MINING AND LOCAL RESISTANCE:

A STUDY OF ANTI-MINING MOVEMENTS IN ODISHA

Thesis submitted to the Jawaharlal Nehru University

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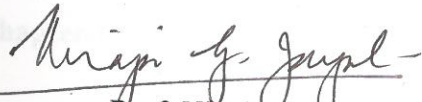
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DECLARATION

I hereby declare that the thesis entitled *Mining and Local Resistance: A study of Anti-mining Movements in Odisha* submitted by me for the award of the degree of Doctor of Philosophy of this University is my original work. This thesis has not been previously submitted for any other degree of this or any other university.

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ABBREVIATION

BALCO-Bharat Aluminium Company Ltd

BBJM- Bistapan Birodhi Jan Mancha

BJP- Bharatiya Janata Party

CEC- Central Empowered Committee

CPI- Communist Party of India

CPM- Communist Party Marxist

CRPF- Central Reserve Police Force

CRZ- Coastal Regulation Zone

EIA- Environment Impact Assessment

FDI- Foreign Direct Investment

FRA- Forest Right Act

GDP- Gross Domestic Products

GNP- Gross National Product

GOI-Government of India

GSDP-Gross State Domestic Product

GSS- Gana Sangram Samiti

GSYP- Gandhamardhan Surkasha Yuva Parisad

HNSS- Harishankar Nrusinghnath Surakhya Samiti

IDCO- Industrial Development Corporation of Odisha

INC-Indian National Congress

JMACC- Jharkhand Mines Area Coordination Committee

JMM- Jharkhand Mukti Morcha

KBK-Kalahandi Balangir Koraput

KNSC- Kalinaganagar Surkhya Committee

KSSS- Khandadhar Surkhya Sangram Samiti

MFP- Minor Forest Product

MoEF- Ministry of Environment and Forestry

MoU- Memorandum of Understanding

MPSS- Mali Parbat Surkhya Samiti

MTPA- Million Tonne Per Annum

MW- Mega Watt

NALCO- National Aluminium Company Ltd.

NEAA- National Environment Appellate Authority

NMET-National Mineral Exploration Trust

NMP- National Mineral Policy

NNM- Nav Nirman Samiti

NNMP-New National Mineral Policy

NSDP- Net State Domestic Product

NSS- Niyamgiri Surkhya Samiti

OBC- Other Backward Caste

OMC- Odisha Mining Corporation

PKSS- POSCO Khatigrasth Sangrasha Samiti

PML- Proposed Mine Lease

POSCO- Pohang Iron and Steel Company Ltd

PPSS- POSCO Pratirodha Sangram Samiti

PSSP- Prakutik Samapad Surakhshaya Parishad

PUCL- Peoples Union for Civil Liberty

REIs- Resource Extractive Industries

SC- Schedule Caste

SEZ- Special Economic Zone

SIIL- Sterilite Industry (India) Limited

SPCB- State Pollution Control Board

ST- Schedule Tribe

SUCI- Socialist unity Centre of India

SVP- Sukinda Vikas Parisad

TISCO-Tata Iron and Steel Company

UAIL- Utkal Aluminium International Ltd.

UNDP- United Nation Development Programme

VAL- Vedant Aluminium Limited

WII- Wildlife Institute of India

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INTRODUCTION

Minerals are amongst the important resources around which today we see conflicts taking place all over the world. Different mineral based projects are facing the problem of local resistance. Resistance to two large-scale mining projects is the subject matter of the present study. Both the cases are from Odisha. First one is in Lanjigarh of Kalahandi district and the second one is in Sukinda of Jajpur district. In both the cases, various actors are involved in opposing mining projects, which they considered that it will take away their livelihood sources and destroy their environment and culture.

India is a country with rich mineral resources. It has a vast mineral reserve, and it ranks top in some key mineral productions like coal, iron ore and bauxite. But its mineral potential has not been tapped completely. Many more important mineral reserves are yet to be explored and extracted. Most of these minerals are found in the regions covered with green forests and river systems and inhabited by poor and most marginalised population (mostly scheduled caste and scheduled tribes).

