist caves, surrounding area of Dehu and Alandi - became a powerful factor in mobilizing the Warkari sect to safeguard this heritage, forcing Dow Chemicals project to be scrapped, and extending their support to the anti-SEZ struggle” (personal conversation, 15 March 2009). The argument put forth by SEZVSSS is as follows: “for the first time in post-independence India, a religious organisation has been mobilised to resist the imperialist forces. This has been an important step because customarily the progressive left in India has never been able to engage proactively with social groups like the Warkaris. This inability, in turn, results in ‘gifting’ such social groups having a large mass to the right wing fundamentalists and becomes the biggest weakness of the progressive left. Lokshashan Andolan and SEZVSSS has attempted to trigger thought about rearticulating the Warkari movement by raising the issue that if at this juncture agriculture is in a crisis resulting in farmer suicides, deaths, and reduction in agricultural produce, then its fundamental unit is under severe threat. If the Warkari movement has to survive, then, it is the farmer who has to be ‘saved’. In the ongoing class struggle, the tool of socio-cultural identity becomes a powerful weapon in the hands of the toiling masses. This struggle cannot be fought through the individual compartmentalised identities of oppressed groups - class, caste, religion, gender etc. The necessity to bring them together as collective is the biggest challenge for the progressive left in India (from personal conversations with Shashi Sonawane, 23 February 2009, and Vilas Sonawane, 15 March 2009).

Concurrent to the mass mobilization for delaying the process of SEZ implementation, SEZVSSS was faced with the task of framing a legal challenge to the MMSEZ. In quickly recognizing the alignments of the judiciary in court cases where objections to SEZ projects were overruled by the Gujarat, Chandigarh and Haryana High Courts in early 2007, SEZVSSS decided that it would

not challenge the intention of the MMSEZ project but its legality on several grounds by filing a Writ Petition against GoM (Directorate of Industries) in the Bombay High Court. At least five points that were framed in the Writ Petition of 2007 are worth mentioning here. First, the contradiction of MMSEZ vis-a-vis the ongoing planning process for New Khopta Township in Uran Taluka, both deemed as “public purpose” projects. In this case, however, the “public purpose” of MMSEZ, as framed in the SEZ Act, unquestioningly outweighed that of the proposed township. Second, in spite of the Bombay High Court passing an order in 2004 banning sale of forest and mangroves land, they were transferred to the MMSEZ. Third, the director of MMSEZ was also present in the meeting called upon by Maharashtra’s Revenue Minister on 28 February 2006 to discuss the sanction of land for the SEZ. This director, not-coincidentally, was also an ex-bureaucrat and had served as the former secretary to the Mumbai Metropolitan Region Development Authority. The Writ Petition, therefore, questioned the ‘asymmetry of information’ provided by the state to the developer as an unfair practice in favour of a private interest in the “public purpose” project. Fourth, the submission on part of the developer to the state neither provided any evidence that the SEZ will be a net foreign exchange earner nor was any Environmental Impact Assessment Report submitted or clearance obtained. Fifth, it sought to challenge the National SEZ Act under articles 14, 19 and 21 of the Constitution of India. This case was transferred by the Bombay High Court to the Supreme Court in March 2008 due to a plea made by the developer to speed-up the process of land acquisition. In the process, SEZVSSS had achieved its objective of drawing the developer into the court and delaying the process of SEZ implementation. Most importantly, apart from the points mentioned, it is worth noting that the tool of the writ petition was consciously used by SEZVSSS as against filing a public interest litigation in the court. The latter allows a single chance for a legality to be challenged in the judiciary whereas the former does not place such a restriction.

In order to fight the case in the Supreme Court, SEZVSSS mobilized finances through a consensus from local farmers to collect money at a rate commensurate to the land holding of the farmer. At the time the case was transferred to the Supreme Court, not only anti-SEZ mobilizations but also the 2008 economic recession had slowed the SEZ implementation. In the Supreme Court, SEZVSSS challenged the MMSEZ on the basis of another legal issue embedded within the Land Acquisition Act that sealed its fate. MMSEZ had received in-principle approval from GoI on 8 August 2003 for implementation of the project within three years. After the end of this validity it received two further extensions that ended on 7 August 2009. SEZVSSS challenged the MMSEZ on the ground that since the developer had not been able to acquire the land in spite of the extensions provided the project should be scrapped within the legality of the

Land Acquisition Act. It was this point that mooted the decision of the Supreme Court in favour of SEZVSSS forcing the state to bring a closure to the project in 2009, and further, de-notify the lands that were to be taken from the farmers in 2011.

The evolution of the state-social movement relations in MMSEZ implementation shows us two completely different ways in which anti-SEZ struggle has been framed. Through its mass-mobilization strategies, JVKS built up electoral pressures on GoM that led to democratizing the opinion making process for project implementation through the Raigad Referendum. This has been widely publicized in the media. The final blow to MMSEZ, however, was delivered by the less publicized legal challenge framed by the SEZVSSS²⁹.

3. Conclusions

This paper has considered the micro ‘institutional politics’ of SEZ policy and project implementation in Maharashtra and advances three arguments that further the debate on India’s SEZ phenomenon.

First, the politics of policy implementation suggests that SEZs, as economic enclaves, are much more integral to an emerging discourse of state-strategies for city-region building in India that has abandoned the pursuit of ‘balanced development’. In this discourse, policies, plans and projects emerge out of a narrative that poses “development in the huge market amenable for tapping and investment” (Benjamin: 2007), and in turn, translates into aggressive City-Marketing strategies that promote mega investments via mega infrastructure projects in newly conceptualized ‘Investment Regions’. The latter, in turn, form the new, premier spaces for industrial production. The spatial patterns of SEZs in Maharashtra that show a concentrated clustering of 174 SEZs around the cities of Mumbai, Pune, Nasik, Aurangabad and Nagpur dovetail neatly into this geography of City-Marketing.

