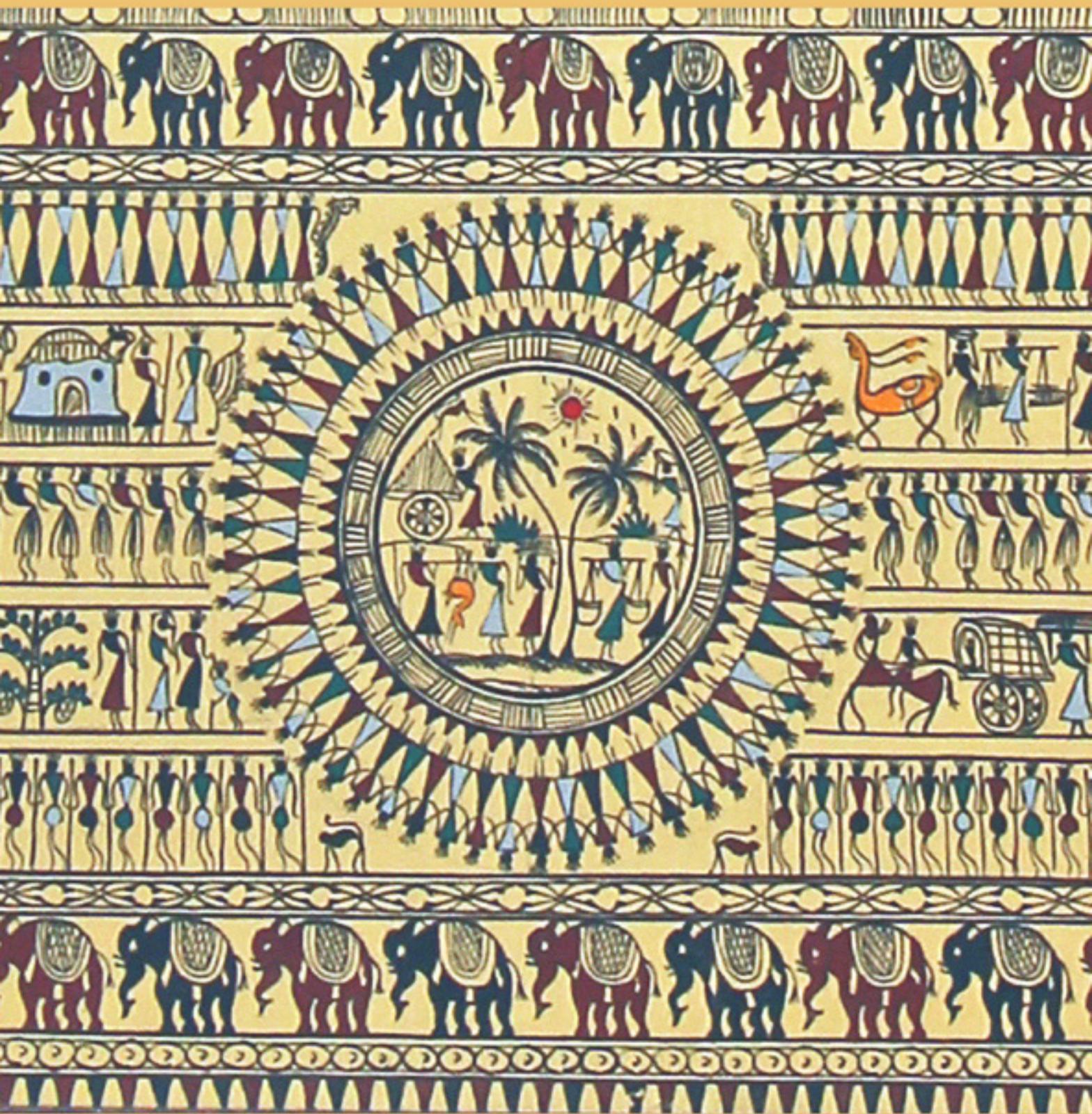


RECOGNIZING GRASSROOTS STRUGGLES FOR RIGHTS TO RESOURCES, LIVELIHOOD AND HEALTH



BY SAMATA

Recognising Grassroots Struggles for Rights to Resources, Livelihood and Health

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With Sincere Thanks,

SAMATA

Introduction

"The neo-liberal capital is the re-incarnation of colonialism, where a global capital displaces local people, misappropriates local assets and livelihood, marginalises local capital and reduces large chunk of humanity into proletariats working hours together to earn respectable life as consumers."

This statement taken from Amy Chau's 'The World on Fire' (2002), very crisply explains the tragedy faced in the tribal belts of India due to large scale mining and industrialization leading to displacement and marginalization. A general glance into the lives of tribal people since Independence reveals a distressing tale of land alienation, illiteracy, high mortality rate, migration, food insecurity, lack of basic amenities such as schools and health centres etc. In contrary the Government of India proudly boasts the various steps it has taken in order to secure the lives of the tribal people. Now the question before us is, what went wrong?

The macro economic and political policies of the state with their vigorous promotion of globalisation, have driven the adivasi people to the threshold of survival. The State's idea of development has been responsible for denying Adivasi's their basic rights. The government in its attempt to attract investment, have been reluctant to uphold legislation such as PESA that could discourage such investment. In this scenario, there is a need to look beyond the law, and give a thought to how Development itself is being envisaged. With the advent of liberalisation, the tribal regions witnessed a sudden incursion of macroeconomic

forces for the exploitation of its rich natural resources. Dense forests, with their fortune worth of timber, minerals and non timber resources have been callously, irrationally and negligently tapped first by the public sector industries and from the eighties onwards, by the private and multinational industries. Of these the mining industry has been the most widespread in its devastation. Mining as the single largest industry has caused severe imbalances in the social, political, cultural and legal status of tribals.

In India mining policies and practices are rarely informed by the ideals of sustainable and inclusive development. Mining has not gained much policy attention also because mining across the world mostly takes place in remote areas and people who inhabit these areas are deprived to assert their rights politically or legally. Moreover the issue of mining is politically volatile in India as the political parties receive their funding from large mining corporations and on the other side the people affected constitute important vote bank. Mining has ramifying implications for sustainable development and local indigenous communities. Mining in most of the instances is characterised by loss of resources, livelihood, identity, culture; displacement; public health challenges; environmental degradation and human rights violation. Mining has been displacing tribal people, robbing them of their dignity and killing them brutally every single day despite protective legislations.

Samata has taken the initiative to recognise 12 brave hearts who have been struggling at the grassroots for decades. It is the people at the grassroots who actually do

the work, be it mobilizing people or facing the brunt of the conflict. But unfortunately they are seldom recognised. The struggles at the grassroots have always been inspirational and also informative, but sadly they have not been 'successful' in securing a place in the mainstream media. This initiative is primarily to recognise such grassroots activists from the mines, minerals and People Alliance who have been leading groundbreaking struggles against mining and environmental degradation. In the first phase, Samata has documented the work of 12 grassroots activists from Odisha, Chhattisgarh, Jharkhand, Madhya Pradesh, Andhra Pradesh, Goa and Rajasthan.

Chapter 1 presents the case of the courageous struggles led by Munni Hansda in Kathikund block and Albert Minj in Mahuadhar Block of Jharkhand.

Chapter 2 presents the successful struggle led by Siya Dulari in Dabhaura Village against the injustices to the adivasi communities.

Chapter 3 presents the brave struggle against Adani Group coal mining led by Basant Pradhan in Machhkata, Odisha.

Chapter 4 presents the revolutionary struggle led by Swaraj Das to ensure better compensation to the people displaced due to mining in Asansol, West Bengal.

Chapter 5 presents the tenacious struggles led by K. Rajendra, G Devakumar and P. Chittibabu in various parts of the Eastern Ghats in Andhra Pradesh.

Chapter 6 presents the relentless struggle of Rajesh Tripathi and Indu Netam against the various illegalities facing the tribal communities in Chhattisgarh

Chapter 7 presents the groundbreaking struggle led by young Ravindra Velip against illegal mining in Goa.

Chapter 8 presents the unwavering struggle led by Bansilal Bhinjana for dignity and livelihood of mine labourers in Rajasthan.

The struggle of the rightful owners of the land: The tribals of Jharkhand

*"A model of development that requires extraordinary sacrifices, that is ecologically and in socio-economic terms of questionable repute and which is linked with such phenomena as marginalisation, exclusion and impoverishment has not been able to cross the credibility barrier to convince those who are sometimes referred to as "victims of development"."*¹

-Usha Ramanath

The Jharkhand region has experienced mineral exploitation even before India got Independence: the second half of the 19th century saw the beginning of coal mining in Dhanbad region and the first half of the 20th century saw the setting up of the biggest ever steel company, Tata Iron and Steel Company in 1907.² Jharkhand is a mineral rich state with huge reserves of coal (27% of total coal in India), iron ore (26% of total iron ore in India), apatite, cobalt, silver ore, nickel, copper ore, kyanite, bauxite amongst many others.³ For centuries Jharkhand has also been homeland to millions of indigenous people such as the Santhals, Mundas, Oraoms, Hos, Gonds, Kharias, Bhuiyas, Bhumij, Birhor, Turi, Sadans, Kamar, Kumhars,

Kumris etc.⁴ The indigenous population in Jharkhand constitute 26.3% of the total population of Jharkhand.⁵

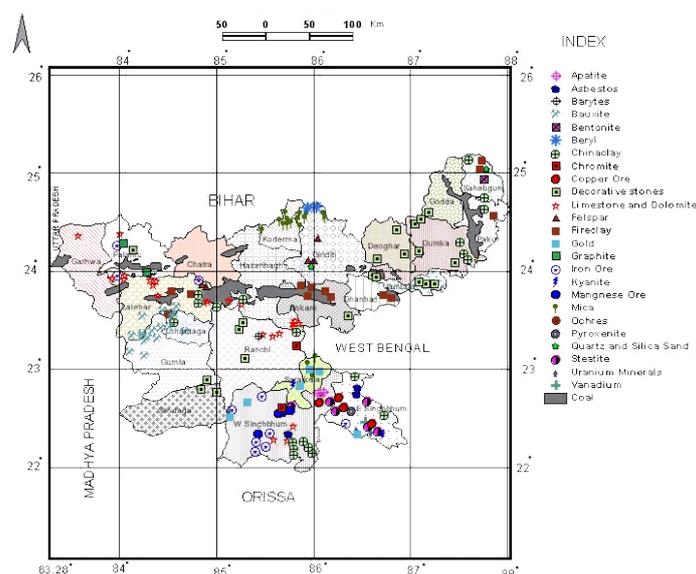


Figure 1 Mineral Map Of Jharkhand

The indigenous population of Jharkhand has been majorly hit by the opening up of mines, industries, building dams and commercialization of forests. Currently according to the Planning Commission Report- 36 mega industries are operating in the state and numerous small and medium industries.⁶ Land is being acquired at a tremendous rate and in most instances the state is acting as a facilitator in the land acquisition process. Adding to this land acquisition is also done under exempt central laws. For instance- 8% of the land acquired (over 20,000 acres) has been done under the exempted central laws.⁷

¹ Ramanathan Usha, 'Land Acquisition, Eminent Domain and the 2011 Bill', vol xvi nos 44 & 45, Economic and Political Weekly, 2011.

² Areeparampil, Mathew, 'Displacement due to Mining in Jharkhand' Economic and Political Weekly, Vol. 31, No. 24, 1996.

³ Government of Jharkhand report on Mines and Minerals as presented in Momentum Jharkhand Summit, 2017

⁴ ibid note 2

⁵ Census of India-2011

⁶ State of Jharkhand 12th Five Year Plan 2012-2017, Planning Commission of India.

⁷ Yadav Anumeha, 'Jharkhand's coal conflicts show the lapse of land ordinance hasn't doused the fire', Scroll.in, Sept 2015

There has been efforts from the government to enact defensive legislations for the tribals. The Vth Schedule of the Constitution came as a boon to the tribals but has become comatose because of improper implementation. There has been major NGO as well as government intervention in the region. Our rule in our village- the moto of B.D Sharma and his supporters argues that the 'traditional representative system of local self governance should be recognised legally as the primary system of governance in tribal areas.' Following this the Panchayat Raj Extension to Scheduled Areas Act was enacted in 1996. This Act gave special powers to the Gram Sabhas in the scheduled areas. But as Alpa Shah mentions it the gram sabha donot have the right to challenge the forest or the police department and the Act does not make any mention of land acquisition. The major irony being that the customary laws are positioned within a stringent framework of state bureaucracy.⁸

Jharkhand region has also been witness to major tribal movements long before India's Independence on issues relating to land and forest. To begin with the very inspiring movement has been the Santhal Rebellion in the year 1855 in the then Bengal Presidency. The Rebellion saw the thousands of Santhalis stand against the oppressive British Administration and the Zamindars. The Santhal tribe was involved in agriculture and were forest dependent. The British and their counterparts the Zamindars started acquiring their land and levied taxes. The tribals were made slaves and had to pay taxes for their own land. This dispossession led to the Santhal

Rebellion which saw the rise of tribals against the oppressive regime. The Santhals used their traditional bow and arrow as weapon and were successful in generating fear amongst the Zamindars. Though the rebellion was crushed by the military forces of the British but it saw the first every tribal uprising.⁹



Figure 2 Birsa Munda

The first half of the 20th century saw the Munda Uprising under the able leadership of Birsa Munda.

The rebellion broke out when the tribals were denied access to the forest by the Colonial government. The rebellion was to eliminate the foreign rule and establish the Munda rule by recognising their rights. Birsa Munda organised thousands of tribals against the oppressive rulers and attached many of the British rulers. However the rebels were defeated but what it gave rise to are the very crucial thinking about the tribal people. Following this agitation The British Government framed the Chotanagpur Tenancy Act in 1908 to safeguard the rights of the tribals.¹⁰ Very important to the history of Jharkhand has been the struggle for a separate state.

⁸Shah Alpa, 'In the Shadows of the State' Oxford University Press, 2011.

⁹ Chandra Bipin, 'India's Struggle for Independence', Penguin India, 2016 Edition.

¹⁰ ibid note 9



Figure 3 Santhal Rebellion

In the recent times as well there has been ground breaking protests against the extractive industries. Thousands of people of the Hazaribagh region protested against the land acquisition by NTPC in May 2016. The affected people called it the 'Chita Satyagraha'. The supposed power plant is to acquire 17,000 acres of land. The fact of the matter was that the land was acquired without the consent of the Gram Sabha. The protest has been on from past 10 years but in 2016 NTPC acquired 2500 acres of forest land. But this peaceful protest became a nightmare for the villagers as the security forces took law into their hand and opened fire killing four villagers. The dictatorial police actions are undermining the democracy but have not been successful in overwhelming the spirit of the people to fight for their rights.¹¹

The latter half of the report will focus on two such movements and people who have been successful in organising the affected population and protesting against the injustices of the state- 1. The Kathikund Protest under the leadership of Munnii Hansda in the Dumka region against the setting up of power plant and prospective mining. 2. A series of protests and

movements in Mahuadhar Prakhhand of Latehar district against the field firing range at Netrahat and other mining struggles under the leadership of Albert Minj.

Kathikund Protest led by Munnii Hansda: The brighter side of Democracy

Munnii Ji belongs to the Santhal tribe from Kathikund block of Dumka district. As a kid, Munnii Ji used to go to the forest to collect firewood and sell in the Kathikund markets. This earned her 25paise per day. As she grew up she attended school in the morning and went to the forest in the evening. Later she began doing construction work and earned a Rs. 5 wage every day. Munnii Ji got married at a very young age. Soon after marriage she got trained in silk weaving from Badlav Foundation in 1988. Later she began giving training from 1990. She then joined Lokpreeth Salah in Madhupur and worked on women's health, education and livelihood. Later she along with her husband formed the 'Adivasi Kalyan Parishad' in 1993. From 2005, Munniji became the Secretary of the organisation. She then worked with SHG groups, strengthened domestic maids collectives in Dumaka and other issues related to women. From 2006 onwards, with the advent of Forest Rights Act, Munniji and began to spreading awareness about FRA, PESA, and especially the importance of Gram Sabha in ensuring land entitlements.

In 2005 there was a prospective for setting up a thermal power plant in the Aamgachi, Pokhoria and Daldali villages of Dumka District, Jharkhand. There was also a proposal for opening up of coal mine in

¹¹ Vengurlekar, Ankush, 'Police Firing on Anti-Mining Protesters in Hazaribagh Kills Four', The Wire, October 2016.