Mining is not only about mineral exploration and extraction. It also involves displacement mainly involuntary displacement of tribals and other marginalised sections of society and complex socio-economic and environmental challenge. Natural resources, peoples' existence, identity and livelihood are at stake. Mining is core to industrialisation and consequently for economic growth and development of the country. The development model or process in which minerals and mineral extraction played a crucial role were once hailed as the panacea for all human pain and suffering now is in question. Mining has far-reaching impact on people and nature. The development goal is fulfilled by optimum/maximum use of natural resources, which destroy ecological balance and resources are diverted from the needs of the poor and marginalised, which leads to further marginalisation and impoverishment of these people. However, this process of marginalisation and impoverishment is not going unchallenged. The environmental movement, anti-displacement movement, human rights movement, anti-mining movement, etc., have emerged as challenges to the development process. The relationship between development and mineral industry is providing context for the emergence of these movements (Bhusana 2008).

This different claim and ways of using these resources is creating conflicting situation. This conflicting claim on mineral resources is not only interrogating present development model but also creating the condition for the emergence of anti-mining movements. As mining involves a variety of issues like livelihood, environment, culture, public health, quality of life, human rights etc., it is important to understand the complexity of these conflicts. The nature of these anti-mining movements is not the same. In Lanjigarh the resistance is for the conservation of nature and it aims at protecting the traditional livelihood sources and cultural practices. So it is more of a movement for livelihood interwoven with identity. On the other hand in Sukinda, the resistance is for the rational and sustainable use of mineral resources based on the principle of socio-economic equality. This study will try to understand why a particular course of action has been taken in particular context and not in other. The present study seeks to understand connection or continuity between the development model followed by the Indian state and its policy of liberalisation. Once this continuity has been established, the study tried to analyse or understand people's (response of poor and marginalised class) response to this policy of liberalisation and globalisation. The anti-mining movement as part of new social movement are writing the history of so-called others. Anti-mining movements are responses of other class (poor, marginalised, and tribals) to the policy of liberalisation. After connecting the development process with liberalisation, the study proceeds to show how liberalisation intensified mineral extraction and brought with its many new issues and challenges.

Statement of the problem

The eastern state of India, Odisha is very rich in natural resources including minerals. Odisha mineral reserve consists of 98% chromite, 59% bauxite 28% iron ore, and 24% coal, of total deposit in India (odisha.gov.in). So naturally, it attracts the attention of mining companies and mining based industries to the state. The state government has given large tracts of land for mining to different companies in different regions of Odisha. These regions are mostly inhabited by indigenous people. The reason behind selecting Odisha as the case study is the existence of two contrast cases. In one case one can find conflict and ultimately resistance to mining projects in the form of anti-mining movement, whereas in another case there is a near absence of

resistance to mining projects. The issue of mining becomes complicated when local or indigenous population displaced from their habitat and denied the right to participation in decision-making of management and utilisation of natural resources on which they were dependent. Inadequate compensation and resettlement policy make conditions worse and push them towards further marginalisation. These conditions result in resistance to these mining projects by locals, and gradually it takes the form of a movement.

The present study tries to understand the nature and scope of these anti-mining movements and how a progressive politics of resistance developed. A comparative study of two different cases from different regions of Odisha will help us to understand why in more backward areas of Odisha like Kalahandi, which come under mostly underdeveloped areas of India, the movement against mining is more intense and vibrant, compared to the more advanced areas of state like Jajpur. One can see in the areas lik Kalahandi, Rayagada, Koraput, Balangiri, Sundaragad (mostly western Odisha and tribal dominated areas) local people are active in resisting for their rights and livelihood. Whether it is an industrial project or mining projects (such as movement against BALCO in Sambalpur and Balangiri, anti-Vedanta movement in Lanjigarh, anti-mining movement in Kashipur of Rayagada, etc.) resistance to these projects always exists.