Second, following Jenkins (2011) it could be argued that if state strategies with regard to SEZ establishment can be characterized by a ‘politics of stealth’, then social movements in Maharashtra are showing equal guile in not only developing place-based responses to project implementation but also reflexivity in organizing at scales beyond particular projects in order to challenge policy implementation. This struggle between ‘contention’ and control in (un) settling SEZs in Maharashtra has brought to light the limited opportunities that can be availed

on multi-scalar platforms – political, institutional and discursive - on which a struggle is waged. Nevertheless, anti-SEZ mobilizations in Maharashtra, in many novel ways, have posed a sharp challenge to the settling of SEZs and serve as a reminder that the ‘agency of the local’ plays an important role in transforming development trajectories articulated by India’s state on behalf of an all-encompassing “public interest”. Although anti-SEZ mobilizations in Maharashtra, as-of-yet, have not been successful in compelling GoM to withdraw the SEZ policy, grassroots resistances against large SEZs have played a tremendous role in challenging project implementation at various locations in the state. At the time of writing this paper, at least four out of the twenty large SEZs in Maharashtra’s list have been scrapped due to their inability to procure land within the stipulated time period³⁰. These predominantly have included SEZs proposed by the private sector calling into question the wisdom prevalent at the turn of the century that market negotiations would be the fastest route to land acquisition. In implementing SEZs, developers, on many occasions and in ways more than one, have had to knock on the state’s doors to assist in land acquisition. The SEZs that have continued to be implemented, for instance four Notified and five Formal Approval SEZs, are being executed with the partnership of the GoMs parastatals like MIDC, City and Industrial Development Corporation, and Maharashtra Airport Development Company.

Third, the micro ‘institutional politics’ of contestations in (un) setting SEZs characterizes India’s sub-national States as key agents pursuing neo-liberal economic reform. Most importantly, this process suggests a deliberate ‘unmapping’ (Roy: 2010) and ‘asymmetry of information’ by developers in collusion with the state to advance a particular ideology of ‘developmentalism’. Contention on the implementation of GoMs SEZ Policy has been sharply played out through a careful calculus of constraints within the space of mass politics, through mass-mobilization, use of People’s Social Audit, or framing a legal challenge. In all these, anti-SEZ mobilizations have endeavoured to intervene in the planning process by creating a counter fact sheet of knowledge that could redress the deliberate ‘unmapping’ and ‘asymmetry of information’. It is in these performances that we observe a multiplicity of knowledges, actions, and planners in a dynamic, evolving context that pose the politics of planning and city-region building as an open ended institutional terrain of contestations within the context of India’s neo-liberal economic reform.

Do these contestations pose an alternative to the state-strategies of industrialization through mega SEZs? It would be naive to make propositions about alternative trajectories for the pursuit of industrialization from this case study whose central focus has been the evolution of

state-movement relations. In spite of such a limitation, at least in theory, the pointers of anti-SEZ mobilizations to alternative trajectories of development do have the ability to pose a challenge to the narrative of regional development through mega investments via mega infrastructure projects in newly conceptualized 'Investment Regions'. If not, then, this paper suggests that the micro institutional politics of (un) settling SEZs in Maharashtra, at least opens out ideologically contrasting positions around the vectors of 'land' and 'livelihoods' within existing approaches to 'developmentalism'.

References

Books and Journals

- Benjamin, S. (2000). *Governance, economic settings and poverty in Bangalore*. Environment and Urbanization, Vol. 12, No. 1, pp. 35-56.
- Benjamin, S. (2007). *Occupancy Urbanism: Ten Theses*. SARAI Reader 2007: Frontiers, New Delhi: SARAI, pp. 538-562.
- Benjamin, S. (2008). *Occupancy Urbanism: Radicalizing Politics and Economy beyond Policy and Programs*, International Journal of Urban and Regional Research. Vol. 32, No. 3, pp. 719-729.
- Banerjee-Guha, S. (2008). *Space Relations of Capital and Significance of New Economic Enclaves: SEZ's in India*. Economic and Political Weekly, 22 November 2008, pp. 51-59.
- Friedmann, J. (2011). *Insurgencies: Essays in Planning Theory*, United Kingdom: Routledge.
- Jenkins, R. (2011). 'The politics of India's Special Economic Zones', in S. Ruparelia, S. Reddy, J. Harriss and S. Corbridge (eds.) *India's New Political Economy: A Great Transformation?*. New York: Columbia University Press.
- Holston, J. (1998). 'Spaces of an Insurgent Citizenship', in L. Sandercock (ed.) *Making the Invisible Visible: A Multi-Cultural Planning History*. Berkeley, Los Angeles and London: University of California Press.
- McAdam, D., J. McCarthy, and Z. Mayer (eds.) (1996). *Comparative Perspectives on Social Movements: Political Opportunities, Mobilizing Structures and Cultural Framings*. Cambridge: Cambridge University Press.
- Mukhopadhyay, P. and Kanu Charan Pradhan (2009). 'Location of SEZ's and Policy Benefits: What Does the Data Say?' in *Special Economic Zones: Promises, Performance and Pending Issues*. Center for Policy Research, Occasional Paper Series.
- Roy, A. (2010). 'Informality and the Politics of Planning', in J. Hiller and P. Healey eds., *The Ashgate Research Companion to Planning Theory: Conceptual Challenges for Spatial Planning*. Surrey and Burlington: Ashgate, pp. 87-105.
- Sampat, P. (2008). *Special Economic Zones in India*. Economic and Political Weekly, 12 July 2008, pp. 25-29.
- Sandercock, L. (ed), (1998). *Making the Invisible Visible: A Multi-Cultural Planning History*. Berkeley, Los Angeles and London: University of California Press.