Manhagadi village and building of Dam on the Boramani and Chapli rivers. The thermal power plant was proposed by Kolkata Based RPG owned CESC Ltd (Calcutta Energy Supply Company). The proposal was to set up 1000MW plant and MoU was signed with the Government of Jharkhand on September 15th 2005.¹² Following this there were surveys being done in the region and in some instances there was even acquisition of land. The villagers were not informed of such proposals and MoU's till 2007 when an officer from the land department visited Aamgachi and Pokhoria and enquired about land acquisition. It was then that the village headman demanded the proposal of CESC and dam blueprint be shown to the villagers. Then the villagers learnt that their land will be acquired and they will be displaced from the region.

During this time Munni Hansda and her team were involved in training the villagers about the provisions of PESA and the Forest Rights Act. The training was mostly focussed on making them understand the importance of Gram Sabha and how gram sabha is nodal for any



decision pertaining to the village. As Munni Ji heard the company was acquiring land, she and her team conducted gram sabha and made them aware of their rights over their lands. They also shared with the villagers the tragedy of displacement and dispossession that

people in Hazaribagh and Lalmatia region are facing due to mining and other mega projects. They emphasised on the issues of loss of land, livelihood, water resources, forest and agriculture. One villager states that by then the sabha was convinced that land should not be given to companies. At the end the entire sabha decided that they will not give their lands.

The land owners were called by the land department and were asked to give their consent for acquiring land. The villagers were supposed to individually go to the office and give consent. The villagers being aware of the atrocities of land



Figure 4 Blueprint of the land to be acquired in Aamgachi and Pokhoria Villages.

acquisition and displacement and under the leadership of Munni Hansda marched to the office and demanded that the officer comes out and transparently do the process. This strategy of the villagers was successful as the officer came out and the entire village stood against the acquisition. Following this Munni Hansda and Charan were arrested under IPC section 107 on 11 November 2007. The case was over in six months. Later in April 2008 the police put false claims on 600 people and arrested 19 people and put them in jail for 'locking up

¹² Pandey Rajesh 'Thousands Protest in Kathikund', The Telegraph, April 13, 2011.

a daroga'. Following this the villagers conducted a Dakwa which is the traditional Santhali meeting in the Aamgachi village to discuss about the arrests and various atrocities by the police. The meeting was being conducted in a peaceful way when the police interrupted saying that this was illegal and arrested Charan who was leading the meeting. These instances clearly show how state has become a facilitator or in other words a 'broker' to the extractive industries. The villagers decided to carry a rally till death against this injustice. Villagers started the rally from Aamgachi and reached Kathikund police station where Charan was under custody. But as the crowd reached Kathikund they came to know that Charan was shifted to Dumka Police Station. The villagers under the leadership of Munni Hansda did not stop at Kathikund and proceeded to Dumka police station. They protested at Dumka Police Station for four days. One villager recalls that the slogan was 'to arrest all the villagers and why only Charan'. The villagers along with their children occupied the S.P Office, sat on a dharna without food and water. Munni Ji recalls that the people in Dumka were very supportive as they offered food and water to the protesting villagers. Finally Charan was released after four days of work. But this was not it. The Police then lodged cases on 1500 protesters for destruction of public property at the S.P Office. Cases were filed against Munni Ji on false allegations. The villagers state that there were allegations against Munni Ji's Husband as well. He was tortured on many instances and these were all the strategies by the police to stop Munni Ji from being part of the movement. But as an elderly women in Aamgachi village recalls- 'Munni Ji has

been a very dynamic woman leader and she feared none. She always stood for the villagers and she never took the centre stage and empowered the villagers to speak for their rights.' The villagers filled applications and representations to the government requesting to stop the proposals for acquisition of land.



Figure 5 Villagers of Aamgachi who have been pivotal in the struggle

One villager stated that, 'there was no acknowledgment of the various representations that the people gave at the tehsildar office and district collector office'. Following this the villagers decided to go out on the streets and carry a non-violent protest march up till the district collector office in Dumka. The villagers took out the rally on December 6, 2008. Nearly 20,000 people from all the neighbouring villages in Kathikund joined the protest and were peacefully marching towards Dumka. One of the villager stated that 'the protest was also a sight of cultural showcase of Santhal traditions. The protest was very peaceful untill suddenly the police started firing.' In this autocratic show of power by the police, one villager, Lukhiram Tudu died on spot and another villager, Saikat Marandi died as he was undergoing treatment in the hospital and several others were injured and have become handicapped for life. The police did not stop here they then released tear

gases and indulged in lathi charge. The villagers who were peacefully protesting till then got agitated and attacked the police using bow and arrow. This injured a couple of police officers. The police mercilessly used lathi on everybody including children. The villagers feared the lathi charge and the teargas as some of them started running into the villages to save themselves. Following this Sec 144 of IPC was imposed in Dumka and various security forces were deployed in the district headquarters. But during this time as Munni Ji states, the media and the common people in Dumka were in support of protest by the people and media especially highlighted the autocracy of the police. Following this Munni Ji was kept in jail for 7 months and her fellow activists were in jail for 6 months. The companies did not enter the village for the following two years. The companies then tried to enter the village as they started boring but this attempt was not successful as the villagers took away all the equipments of the company and locked them inside. The gram sabha has been very strong as they don't allow outsiders to enter the region for taking away their lands.



Figure 6 Police lathi charge on peaceful protest

The Kathikund region protest has been very strong and dynamic as it was based on strength and the power of the gram sabha and awareness amongst the people.

It has been the power of the gram sabha as granted under PESA and under the able leadership of Munni Hansda the villages of Aamgachi, Pokhoria and Daldali have been successful in barring the extractive industries from entering the villages. They have set a model of struggle and leadership for the neighbouring villages as well where there has been prospective for mining and setting up of industries. When asked Munni Ji about the political scenario and growth of industries in Jharkhand she said that 'there are provisions in the government for the benefit of our adivasi people. The issue is people lack awareness. If people are made aware of their rights under the constitutional provisions they can fight the companies legally. The journey has been not very easy but what gave strength was the people's support and trust.' There were occasions when Munni Ji was targeted and labelled as a Naxalite. She and her comrades were bribed on many occasions so as to stop the protest. But what let Munni Ji and her team to stand by injustice relentlessly was their belief that land and forest is everything to an adivasi and snatching away of this is structural violence leading to marginalization.

Tenacious people of Mahuadhar

The Mahuadhar Prakhnd of Latehar District has been in news many a times for the atrocities by the state and private companies. The region is inhabited by majorly tribal population which includes the Oroams and the Mundas. There have been many struggles in the region involving land, mining and the very tribal identity.

From the past 25 years the villagers under the leadership of Father Sabari and Albert

Minj are protesting the land acquisition for setting up Field Firing Range at Netrahat in Latehar district. The villagers are involved in a non-violent Satyagraha because the proposed project will acquire 1471 kms of land which will displace 245 villages. Initially the project period was from 1992-2017, but due to continued protests the government has stretched it till 2022. Albert Minj recalls that since 1992, the villagers have given their representation to various levels of government authorities including the President, Prime Minister, Defence Minister, Home Minister, and Governor of the then state of Bihar and the present state of Jharkhand. But till date the government has paid no heed to the issue. The villagers were victims to the atrocities by the state as well armed forces. One of the Villagers recount that in 2004, the armed forces entered the Netrahat region and threatened the villagers by opening fire where the villagers were protesting peacefully. It is clear from this incident that the state is in complete support of the displacement of the villagers which comprise of 95% tribal population. In spite of such threats and dangers the villagers are strongly opposing the forces to take away their land. One of the villagers say that it is not only the dispossession and displacement that we are fighting for , but such an initiative will involve polluting the environment and destroying the forest as gun powder and other materials are poisonous. He says that the primitive adivasis in the region are entirely dependent on forest for their livelihood. Such acquisition of land is an injustice towards the adivasi people.

The Jharkhand government has also started the land bank system. In the state till date 1.5 lakh hectares of land has been added to

the land bank, majority of which lies in the scheduled area. In the Mahuadhar Prakhhand itself 3867.62 acres of land has been added to the land bank. In the Aksi Panchayat of Mahuadhar 70-90 acres of land has been added to the land bank says Abbert. According to him the consent of the gram sabha was not taken and the affected farmers were not informed about such act. From centuries the tribals have been cultivating on the land but now they are under the threat of acquisition at any time.



Figure 7 Bauxite mining in Mahuadhar region

Albert has been successful in organising people against the recent amendment to the Chotanagpur Tenancy Act. The Chotanagpur Tenancy act 1908 was passed with the aim to protect the rights of the adivasi population who are dependent on forests for their livelihood by prohibiting the transfer of land to non- adivasi and ensuring community ownership. He says that the CNT Act 1908 has been amended several times since then- in 1920, 1923, 1929, 1938, 1940, 1944, 1946, 1947, 1951, 1955, 1963, 1964, 1969, 1770, 1976, 1982, 1995 and again in 2016. All these amendments were to undermine the rights of the adivasis. Again in 2016, amendments were proposed- the first amendment to Section 21 of the Chotanagpur Tenancy Act removes restrictions on the use of Adivasi land by

owners or tenants for non-agricultural purposes. The government has also amended Section 49(1) of the Chotanagpur Tenancy Act to insert a clause to permit the transfer of Adivasi land for linear projects “like road, canal, railway, cable transmission, pipelines, and schools, colleges, universities, panchayat buildings, hospitals, anganwadis” as well as any other “government purpose” as is notified by state government in the official gazette. Scholars debate that such a move mayand will open the "floodgates for the alienation" (as ownership of property rights will be transferred) of such land.



Figure 8 Gram Sabha in Orsa Path

Albert is also an active member of the 'Orsa Path Agragami Sangh' which has been successful in stopping bauxite mining in the Orsa region from 2007. He is involved in Gram Sabha mobilization. The villagers are empowered to oppose the companies when they enter the village.

**Relentless struggle for adivasi
rights: Case of Siya Dulhari
Madhya Pradesh**

30.72% of the total land area of Madhya Pradesh is demarcated as forest land.¹³ Madhya Pradesh is home to many tribal and particularly vulnerable tribal groups. According to the 2011 census, 46 tribal groups are recognized. Bhil and Gond constitute the most populous tribe in Madhya Pradesh. The next major tribes include Kol, Korku, Baiga and Sahariya. These six major tribes constitute nearly 92.2% of the total Schedule Tribe Population in the state. The forests and the tribal population residing in these forests have been under threat of land acquisition for mining, dams, and other 'developmental activities'. According to the report 'Countering Coal', 1.1 million hectares of forest land is under threat in Central India region from just 13 coal fields. This means that 14,000 tribal people's life and livelihood is under threat.¹⁴

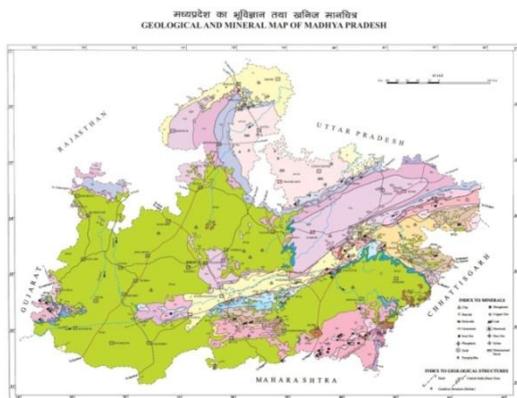


Figure 9 Mineral Map of Madhya Pradesh

Adding to large scale displacement, Madhya Pradesh also has a record low performance in basic human development indicators such as health and education. As per the National Family Health Survey III,

¹³ <http://www.mp.gov.in/en/web/guest/forest>

¹⁴ "Countering Coal?"- Report by Greenpeace India-
<http://www.greenpeace.org/india/Global/india/report/Countering-coal.pdf>

the percentage of under-weight children less than three years had increased to 60.3 per cent in the state from the estimated 53.5 per cent in NFHS-2. According to the Indian State Hunger Index 2008, Madhya Pradesh had a score of 30.9, second after 31.06, that of Ethiopia, a global yardstick of hunger and deprivation.¹⁵ Madhya Pradesh is also drought prone which is causing complete disruption of the agrarian economy.

There have been struggles in various parts of the state for assertion of people's rights over land. The report will in detail present the struggle of Ms. Siya Dulari in the Dabhaura region of Rewa district, Madhya Pradesh.

Siya Dulari- Woman of Unwavering Courage

Siya Dulari has been a key figure in the Dabhaura region working among dalits and adivasis on issues of natural resource rights, livelihood, nutrition and child rights. Dabhaura is a small town in Rewa district, Madhya Pradesh; located at the borders of M. P. and U. P, part of Bundelkhand region which is extremely drought prone. A large population of the tehsil and surrounding villages, constitutes of traditionally forest dwelling communities who have lived in the shadow of feudal landlords for generations.

Siya Dulari began her involvement in the field of social reform in the early 2000s, when along with teaching the kids belonging to the dalit and adivasi community, she also facilitated the

¹⁵ <http://motherchildnutrition.org/india/pdf/mcn-india-state-hunger-index.pdf>

formation of SHGs among women. The early period of involvement in social struggles was marked by many challenges for Siya Dulari, who had to not only face opposition on the field where a woman actively speaking out against the oppression faced by dalits and adivasis was seen as a threat by the upper castes but also at the home front, where the criticism from her partner's family meant no support at home as well. She persevered against all such odds, guided by the desire to work, to support herself and raise her children and motivated by the work that felt fulfilling at the end of the day. She is a woman of unwavering courage, and has brought this strength to her family and to the cause of a life of dignity for those historically repressed.



Figure 10 Siya Dulari with the villagers of Dabhaura

Formation of Dalit Adivasi Seva Samiti

Siya Dulari and Ram Naresh first met in 2005, when they worked together in Panchsheel Sewa Sansthan. In 2007 they formed the Rewanchal Dalit Adivasi Sewa Samiti together. When the organization was being formulated, there was an imminent condition of widespread poverty and the living conditions of the people

were deplorable, this was the crux of the reform that the Sangathan sought to bring. Samaj Chetna Adhikar Manch an outgrowth of Rewanchal Dalit Adivasi Sewa Samiti, is a network of close to ten thousand people in about sixty villages of the region. It is a platform to bring together the voices of the people about the issues they face and also collectively think towards a solution and take mass action if need be. The Sangathan started the intervention for social reform in 2007 by striving for the implementation of Forest Rights Act in the region. FRA a pro-people legislative faces many challenges in implementation, the first being that FRA claims need to be made by the forest dwellers themselves, and the knowledge of law remains exclusive to the privileged classes, excluding them at the first essential step. The sangathan played the crucial role in facilitating the claims for about five thousand adivasis, of which 1767 pattas were granted. This has taken place with CRY Under their leadership the sangathan has also intervened for better housing to be made accessible to the people through the Tribal welfare Programme and 18 households were granted housing aid in 2009. From 2010 Siya started working on child education, and health in collaboration with CRY.

The Siya Colony

One of the pioneer role of the sangathan has been the establishment of Khehra-Siya settlement, at a distance of mere three kilometers from Dabhaura town. The habitants previously lived in the interiors of forests with no connectivity and access to health services and electricity. The Sangathan believes that the vast reservoir of unoccupied land that qualifies as

government land, is a right of the landless communities and their settlement and welfare is the responsibility of the State government. They are currently striving for electricity to be granted for this settlement. The challenges for the people who struggle with poverty and hunger are many.



Figure 11 Cultural Activities in Siya Colony

The condition of a draught prone region, Dabhaura is such that agricultural productivity is very low and being among the most backward regions of Madhya Pradesh, the livelihood avenues for the people are also extremely rare. There is a dire situation of food insecurity in the region which is believed to have worsened after 2008, which was the year of the worst drought the region had seen. Malnutrition among children and stunted growth were a common sight, along with increasing numbers of deaths due to under nourishment. Rewanchal Dalit Adivasi Sewa Samiti has been working on malnutrition and child rights since 2010. The initial challenges were faced in the form of administrative lethargy, where most of the anganwadis either did not open at regular basis or did not have the due stocks of THR and nutrition supplements mandated to be distributed under the Central ICDS scheme to combat child hunger and malnutrition. The anganwadi

workers also did not maintain proper records and growth charts, a result of which was the growing child fatality. When they started working, Ram Naresh claims that the hunger was widespread and about 83 per cent of the children aged between 0-6 were found to be malnourished in a study conducted by them, under the TDH program with Vikas Samvad, Bhopal. 2016 was a severe year again, after four years of consecutive drought, this year saw an alarming number of 15 deaths and still births in the course of six months. The Sangathan brought this issue to light with the help of the media and the state health department took suo moto cognizance of the issue, pertaining to this and a team was sent to investigate the reality on field, which also corresponded. A number of health camps in the region were then planned to be conducted with the assistance of Rewanchal Dalit Adivasi Sewa Samiti.