The other areas of state (coastal areas and areas close to coastal district) which are considered more advanced and developed compared to western Odisha, one finds movements against industrial projects (for example Anti-POSCO Movement). But when it comes to mining one finds sporadic agitations and protests but these have hardly turned into a movement of the same magnitude as those against industries. Resistance against industrial projects is very active and volatile in these areas. In case of mining one rarely hears peoples voice in this region. Areas like Jajpur, Anugul, Kendujhar and Dhenkanal (chromite, coal, bauxite, iron ore, nickel etc) possess rich mineral resources and mining is going on and new mining project are coming up. Sporadic agitation and resistance periodically makes the news but is hardly comparable with the anti-mining movements going on in other parts of Odisha in terms of magnitude and impact. So this study tries to understand how a more progressive politics of resistance was built in Lanjigarh and not in Sukinda. It is argued that the discourse and practice of resistance are differently constructed in

different socio and cultural contexts. Given this pretext the main objectives and research questions of this present study are, as follows.

Objectives

The main objectives of the study are as follows,

- ➢ To study and understand the state's idea of development.
- ➢ To study the relationship between development and mineral industries.
- ➢ To investigate people's response to these state-led development process and their interaction vis-à-vis the development process.

Research questions

In consideration of the above-mentioned objectives, the following research questions are addressed in the present study,

➢ How is the state linking mineral industries with regional development?

➢ What is the relationship between state and mineral industries?

➢ Why local people's responses to mining projects differ in different cases?

➢ How do different local groups, civil society, and state interact with each other in this process?

Methodology

The present study is based on two cases in two different regions of Odisha. This involves analysis of the mining project and resistance against it by the locals who are displaced or going to be displaced. The regions chosen are Lanjigarah from Kalahandi district and Sukinda from Jajpur district. The two cases have been selected taking into account their respective geographical locations and socio-cultural background. This comparative study will help us to understand, what the constant and variable factors in a movement are. This study will also help us to find out the unique features of particular cases.

The study is qualitative in nature, using the case study method, through which it tries to examine the reasons behind two different responses towards the mining projects. To select respondents, purposive and snow ball sampling method has been used. The study is based on both primary and secondary data. The sampling was done in two

stages. In the first step, villages and in the second step the respondents were selected. The primary sources include field work with focused group interviews, conversational and unstructured interviews with affected people, and leaders of the movement and key informants. For the secondary source of information, the study largely relied upon various published government and non-government reports, census report, newspaper clippings, journals, books and other scholarly literatures. Besides the interview method, information has been also gathered through open ended discussion with informed people of region, project authorities, social activist and educationist.

Limitation

The sampling was tilted towards males as most of the women members were interviewed in the presence of male members of the family. The distance between the mining area and the place of stay of the researcher was a limiting factor in observing the people more intensely. Access to people especially in the case of Lanjigarh, cultural biases, language and to understand the context were some of the difficulties researcher came across. View of the company and government officers were mostly drawn from local newspaper reporting available in state archives because of their non-availability and due to transfers. The sample does not claim to represent the whole universe of the study because of limited resources and time. In spite of these constraints, the study is helpful in providing insights into the matter.

This chapter explains the different models of development, how it relates to extractive industry and state's idea of development. An attempt has been made to understand the nature and genesis of anti-mining movements in the broad framework of new social movements.

CHAPTER II (MINING INDUSTRY AND MINERAL POLICIES IN INDIA)

This chapter examines the mining policies in India. It analyses these policies to find out how diverse issues such as displacement, compensation, rehabilitation, forestry, and environment, sustainability, tribal rights, accountability, and transparency and so on are addressed through laws.

CHAPTER III (MINING INDUSTRY IN ODISHA: AN OVERVIEW)

This chapter centers on the importance of mining in the state economy. It tries to find out how people look at these mineral industries as well as development.

CHAPTER IV (ANTI-MINING MOVEMENTS IN ODISHA)

This chapter consists of two parts. It explains two separate cases selected for the study. It is based on field experience, from two selected study areas. It tries to analyse the progressive politics of resistance that is being built and socio-cultural factors influence.

CONCLUSION

CHAPTER -1

A PERSPECTIVE ON DEVELOPMENT AND RESISTANCE

This chapter gives an overall view of the development debate and how the concept has been understood historically. In this context, the study provides the rationale for the country's economic development through large projects. The study points out the connection or continuity between the development model followed by Indian state and its policy of liberalisation. After connecting the development process with liberalisation, the study proceeds to show how liberalization has intensified mineral extraction and brought many new issues and problems with it. The chapter further proceeds to study about resistance movement raised by tribal, poor and other marginalized section against mineral extractive / mining industries as part of new social movement.