Policy Statements and Unpublished Reports

- GoI and Government of Japan, (2007). *Concept Paper – Development of Delhi–Mumbai Industrial Corridor*. http://dipp.nic.in/japan/japan_cell/DMIC_Concept_Report_10Aug2007.pdf, accessed on 12 February 2010.
- GoM, (1998). *Modification of the Industrial Location Policy in Mumbai Metropolitan Region 1998*. Industries, Energy and Labour Department.
- GoM, (2001). *State Government's Policy regarding setting up Special Economic Zones in Maharashtra*. <http://sezindia.nic.in/writereaddata/statePolicies/maharashtrapolicy.pdf>, accessed on 08 May 2009.
- GoM, (2002). *Maharashtra State SEZ Bill 2002*, http://www.inspirainfra.com/Maharashtra_statesez_bill2002.PDF, accessed February 02, 2009.
- GoM, (2003). *Maharashtra State Water Policy*, <http://www.mwrra.org/Document%209.pdf>, accessed 21 June 2009.
- GoM, (2004). *Selected Indicators for Districts in Maharashtra and States in India 2003-04*. Directorate of Economics and Statistics.
- GoM, (2006). *Industrial Investment and Infrastructure Policy of Maharashtra 2006*, <http://www.maharashtra.gov.in/pdf/GOMIndPolicy.pdf>, accessed February 02, 2009.
- GoM, (2008). *Maharashtra a Promising Investment Destination*, a PDF presentation on Japan – India Economic Partnership, http://dipp.nic.in/japan/japan_cell/Maharashtra.pdf, accessed 03 December 2009.
- MEDC, 2004. *Maharashtra Vision*, Mumbai: MEDC.
- Shaban, A. and R. N. Sharma, (2005), *Social Impact Assessment of Maha Mumbai Special Economic Zone*, Report prepared for Sea King Infrastructure Limited, Mumbai, December 2005.
- Velamur, S. (2010). *People's Audit of SEZ's in Maharashtra*, TISS.

Newspaper and World Wide Web Articles

- A dam swallowed by SEZ*. CommodityOnline: 24 October 2008, <http://www.commodityonline.com/news/A-dam-swallowed-by-SEZ-12337-2-1.html>, accessed on 25 December 2010.

Anti-SEZ Struggle in Maharashtra: The Peasants have won the first phase but still have a long way to go! Revolutionary Democracy, April 2010,

<http://www.revolutionarydemocracy.org/rdv16n1/antisez.htm>, accessed on 28 September 2010.

Congress swims against Pawar tide: Chavan puts agriculture before industry in water bill championed by NCP leader's nephew. The Telegraph: 22 April 2011,

http://www.telegraphindia.com/1110422/jsp/nation/story_13887230.jsp, accessed on 27 April 2011.

Maharashtra's SEZ act faces fiscal incentive hurdle. rediff Business: 03 August 2010,

<http://business.rediff.com/report/2010/aug/03/sez-maha-sez-act-faces-fiscal-incentive-hurdle.htm>, accessed on 02 October 2010.

Maharashtra govt. puts SEZ act on the backburner. DNA: 04 August 2010,

http://www.dnaindia.com/mumbai/reportmaharashtra-govt-puts-sez-act-on-the-backburner_1418542, accessed on 02 October 2010.

Radia Tapes: All Lines are Busy. Cover Story, Outlook Magazine, 29 November 2010.

<http://www.outlookindia.com/article.aspx?268071>, accessed on 23 December 2010.

Petition challenges SEZ act in Maharashtra saying fertile land is taken away. DNA: 23 September

2010, http://www.dnaindia.com/mumbai/report_petition-challenges-sez-act-in-maharashtra-saying-fertile-land-is-taken-away_1441846, accessed on 02 October 2010.

Raigad SEZ Referendum not genuine. Business Standard: 24 September 2008,

<http://www.business-standard.com/india/news/raigad-sez-referendum-not-genuine-reliance/47075/on>, accessed on 23 April 2010.

SEZ's are here to stay. Financial Express: 24 March 2007.

Water diversion from dams censured. Times of India: 23 November 2010,

http://findarticles.com/p/news-articles/times-of-india-the/mi_8012/is_20101123/water-diversion-dams-censured-pune/ai_n56356067/, accessed on 29 April 2010.

Websites

www.sez.nic.in, 23 December 2009.

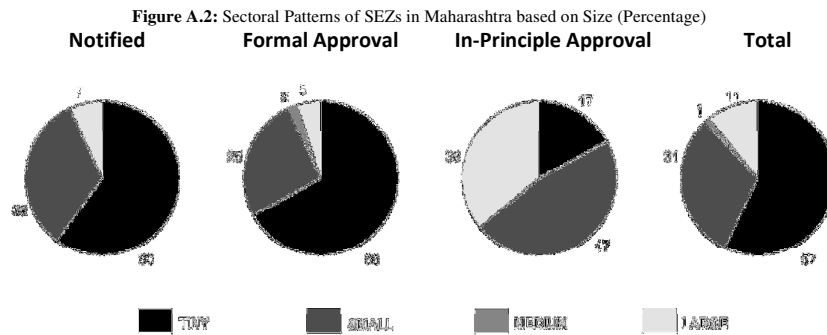
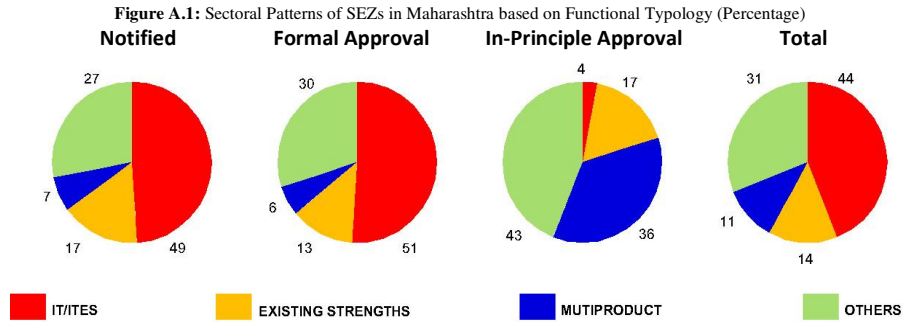
Interviews