Figure 12 Mid-day meal being served at school

The sangathan plays a crucial role of checking accountability of the concerned government departments and has intervened in the matters of ascertaining the rights of the people, be it on the access to welfare schemes or over natural resources, the spirit of solidarity and

support is echoed in the stance of the sangathan whenever the need arises.

Mining as an issue is omnipresent for the sangathan as a challenge to reckon with, in order to address the widespread hunger and poverty. In their experience, there exists a complex and direct correlation between mining and hunger in the region. In 2010 there was a prospective of setting up of thermal power plant in Dabaoura region. The proposal involved big names such as the Abhijeet group and Videocon. Soon after that the villagers witnessed cutting down of 250-300 Mahua trees. Mahua trees are a major source of economy in the region. Each tree yields nearly Rs.15,000 income on an yearly basis. When this came to the notice of Siya, she raised caution and organized all the villagers. Later she came to know that the company has taken some farmer's land for a very low price. Following this the villagers attended the public hearing that was conducted in this regard and demanded that the power plant be stopped as it will affect 12 villages. Following this the villagers put pressure on the various government officials to stop the land acquisition. The collector agreed to the demands of the people and termed the actions of the companies illegal and ensured that this will not happen in the future. The villagers began cultivation on the lands, but the lands have not yet been returned to the people. The fight is now to get the lands of the people back to them.

Close to Barha, Surai and Gadargama, a lot of daily wage workers either migrate to other cities or work in the stone quarries in these places. Most of the mining operations in the region are done illegally and without the due license and leases. The

workers that work in these mines are dependent on daily wage work as the only source of livelihood. The workers are paid on piece rate basis which ensures a gendered division of labour and also results in disparity of wages. Some of the workers reported that there is no fixed rate even by piece rate basis, because the mine contractors often dub low demand of stone as the reason for decrease rate at which wages are paid. The workers are often also trapped in this labour because of outstanding loans owed to the contractor in lieu of an absence or inaccessibility to formal credit market. The alternatives to mining labour are very few for those in need and distress migration is also fairly common in the region. Mechanization of mining operations poses another challenge to those earnestly dependent.



Figure 13 Stone quarry near Dabhaura

Health of the workers is another challenge, as stone crushing without the due safety measures, which are none in these mines, results in chronic respiratory diseases among the workers very early in age. Dabhaura also lacks a Pneumoconiosis board, established in several other mining areas in the country for the recognition of silicosis and tuberculosis among miners as occupational health hazard, making the condition of mine workers here worse and availing no recourse to treatment or compensation for them. District Rewa is

eighty kilometers away from the town, and is the only nearest center for accessing health services for them. The health of the children is directly related to the health of their parents and the alarming malnutrition among children cannot be looked at as exclusive of the livelihood challenges persistent in the household.

Powerful Struggle against the Adani Group in Machhkata, Odisha

Odisha has always been an important investment destination due to the abundance of minerals, forest, hydrologic, and other resources. Occupying an important position on the country's map, Orissa's rich mineral reserves constitute 28% Iron ore, 24% coal, 59% Bauxite and 98% Chromite of India's total deposits. According to the Government of Odisha major industries in Orissa at the moment include an integrated steel plants at Rourkela, Kalinga Nagar, Jharsuguda and Angul ; NALCO (National Aluminium Company Ltd.) with its Alumina Plant at Damanjodi & Aluminium smelting complex at Angul; Thermal power plants Talcher & Ib valley area etc. in addition to Fertilizer plants, Pulp and paper industries, Ferro alloys plants, cement plants etc. elsewhere in the state.¹⁶ But as Hari Mohan Mathur notes, increased development activity has also led to large class displacement.

'As per official records, between 1950 and 1993, 81,176 families from 1,446 villages have been displaced in Orissa due to development projects, which acquired 14,82,626 acres of land. For Hirakud dam, only 2,185 of the 4,744 displaced families were "resettled" in 17 rehabilitation camps. A survey of families displaced by Bhilai, Bokaro, and Rourkela steel plants revealed that "while 90% of the oustee families were having agricultural land in the pre-displacement period with an average holding size of four acres, now

only 70% of them are reported to be having some agricultural land" of 1.3 acres, with only 5% of the land now having irrigation coverage.¹⁷

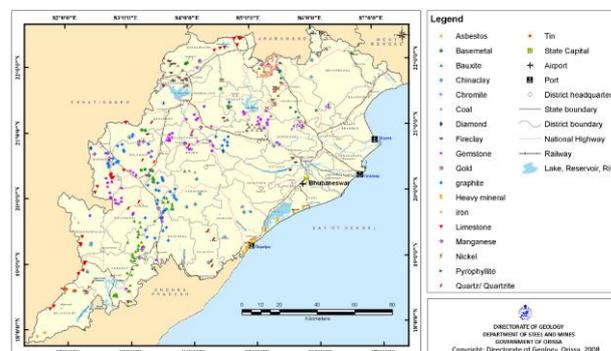


Figure 14 Mineral Map of Odisha

According to the Government of Odisha Report-

Name of the project	Private land acquired (in acres)	Government land alienated (in acres)	Number of Families displaced/likely to be displaced
MCL, Anugul	15,857.50	7,224.69	6,760
MCL, Jharsuguda	3,935.54	1,720.38	725
MCL, Basundhara, Hemgiri, Sundargarh	856.24	19,842	125
Bhushan Power and Steel Ltd. Hemgiri, Sundarg	-	-	426

¹⁶ Department of Steel and Mines, Government of Odisha

¹⁷ Mathur, Hari Mohan, A new deal for displaced people: Odisha's Involuntary Resettlement Policy, Social Change, Vol34 No. 4, 2008.

arh			
Talbira Mines, Hindalco, Sambalpur	194.69	242.59	144
Total	20,842.97	29,029.86	8,180

Source- Government of Odisha, 2008a

With the above mentioned scenario of land acquisition and displacement, the peoples assertion for their rights have comparatively increased from the past. The state and the private corporations have definitely acted against these assertions by negating and suppressing the people but Odisha has also been witness to some of the major peoples movements which have been successful in stopping the companies from acquiring land. But tribals also have reasons to be more assertive now. The Kalinganagar people's movement, which paralysed business through roadblocks has set an example for the protests in the state.¹⁸ The state has also been witness to the successful struggle of the people in the case of POSCO and Vedanta.

Taking inspiration from such large scale movements, there have been some breath taking struggles all over Odisha. This report will in detail discuss the Chhendipada struggle under the leadership of Basanth Pradhan.

Steadfast Agitation against the Adani Group

As a student of Anugul college during the

emergency period, Basanth Pradhan got involved in the left wing politics. In 1975 taking inspiration from fellow students, he joined Jayprakash Narayan's All India Students Movement. He was part of 'Democratic Students Organization' which was a student's wing of 'Socialist Unity Centre of India' which was a political party at that time. In 1977 he was elected the Student's Union President of Anugul College, again consequently in 1978 he was elected the Student's Union President. He took inspiration Ramkrishna Chaudhary and Malati Chawdhary. After college in 1984, he along with some left wing activists formed 'Centre for Integrated Development, Training and Research'. The vision was to approach development holistically and build capacity of the people struggling at the level. But the organisation was not registered as the clerk in Additional District Magistrate's office asked for a bribe of Rs.400 to register the organisation. In 1986 he left Democratic Students Organisation and went back to the village to pursue co-operative farming. In 1992 he became part of a political party. But due to high levels of Bureaucracy and hierarchy in the party, he left the party in 1995. He then started working for the rights of the labourers. He helped them organise demonstrations and acts of civil-disobedience and campaign for saving their land. They were guaranteed better provisions after the protest. He then began his work holistically with developing the watershed system, forming a youth service centre.

¹⁸ Mishra, Banikantha, People's movement at Kalinganagar, 2006, Economic and Political Weekly, Vol.41

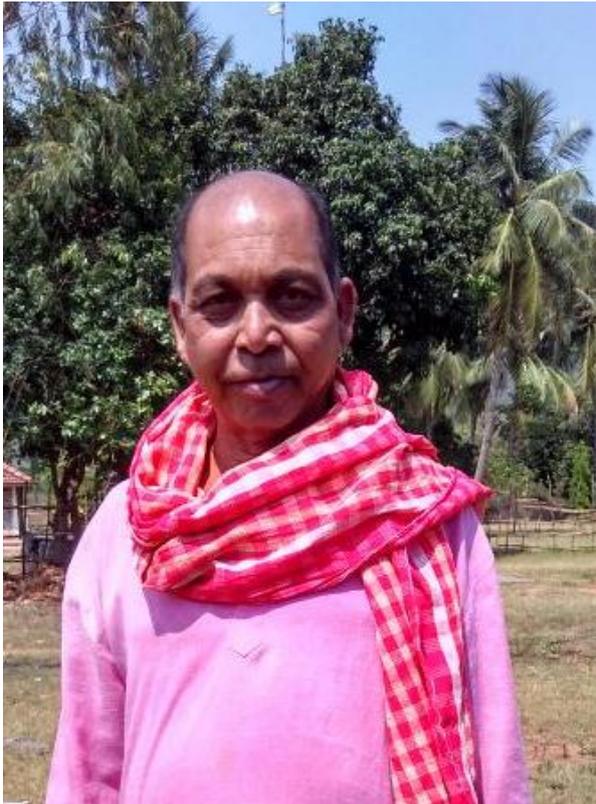


Figure 15 Basanth Pradhan

In 2014 there was a prospective of mining in Machhkata panchayat in Chhendipada Tehsil. When this came to the notice of Basanth, he organised the people in Machhkata to stop the mining lease. Other leaders from the village formed strategies to stop the public hearing. In September 2014, the villagers of Machhkata and neighbouring villages were all on the streets protesting the public hearing that was conducted by the group for acquiring land for coal mining. The mine contains an estimated 12 million tonnes of coal, with a proposed life of 48 years. The minerals lie beneath 7500 acres of thriving agrarian economy spread across 9 villages. There are around 10,000 people who inhabit these villages. The rectangular tract of rural land in this region was mark out as coal block by the Ministry of Coal, one of the several coal blocks which it created in the area. The mine was allotted to Adani

collieries in 2006. In 2010, Adani signed an agreement with M/S Enterprise Ltd to start and operate the mine.¹⁹ Basanth has been actively involved in organising people for the protest against the mining company.

Thousands of protesters occupied the entire ground where the public hearing was supposed to take place and demanded that the hearing be cancelled. The villagers sat there despite police violence and harsh rains. They raise slogans targeting Adani group and the government for their irresponsibility. Finally the public hearing was called off and the companies went back.

Majority of the population in Machhkata Panchayat are dependent on subsistence farming, growing food grains, cash crops and horticulture. The people in the region are also dependent on the forest for various livelihood products. The villagers say that if the land was leased to the company, the local communities would be relocated. 'Our sacred site- the agricultural fields would have been demolished. Although the company would have offered compensation it would be in the form of cash or house etc. This will neither feed us or provide us with work. Then how does this really compensate for our land.'

¹⁹ Chitragada Choudhury, 'Anger In Coal-Rich Orissa District Reflects India's Flawed Mining Policies', India Spend, September 11, 2014.



Figure 16 The fertile lands of Machhkata

Beedi Workers Struggle-

Most of the beedi in Odisha comes from Chendipada and Rengali areas. More than thirty thousand beedi workers are engaged in the task. Basanth is working with the beedi workers in Chendipada to ensure their entitlements. The beedi workers are exploited at the hands of the local factory employers. The company provides the workers with tobacco and thread but the workers have to go to the forest to collect the leaves or buy the leaves from others. Each woman makes around 1000-1200 beedi per day and earns a meagre Rs. 80. The women demand at least Rs. 200 per day and the company should also provide the leaf. The women do not have any protection such as gloves to protect their fingers. Basanth has been fighting for their rights and demand that their services be regularised and all the benefits including minimum wages, bonus, etc. be paid to them on a regular basis. They do not have identity that is a problem.



Figure 17 Beedi Workers in Machhkata

Challenges and Way Forward

Basanth plans to build a library in order to encourage intellectual thought and discussions amongst the youth. Through this he also wishes form a group of dedicated youth who can help in capacity building of the people in the nearby villages. This group can also be actively involved in flow of information and generating awareness amongst the villagers. He also aims at forming a focus group of dedicated individuals in each village in order to keep the movement. Civil society activists are among the first to become the victims of arrest, kidnapping and, in many instances, targeted killings but what keeps them persistent is the rigour and passion to serve community in the minimum possible way that they can. Grassroots activists are particularly affected by lack of access to proper legal counsel. There continues to be a serious problem with vulnerable groups in accessing legal aid. Funding has also been a highly sensitive issue for Basanth Pradhan for working at the grassroots.

Unwavering struggle for class equality: A case from West Bengal

"Where justice is denied, where poverty is enforced, where ignorance prevails, and where any one class is made to feel that society is an organized conspiracy to oppress, rob and degrade them, neither persons nor property will be safe."

-Frederick Douglass

In terms of mineral exploration and mineral exploitation West Bengal has been at the forefront due to the presence of rich reserves of coal, china clay and fire clay . But the data regarding land acquisition, displacement and its aftermath is not available in the government as well as academic spaces. The information available is scattered and mostly on a case study basis. A report by Abhijeet Guha states that for the Durgapur Steel plant in Bardhaman district of West Bengal 6,633.44 hectares of land has been acquired displacing 11,300 people.²⁰ Further the Raniganj coal belt on the Damodar river valley is an important coal field which has displaced thousands of families. Before the colonial powers

²⁰ Guha Abhijeet, 'Development Induced Displacement in West Bengal : Some Empirical Data and Policy Implications'

discovered coal in the Raniganj, Assansol region, it is believed that the region was a dense forest. But with the exploration of coal the region has seen degradation and decay of both the environment and human population. According to the government data 2702 households were displaced in Raniganj region.²¹ A study by IIT Roorkee states that from 1947-2004, 6,944,492 people have been displaced due to development projects of which 418,061 people have been displaced due to mining and nearly 4,764,000 acres of land has been acquired in the state of west Bengal.²²



Figure 18 Mineral Map of West Bengal

In the backdrop of the above mentioned statistics there have also been major movements and struggles from different pockets of the state. West Bengal has been witness to the present times largest class struggles- the Nandigram movement. In

²¹ Lok Sabha Secretariat 'Displacement and Rehabilitation of People Due to Developmental Projects', 2013

²² ibid note 2

the past decade there has also been the Singur movement which has been an inspiration for peasants all over the country to fight for their. In 2006 the government of West Bengal has intended to acquire 1000 acres of prime agricultural land in Singur of Hoogly district for setting up of motor car plant by Tata Motors. As the news of this acquisition spread in the region farmers from Singur and nearby regions organised themselves to show their resistance. The movement began with a demonstration in front of the local Block Development Office which saw huge participation from peasants especially women. There has also been reporting on how when any government official entered the village with notifications of land acquisitions the women from the villages would gather with brooms to attack the officials.²³ With the power of unending protests the people of Singur have been successful in sending off the Tatas. More importantly the victory has been the Supreme Court Judgment which states that the acquisition has been a violation of the Land acquisition Act and ordered that the land be returned to the farmers.²⁴

West Bengal also saw movements from smaller pockets all over the state. One such movement that is highlighted in the report is the trade union movement under the leadership of Swaraj Das in Asansol region.

'Unionized' Struggle

As a student during the revolutionary years in West Bengal, Swaraj Das was inclined towards the political empowerment of the depressed classes. The question that most troubled him during his college days was 'why is it that some people always get less than the others in other words why is there a class difference?' He had a communist bent in his thought. In 1990 he became the General Secretary of the Students Union of Kazi Nazrul Vidhyapeeth. He was involved in the student politics and was also involved in the Nandigram movement as a student. During this time he observed that the truck drivers were not paid regular wages and were ill treated by the truck owners.

²³ Banerjee Parthasarathi, 'Land Acquisition and Peasant Resistance at Singur', *Economic and Political Weekly*, Vol. 41, No. 46 (Nov. 18-24, 2006), pp. 4718-4720.

²⁴ Kedar Nath Yadav v. State of West Bengal and Others.



Figure 19 Swaraj Das

After college he got into the trade union movement and in 1996 Asansol Durgapur Transport Workers Union was formed successfully. The issues that came up during the struggle were : the drivers were paid very less wages and in most instances the wages were delayed. The drivers did not have medical insurance and their food charges were also not given. Importantly the drivers did not have identity cards. This put the drivers in trouble as there was no assurance and recognition of their work. Accordingly considering the problems the union was formed and the demands were raised in meetings involving the truck owners and the union members. After enormous protests and struggle the demands were accepted.