1.1 Context

Few subjects have polarised people throughout the world as much as globalisation. For some, it has brought unprecedented prosperity and better future and for others it has been the source of untold problems, suffering, exploitation, from the destruction of native culture and environment to increasing poverty and impoverisation. Globalisation proved disadvantageous to third world countries, especially to the poor within those countries. Today in most of the developing countries including India, globalisation is being questioned. As the benefit concentrated in few hands and those at the bottom gain little, many even suffer worse (Stiglitz 2007).

It is after the World War-I, Indian capitalist emerge as a force in the economy. In the interwar period they expanded in the lower ends of industrial structure like- jute and textile, but by the end of World War-II, Indian capitalist expanded into the higher-end sector like steel and automobiles. Though initially, Indian capitalist class nurtured a quite ambivalent attitude towards INC and national movement, later they work towards expanding their influence within the nationalist organisation. So, when India got independence they became the partner of the post-colonial state (Chibber and Usmani: 2013:204-5).

Chibber and Usmani (2013) argued socialism as the official ideology of Indian state was never designed to displace private capital. Rather it envisages a dominant role for

the Indian state. By 1985, there was a fairly open shift in the political culture of the state which not only supported private capital growth but brings it into closer proximity with policy circle. The gradual erosion of support for the planning both within and without, and the emergence of new forces both economic and political began to push for more liberalisation of the planning regime. By 1990s the bigger business houses had come to support one kind of liberalising reform- the dismantling of control and regulation on domestic investment. So internal deregulation was and had been the centrepiece of Indian liberalisation while loosening the entry barrier on foreign capital had proceeded more slowly. Thus in the early decade of this new century, the gradual relaxation of control on investment and output culminated in a tighter embrace of a market-led development path.

According to R. Nagarajan (2013), the development experience of Indian since the last six decade can be divided into two equal parts. The period of planned economic development (1951-80) when the growth rate was about 3.5%, the next period of economic liberalisation has witnessed a gradual increase rate of output growth. The first period witnessed an episode of food and foreign exchange crisis leading to change in policy from industry to agriculture and poverty alleviation. In the second-period control on investment gradually relaxed which resulted in the tighter embrace of a market –led development path after 1991. A gradual de-licencing process started in the 1980s, which led to more expenditure on infrastructure and poverty alleviation programme. The period of the 1980s saw regaining the momentum of the early phase of industrialisation. The liquidity crisis of 1991 led the Indian state to embrace an orthodox stabilisation and structural adjustment programme, which resulted in speeding up market-oriented reform and rolling back of state intervention in the economy and increasing role of the private actors. The country which was committed to socialism during last three decade turned into what may now be described as pro-business. The state and business coalition for growth well continued since the 1980s characterised Indian development model. After the liberalisation of the economy, the Indian state threw all its weight with the winner of the new economy and turned a blind eye towards those who are left behind in the process. This role of the state further contributes to the growing inequality (Kohli 2010:01-32).

1.2 Development Discourse

In the post second world war era, development as a concept became a major theme in international economic and political discourse. Development becomes an ideal for progress through increasing growth and consumption driven by public and private investment, production market[1]. Development in the present discussion deals with those approaches and strategies that concern the collective human well-being. Understandably there is no one meaning or theory of development that explains adequately and uniformly its dynamics, nor is there a universal and ideal development experience in the vast expanse of humanity. The concept of development itself, is noted, has been multifaceted and difficult to understand, leading to enormous conflicts and debates among the social scientists and development theorists. This creative tension, however, has caused many formulations of development thought and praxis. The purpose of this study is, therefore, to elucidate briefly the various meanings, nuances and applications of development theory down the ages and show its meaning and relevance today.