Ulka Mahajan, personal conversation conducted on April 24, 2009 in Mumbai.

Vilas Sonawane, personal conversation conducted on March 15, 2009 and May 16, 2009, Pune.

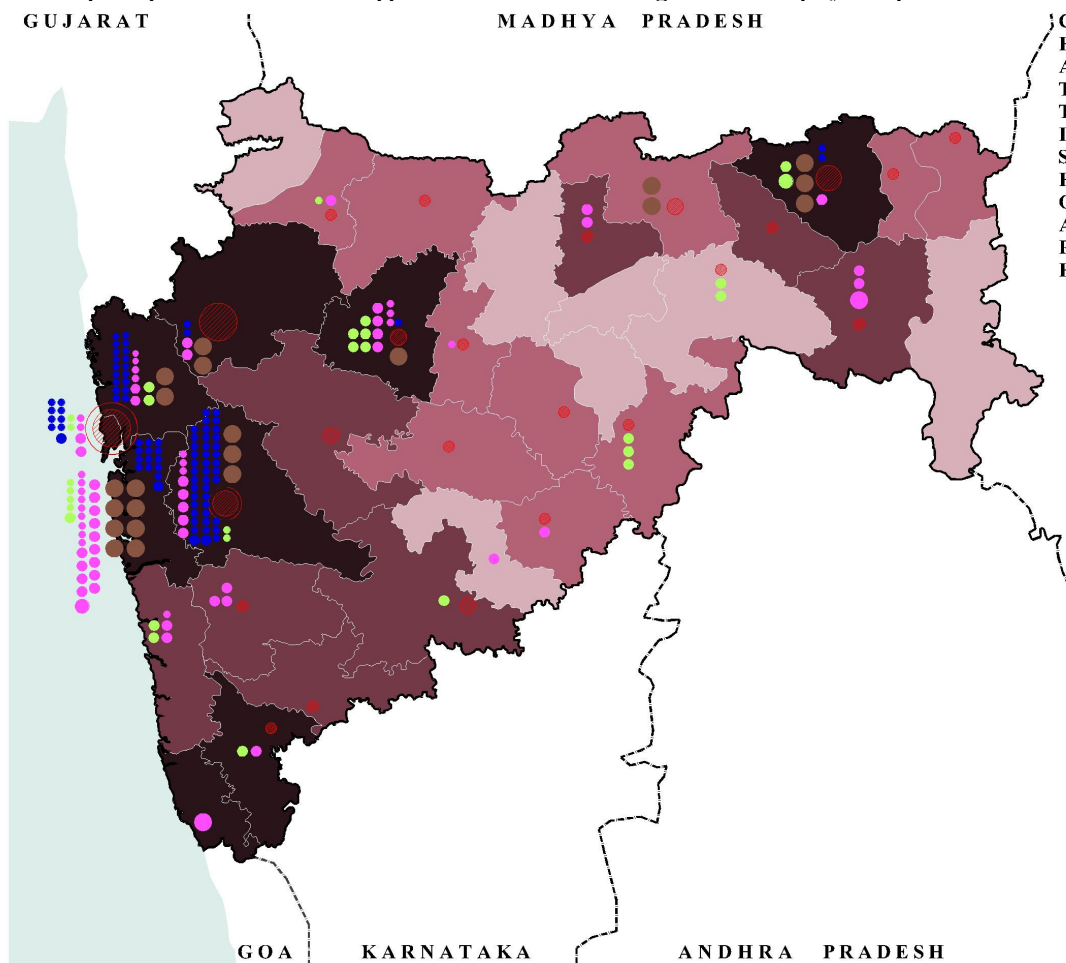
Shashi Sonawane, personal conversation, 23 February 2009, Mumbai.