Figure 20 Wall Graffiti during the Union Days

It was in the year 2000 that land survey and land acquisition for coal mining began in Asansol. During this time Swaraj was a member of the CPI (M) party. CPI(M) party was the ruling party during that time. The land acquisition was rampant by use of force and violence. This issue created ideological clashes between Swaraj and the party principles. Following this the he resigned from the party and took the side of the farmers who were losing their land for coal. He organised the people of the affected villages and formed 'Sahasrat Ali Project Affected People's Association'. The villages that were affected include Churulia, Rasunpur, Diguli and Kusakura. The mining lease extended to these villages as well. SPAPA has been successful in organising the people from all the affected villages except Diguli. Diguli is a tribal village and the village leader was in favour of mining and hence

forced the entire village to acquire their land. The compensation given was very less and today the village is scattered and lives in absolute poverty.



Figure 21 Coal Mining in Churulia

When the Eastern Coal Fields Limited came with the proposal to acquire the land, the R&R package involved giving jobs to each household where more than 2 acres of land has been acquired. SPAPA organised a meeting with all the stakeholders in order to have a transparent dealing. They demanded jobs to each household and better compensation for individuals without land. The meeting has been successful in the sense that ECL employed 300 people from the affected villagers. Anticipating the problems that may arise inside the company Swaraj Ji recommended the workers to form union inside the company. So the workers formed 'Integrated Coal Mining Ltd. Shramik Union'. The union has been successful in demanding health insurances and guaranteeing jobs to the kins of slained workers in the company. SPAPA

has also been successful in securing monthly solatium to households with less than 2 acres of land.

In Feb 2016 it came to Swaraj's notice that there is a proposal for setting up of thermal power plant in the Sundarban region of Bangladesh. Following this, he along with mm&P took up the issue. Sundarban is a very dense mangrove forest. It has a rich and a distinguished flora and fauna. A total 245 genera and 334 plant species were recorded by David Prain in 1903. The Sundarbans provides a unique ecosystem and a rich wildlife habitat. According to the 2015 tiger census in Bangladesh, and the 2011 tiger census in India, the Sundarbans have about 180 tigers (106 in Bangladesh and 74 in India). Fishing cats, macaques, wild boars, common grey mongooses, foxes, jungle cats, flying foxes, pangolins, and spotted deer are also found in abundance in the Sundarbans. A 1991 study has revealed that the Indian part of the Sundarbans supports diverse biological resources including at least 150 species of commercially important fish, 270 species of birds, 42 species of mammals, 35 reptiles and 8 amphibian species, although new ones are being discovered. With the setting up of the power plant in Rampal the bio-diversity

will be destroyed leading to hazardous effects on the planet.²⁵



Figure 22 Rampal Project Site

Swaraj followed the power plant proposal and decided to visit the Rampal area. But entry to the power project area was very difficult as he was from India. Entering the area was a big risk for him. But unfeared he decided to visit the plant in Rampal. He disguised himself as a fisherman and entered the region. At Rampal he saw that the boundary wall, Security Guard office, and road has already been built. Swaraj believes that with concerted efforts of various organisations all over the world, the Rampal project will be stopped for protecting the very sacred Sundarbans.



Figure 23 Bay of Bengal cutting across the Sundarbans

The journey of Swaraj from being part of the student politics to enduring to work with the dispossessed population has not been an easy one both professionally and personally. He was put behind the bars and his family was blackmailed on many counts. He was accused of false cases. But what made him continue his actions was to end the class struggle. The question that strikes at the very bottom of his heart is 'why is that some people always get less than others?' in other words why is there this class difference? This he says has been the motivation to persistently work towards mitigating class inequality.

²⁵ ["Joint Tiger census-2004 in Sundarban Reserved Forests"](#). Bangladesh Forest Department. Ministry of Environment and Forest. Archived from [the original](#) on 7 December 2004. Retrieved 6 May 2012.
[Prain, David](#) (1903). "Flora of the Sundribuns". [Records of the Botanical Survey of India](#). Volume II. Calcutta: Allied Book Centre. p. 251.

The triumphant people's movements in the tribal belts of the Eastern Ghats in Andhra Pradesh

Undivided Andhra Pradesh has a long history of struggles for assertion of subaltern rights especially assertion of tribal rights. In terms of tribal population, Andhra Pradesh constitutes 6% of the total schedule tribe population in the Country.²⁶ Andhra Pradesh has rich reserves of Bauxite. According to the Geological Survey of India, Andhra Pradesh has 600 million tonnes of bauxite reserves which constitutes 21% of the total bauxite reserves in India. 90% of this reserve is deposited in the tribal belts of Eastern Ghats in Visakhapatnam district.²⁷

Wealth of Agency area		
Bauxite reserve	Deposit in million tonne	Mine area (ha)
ARAKU GROUP		
Galikonda	14.5	61
Raktakonda	8.6	42
Chittamgondi	28.5	152
CHINTAPALLI GROUP		
Sapparla	186.3	1,513.2
Gudem	38.4	263
Jerrela	246.0	1,350

Source: Centre for Economic and Social Studies

The region is also classified as dense reserve forest and is rich in bio-diversity. Owing to the huge reserves of bauxite, the Eastern Ghats have been an important mining destination. Large scale mining would have been a major threat to lives

²⁶ Census of India-2011

²⁷ "Cheated for Bauxite"- Down to Earth, January 2012-

<http://www.downtoearth.org.in/coverage/cheated-for-bauxite-35668>

and livelihoods of the tribal people who have been inhabiting those areas from centuries. Various private giants entered the region to loot away the treasure. These include Birla Pericles, ANRAK, Jindal Steel and Ras Al Khaima. But in the light of such injustice of the state by granting tribal land to big mining giants, Samata Judgment came as a messiah. According to the Supreme Court Judgment in the Samata vs. State of Andhra Pradesh, the state had no right to grant leases - even on government-owned forest land - to private companies on areas governed by the Fifth Schedule of the Constitution and that only cooperative societies exclusively run by the Scheduled Tribes could mine in such areas, subject to compliance with the Forest Conservation Act and the Forest Protection Act.²⁸

There have been strong people's agitation from various regions in the Visakhapatnam and East Godavari districts against large scale mining, and rights over natural resources. The report will in detail present the struggle of Mr. Gamella Devakumar, Mr. Rajendra Kavaparapu and Mr. Panasala Chittibabu against mining and illegal land acquisition.

The Samata Judgment and fight for land pattas

Mr. Gamella Devakumar has played an instrumental role in bringing about the Samata Judgment. Devakumar is a native of Dekapuram village of Borra Panchayat, Visakhapatnam district. His father served as Sarpanch of the Borra Panchayat when Devakumar was in school. He was in 10th grade when his father used to ask him to

²⁸ Samatha v.State of Andhra Pradesh, 1997 8 SCC 191

write letters on behalf of the panchayat and individual members to the various government departments. The issues were relating to getting ration card, funds to the panchayat, construction of school, provision for medicines in the local PHC's etc. Through this he became aware the problems people in his area face due to negligence and oppression by the state authorities. After completing school he was full-fledgedly involved in writing about people's problems. He did this service voluntarily and aspired of helping the community in whatever possible way he could. During the early 1990's there were a number of NGO's working in the region but Devakumar was sceptical about these. It was during this time Samata, a social justice organisation, began its work in the Borra region. Devakumar attended a meeting of liaison workers in Pedda Mallapuram. In the meeting he raised the issues that some mining companies are entering Borra and government is not giving pattas for their lands. This caught the attention of Ravi R, and together with the people of the region, the movement against mining and rights over natural resources began. Devakumar has also been at the forefront of organising people, against the Birla Pericles in Nimmalapadu region and with immense legal and political support from Samata materialised as the Samata Judgment.

The State government denied the tribal people land ownership saying they were forests, although it gave out mining leases to private companies. Under the Forest Conservation Act, 1980, when land was divided between the Forest and Revenue Departments in Borra panchayat, 1,150 acres (460 hectares) came under the former and 426 acres were left out of the reserve

forest area to be distributed to the tribal people.²⁹ But ignoring the Land Transfer Regulation Act 1977, no patta was given to the tribal people of Borra panchayat. Devakumar has been petitioner for seeking land pattas for the people of 14 villages of Borra panchayat. Till November 2015, hundred and twenty people were given land pattas from six villages. The struggle is on for ensuring pattas for rest of the villages. Devakumar has also been an important part of the struggle of the guides of Borra caves who have been fighting for regularization of their jobs. In 1993, about 20 adivasis were recruited by the Andhra Pradesh Tourism Department as guides for the Borra Caves in Visakhapatnam. It has been over 23 years the wages and facilities promised to them by the department have not been delivered so far. In this long battle 6 people have already lost their life. The guides have knocked the doors of all the government officials but have not sought any redress. The struggle is continuing for either regularization of their jobs or for giving 20% commission to the guides. According to the guides, in the peak season of 2016, the total income of the Borra Caves has been 4 crores. But the salaries of the guides have only seen a hike from Rs.7,500 to Rs. 12,000 per month. The guides are fighting with support from Samata. Devakumar is also playing a major role in this struggle by giving press notes and mobilising all the villagers in the Borra Panchayat in be part of the protest.

Devakumar continues his job as a social activist and is planning to contest panchayat elections in the Borra Panchayat. He has also been an active

²⁹ Tourism and Tribal Rights- Frontline, September 2004.

participant in the mm&P alliance representing Andhra Pradesh.

Courageous fight against mining of the Nagula Parvatam under the leadership of Kavaparapu Rajendra.

Rajendra grew up in a family with abject poverty. His mother was illiterate but always wanted her children to get educated since she believed that education is the only way to get out of poverty. Realising this Rajendra started working as cattle boy in the morning and attended night school. After extreme hardship he entered into the state social welfare school. One time meal was also a difficult task. Adding to poverty there was also exclusion as he belonged to lower caste. His family was a victim of untouchability. It was during 1983-84 that he was witness to the atrocities on dalits in the Karamchedu area of Prakasham District. As witness to all the atrocities and poverty he decided to become a naxalite and adopt that ideology to help his people get out of this discrimination. But in 1985 there was a training on leather tanning conducted by 'Progress' organisation. From then on Rajendra got involved in development training of the community members and empower them with necessary skill sets. In 1989 after working in areas of Telangana, he returned to East Godavari and joined 'Spandana' as a community co-ordinator. He worked with the local communities in Pedda Mallapuram along with Samata for caste certificates and land entitlements. In 1994 he established Sujana. Sujana started its work with the displaced people of 20, 000 families of Yeleswaram Reservoir Project. The rehabilitation has been provided in Muleramallavaram in Gangavaram and

Gokavaram Mandal, Addatigala mandalam Timmapuram village, Zedding Panchayat, Annavaram, C Rayvaram Colony, Lingavaram Colony, Kambalaplam, Marrividi Panchayat. Sujana has been successful in demanding rehabilitation and resettlement for the displaced people. But the people are still fighting for compensation for their lands. The complete farming community has now turned into daily wage labourers. Sujana is mainly involved in social action and social development. It has been involved in issues of illegal mining, environment degradation, food security, land grabbing, corporate crimes, school dropouts, SHG's and government welfare programs. Sujana also built school for 5000 school dropouts with hostel facility. From 2000 Sujana has been fighting relentlessly against the mining in the Nagula Parvatam region.



Figure 24 Rajendra in conversation with the tribal community in Rampachawdavaram.

Swallowing of another Adivasi Hill: Mining in the hills of Nagula Parvatam of Eastern Ghats

Nagulula parvatam has both mythical and ecological significance. The villagers in the region believe that the hill surrounding their region is in the shape of a snake. When seen from above it is seen as a snake

protecting the people from all evil. The hill is also bio-diversity hotspot. The hill is also sight of many Shiva Lingas which are considered sacred by the villagers. Ecologically the water from the hill is the only source of water for hundreds of villagers on the hill as well the villages at the foot of the hill. The hill is source of many perennial streams which are source of water for water tanks such as SubbareddySagar, Timmaraju Tank, Dantaluru, Tatipatri tank, Simhadripuram, Pratipadu, Kodavali and many other smaller tanks. In East Godawari district the hills spreads over- Eleswaram, Pratipadu, Shankavaram, Rawatalapudi, Kwatnanduru, Natawaram, Koiuru, Rajavammange, Adadigala mandals. Interestingly the hill falls both in the tribal sub-plan area as well as scheduled area. Dense biodiversity and abundant water on the hill has become a thing of the past with the advent of mining in the region. Vantada village on the top of the Nagula Parvatam has been victim to this such mining. The advent of mining has alienated most of the people from their primary economic sources which were mostly forest dependent and also alienating them from their social sphere by displacing them.



Figure 25 A glimpse of the Nagula Parvatam

The story of Vantada as a small serene village in the lap of Nagula Konda to a hotspot of mining goes like...

In the years of 2000-2001 Vantada was malaria affected. This came to the notice of Sujana and from then on Sujana started its development activities in the region. The villagers then found a natural medicine for malaria which was found in the village and with the help of this malaria was cured. Following this Sujana helped in setting up school and anganwadi in the village. It was during this time that the villagers demanded road from Vantada to Yeleswaram. The forest department opposed this as the road goes through the forest area. In the food for work scheme as well the villagers could not get any project as there was no money in the scheme. In 2002 the mining company named Maheswari Minerals registered in the name of Sagina Sobhan Babu entered the region and started acquiring lands of the villagers to mine laterite. Following this Sujana organised a meeting in the village and spread awareness of the ill effects of the mining on the health and livelihood. Following this in 2004, Sujana with support from Samata wrote a letter to the forest department enquiring about the road being laid in the forest area. The department replied saying that the road is being laid illegally and action will be taken against it. Sujana mobilized the villagers, used media and also approached the Project Officer (PO) ITDA to stop the mining. Finally The PO ordered to cancel all the mining activities.



Figure 26 Laterite being dumped at the bottom of the hill

With political pressure the mining activities restarted in the Vantada region. Sujana intervened on behalf of the people and approached the issue on the basis that 1. The people have d-patta's for the lands being acquired, 2. acquisition of such land will lead to destruction of Podu cultivation, 3. the ground water will be severely affected and the environment will be damaged. But this could not stop the mining. In 2009 Sujana took the help of media and a one week series named 'Konadala Mingesindi Vele' was aired which highlighted the various problems due to mining. Following this the JC Commission was set up. After the Commission Report, 28 crore fine was imposed on the mining company and 13 government officials were suspended. Even after the orders to cancel the mining leases, the mining activities have resumed. The farmers in the region are particularly affected. They say, 'mining is adversely affecting forest vegetation, plantations and crops. Every day on an average 100 diesel lorries ply on the roads passing by houses, schools and primary health centres making it difficult for students to concentrate on their studies and causing health issues amongst the villagers. The diesel emissions and dust pollution has serious implications on the seven villages that are affected. People have been agitating for

years altogether and are using the power of the gram sabha to put stop on mining. Water has also become a major issue in the region. The ground water has depleted and the farms below do not have water. Rajendra has been at the forefront of leading the struggle against the hazardous mining of the Nagula Parvatam.



Figure 27 The pollution from the lorries damages the crops

Rajendra believes that there is a need for 'good governance' in the villages in order for development. This entails that the various stakeholders work in co-ordination, the common public plays a much larger role in politics, quality education, and protection of the basic rights of the individuals and the community. He believes that d-patta land acquisition for mining is violation of the AP Assigned Lands (Prohibition of Transfers) Act, 1977. He challenges the notion of development as envisaged by the government and the private companies. He says that such an activity in the name of development is only causing harm to the local people and further marginalising them. It is only the rich who are getting richer and the local people are struck at the lower end of poverty. He trusts that education can bring about a change in this scenario.