The general approach to development is through capital formation and saving. Development is seen as a gradual, continuous and cumulative process. All development models come under two broad paradigms of economic growth and modernization. The term economic growth is different from development. Development is a comprehensive term that implies a progressive change in the country's socio-economic structure. On the other hand economic growth refers to the rise in output. Viewed in this way economic development involves a firm decline in agricultural shares and continuous increase in shares of industries, construction, trade, banking and services to gross national production (GNP). But development is far more all-encompassing. It implies not only change in the technological and institutional organisation of production but also in the distributive pattern of income

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[1] In 1940s development was primarily driven by progress in economic growth mainly in west. Its focus was simply on transcending the problem of underdevelopment through economic growth, increase in Gross national Product and so on. In post-World War II period the debate on development revolved around modernization, dependency, human centred development and neoliberalism. Modernization theory focus on need to emulate developed nation, Dependency theory linked under development with lopsided patterns of export and imports and prescribed for import substitution and protectionism, Neoliberalsim retained the core meaning of development i.e. economic growth while how to and agency changed. Throughout the process economic growth remained as main theme of development (Amit Prakash and Rahul De "Importance of development context in ICT4D projects" in *Information Technology & People,* vol.20. no.3, 2007, pp. 262-281).

(Kindleberger 1965). The process of development is wide-ranging. Apart from the rise in output, it involves changes in the composition of output, a shift in the allocation of productive resources, and elimination or reduction of poverty, inequalities, and unemployment (Economics for Development. com).

Dudley Seer (1969) sees development much more than economic growth. We confused most of the time economic growth with development. For example rise of per capital income can be accompanied by growing cause of unemployment. So economic growth need to accompany with de-concentration of income. According to Seer if poverty, unemployment and inequality decline from a high level, then it can be called as a period of development for the country. So increase in the per-capita-income does not necessarily mean development as long as any one of these three problems exists. Fulfillment of human potential requires much more that can't be specified in purely economic terms. So Seer's approach is advocates not copying western experience but learning the right lesson and avoiding repeating their mistakes. The present development model which stress on increasing productivity and per-capita income benefit only a few. Real development is possible only when poverty, unemployment and inequality reduce.

Development as Modernization

The modern approach to development is primarily characterised by high-technology, capital-intensive, large-scale development projects like dam-created reservoirs, irrigation schemes, mining operation, colonisation projects, highways, industrial complexes, tourist resorts and other large-scale practices. This approach of development uses farmlands, fishing grounds, forest and homes for large scale uses favouring national or global interests over those people at the local level. Though this development practice was intended to spur economic growth and spread general welfare, many of these projects have left people displaced, disempowered, and destitute. People around the world Asia, Africa, Latin America, Europe and Central Asia from different societies and cultures are raising their voices against this development-forced displacement and resettlement. Displacement of people and destruction of homes and communities in the name of advancement is the fundamental problem with the present approach to development. It is now widely acknowledged that the post-world War II development strategy failed to bring intend

benefit to the society. There is a persistence of poverty and inequality in the midst of economic offence. Though it is true that there is some gain in the sphere of the social and political field but that failed to reach needy people and development is accompanied by increasing deprivation and inequality in the distribution of benefits (Kothari and Martin 2002:1-15).

Jan Nederveen Pieterse (1991) argued that the present development model has come in question both in West and East. Pieterse refutes western argument for linear, teleological and ethnocentric development path. The central argument of modernization approach is that social change occurs in pre-established pattern and its logic and direction are known. This honour is claimed by West who were advanced farthest advanced along its course. According to Pieterse developmentalism is true from the point of view of the centre of power. In reality, modernization paths of western countries differed among themselves and differed from the ideology of 'Development.' Now they are trying to give a single model of development to the third world when they themselves followed different paths of it according to their requirements. Its limit has been now clear; in the west, it is being challenged by new social movements and in theoretical terms, by postmodernism and in the south, the alternative development approaches.

Escobar (1995) argued that the present theory and practice of development is characterised by unexpected errors of cultural bias, misconstruction, and failed promises. The present practice of development is trying to replicate structures in third world countries that characterised the advanced society's i.e. high levels of industrialization, urbanisation, modernization of agriculture, the rapid growth of material production and living standards, and the widespread adoption of modern education and cultural values. Escobar further argued that the notion of the third world is misleading. This notion is produced by the discourses and practices of development and followed by West after World War II. No linear or universal economic and social development model can be objectively applied to third world countries that have diverse local cultures.