APPENDIX I: Sectoral Patterns of SEZs in Maharashtra



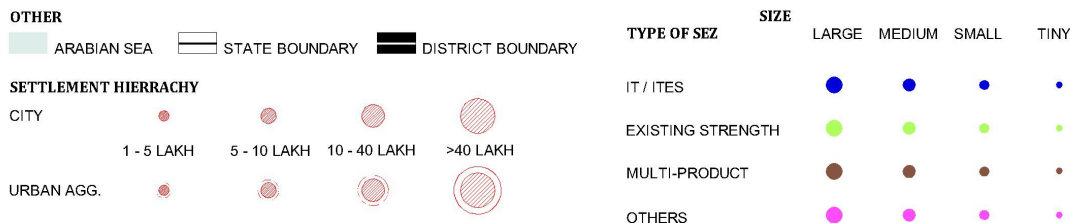
The case of Maharashtra shows that the IT / ITES SEZs have the highest share in the sectoral break-up. Amongst the Operational SEZs, this category constitutes approximately three-fourth of the total share. Considered together, the share of Notified and Formally Approved IT / ITES SEZs amounts to more than half of the total SEZs in these categories. Multi-Product and Other SEZs occupy more than three-fourth the share of In-Principle Approvals. With regard to size, out of the total 206 SEZs in Maharashtra, more than half (57 percent) are 'tiny' and approximately one-third are 'small' (31 percent), a negligible share are 'medium' (01 percent) and around one-tenth (11 percent) are 'large'. In terms of the amount of land that these projects would require: less than 100 ha. of land for approximately 57 percent of SEZs, between 100 ha. to 300 ha. of land for approximately 31 percent, and more than 300 ha for the remaining 12 percent. When these patterns with the actual land requirement it is seen that Multiproduct SEZs, one-tenth of the total number (i.e. 22) require three-fourth of the proposed land area (i.e. approximately 37000 ha.).

APPENDIX II: Spatial patterns of SEZs overlapped on District-Wise Non-Agricultural Employment pattern of Maharashtra



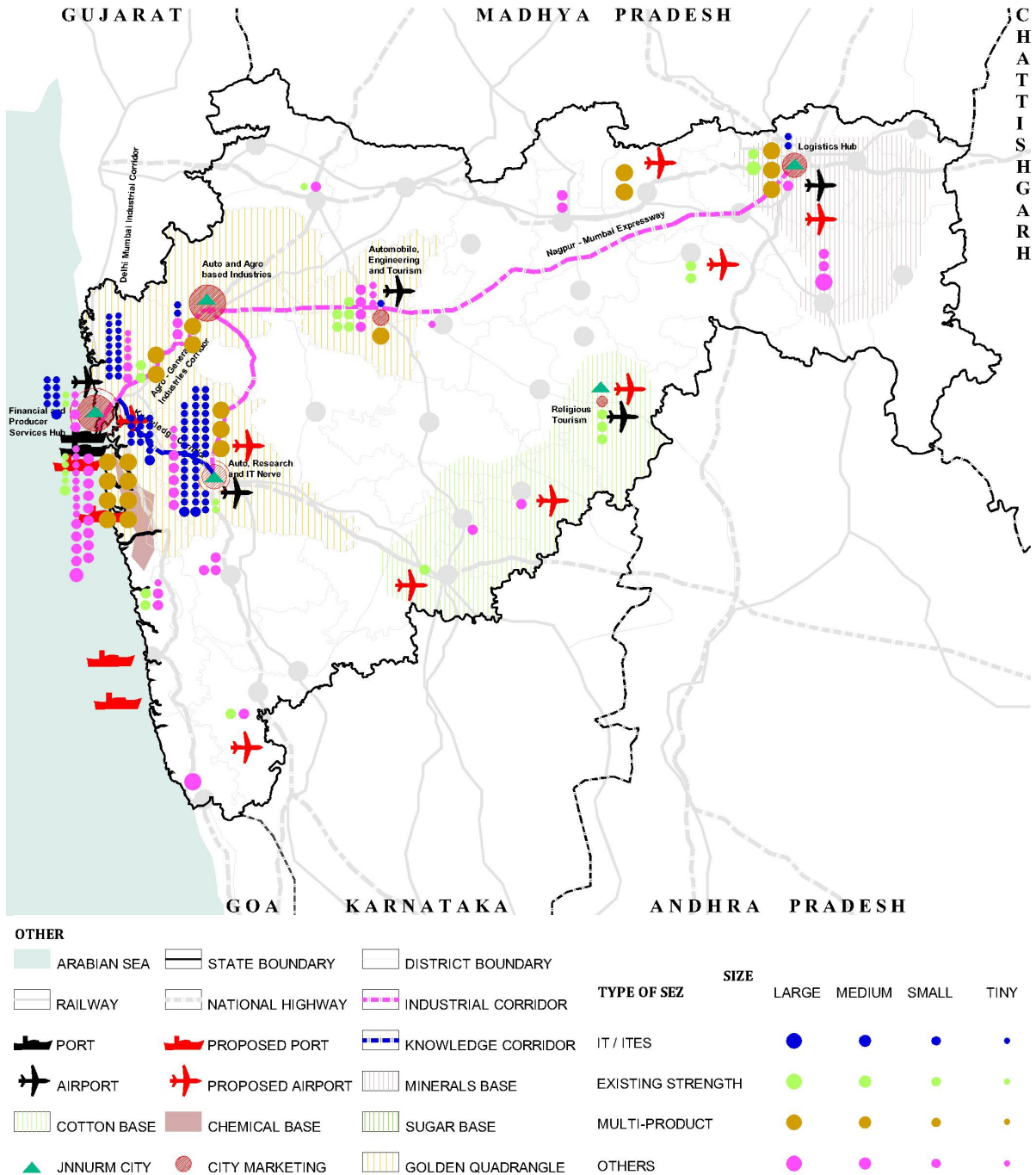
DISTRICT RANK (% INDUSTRIALIZATION LEVEL)

	QUARTILE I	QUARTILE II	QUARTILE III	QUARTILE IV			
1. GREATER MUMBAI	99.82	SOLAPUR	37.10	AMRAVATI	29.58	BEED	22.40
2. THANE	78.13	CHANDRAPUR	35.03	DHULE	29.51	OSMANABAD	21.33
3. NAGPUR	61.35	RATNAGIRI	33.91	BHANDARA	29.51	BULDANA	19.41
4. PUNE	60.46	AKOLA	32.67	JALGAON	29.15	NANDURBAR	18.45
5. RAIGAD	51.09	GONDIYA	32.08	LATUR	26.89	GADCHIROLI	17.78
6. KOLHAPUR	41.99	WARDHA	31.32	NANDED	26.13	HINGOLI	17.11
7. SINDHUDURG	39.17	SANGLI	30.68	PARBHANI	25.18	WASHIM	16.22
8. AURANGABAD	37.89	AHMEDNAGAR	30.30	YAVATMAL	22.74		
9. NASIK	37.60	SATARA	30.10	JALNA	22.29		