A vociferous movement against bauxite mining in Chintapalli mandal under the able leadership of Panasala Chittibabu

Panasala Chittibabu belongs to Doddikonda village in GK Veedi mandal, Andhra Pradesh. Soon after finishing college Chittibabu began working with Navnirman Samiti as a teacher. He did not restrict his job only to teaching. He got involved in all social issues involving health, housing, jobs etc. In 2002 it came to his notice that a road is being laid from Jarilla Panchayat to Chintapalli. On further enquiry it was revealed that the road was being laid for transporting bauxite from Jarilla. The major people's movement to save their forest and resources began from then on. Chintapalli has a long history of tribal revolts. To begin with the first Rampa Rebellion in 1879 began in the Chintapalli region. The Hill tracts of Chintapalli were inhabited by the hill tribes. They have been leading a very independent way of life for centuries. They did pay their regular taxes to the Zamindars. But in 1879, the British Government introduced a law making toddy tapping illegal and levied tax on toddy. Toddy tapping was a very inherent part of the tribal culture. This led to a large scale rebellion in 1879. The Rebellion attacked the police stations in the Chowdavaram Taluk. The rebellion was suppressed by the British forces but it left a major impact. As a result of the rebellion the British Government made provisions for bettering the conditions of the tribals.³⁰

30

https://books.google.de/books?id=bq6VDF9gB4gC&pg=PA37&dq=rampa+rebellion&hl=de&sa=X&ved=0ahUKEwiszoK_pDLAhVK_HIKHQ5-

The hills around Chintapalli contain a billions of dollar worth of Bauxite. It is estimated that 470 million tonnes of bauxite is present in the surrounding hills. In particular the villagers say that most of it is buried under Jarrila Panchayat.³¹



Figure 28 Chittibabu with villagers from Doddikonda

To mine away this treasure, in 2005, the then government of Andhra Pradesh signed mining rights to company called AnRak Minerals. In the light of such big deals Samata Judgment came as a major boon. The mining prospect came as a shock to Chittibabu as well as to the villagers from 18 villages of Jarilla panchayat. Jarilla panchayat has a population of about 20,000 people most of them tribals. During his village tours he found that a village named Chillakalgadda was to be entirely destroyed if the construction of road takes place. Chittibabu took this as an important dependent variable to stop mining from entering the region. The community members were mobilized and made aware of the atrocities such mining operations may have on the lives of the tribal people. Such mobilization led to huge crowd discomfoting official visits to the mining sites. The villagers have been using all

[DQ0Q6AEIjAA#v=onepage&q=rampa%20rebellion&f=false.\(page 38\)](https://scroll.in/article/763869/bauxite-mining-threatens-to-bring-back-violence-to-the-tribal-hills-of-andhra-pradesh)

³¹ <https://scroll.in/article/763869/bauxite-mining-threatens-to-bring-back-violence-to-the-tribal-hills-of-andhra-pradesh>

sorts of traditional weapons such as bows and arrows to stop any mining company from entering then region. Till date strong public opposition has kept any unearthing of the bauxite. Adding to this the region is also an highly Maoist affected area.



Figure 29 Khond tribal woman from GK Veedi Mandal

With the help of Samata, Chittibabu filed a case on behalf of the villagers of Chillakalgadda and illegal acquisition of land. The villagers won the case and the mining companies had to make a U-turn. In 2014 The government of Andhra Pradesh passed a GO ordering opening of mines in Jarrila. Chittibabu and other leaders from the region successfully organised the 2000 people to come out and protest. People carried their traditional weapons and began protest to stop such injustice to the tribal people. Finally the government had to withdraw the GO. Chittibabu has also represented Andhra Pradesh in mm&P programs.



Figure 30 Villagers protesting against mining using traditional tools (Photo- ICSPW India)

Relentless Struggle for Preserving the Adivasi Way of Life: Case of Chhattisgarh

Background

With 44% of the state's land under forest, Chhattisgarh accounts for 12% of India's forests and is one of the richest biodiversity habitat.³² The forests of the state fall under two major forest types, namely Tropical Moist Deciduous forest and the Tropical Dry Deciduous forest. Sal and Teak are the two major tree species. The State forests are home to wild buffalo and hill myna which have been declared as rare and endangered.³³ The state accounts for 20% of the country's iron ore deposits. Presently, coal based thermal power capacity in the state is 12% of the country's current coal based power capacity.³⁴ The state plans to increase this to 65% of India's current capacity. Similarly, the sponge iron production share of the state is envisaged to increase from 7% to 100%. For cement plants, the target is to increase from 6% to 51%.³⁵ About two-thirds of the planned coal based thermal power capacity is in just two districts –Raigarh (37%) and Janjgir-Champa (34%). About 13,000 ha of forestland has been diverted for industry in Raigarh alone since 2000.³⁶

³² http://forest.cg.gov.in/forest_resources.htm

³³ <http://cg.gov.in/mining/mining1.htm>

³⁴ Government of Chhattisgarh, Mineral Resources Department

³⁵ Government of Chhattisgarh, Mineral Resources Department

³⁶ Pankaj Oudhia, Impact of Globalization on Biodiversity with Special emphasis on Livelihood of poor and marginalised : A case study of Raigarh Region, Chhattisgarh.

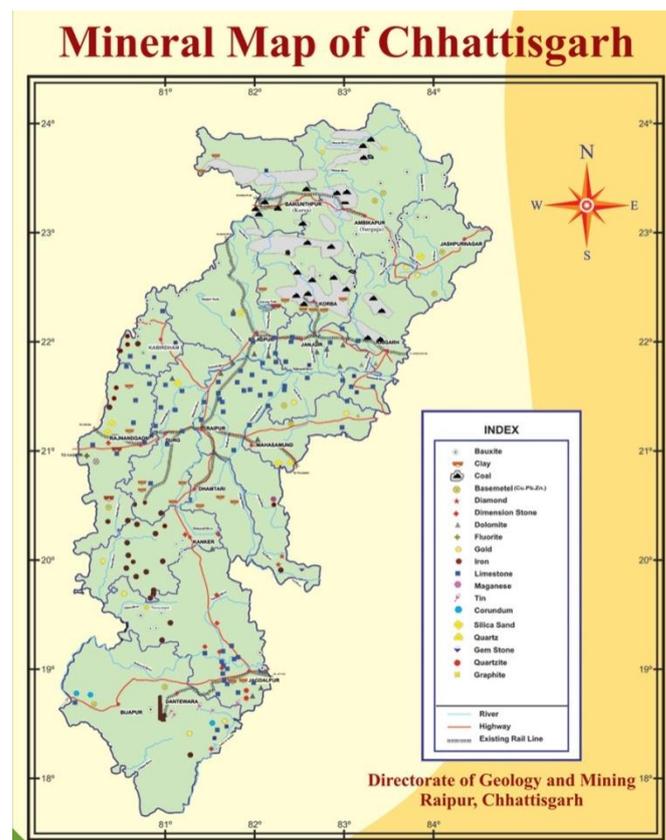


Figure 31 Mineral map of Chhattisgarh

Land Acquisition category wise in Chhattisgarh

S. N. Project Category	1982-1990	%	1991-07	%	Total	%
1. Water Resources	49001.96	96.05	51429.54	49.90	100431.5	65.18
2. Industry	279.73	0.55	5434.11	5.27	5713.84	3.71
3. Mines	62.05	0.12	1330.76	1.29	1392.81	0.90
4. Non-hydel Power	5.25	0.01	4083.04	3.96	4088.29	2.65
5. Defence	3.74	0.01	3898.4	3.78	3902.14	2.53
6. Environment Protection	39.23	0.08	4.09	0.00	43.32	0.03
7. Transport	1480.6	2.90	35782.24	34.72	37262.84	24.18
8. HRD	0.11	0.00	95.67	0.09	95.78	0.06
9. Refugee Resettlement	5.22	0.01	0	0.00	5.22	0.00
10. Farms & Fisheries	0	0.00	1.66	0.00	1.66	0.00
11. Urban Development	39.68	0.08	381.89	0.37	421.57	0.27
12. Housing	57.34	0.11	192.18	0.19	249.52	0.16
13. Social Welfare	0.34	0.00	40.9	0.04	41.24	0.03
14. Health	0	0.00	7.06	0.01	7.06	0.00
15. Education	9.9	0.02	7.78	0.01	17.68	0.01
16. Govt. Offices	31.41	0.06	377.02	0.37	408.43	0.27
17. Tourism	0	0.00	0.37	0.00	0.37	0.00
18. Chhattisgarh	51016.56	100.00	103066.7	100.00	154083.3	100.00

It is clear from the table that land acquisition has increased drastically from 1991 with the introduction of new economic policy. This increase in land acquisition has also increased the

displacement of people and dispossession of land and other resources.

Adding to this Chhattisgarh also has Left Wing Extremism Affected area. The state has experienced insurgency movements from the maoists. The tribal people have borne the brunt of police-maoist conflict. Salwa Judum a movement launched by the Government of Chhattisgarh to combat maoism has displaced more than 50,000 tribals.³⁷

There have been various groups working in different parts of Chhattisgarh to strengthen people's capacities and making them assertive about their rights. The report will in detail delve into the impactful work done by Mr. Rajesh Tripathi and Ms. Indu Netam in Raigarh and Bastar and Kabirdham Districts of Chhattisgarh respectively.

Unflinching determination of Rajesh Tripathi for rights of tribals in Raigarh District

Rajesh Tripathi got involved in social work right from his college days. His work began as a volunteer with Harsh Mandar who was serving as an IAS officer in Chhattisgarh. Rajesh began his volunteer work with watershed management in 30 villages of Tamnar Block, Raigarh. During this time he received complaints from the people that the ration shops were not functioning well, that they were not receiving ration on time and were also receiving less ration. From the general understanding of the people, Rajesh got that there was lot of corruption happening in the ration shops. He decided to conduct a survey of different villages and write to the government with the loopholes and alternate solutions. He surveyed 105

villages in 5 blocks (Dharamjaygarh, Kusol, Ghargoda, Tamnar and Raigarh) in Raigarh district. 12,000 households were surveyed and it was found that the households were receiving an average of 11kg ration when they are entitled to receive 30kg per household. This report was submitted to the government and suggested that the ownerships of the ration shop be with the villagers and not the private thekedars. This was incorporated by the government and the ownership was given to the villagers. It was in 2004 when Rajesh attended a public hearing conducted by SECL for opening up coal mines. The meeting was attended by 35000 protesting villagers. That was when he understood that mining was a major problem for the villagers and decided to dwell more into it. He got involved in issues of displacement, silicosis, rehabilitation and resettlement related to mining.



Figure 32 Rajesh Tripathi

For the indigenous people of Raigarh district, without forest and land there is no life. But the social and environmental problems associated with extractive resource exploitation increased during the late 1980's beginning 1990's with new economic policy in India. Rajesh is whole heartedly involved in negotiating better compensation to the people who have lost their land to the Chhal open cast mine in Raigarh district. The Chhal mine is spread over 641.013 ha in the village of Lat in

³⁷ Kujur Joseph, Displacement in Chhattisgarh

Raigarh. A total of 550 families are affected by the mine. The whole village has been displaced. The rehabilitation and resettlement that was promised to the villagers was also not given on time. Lat was a green village in the forested landscape of Chhattisgarh with around 80 households. The economy of Lat was mostly agrarian and were dependent on the minor forest produce and non-timber forest products. The village is dominated by the Gond Adivasi. But today Lat is just a village of 19 households who will also soon shift to 'punarwas Lat (Relocation Place)' which is about 15kms from the present Lat. This has happened just in the last 10 years, with the opening up of the 'Chhal opencast coal mines' which are 5mts away from the village. Lat is surrounded by coal mines on the four sides. Now the lease extends into the village as well and hence the village has to be relocated. From the past 10 years the villagers are negotiating better compensation packages and jobs in the mines. Rajesh has been part of these negotiations and has been successful in granting better compensation.



Figure 33 Household in lat which has been destroyed due to blasting in the Chhal Open Cast Coal Mine

Through a series of legal interventions, Rajesh is providing support to ground level movements in areas where direct attack on the commons have been made by the forces of the state and capital. Eco-cultural rights of adivasis have been a major theme of his litigations thus far. The landmark judgment in the case of Ratho Bai vs. SECL, Ratho Bai a young women from Lat and her family are land oustees as their entire land has been acquired by SECL. In the absence of any male member in the family Ratho Bai applied for employment under the R&R policy of Coal India Ltd. and the state government. But this claim was refused as she was a woman and was told that women are not allowed to work in the mines. Following this she took Rajesh's help in gathering all the necessary documents and proofs and filed a case in the high court against SECL for the discriminatory treatment. The Court's decision came in favour of Ratho Bai and the judgment stated that- 'Articles 14 and 16 of the constitution would show that in matters of recruitment to employment, the state will not discriminate between men and women and that a citizen will not be ineligible for employment or office under the state on the grounds of sex only'. The court finally said that she is eligible for employment. This has been a great victory for Ratho Bai and for Rajesh who has been relentlessly working in gathering all the necessary documents. This judgment is a landmark judgment that has helped 143 other women to get jobs in the mines all over the Chhattisgarh.



Figure 34 Ratho Bai

Silicosis Win

Another major issue Rajesh is involved in is getting compensation for people suffering from silicosis. Silicosis is caused by the inhalation of crystalline silica dust. Silicosis is usually a silent killer of workers in most parts of the world and is often misdiagnosed by doctors as TB. There is no cure for silicosis. Therefore control of the occupational disease lies mainly on preventing dust exposure. In 1995, WHO and ILO began an awareness and prevention focussed campaign to eliminate silicosis from the world by 2030. Silicosis has been a deadly disease that has taken close to 10 lives in Saraipali Gram Panchayat of Tamnar block, Ghargoda Tehsil, Raigarh. Rajesh took up the issue and wrote to NHRC detailing the problems faced by people working in Golden Refractory Company Ltd. and Rational Company Ltd. as quartz crushers. The company does not provide any safety measures and treatment. This was put in front of the labour department many times but was not given any heed. The district health centre in Raigarh gave TB treatment to the people who suffered lungs related problem, but again the patients were not diagnosed. This issue was taken up by Rajesh and was supported on ground by Rajesh Gupta, an activist from Saraipali. Gram Shabha was held in the village to make people aware of the possible causes that had led to the death of people in the village. Following this Rajesh along with the villagers drafted letter to Collector and CMO to look into the situation. Villagers with support of Jan Chetna were successful in shutting down Golden Refractory Company. There has been no action taken by government officials and so Rajesh with the backing of mines, minerals and People conducted a health camp in Dec 2015. 9 people were detected positive. A letter on 19 Jan 2016 was then sent to District Collector, Raigarh in order to take necessary action on the

matter and the damages that had been caused. There was a continuous follow up on the case to bring compensatory relief to the affected people. Following this on 10th August, 2016, the labour department declared compensation of Rs. 3 Lakhs for people deceased and suffering from Silicosis.

Gare Satyagraha

Rajesh has been at the forefront at organising the Gare Satyagraha. Gare Satyagraha is one of its kind where people have opposed land acquisition for mining using non-violent Satyagraha as a mode of protest. The protest started in 2008 when a public hearing was organised over a Jindal Power and Steel proposal to acquire around 1200 acres of land in Gare and five neighbouring villages. The villagers protested this public hearing since the procedure for conducting the public hearing was flawed. Following this the villagers with the help of Rajesh filed an appeal in the Bilaspur High Court. The case was then transferred to NGT and subsequently the public hearing was cancelled. Later from 2013, every year on 2nd October the villagers of Gare and nearby villagers assemble at the site of the coal mine and mine coal on their own and sell it on their own. The villagers say that when the coal belongs to our own village then the responsibility of mining should also lie with us.



Figure 35 Rally from Gare Village

Challenges and Way Forward

Through his journey as a social activist he has been faced with a number of challenges. One of the major challenges being lack of an understanding of English language. Deciphering complex official information which is mostly in English has been a major challenge so far. Grassroots activists like Rajesh are particularly affected by lack of access to proper legal counsel and legal aid. His identity as a non-tribal working in tribal areas has also landed him in trouble many a times. In some cases the politically affiliated people in the village who have been persuaded by the political leaders against Rajesh and his work posed a serious threat to his work. They have instigated the villagers in the name of culture and identity to boycott the work that Rajesh is doing. despite of this discrimination and outcast he has been successful in gaining the trust of the villagers because of the genuine work he is carrying out.

Through all his developmental and rights based work Rajesh has been successful in working in partnership with the state in order to be effective and have an impact beyond the local level.

Effectual struggles for land and forest resources in Bastar and Kabirdham Districts

Indu Netam a Gond Adivasi born in the small village of Markatola in bastar district became a social activist at a very young age. She has led ground breaking struggles against land acquisition and forest degradation and has been working for the empowerment of the tribal communities. Her village was part of the dense forests of the then state of Madhya Pradesh. It was during 1989 that the villagers of Markatola witnessed cutting down of trees by the forest department for reasons never told.

One fine morning when the villagers went to their fields for daily chores they found bores dug in their fields. For the first time they saw men in suits, goggles, and with measuring instruments. The villagers initially believed that the trees were cut for the plantations by the forest department but did not understand why the bores were being dug. Slowly the forest department started large-scale felling of trees. The villagers then approached the District Forest Officer and learned that the forest land has been converted into individual patta and is registered on the name of non-tribals from other villages. These non-tribals sold the land to Bauxite India Company who then obtained a prospecting licence to mine silminite and kyanite in the region.