Mehmet (1996) argues that the present development model is Europe-centered and not suitable for the non-western world. The present economic development model which is Europe-centered is suffering from culture specific preconceptions. The capitalist system based on the value of individualism and maximisation of self-interest while the non-western world is based on the contrasting value of community, co-

operation and mutual help, westerners are trying to hide the diversity by calling them third world. Mehmet clearly illustrates the ideological bias of present development theory.

According to Rajni Kothari (1988), the domination of a single conception of development is a pointer to the political and cultural domination of a single region of the world over all other. Belief in a single conception of life and uniform model of development take away scope for other available cultural and historical possibilities, and consequently give rise to the world which is iniquitous and conflict-ridden, development becomes the seed of discontent and conflict. The persisting problem of inequality and gap between rich and poor in poorer nations explained by referring a number of misleading reasons i.e. population explosion, lack of achieving motivation among people, the decline in aid, regional, linguistic and ethnic division and so on whereas in reality, these are the symptoms of the more basic cause. According to Kothari a corrective to this development can only come from other worldviews and it must not limit itself to development policies. It should entail a vision of society, polity and evolution of the human community as a whole.

Amartya Sen's (1999) understanding of development is radically differing from mainstream thinking of development, which focused on economic growth, technological advancement and industrialisation. Development is all about enhancing people's freedom. It is both an end and means. Sen argued that by improving or enhancing people's access to healthcare, education, political participation, social safety and human right, people's capabilities and well-being can be improved. These changes can be possible even without substantial increase in gross national product/ per capita income. This does not mean that Sen denies the importance of free market and economic growth; rather he argues freedom to engage in the market transaction as fundamental to the promotion of development. So according to him, development can be achieved within the present capitalist system by enhancing people's capabilities and broadening their choices. There is a strong interconnectedness between economic, social and political freedom in promoting development and it is possible only when a series of unfreedom like poverty, lack of health access, illiteracy, and discrimination based on social and gender ground can be removed. Development is concerned with the broader notion of human well-being.

Arjun Sengupta (2002) defines development as a human right. The right to development refers to a process which is participatory, non-discriminatory,

accountable and transparent with equity in decision making and sharing benefit of the process. Development does not mean only the economic development i.e. increase in gross domestic product, industrialisation, an impressive growth of export industry etc., it also includes cultural, social and political development. Development centred on the concept of equality and justice, poor and deprived having their living standard raised and capacity to improve their position strengthened. Economic growth accompanied by increasing inequality and concentration of wealth, without environmental protection and respect for human rights can't fulfil the right to development.

Pramod Parajuli (2007) argues that the present development discourse represents a relation of domination and subordination between the first (west) and the so-called third world. The present development scheme peripheralised the third world both in theory and practice. The third world has been excluded from the formulation of development theory, and its knowledge has been discarded as irrational and inferior and as a region of unconscious and source of fantasy. The hegemonic model of development which is based on modern technology and communication is destroying the third world environment and transforming everyone into a consumer. The above studies suggest that development persists to be defined by those who have the power to implement ideas and for whom it's the way that helps in productive forces of economies and supporting infrastructure to be improved (Oliver Smith 2010:01-05).

Is sustainable development an alternative?

The problem of present development model tried to be solved by advocates of sustainable development. The concept of sustainable development proposed in WCED meeting by The Brundtland Commission titled '"Our Common Future". The Commission then defined sustainable development as development that meets the needs of the present without compromising the ability of future generations to meet their own needs (WCED1987: 2,43). The concept has been interpreted differently for economist preserving resources for future generations, for environmentalist preserving nature, for traditional communities' source of livelihood (Fernandes 1995:29-30, Sharma 1978:62).

According to Srivastava (2011) sustainable development emerged within the paradigm of mainstream model of development that advantaged economic growth

over all other considerations in addition to its anthropogenic bias. The basic idea behind the concept of sustainable development is fairness for the future, to leave for the next generation a similar or better endowment of environmental resources than which we have inherited. In a broader sense thus it invokes the principles of justice and equity, both inter-generational and inter/intra-state. Escobar looks at sustainable development movement with cynicism, its proponents supposedly being concerned not so much with the ultimate fate of the environment as using the environment in ways which will maintain ever- increasing levels of material production. A major issue with this approach is that it believes that only minor adjustment in the market system is needed. And an environmentally sound development can be possible without going for a fundamental change.