Only seven out of thirty five districts have a high concentration of SEZs: Pune (55), Raigad (50), Thane (28), Mumbai (15), Aurangabad (14), Nagpur (08), Nasik (06). These districts, which fall within the uppermost quartile of industrialization, comprise 174 out of the 206 SEZs (84 percent) and form two distinct spatial concentrations: a larger concentration framed around Mumbai – Pune – Nasik – Aurangabad and a relatively smaller one around Amravati - Nagpur – Chandrapur. It has also been pointed out by eminent leaders of the anti-SEZ campaigns that these two concentrations are also areas where 70% of irrigation infrastructure in Maharashtra is located. This opinion can be corroborated on making a closer examination of the actual locations of ‘large’ SEZs. The thirteen districts ‘neglected’ by SEZ development are concentrated spatially in Central Maharashtra (Ahmednagar, Sangli, Beed, Parbhani, Hingoli, Buldana, Washim Districts) and north-eastern Maharashtra (Bhandara, Gondiya, Gadchiroli Districts). 82 out of the 87 IT/ITES SEZs are located within the urban agglomerations of Mumbai and Pune. The largest concentrations of Multiproduct SEZs are found in Raigad District (6), followed by Pune and Nagpur District (3 each), followed by Thane, Nasik and Amravati District (2 each) and Aurangabad District (1). As a consequence, the land requirement for SEZ’s in Maharashtra is highest in Raigad District (20066 ha.) followed by Thane (5956 ha.), Pune (4901 ha.), Nagpur (4783 ha.), Aurangabad (3667 ha.), Nasik (2259 ha.) and Amravati (2218 ha.).

APPENDIX III: SEZs within the geography of City-Marketing in Maharashtra

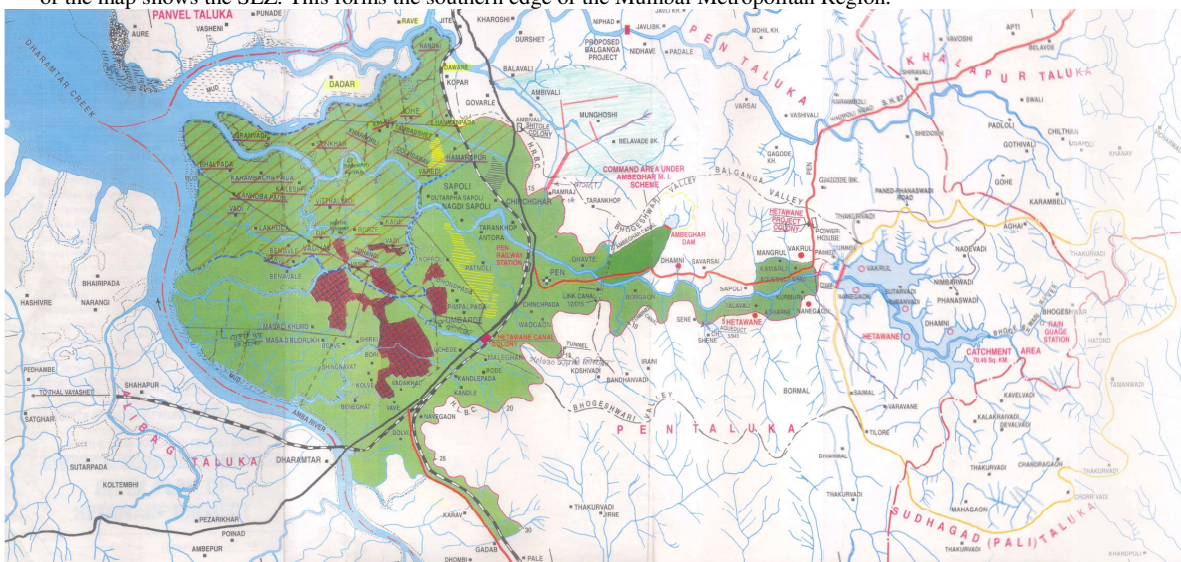


Post 1990's, in the context of liberalization, sub-national states like Maharashtra have tended to aggressively market their key city-regions through smooth vision statements to attract investments. In this regard, the relaxation of location constraints in the *IT/ITES Policy, 1998*, having an implicit focus on Navi-Mumbai and Pune as well as the *Modification of the Industrial Location Policy for the Mumbai Metropolitan Region, 1998*, paved the way for articulating Mumbai-Pune corridor for IT / ITES industries. Such a propensity was further reinforced by the articulation of Mumbai-Pune-Nasik as an economic growth 'Golden Triangle' in the *Maharashtra Vision, 2004*. In this vision, the Mumbai-Pune corridor was envisioned as the 'Knowledge Corridor' for IT / ITES industries whereas the Mumbai-Nasik corridor was envisioned as a corridor for Agro-based and General Manufacturing Industries. This vision was scaled-up to form the 'Golden Growth Quadrangle' in the *Industrial, Investment and Infrastructure Policy, 2006*, by designating the Nasik-Aurangabad corridor as the Auto Industries Corridor. GoMs strategies have also overlapped with those of the GoI whose two important mega projects include the Jawaharlal Nehru National Urban Renewal Mission (JNNURM) and the Delhi-Mumbai Industrial Corridor (DMIC) project. While JNNURM has facilitated the abilities of five cities (viz. Mumbai, Pune, Nasik, Nagpur and Nanded) to market themselves through modernization of physical infrastructure, DMIC project has delineated Nine 'Mega-Investment Regions' of about 250-250 km² each, two of which are located in Maharashtra. The include Igatpuri-Nasik-Sinnar Region as a General Manufacturing Investment Region, Dhule-Nardhana Investment Region, Industrial Area with a Greenfield Port at Dighi in the Konkan Division, and Pune-Khed Industrial Area. Broadly speaking, the cities of Mumbai, Pune, Nasik, Aurangabad, Nagpur and the regions framed by their transportation corridors form the key nodes of the imagined geography of City-Marketing in Maharashtra. The concentrated clustering of 174 SEZs in seven districts – viz. Pune (53), Raigad (50), Thane (28), Mumbai (15), Aurangabad (14), Nagpur (08), Nasik (06) – dovetails neatly into this geography.