In all this what the naive villagers knew was that if their forest is lost they will lose their livelihood and meaning of life. Meaning of life not in sense of what great philosophers and people in the cities sitting in their AC chambers think of but a very rudimentary understanding of life which is connected to the tendu patta, mahua, wood for fire, leafcups, wild berries, cows, goats, elephants, leopards and wild bores. As a young girl witness to this horrific exploitation of the tribal population by destroying the forest, Indu organised people against the company. She along with few of her comrades organised large scale protests and spread the news to all the neighbouring villagers. They protested that the land acquisition was done illegally and there was no public hearing, the gram sabha was not involved in the process and the company did not possess any valid NOC. The process was flawed. The demand of the people was to send the culprits behind the bars and

cancel the licence to mine. Looking at a large scale participation from the villagers, '*Jungal, Zameen, Sangharsh Morcha*' was formed in the village.

Following this there was a public hearing to address the issue of mining. But Indu and her team decided to boycott it. The meeting was held in full police security and the aim was to convince people on the importance of mining. But unfeared by the police Indu spoke against the collector and the ministers and urged people not to listen to them. She courageously set up her own mike just 200mts away from the site of public hearing and asked people to join her to stop this atrocities over the tribals. Within minutes the people who were present in the public hearing were all present at the site where Indu was speaking. As an insult to the collector and ministers, the police arrested the villagers and left them in deserted place for two days. They were then brought to the police station and were arrested and put in jail for 22 days. Indu was offered bribe so that she stops mobilizing people. To this Indu's prompt response to bribe all the villagers if they can come as a shock to the officials. The struggle against the company continued for another 2-3 years. In the meanwhile the villagers lost their crops and were harassed by the forest department.

From then till now she has been fighting for the rights of the tribal people in Kawardha and Bastar districts of Chhattisgarh.

Strengthening Adivasi way of life

Indu works for the rights, self-esteem and survival of Adivasi life and culture, for

building an Adivasi news agency, and to prevent mining companies from taking Adivasi lands. Her efforts have been to restore the adivasi way of life. She has been involved with the tribal people in defying the stereotypes attached with adivasi culture and education them about the importance of their culture. She is the founding member of '*Adivasi Samata Manch*' and has been working in 30 villages. The Manch has been filing Forest Rights Act individual and community PATTAs, generating awareness about organic farming. Indu has been working relentlessly to strengthen indigenous knowledge. She has been working with local medical practitioners in the villages where she has a presence and is trying to build a strong group of practitioners who can document some of their research and pass it on to the future generations. She aims to build a hospital with basic amenities and practice indigenous medicine.

Fight against displacement due to mining and wildlife conservation

The global commodity boom from 2000 onwards led to a major rise in prices for primary commodities and greater financialization of these commodities and also development of new mining technologies. These phenomenon were visible in the newly formed state of Chhattisgarh. From the period between 1997-2007, 34.72% of all the acquisitions were for industries, mines, defence and roads.³⁸

³⁸ Sundar, Nandini, 'The Burning Forest: India's War in Bastar' Juggernaut Books, 2016, Pg. 28-29.

In Kabirdham District of Chhattisgarh Indu is involved in the issues of displacement and dispossession due to mining and Tiger Corridor of Kanha National Park. The villages affected due to the declaration of tiger corridor are Sindurkhar and Kandawani. Indu has been successful in organising people and carried out a protest from the villages to the Collector Office. With a local team of two activists Aneema and Sahattar, Indu is involved in the struggle for better compensation and rehabilitation for the people displaced due to BALCO in the Daldali region of the Bodai block. The fate of the Baigas living up the hill in the Daldali region got attached to mining by BALCO way back in the year 2000. Baiga is a particularly vulnerable tribal group residing in the Maikal Hill ranges on the border of Chhattisgarh and Madhya Pradesh. The Baiga households have been facing displacement from a long time in the name of wildlife conservation and mining. In 2003 nine villages were displaced from the Bhoramdeo Sanctuary which fall in the wildlife corridor connecting Kanha National Park and Achanakmar. Following this Vedanta's BALCO started mining operations in Bodai Daldali Hills in 2003. A massive number of families were displaced due to the mining activities. The populations most affected were the Baiga Community.³⁹

In terms of numbers the number of Baiga households displaced due to mining and wildlife conservation include-

Year	Villages/families displaced	Reason
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³⁹ Sayantan Bera, 'Baigas in Exile', Down to Earth , 31st July 2012.

1970-2010	28 villages	Due to demarcation of Kanha Tiger Reserve
2000-2003	10 Villages/261 families	Vedanta Bauxite mines in Bodai/Daldali
Since 2003	9 villages/220 families	From Bhoramdeo Sanctuary
Since 2009	6 villages/245 families	From Achanakmar Tiger Reserve.

Source: Down To Earth⁴⁰

The bauxite mining lease is also extending to other villages with majority Baiga population and they are also on the verge of displacement. Indu has been part of the struggle of the people to get better compensation. She is involved in filing RTI getting information about the rehabilitation and resettlement, filing cases in the courts against corrupt officials, training the local people about their rights etc. The team locally have been assisting the communities there in forming Forest Rights Committees, holding gram sabhas and ensuring that all the due process under FRA gets fulfilled while filing their CFR claims to relevant government authorities. She has been able to get the local people individual land pattas under the Forest Rights Act and has filed community forest rights pattas. She is helping them with filling the applications, collecting the necessary supporting documents and submitting it to the gram sabha or the forest department.

⁴⁰ Sayantan Bera, 'Baigas in Exile', Down to Earth , 31st July 2012.



Figure 36 Baiga Adivasi Displaced due to mining in Daldali Region

Looting of Rawghat Range

A huge iron-ore mine of the Bhilai Steel Plant (BSP), along with railway-tracks for transportation and multiple BSP township projects in the region have been proposed.⁴¹ This project, across the Rawghat range spanning the districts of Kanker and Narayanpur, adjoining the Abujmad range, is to impact community lives of more than 40 villages, with much eviction and displacement. Rs. 24,000 crore investment has been announced for this. Due to the heavy militarization in the region, the area has also been witnessing major atrocities perpetrated by the armed forces. There is increasing torture and mass arrest and lack of any work for the youth. Rawghat also has multiple sites of immense cultural and religious importance for the Maria Gond communities, and the same stand to be harmed by mining and its related activities. Every year a three day gathering takes place in the month of February which attracts thousands of Gond Adivasis from all over the region to the hills of Raoghat Range. In this context, Indu is fighting a writ petition before the High Court of Chhattisgarh highlighting these issues along with the various

⁴¹ <http://www.business-standard.com/india/news/bhilai-steel-gets-rowghat-mining-lease/374442/>

illegalities which took place in the process of land acquisition for this project.

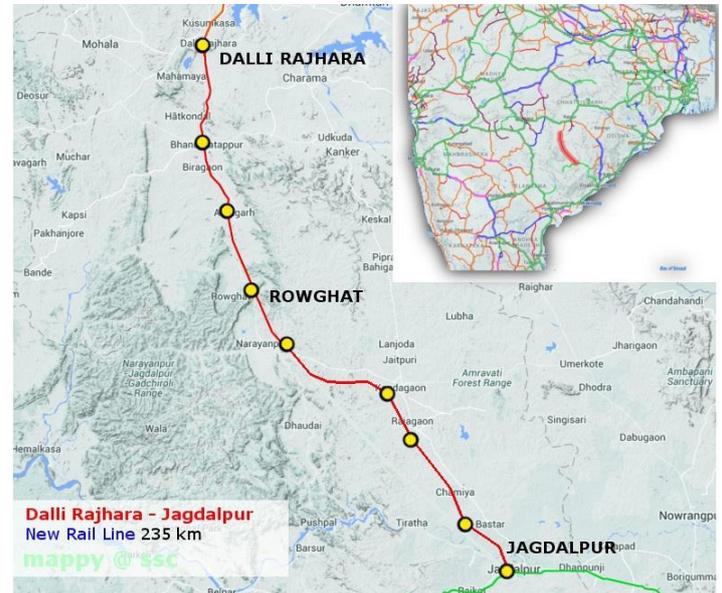


Figure 37 Rail Line for easy transportation of the mineral.

Challenges

Indu has been working with tribal community for nearly three decades now. Issues ranging from tribal identity and dignity, indigenous medicine, displacement, dispossession, FRA and atrocities by the forest department and the security forces. Her journey has not been an easy one. One of the major challenge being gaining the trust of the people. She has relentlessly worked with the tribal people in Bastar area and has been able to gain the trust of people. But she has been witness to instances where the villagers blindly believe the promises made by the ministers and other government officials and speak against her. The tribal people are lured by the official lullabies on number of accounts and they have also placed false allegations on Indu saying that she belongs to a Christian Missionary and gets a lot of money and she is indulging

people in false promises. There have been instances where people have changed their opinion in favour of the ministers and other misleading people. But what keeps her continuing her struggle for the rights of the tribal people is her will to stop the injustice against her community. She says that the tribal people in the villages are innocent and are victims of the state atrocities. She has a hope that one day this will change. She is defying all the odds to serve the tribal people. Despite of the outcast from her society for marrying a non-tribal she continues her duty to serve her community to live life with dignity.

Way Forward

Indu plans to compile a book on indigenous health care practices which can be used as an alternate source of medicine to the allopathy medicine. Keeping in view the wide-spread acquisition of land for mining operations, she wants to create a movement of people against the mining companies. She believes that there is a need for organising people and making them aware of the environmental and social costs of large scale mining.

Looking at the current political scenario Indu believes that legal standing or formal recognition for non-governmental groups and activists within policy making arenas or institutions of public sector oversight will help in effective citizen-state accountability partnership. It is impressive to see how despite being victim of arrest, kidnapping and also threat to life, Indu continues to ally with the social movement ideology to bring about change.

Victorious struggle to stop the loot of iron ore in Goa

Background to mining in Goa

Goa was a Portuguese colony till December 19, 1961. The colonial government granted mining concessions to certain people; 68,000 hectares of Goa's land including its forests are under mining leases granted by the Portuguese colonial regime.⁴² The mine owners exported most of the iron ore and fortunes were made. In the period between 1990's and 2010 the boom for iron ore was very high.⁴³ The scale at which mining happened increased tremendously. In 1992 Goa foundation began study on impact of mining on the eco-system.

The Government of India has set up Justice M. B. Shah Commission of Inquiry for Illegal Mining of Iron Ore and Manganese vide Notification dated 22nd November, 2010. The Commission found outrageous and sweeping violations of the Forest Conservation Act 1980, National Forest Policy 1988 and other laws including Wildlife Act 1972, Water (Prevention and Control of Pollution) Act 1974, Air Act 1981, Environment Protection Act 1986 and Biodiversity Act in 2002. It also found that more than 20 of the mining leases were renewed without prior approval under the Forest Conservation Act 1980. It has found that all mining leases are operating in violation of court orders. As per the report the loss to the Indian economy is to the extent of

⁴² Mining: An Historical Perspective, Goa Foundation Report

⁴³ Desouza, Hartman, 'Eat Dust: Mining and Greed in Goa', 2015.

Rs.35,000 crores.⁴⁴ The Goa Government was forced to issue a temporary suspension order dated 10th September 2012 closing down all mining activity within the State of Goa.⁴⁵

Following Shah Commission's report Goa foundation Filed a Writ Petition in the Supreme Court.

On November 11, 2013 a three-Judge Bench of the Supreme Court of India passed an interim order directing: "After considering these submissions, we direct that the inventory of the excavated mineral ores lying in different mines/stockyards/jetties/ports in the state of Goa, made by the department of Mines and Geology of the Government of Goa will first be verified and thereafter the whole of the inventorised mineral ores will be sold by e auction and the sales proceeds (less taxes and royalty) will be retained in separate fixed deposits (lease-wise) by the state of Goa till the court delivers the judgement in these matters on the legality of the leases from which the mineral ores were extracted."⁴⁶ The villagers of Caurem continued their protest against the illegal transportation of iron ore mines as under the guise of transportation of e-auctioned ore the unaccounted illegal ore was also being transported.

⁴⁴ M.B Shah Commission Report (Part I, II, III) on Illegal mining in Goa-2012

⁴⁵ Official Gazette, Government of Goa, 28th Sept 2013

⁴⁶ Goa Foundation v. Union of India and others- WRIT PETITION (CIVIL) No. 435 OF 2012- Interim Order

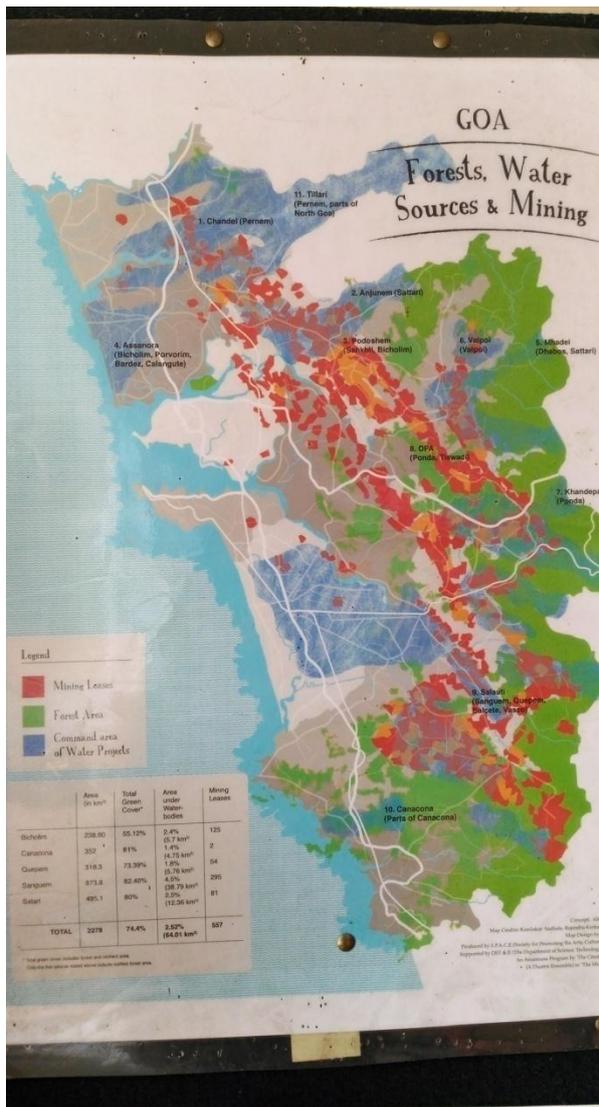


Figure 38 Forest, Water Sources and Mining in Goa

The Supreme Court Judgment 2014, stated that, the deemed mining leases of the lessees in Goa expired on 22.11.1987 and the maximum of 20 years renewal period of the deemed mining leases in Goa expired on 22.11.2007 and consequently mining by the lessees after 22.11.2007 was illegal and hence the impugned order dated 10.09.2012 of Government of Goa and the impugned order dated 14.09.2012 of the

MoEF, Government of India are not liable to be quashed.⁴⁷



Figure 39 Iron ore mine in Goa

The major mining companies responsible for the resource loot include: Minescape Minerals Pvt Ltd which had leased land from one Jairam Neogi; the TC no was 59/51, the Devapan Devadongar Iron and Manganese Ore Mine TC No 01/51, Ajit Kadnekar owned land on which Magnum Mines TC No. 12/52, G N Agarwal owned on which Fomentos TC 06/61 and Zolerancho Dongar mine. In a report by the Goa Foundation, Total ore exported in 2010-11 is 46.8 million tons. The value of the mineral resources that was extracted was Rs. 53,833 crores in the period from 2005-2011. Of this amount, the State managed to capture only Rs. 2,387 crores as royalty. In 2007 the prices for Goa's ore- low grade as it was jumped from around \$65 a tonne to \$170 in just a year. By 2010, there were 15,000 mining trucks in Goa.⁴⁸

⁴⁷ Goa Foundation v. Union of India and others- WRIT PETITION (CIVIL) No. 435 OF 2012- Judgment 2014

⁴⁸ [Letter dated 22.7.14 to Chief Minister, sharing detailed calculations on mining in Goa done by Goa Foundation](#)

Current Status

Following the judgment the illegal mining was stopped in 2014. But in March 2016 the villagers were looking forward to celebrating Shigmo festival. It is a day when the men of the village stay in other villages. It is a way of enhancing tribal solidarity. All economic activity stops in the entire tribal belt from Quepem to Sanguem including mining. On Monday March 21, 2016 the mine owners of Fomento mine TC 6/61 began loading the iron ore.