The modernization theory which had universalistic implication is being challenged by alternative paradigms. The capitalist model of development was seriously criticised when it failed to deliver expected result; alternative theories like underdevelopment, dependency, the world system, and feminist, post-colonial theories are forwarded. Due to failure of early Eurocentric development theories to replicate experience of west in developing world new paradigms were evolved from the latter's perspectives. But the industrialization remained center of approach. As argued by Kothari and Minogue (2009) these alternatives have not remained alternative in the real sense for a long time. Many of these alternative approaches to development have been successfully absorbed by the conventional approach of development. To some extent post-colonial and environmental theorists successfully explained how further growth on the same line of modernisation is going to threaten human existence and planet but seems to fail in giving an alternative idea of development. All though the approaches successfully exposed lacunas of present development model but failed to give a viable alternative to it. A review of the application of the major development theories in the Indian context has revealed the inability of any one theory to address fully the complex socio-economic situation of the country, and the lack of an alternative theory of development that would be more holistic and relevant to the country.

1.3 Indian Development Strategy

As it is clear from the above review the post-world war development model regard industrialisation as an indispensable part of it and sometimes equate development with industrialisation. It is important to know what role the state is playing in this process. The developing world did not evolve in a natural way; its structure was imposed by the colonial power to promote the post-colonial idea of development and progress. The modern state was recognised as the only legitimate agent of development. The development discourses mandate the state to unify national economy to establish a common market and to impose linguistic and cultural norms (Parajuli 2007: 258-84). In independent India, it was believed that industrialisation will bring an end to all our miseries and will foster an era of prosperity and bring development.

When India got independence, the economy was in doldrum due to long years of colonial exploitation, partition, and communal carnage. Impressed by the success of Soviet economy under planned development, independent India adopted the path of the state centred planning in a mixed economy set up to accelerate the pace of economic development (Ota 2010:3). It was already decided before independence with near unanimity to develop India by industrialisation (Chandra 1989:15). Foundation of independent Indian economy almost based on consensual view on many major issues like the state should be given direct responsibility for development, vital role to be assigned to the public sector, development of heavy industries and the need for economic planning (Singh 2013:3.2).

The government of the time to achieve high growth rate opted for the industry to be the prime moving force of the economy. There is almost no presence of infrastructure like power, transport, communication for the industry, negligible present of industry like iron and steel, cement, coal, oil refining and electricity, lack of capital for investment, lack of skilled manpower, lack of technology, absence of entrepreneurship, and absence of market for industrial goods etc. On the other hand, the country was having the resource of fertile land fit for cultivation and human resource which does not require any high training. But it was already decided by dominant nationalist leaders' way back in the 1930s that industry will be the leading force of economy (Ibid 2013). So far as the problems of poverty, unemployment and income distributions were concerned, these were given secondary importance. It was

believed that rapid economic growth could take place and the cumulative gains from the growth of GNP would automatically 'trickle down' to the poor in the form of increased employment and income opportunities (Wingaraja 1993:8). Indian state's adpotation of mixed model of development where industry was chosen as prime moving force has been analysed differently by different scholars. Most of them argued and explained the adaptation of mixed model of growth with bourgeoise character of Indian state.

Indian State and Industrialisation

Sudipat Kaviraj (1988) regards Indian state as a bourgeois state, which has adopted a capitalist strategy of economic growth to ensure its control over society. Kaviraj gave three reasons for bourgeois nature of India state, one because of dominant position enjoyed by capitalist class or coalition of classes, second as the parliamentary form of government as being historically bourgeois and lastly the state expressing and ensuring the dominance of bourgeois by the means of state-directed economic growth and partly by allocation of necessities.

For Nayyar (2007) in India's strategy of the economic development, the state was given a strategic role in development because the market was not perceived as sufficient to meet the aspiration of industrialisation. State intervention was aimed to create the condition for the development of industrial capitalism. Industrialisation was thought of as synonymous with development. Later after liberalisation of the economy, the role of the state has been substantially reduced in the process of economic development. Nayyar describes this move from the state- led capitalism to a world of market-driven capitalism.