APPENDIX IV: Location of MMSEZ



a. Location of Maha Mumbai SEZ in relation to Mumbai Metropolitan Region: The area with a pink hatch towards the lower end of the map shows the SEZ. This forms the southern edge of the Mumbai Metropolitan Region.



b. Location of Maha Mumbai SEZ in relation to Hetwane Dam Canal Command Zone: The area with a green hatch shows the Canal Command Zone and the area marked in 45 degree inclined, spaced red hatch shows the overlapping of the southern half of the SEZ with the Canal Command Zone.

End Notes

¹ Figures available at: www.sez.nic.in, accessed on 23 December 2009. Santacruz Electronics Export Processing Zone in Mumbai that has been converted into an SEZ is added to this list.

² Drawing Mukhopadhyay and Pradhan (2009) SEZs have been classified into four groups each on the basis of their 'functional typology' and 'size'. The *functional typology* classification groups SEZs into four broad categories: IT/ITES, Existing Strengths, Multiproduct and Others. Existing Strengths cover India's existing export basket, viz. Apparel, Textiles, Gems and Jewellery, Footwear and Pharmaceuticals. The classification based on *size* also articulates four broad categories: 'tiny' (less than 100 ha.), 'small' (100 to 300 ha.), 'medium' (300 to 1000 ha.) and 'large' (more than 1000 ha.) In drawing spatial patterns, the thirty-four districts have been categorized into four quartiles based on their levels of industrialization.

³ One point of note: in social movement theory, *mobilizing structures* refers to the formal and informal "collective vehicles" of mass-mobilization to engage in collective action, whereas in planning theory, the term *mobilization* has also been used to refer to *mobilizing actions* of smaller groups (see Friedmann: 2011, Chapter 4). In this paper, as the situation warrants, 'mobilizing structures' is used in both these senses.

⁴ Other incentives include fiscal incentives, exemption from state-level levies, duties and taxes as well as administrative autonomy in the form of overriding the state-level planning legislation like *Maharashtra Zilla Parishads and Samitis Act, 1961*, *Maharashtra Town and Regional Planning Act, 1966*, and the *Maharashtra Metropolitan Planning Committees Act, 1999*.

⁵ Implicit within this constraint is the meteoric rise in the stronghold of Shiv Sena in Maharashtra's local government during the 1990's.

⁶ Section 4, Priority of Water Usage, of *Maharashtra State Water Policy, 2003*, states that "Water resources shall be allocated in accordance with the following principles: (a) Domestic use for drinking, cooking, hygiene and sanitation needs including livestock; (b) Industrial, commercial use and agro-based industrial use; (c) Agriculture and hydropower; (d) Environment and recreation uses; and, (e) Other Uses" (GoM: 2003). In post-independence India, priority of water usage for agriculture over industries in a national context where approximately three-fourth of the population depends on an agrarian economy for livelihood has been a norm in water policies of both the Central and State Governments. This policy sets a precedent by intervening in this logic.

⁷ *Special Township Scheme, 2005*, owes its genesis to the Magarpatta Township on the outskirts of Pune city that took more than two decades to realize. Here, entrepreneurial efforts of a land owning community of approximately 120 farmers capitalized on the opportunity provided by periurbanization in Pune to develop their agricultural lands into a residential township. This community pooled their land together to form the Magarpatta Township Development Company with each member accepting a share-holding within it proportionate to the land owned. The point of note here is that the success of Magarpatta Township was used to market it as a 'best-practice' and push forth the implementation of the *Special Township Scheme Policy, 2005*. From 2005 onwards many townships have built under this policy, particularly along the Mumbai-Pune corridor, by private developers.

⁸ In India, 'Land' is a State-level subject. The Central Government can make recommendations for land policies but it is up to the State Governments to adopt them. In the case of the SEZ Policy, there are several provisions of fiscal administrative incentives, which are under the purview of the Central Government, e.g. Labour Laws. Hence, the need for ratification of State-level SEZ Policies from the Central Government.

⁹ The proposal for relaxing labour laws was also made in the Gol's SEZ Act, 2005. During the debate in the Parliament when the Act was to be voted it was opposed by the Left Front due to which the clause had to be removed.

¹⁰ Prayas Research Group's findings suggest that around 1500 million cubic meters of water reserved for agriculture was diverted from 38 dams in Maharashtra between 2003-10 for urban and industrial use (The Times of India: 23 November 2010; The Telegraph: 22 April 2011). Of this 54 percent of water was diverted for industries and 46 percent of water for drinking water supply. Amongst industries, 61 percent of water was allocated for power plants (mostly in Vidharbha, which is now in the limelight for farmers suicides during the last decade), 21 percent to MIDC areas, and 16 percent to SEZs.