Just as Mr. K in 'The Trial' was arrested one fine morning without his crime being revealed to him,⁴⁹ Ravindra Velip and seven others were arrested as they tried to stop the transportation of their resource...but released later. Ravindra Velip is a social rights activist and ward member From Caurem Village, in Quepem Taluk, Goa. As a young graduate he found himself a job in a Mumbai based Company in Goa. As he was juggling between his current job and future plans, it was suggested to him by fellow friends and relatives that he buys a truck and gets into the mineral transportation business in South Goa. Following this he left his job, came back to Caurem and bought a truck. The mineral was being transported everyday and it was financially beneficial for him. It took him time to realise that mining is actually taking away all the resources in the village and he has become a means of this business. When he realised this he never looked back. He took upon himself to stop the loss of resources, identity, culture and tradition of his village. He started studying the issue of

mining in Goa and generated awareness amongst the villagers to save their forest.



Figure 40 Cawrem Village

The Police inspector assured them that there would be no transportation till after Shigmo festival. On March 22, 2016 Fomento mine owners started large scale transportation under police protection. There was no one present from the Department of Mines. Ravindra Velip and the villagers felt helpless as they watched the miners get away with illegality and to them it was like watching the looting of their lands and forests right in front of their eyes. They protested and tried to stop the transportation. They were arrested immediately and detained by the police. At this stage, Ravindra called up the Commissioner for SC & ST, Anant Shirwaikar, and told him about the incident and facts. But he said that he could not do anything as it was a matter of transportation of e-auctioned ore. They were later taken into judicial custody and were transferred to Sada jail the same evening.

Human Rights Abuses-

When in Custody Ravindra was assaulted. He was suddenly attacked from behind by at least four persons, who caught him from behind, blindfolded and gagged him with cloth, and then went on to beat him

⁴⁹ Kafka, Franz, 'The Trail' Trans. Willa and Edwin Muir. London: Vintage Books, 2009

ferociously. He was lifted and thrown down from a height, resulting in multiple fractures to his forearm and severe pain in his neck. When he was lying down, he was hard-heartedly beaten with boots and fists. He managed to release the choke on his mouth and started screaming, following which the beating stopped immediately and the attackers fled. Within moments, the other prisoners from his cell, including the other four youth from Cawrem, rushed to his side and took him into the cell.



Figure 41 Ravindra Velip attacked inside the jail

On March 25, 2016, he wrote to the Police Inspector, Margao Police Station with copies to the Director General of Police and the Chief Secretary giving the details of the lethal attack on him inside the Sada Jail. He had asked that a criminal case be registered. But till date the Police Inspector, Margao Kapil Naik has not registered FIR even though it is mandatory under the criminal law to do so. Kapil Naik registered the FIR after two months from the date of the incident. Ravindra

suspected Mining company owner Timblo, a contractor and the local MLA Subhash Faldessai but the FIR were registered on unknown jail inmates.

On March 27, 2016 a report in the media stated that the CCTV camera in the Sada sub-jail had been “out of action for the last several days”. However, Ravindra states that he had seen the CCTV working and saw a green light on the camera, one in the jailer’s cabin and other one in the passage.

After the judicial assault on Ravindra on 23rd March 2016, the Sanguem MLA Subhash Faldessai promised and made press statement saying that no more transportation of ore would take place from Cawrem village without inventory of the ore and involvement of 'Sadhana Multipurpose Co-operative Society' and told to the media that he will ask CM and concerned authorities to look into this matter regarding false inventory of stacked iron ore, illegal transportation and assault on Ravindra.

On 5th April 2016 at around 8 pm close to 30 empty trucks started entering the village of Cawrem. This was in complete violation of the judgement of the Hon’ble High Court which has stated that no activities in relation to transportation of ore be carried out after 4:30 pm. Further, it was also completely divergent to the assurance given by the authorities that no transportation would be allowed in the village without resolving awaiting issues of conducting an register before commencement of transportation, custodial assault of Ravindra Velip and the non-registration of the village co-operative.

Following this, on 6th April, the villagers assembled at the Mining Gate of TC No.

6/61 at around 8:15 am to inquire about the transportation of the Ore. Police Sub Inspector Patil and Police Inspector Praveen Gawas and Joint Mamlatdar Kurtikar were present along with a police force of more than 300 police. At around 9:00 am, legal representative Adv. Suhas Velip went to inquire with PI Patil trying to amicably discuss the issues. Without even hearing what Adv. Suhas Velip had to say, PI Praveen Gawas said “Tumhi Kunbi Gawadi ani tumhi transport adaytale? (You are kunbi gawada and you will stop the transport?). The remarks were derogatory to the tribal community and following this PI Patil abused him in filthy language and called on the other police to arrest him.



Figure 42 The protesting villagers

There were close to 30 tribal women and 8 men present at the time and more than 300 police force. Despite the presence of women police, male police abused the women in filthy language and started arresting the women. The Police were not willing to even listen to the people and started pushing and assaulting the villagers. More than 10 women and 6 men sustained injuries as a result of the abuse of powers by the Police.

Ravindra believes that the Police have been acting at the command of Mr. Subhash Fal Dessai, the local MLA of Sanguem. He is a former Mining transport

Contractor in the area who is now operating through his nephew Kunal Fal Dessai. During some other incident when Cawrem villagers had protested against illegal transportation, around 100 tribals were arrested when he had filed complaint against Cawrem villagers in the year 2011. Later National Human Rights Commission asked the Goa Government to pay the victims a compensation for violation of Human Rights.



Figure 43 Women protesting against illegal transportation of iron ore

Co-operative society threat to the officials?

The application for registration of Sadhana Multipurpose Co-operative Society was filed on 05.06.2014. The application for registration was made by Ravindra as a Chief Promoter and 10 other residents of the village. They were keen to further enrich their already subsisting cooperative spirit and consequently decided to take up the cooperative model for all the economic activities in the village that is agriculture, forestry, mining and all other ancillary activities. But sadly, the State Govt refused their request to form a Co-operative society which is a violation of Article 19(c) of Constitution of India. An appeal was filed before the Administrative Co-operative Tribunal. Co-operative Tribunal of Goa passed an order to register the society. But the government has yet

not registered the society. The officials are against the formation of the tribal co-operative since it will affect mining. After struggling for nearly 3 years the co-operative has been successfully registered on 24-04-2017.

Mining and its wide spread effects-

Mining the Devidongar- The villagers recount a thickly forested hill where the mining leases operated by mining Giants Fomento, Minescape Minerals etc stand now. Between the thick trees, one could find thorny shrubs, and grass growing over the knees. The way is often blocked by thick vines and anthills and huge and thick spider webs. But now the hill just disappeared. All the forest's original inhabitants- the fish, otter, crabs, spiders, beetles, butterflies, moths, lizards, frogs, birds, hares, porcupines, deer, wild cats, wild boars, leopards, bison and even big tigers turned refugees.⁵⁰ Paikdev is worshiped by the Velip community who inhabit the hills of Cawrem and Maina. The Stream which the villagers worship known as the Paikachi Zor is seven km trek from the village. The way to the stream used to be densely forested. Now the villagers say that more than three quarters of the groove that gave shade to the travellers disappeared.

After the rainy season, the mining is launched by pumping out the sparkling rain water that had accumulated in the mining pit during the monsoon- caring little for the fact that copious amount of muddy water being expelled was

destroying the low- lying agricultural fields.

The officially protected Sanctuaries of Mhadei, Mahaveer and Mollem form the western ghats that are North East of Cawrem. The recently notified Netravali Sanctuary in the Ghats is southeast of Cawrem. Close to this Sanctuary many springs make up the Khushawati river that passes due east. The forest Department has confirmed presence of tigers and leopards in these forest ranges. But the villagers say that due to large scale mining using heavy machinery and blasting most of the tigers and leopards have migrated. Now the forest officials deny presence of any tigers in these ghats even in the past. Dr. Claude Alvares of the Goa Foundation openly accused the State Government of wanting to cover up the tiger killing at the behest of the highly influential mining industry in Goa. He also accused Shashi Kumar, conservator of forest as being more interested in sustaining mining than forests.⁵¹

Sakhu Velip a villager says that due to mining the whole eco-system is damaged. Our wildlife is also affected. For generations we have lived with leopards, wild boars, bison etc. But now due to blasting and use of heavy machinery in mining the leopards have migrated and the whole eco-system is disturbed. The Bisons have increased in an uncontrolled number and they are affecting the agriculture.

⁵⁰ Desouza, Hartman, 'Eat Dust: Mining and Greed in Goa', 2015.

⁵¹ Desouza, Hartman, 'Eat Dust: Mining and Greed in Goa', 2015.



Figure 44 Sakhu Velip

In the name of God- The mining companies and the contractors use every possible way to guise themselves as good and manipulate the local people. One of the villagers, Tulsidas Velip recollects that, before the Shah commissions visit to the mining sites, Fomento mines launched a corporate social responsibility program. started a new clinic, promised jobs to some youth from Cawrem in the mines. Opened a decrepit centre in the village with some computers. All these stand closed after the Shah Commission left Cawrem. At the least they have not even spared God. The Village has a temple which is centuries old and all the festivals are celebrated in this temple. The temple is very old and small to accommodate all the villagers. The mining contractors have 'promised' the villagers to built a new temple just next to the old one. But this construction of the temple is happening from three years and is far from completion. They are building the temple as part of social responsibility so that people then don't oppose the mining. Ravindra Velip says that they are not completing the construction because they think that once the temple is constructed the people will again start protesting.

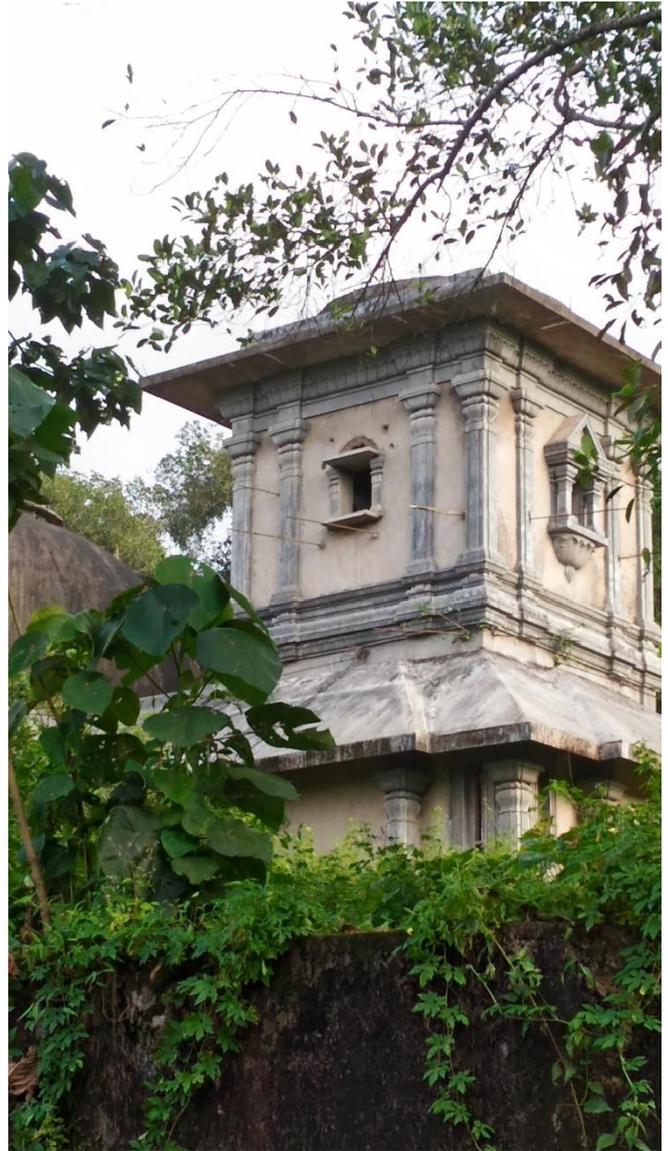


Figure 45 The temple in construction

Lured by imported liquor-

'Anything for mining, for extracting the resources, for destroying the nature' has become the motive of the mining companies and mining contractors in these parts. The local MLA's brother owns a bar in the village. The local MLA is also a mining contractor who is now operating through his nephew. In order that there is no opposition to mining the contractor very conveniently lured the youth and other men in the village by free imported liquor in his bar. This has become a daily habit for most of the villagers. The

contractor also bribed these villagers to get panchayat clearances etc. The rapid influx of money to the men is also associated with augmented domestic violence. The women say that the men in the village would never drink. It was only on special occasions that they would have some feni (a type of Alcohol made from Cashew fruit) . But from the time the bar has opened in the village, alcoholism became a disease in the village. The children and women in the village are badly affected. Some women say that it has become so bad that even if the men want to come out of it, it is very difficult.

Legislations Violated-

The struggle of Ravindra portrays struggle against the endless and the ruthless force of authority and the corrupt and incomprehensible law proceedings. The police inspector at Vasco Police Station did not register FIR in the assault case in Sada jail for the next two months. This is violation of Section 154 of CrPC. Under Section 154 of CrPC, 1973 the Officer Incharge of the Police Station has to register the FIR. The Supreme Court in its decision says that, the State Government will strictly enforce the Goa (Prevention of Illegal Mining, Storage and Transportation of Minerals) Rules, 2013 while transporting the e-auctioned ore. Violating this the Fomento minerals started illegal transportation of the ore in the guise of e-auction.

The Shah Commission report states that there is clear violation and non-observation of Wild Life (Protection) Act, 1972, Water (Prevention & Control of Pollution) Act, 1974, Forest (Conservation) Act, 1980, National Forest Policy, 1988, Air (Prevention & Control of

Pollution) Act, 1981; Environment (Protection) Act, 1986 and Biological Diversity Act, 2002.

Challenges and way forward-

This struggle for Ravindra involved life threats, arrests, and defamation. In April 2016, when the villagers from Cawrem were having meeting with the Chief Minister of Goa, on the illegal transformation of the ore, allegations were raised against Ravindra. They accused Ravindra of taking 23 lakhs from the mining contractors in 2012 just before the mining lease was stopped. This was then exposed in the news papers. But Ravindra had a copy of bank transfers that he had done to the respective villagers for whom the money was deposited in his bank. The story goes like in 2012, the mining affected villagers especially farmers whose agricultural land was in the lease demanded that they get better compensation otherwise they will stop mining. Then with mounting pressure on the company, they conducted a meeting of all the villagers. The villagers were represented by Ravindra who was actively working to get justice to the villagers of Cawrem. Later the villagers elected him as the Panch of Cawrem. After the meeting the mining company agreed to give compensation to the land owners whose land was in the lease. Following this they deposited two Rs. 10.5 lakh and one 2lakh cheque in Ravindra's name to distribute it amongst the villagers.

Ravindra aims at building political awareness amongst the people of Cawrem so that they can stand for their rights. He is constantly involved in generating awareness about conserving the natural resources for the future generations.

Currently he is involved in forming a village co-operative society which will be the nodal agency for any economic activity. It will help the villagers to gain control over their resources and use them sustainably. He is presently serving as the ward member from Cawrem and aims of getting into politics at an higher level. He is contesting elections from Sanguem Constituency in South Goa representing Aam Admi Party.

Audacious struggle for dignity and livelihood of the mine workers in Rajasthan

Background to Mining in Rajasthan

Rajasthan is the largest state in India and is also extremely rich in minerals; 79 varieties of minerals are found in the state, of which 57 are being commercially produced at present. It is for the richness of its land, no wonder, that Rajasthan has a profound history of settlement and conquest dating as far back as 5000 years ago when the first human settlers formed the Vedic State of Brahmavarta along the north western frontiers of present day Rajasthan. Parts of Rajasthan are also believed to have been occupied by the Indus Valley Civilization (Harappans) around the Aravalli hills which are rich in copper and places essentially involved in the production of copper, such as Ganeshwar, were important to the Harappans who left behind a legacy of practices in the alloying of metals. Though mining in Rajasthan is believed to have predated Harappans and the earliest Zinc-Lead-Silver mines were operational about 2500 years ago, sites of which were discovered in Zawar (present day Udaipur district).

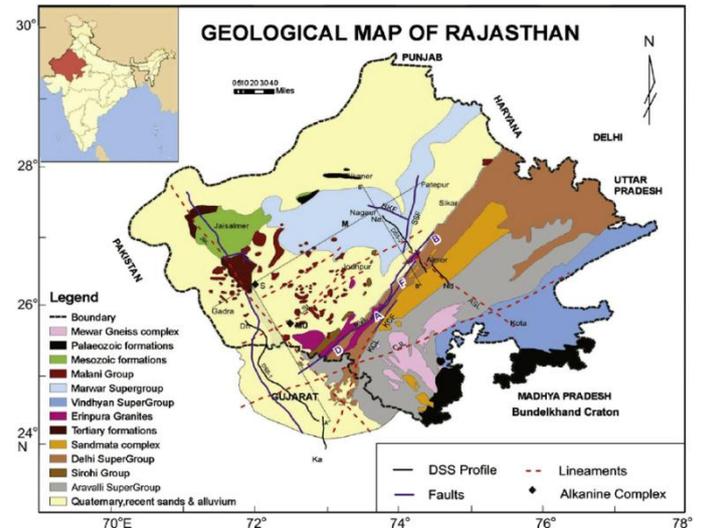


Figure 46 Geologic and tectonic map of Rajasthan
Source: Geological Survey of India, 1999.

The terrain of Rajasthan has developed over years of denudation and erosion processes and has a very mature topography. The State can be divided into two major divisions structurally along the Aravalli range which cuts the state into East Rajasthan and West Rajasthan. These two divisions on the physiographic basis stretch into two of India's major physiographic divisions i.e. the Great Plains and the northern part of the Central Highlands respectively. The lower Vindhyan in the east and Marwar in the west are the lithological formations consisting of a thick series of sedimentary rocks composed of sandstone, limestone and shale.

Rajasthan has a share of 9% in the country's total mineral production and is believed to have the maximum number of mining leases, both in terms of number and area (CSE, 2012). The State has virtual monopoly in the production of minerals like Lead, Zinc, Gypsum, Soapstone, Ball Clay, Calcite, Rock Phosphate, Feldspar, Kaolin, Copper, Jasper, Garnet, Wollastonite, Silver, etc. There are also huge reserves of Lignite,

Crude Oil and high quality Gas as well as deposits of Marble, Sandstone and decorative stones in the state that are being extracted commercially. Presently there are 3 Smelters, 23 Cement plants, a number of thermal power plants, a float glass manufacturing unit and thousands of mineral processing units and other mineral based industries operational in the State. In 2002, the Supreme Court had ordered the Rajasthan government to ban illegal mining in the Aravalli hills⁵² in response to a PIL filed raising the concern of damage to the Aravallis and disturbed ecology of the region. In 2014 SC reprimanded the State government again for its inability to curb illegal mining in the Aravalli hills. The State government looks at illegal mining as a mere matter of “demand and supply” and the solution has been granting of leases.



Figure 47 Sandstone mining in Jodhpur

Rajasthan has in turn seen a subsequent rise in the number of mineral concessions since the year 1960-61 when the total number of mineral concessions allotted was 5,713 (500 major mineral leases, 806 minor mineral leases and 4,407 quarry licences), which increased to 33,375 (138 major mineral leases, 15,136 minor

mineral leases and 18,249 quarry licences) in 2014-15. There are 74 Prospecting Licences (PL) in operation currently. (Rajasthan Department of Mines and Geology)

The boom in mineral production and revenue accrued to the State post 1990-1991 was a systematic change brought about by the introduction of the National Mineral Policy in 1993. The National Mineral Policy of 1993, opened the entire mining sector for private investment including foreign direct investment. In 1994, the earlier restriction of 40% on foreign equity was also removed permitting even 100% foreign equity, the company was only required to be registered in India under India’s corporate laws. Significant changes in the regime were brought about after 1990s to increase the contribution of the mining sector in the country’s GDP. For instance “Automatic route” for foreign equity participation up to 50% was introduced in 1997, where companies mining certain minerals were required to go through only the Reserve Bank of India and not seek any Government approvals. of mining in tribal areas as a necessity to boost the growth of mining industry in Rajasthan.

It is worth noting that Mining contributes only 4% to Rajasthan’s Net State Domestic Product and provides direct employment to about 7-8 lakh persons and indirect employment to about 22-25 lakh persons in the State. Agricultural sector has seen a subsequent decrease in productivity in the past decades due to extreme erratic conditions and the increasing mining in the state has been substantiated by an equally increasing inflow of labour. These factors are crucial

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<http://timesofindia.indiatimes.com/city/jaipur/SC-pulls-up-Rajasthan-for-failing-to-curb-illegal-mining/articleshow/37817018.cms>

to understand the dependence of such a huge work force on mining and also call upon the State's role in addressing this severe gap in its comprehension of 'growth' and 'development'.

There have been social movements across the state addressing major issues related to mining. This report will in detail present the movement led by a grassroots activist, Bansilal Bhinjana. Bansilal Bhinjana led a ground breaking movement for compensation for workers suffering due to silicosis and to those deceased due to silicosis.

Introduction

Bansilal Binjhna is an amalgamation of ferocity and mischief that reflects in the textured soil of Rajasthan, ruthless and full of surprises. He was born in Rohitho ki dhani a small hamlet at the outskirts of the famed city of marbles: Makrana, in an ex-service man's family, who after retiring from service worked in the mines as a labourer, reflecting the historical scarcity of livelihood avenues in the region and desperation of the people to make ends meet. Bansilal keeping with the necessity of his household, like many others in his village, started working as a worker in the Makrana mines at the young age of 16. In 1992 he began working as a private teacher to support his family. Following this he worked as a truck conductor in marble transportation trucks. He then joined the Makrana mines as a mine laborer. During this time he met with a major accident, but he did not possess any medical insurance. Following this he decided to form a union to demand the workers' rights. The Marble Mazdur Union was formed. Later he worked for a UNDP project which writing about the history of

fifteen villages- Dildani, Mangalana, Gudda, Develikhodat, Charnas, Dukalia, Ronija, Khokar, Addani, Khidarpura, Kinsaria, Gangwa, Shampura, Kalkalo ki Dani, Baddagaon in the Jodhpur district.



Figure 48- Marble Mines in Makrana

Bansilal recounts that accidents were a common place those days as the mines would collapse claiming hundreds of lives each year. For the desperate masses living in the historic city of marbles, famed for giving shape to Taj Mahal, extracting the treasure below for the rich and greedy has been the only reliable source of sustenance. Bansilal grew up watching the atrocities of the Mine owners and contractors who were often not held accountable for the deaths and accidents met with during work. Solidarity of the workers and an assertion of their rights was a desperate necessity of the times and he found himself inclined towards the desire to mobilise and unionize the workers early on. Rajasthan State Mine Labour Union is a culmination of that desire with its materialization in 2009. The union at present comprises of fifteen thousand mine workers from Jodhpur, Jaisalmer, Bijoliya, Makrana, Nagaur, Ajmer, Badmer, Bikaner, Churu, Kota, Bundi, Udaipur, Tangorpur, Baswada, Pratapgarh, Jaipur and many migratory workers from the rural interiors of Rajasthan.

Ever since its conception, the Union has been working meticulously, organizing dharnas, rallies and bandhs, in Jodhpur and other parts of Rajasthan in order to bring the concerns of the mine workers within the State's frame of attention. In 2005, Bansilal Bhijna aligned with the Mine Labour Protection Campaign to raise the call for due safety equipments like helmets, masks, boots and gloves to be made compulsory for mine workers. Since 2010 Rajasthan State Mine Labour Union has been working for the recognition and compensation rights of Silicosis and asbestosis patients and handicapped labour.



Figure 49 Families of the deceased due to silicosis protesting for compensation

Challenges for the people and Bansilal's role in the Struggle

Bansilal Bhinjana became a part of the larger movement of the mine workers out of the sheer necessity to hold the State accountable for the deplorable condition of the mine workers, a huge majority of which belong to the scheduled castes and scheduled tribes. A 2005 ILO working paper suggested as many as 95 per cent of the labourers in Rajasthan's mines were members of Scheduled castes and

Scheduled tribes⁵³. Harassment of workers by the mine owners and contractors was rampant which brought about the need to organize the mine workers, to assert the need of identity for the mine worker and then call on the State to take due recognition of that identity. The lack of documentary evidence of identity or employment also made it impossible to hold anybody responsible in case of human rights violations, the Union thus plays the vital role of registering workers in government records, and providing support and solidarity. Bansilal maintains that the Mine workers, marginal farmers, daily wage labourers are a workforce at the crux of our economy, the most essential building blocks of this façade and yet they are the most oppressed because of a lack of recognition from the State, and in turn a cause of the lack of systemic mechanisms that ensure their upliftment.

The mine workers work in extremely harsh working conditions without the basic facilities of clean drinking water and toilets around the mines, which is mandatory under the Mines Act 1952, section V subsection 19 (1) and Section V, subsection 20 (1). The wages are also precarious, as they are often calculated at piece-rate basis, which means that the labourers who are physically stronger (usually young male workers) have a greater earning capacity than other workers. Older workers, who are already afflicted with musculoskeletal disorders caused by decades of gruelling physical labour, earn considerably less. Women are systematically relegated to the lowest-paying jobs. This discrimination in pay,

⁵³ ravi s srivastava, 'Bonded labor in india: its incidence and pattern' (ilo Working paper no 43, april 2005).

also adds to the layers of oppression that the workers experience, along with no formal contracts trapping the workers in a state of vulnerability. A study conducted by the Corporate Accountability Research⁵⁴ this year brought to light that there are as many as 3,75,000 child labourers in Rajasthan's mines and claims that a significant proportion of child labour is bonded. These human rights violations are prevalent in Rajasthan because a lack of law enforcement. No due diligence or timely inspection is carried out by the government, which has only aggravated the scores of issues faced by the workers.

In 2005 owing to the degrading health condition of the mine workers and extremely high injury rates, Bansilal led an organized protest calling for the compliance of occupational health and safety standards in all mines, Bansilal led the mine workers' protest for compulsory allocation of helmets, boots, masks and gloves. Silicosis a fatal but preventable lung disease caused by the inhalation of dust containing crystalline silica, is a devastating health problem extremely prevalent among workers of stone quarries in Rajasthan. Radiological investigations conducted by the Indian council of Medical research found that 56 per cent of mine workers in Rajasthan are affected with silicosis or silica-tuberculosis. If these numbers are indicative of the general incidence of such diseases, then at least eight lakh workers in small mines and quarries might be affected just in the state

⁵⁴ Samantha Balaton-chrimes, Shelley Marshall and Kate Taylor. 'Rajasthan Stone Quarries: Promoting Human Rights Due Diligence and Access to Redress in Complex Supply Chains' (Corporate Accountability Research, 2016)

of Rajasthan.⁵⁵ This can be prevented by the adoption of wet drilling and due protective gears to be made compulsory in stone quarries. Since 2010, the union has been demanding redress for silicosis patients, part of which was attained when the Rajasthan State Human Rights Commission took a suo moto cognizance of the issue, recognizing silicosis as a notified disease under the Rajasthan Epidemic Diseases Act, 1957 on January 22, 2015, wet drilling was also made compulsory along with a promulgation that an ex-gratia payment of 1 lakh would be given to the recognized silicosis patients and 3 lakhs (if deceased) through the Rajasthan Environment and Health Administrative Board (REHAB). Pneumoconiosis boards were opened in each of the 33 districts for the check up and recognition of silicosis patients.

⁵⁵ Kuntala Lahiri-Dutt, 'digging to survive: Women's livelihoods in south asia's small mines and Quarries' (2008) 15 South Asian Survey 217, 231 ('digging').

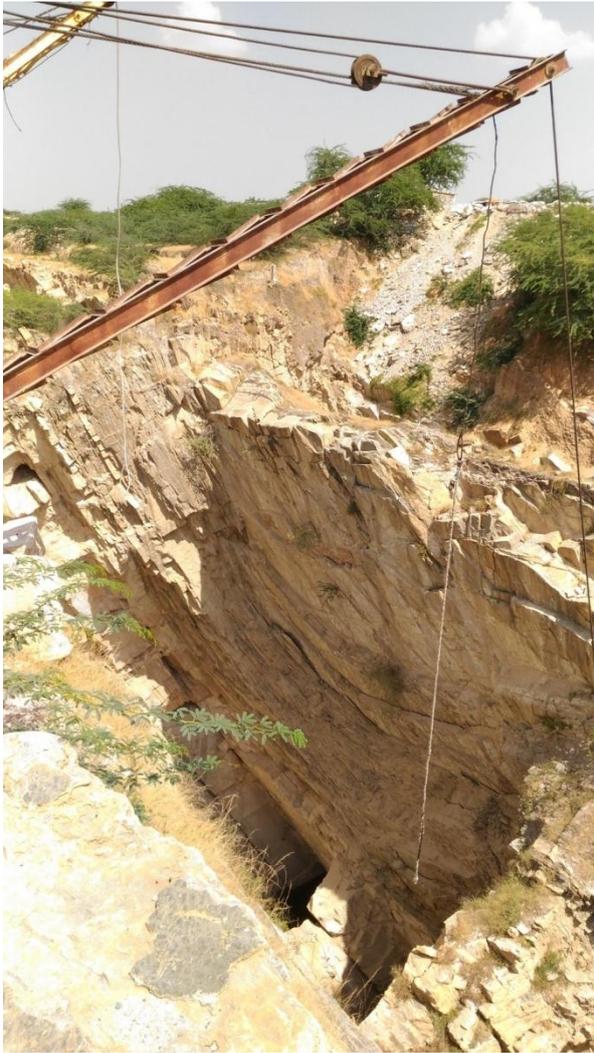


Figure 50 Marble mines in Makrana in operation even after reaching the maximum depth.

Bansilal asserts that though the compensation amount of 1 lakh and 3 lakhs is a welcome effort made by the government, but it is hardly a fair compensation. For Loona Ram, 43 a resident of Kali Beri in Jodhpur, the one lakh rupees granted by REHAB is barely sufficient to ensure the food security for his five children and sustain household expenses for long, in the state of his incapacity to earn any longer.

Baluram Rao and Tipu devi are husband and wife and residents of Sodho ki dhani, Jodhpur with four more mouths to feed;

they were both identified as silicosis patients and ever since even receiving the certificate of recognition from government medical boards has been a tedious affair and then the compensation amount only provides a brief temporary relief and in no way seems a fair compensation that may be put to use to better one's living condition. Kiran Rathore,²⁰ worked for 4 years in the Gangana mines of Jodhpur and was the youngest silicosis patient we interviewed, she was recently married and with the looming burden of deterioration capacity because of silicosis, was undergoing extensive treatment from Jaipur for the last one year. Silicosis is an irreversible disease, the compensation granted only ensures that Kiran may elongate her life a few years but does not ensure longevity to such a young life. Bansilal claims that the government needs to take due recognition of the limitation of the compensation amount, and asserts that the complete amount of 4 lakh rupees should be granted to silicosis patients so they may also use it for investment in productive purpose and ensure security once the relief amount is consumed.



Figure 51 Silicosis Patients

It is worth noting that silicosis is recognized as an occupational disease under Employees Compensation Law 1923, which gives a “factor” for working out the compensation, based on the worker’s age and monthly wage, the onus falls on the worker to establish that they had worked for a particular employer but then requiring the employer to pay the due compensation, which if computed taking the younger the age of the worker and monthly salary of the worker till old age along with the “factor” (a multiplier taking market prices in to consideration) makes for a much larger compensation amount than a mere 1 lakh to the living and 3 lakhs for the family of the deceased patients. The standard compensation amount does make it easier for the government to allocate funds, but also fails to do justice to the very tangible issue that silicosis is for the mine workers. Looking at the several subjective realities of silicosis patients and their dire circumstances, the compensation amount looks like a mere face value redress, without actually addressing the crux of the problem.

Bansilal has also been raising the call for greater social security for the mine workers with the need to establish a welfare fund that is put in use for socio-economic betterment of the mine workers and their children. The District Mineral Fund introduced recently by the government and yet to be executed is a ray of hope for him. Rajasthan Mine worker ssangh union and sanstha samanvay samiti was formed in Dec 2016. The union was formed for better connectivity in the whole state of Rajasthan. The demand was to provide oxygen cylinder in the mines. He wants the union to be alive and to take care of the family. He needs financial support.

Some questions to think over

Bansilal and Rajasthan State Labour Union present a real picture of what makes the mining industry what it is, much more than just production and numbers for the economy, but a real desperate source of survival for the desperate oppressed masses. The State government talks about increased ‘development’ of mining sector in its Mineral Policy of 2015, extending the land under mining from 0.5% to 1.5% and extraction of number of minerals from 57 to 79, but fails to address the question of ‘development’ for those that make up the workforce of this sector. And what is the meaning of development of an industry, in which those that labour get further and further oppressed? What is ‘development’ really?

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