¹¹ Navi-Mumbai SEZ is a Public-Private Partnership, the Rewas Port SEZ is a Private Venture. Both these projects are developed by Reliance Limited. Considered together, the area of MMSEZ, Navi-Mumbai SEZ and Rewas Port SEZ is approximately 15000 ha.

¹² Also refer to Velamur (2010), which mentions that 4,00,000 people will be affected by this project as against the calculations of the State Government that accounted only 50,000 people.

¹³ Also refer to the article '*A dam swallowed by SEZ*' (Commodity Online, October 24, 2008) referring to the SIA. It quotes one of the co-authors of the SIA as follows: "There is an urgent need to transform life in the rural areas and there was no need for romanticising village life. In case, development is denied, after 10 years the same villages would revolt on seeing their stagnation".

¹⁴ See the coverage of Radia Tapes Controversy in '*All Lines are Busy*', Cover Story, Outlook Magazine, 29 November 2010.

¹⁵ A common observation made by villagers of the route to appease these lower circuits of state-machinery is that "it found visible manifestations in the form of an overnight up-gradation (e.g. air-conditioning, new furniture etc.) of the rundown offices of the various levels of state-machinery involved in land acquisition".

¹⁶ This has been confirmed by interviews with several anti-SEZ protestors.

¹⁷ Corroborated by Ulka Mahajan (personal conversation, 24 April 2009, Mumbai).

¹⁸ For instance, land use changes from Forest Zone or Green Zone.

¹⁹ Some of the powerful slogans of the anti-SEZ protests shaped out of the historical consciousness were: *Nahi-Nahin Kadachi Nahin, Amchya Jameenee Denaar Nahin* (No, no, never, we would not give away our land) and *Nahi kunachya baapachi, zameen*

amchya hakkachi (Not anyone's father's, this land is our right). This, however, is not to imply that the Agri community is the only community involved in the anti-SEZ resistance.

²⁰ CPI (M) moved out of the resistance after the Sitaram Yechury Rally at Konkan Bhavan, Navi-Mumbai, on 21 September 2006.

²¹ Letter dated 01 September 2007 from the Executive Engineer, Hetwane Canal Section 1 to the Sarpanch of Kaleshri Village.

²² Official letter dated 16 November 2007 from the Hetwane Canal Section 1 to the District Collector.

²³ The stone throwing incident in Sitaram Yechury rally on 21 September 2006, according to some sources, has been attributed to the SEZVSSS creating tension and distrust between the two factions. Leaders of the SEZVSSS, however, have attributed this to foul-play by the developers through their touts.

²⁴ The District Collector's Office sent notices to a 30,057 land holders out of which 6,199 land owners submitted their opinion and 5866 votes were against the project. This implies that one person may hold more than three to four accounts of land holdings.

²⁵ The developer's company stated that it does "... not agree that the results have gone against the Reliance Industries. The administration had declared initially that they will go for the ballot paper voting. But some people have created signed ballot paper through so-called farmers" (Business Standard: 24 September 2008).

²⁶ Lokshashan Andolan was formed in 2004. Its leaders have earlier been involved in studying India's agrarian crisis.

²⁷ This land was originally acquired for building Navi-Mumbai in 1984 at the rate of approximately rupees twelve thousand per acre.

²⁸ According to Shashi Sonawane, "the *Warkari* sect has its origins in the medieval period when the *Sufi* and *Bhakti* traditions were institutionalized. This group has historically mobilized the so-called productive castes such as farmers, manufacturers, service providers vertically across various class and castes in villages to raise awareness on anti-Brahmin propaganda. The Warkaris were a progressive group which infiltrated social life to breathe in new ways of thinking against caste and class oppression. This group does not necessarily adhere to performing of rituals and ceremonies as laid out in Hindu philosophy but positions itself on intrinsic discipline of the commune members. The political, quasi-propaganda role of the Warkari community was relegated to a spiritual entity after the 1930s when the Vishwa Hindu Parishad and the Rashtriya Swayamsevak Sangh gave it a more chauvinistic, right wing leaning by attempting to draw it within Hinduism and stake claim to protect the faith and the faithful. It is important to note that its links, therefore, to the fundamentalist Vishwa Hindu Parishad are of recent origin" (personal conversation, 23 February 2009).

²⁹ The Pan India Paryatan SEZ at Gorai, Mumbai, was scrapped due to non-acquisition of land within the stipulated time period by the developer. While the developer had managed to acquire mangrove lands that were under the ownership of GoM, private land-holdings were not easy to acquire due to a fierce grassroots resistance. The resistance to Rajiv Gandhi Infotech Park, a MIDC developed SEZ in Pune, took on a visible form in Phase IV of the project when land acquisition was undertaken in Mann village that forms a part of the Canal Command Zone of Kasarsai Dam. Coincidentally, this dam project was initiated in 1984, the same year as Hetwane Dam. In the earlier phases, cattle grazing land and farming land at the foot-hills was acquired. Land acquisition for Phase IV of Rajiv Gandhi Infotech Park has been stalled. In the first phase of Bharat Forges SEZ, a MIDC-Bharat Forges Partnership, and was acquired from three villages at the rate of approximately one and half million rupees per hectare. Presently, discussions are underway to increase the compensation package.

³⁰ Apart from the MMSEZ in Raigad, these include: Pan India Paryatan SEZ (5470 ha.) at Gorai-Uttan on the outskirts on Mumbai; Videocon Realty and Infrastructure Limited (1011 ha.) at Wagholi, Pune; and, Marathon Realty (1000 ha), Raigad.