Bardhan (1984) argued that state does not always act as an agent of propertied class; rather it has its own agenda as well. In developing countries where private capital markets and insurance markets are extremely inadequately developed, the state plays an important role in providing capital and underwriting the risk involved in the large initial investment. State intervened to promote national economic development, in the process; it exerted great pressure on property class. The autonomy of Indian state reflected more in regulatory than its developmental role. Bardhan identifies three propritary classes, i.e., the industrial capitalist class and the rich farmer and the

bureaucracy or professional in the public sector who competes and aligns with each other to influence relatively autonomous Indian state policy.

Vanaik (1990) identifies two dominant classes, i.e., the agrarian bourgeoisie or rich capitalist farmer and industrial bourgeoisie or big capital existing in the Indian state. Both the bourgeoisie class enjoying a considerable degree of legitimacy competing to tilt or extend influence over state ruling coalition in its fever. The State is acting both as a mediator and a participant in this competitive struggle for power and allocation of resources. Though class constraint exists, but the state enjoys an independent authority and prestige.The Indian state have committed to increasing its own power and authority by closely working with the bourgeoisie.

Around 1980s Indian economy slowly adopted a new model of development instead of statist model of development. National politics turned to be more pro-capitalist, with great emphasis on economic growth and close cooperation developed with business groups. In 1980s state abandoned its left-leaning, anti-capitalist rhetoric and policies prioritise economic growth and slowly but progressively embraces Indian capitalist as the main ruling ally. Kohli (2010) called present development model as the pro-business model of development, where the state is managed by narrowing ruling alliance. This poses a major political challenge to Indian democracy in accommodating the struggling and excluded masses.

Chibberr and Usmani (2013) refute the perception of Indian business having been dominated by the state, first by the colonial master who favoured European enterprises and then by the Nehruvian regime, which viewed the state as the dominant player in country's domestic political economy. It is normally believed that after the liberalisation in 1991 the businesses were able to acquire real power. But they explain how Indian state was committed to the growth of its capitalist class since the onset of independence in 1947, how planning apparatus model adopted after independence was meant to aid capitalist development and to advance their interest. So the alliance between the state and capitalist is not new to the era of liberalisation. It is a transition from a state- led development model to a more liberalised one.

Sinha (2010) rejected the conventional view that the state harmed private sector growth, and argued, in reality, the state-led development in India (1947-90) facilitated the rise of promising and new business class. It provided credit budget support and provided background for private capital by developing and laying the massive infrastructure of the modern industrial economy. After the 1990s when Indian state

adopted the new economic policy, the business group and state came closer and developed a mutually beneficial relationship. The Indian companies and industrial actors realised the need of a strong state to defend and ensure their term on which to compete globally, and the state also sought to legitimise its international negotiation by increasing interaction with industrial actors. Globalisation provided stimulus and situation for changing state and business class relation.

Chakravarti (2012) argues that violence is inherited in the governance of Indian state with regard to question how it deals with "fault line"[2] in the polity. The violent intervention of the Indian state in the fault line (between industrial capital and local populations in the mineral belt in central and eastern India over the acquisition and use of natural resources) runs against the conscience of the Constitution and a clear violation of fundamental right and directive principles of state policy. The conflicts between the holders of mega-capital and local populations (mainly Adivasis) in the mineral belt, covering states such as Chhattisgarh, Jharkhand, and Odisha, are a major test for the commitment of the Indian state to its own constitution i.e. the fifth schedule which accept vulnerability of Adivasis and give protection to them, the 73rd amendment (1992), which vests the gram sabha with the power to restore to an affected Adivasi land unlawfully alienated from her/him. Ironically Indian state acting disdainfully with these provisions actually collaborated with super profit driven companies seeking to exploit the mineral resources of the region. By branding these Adivasis as Maoist, state adopted shortcut to launch a full scale military offence against them. The practice of violence by the Indian state against its own people, either directly or in collusion with private actors, all essentially reveals the criminal character of Indian state and disregard for the constitutional rights of large segments of citizens. A volcano of popular discontent is the inevitable outcome of the greedy invasion of private capital into the lives of the people. The Supreme Court described the response of the state as "muscular and violent statecraft".

The post independent strategy of development failed to achieve a substantial result in development front. As a result, the benefits of economic growth have not percolated down to the vast majority of the people and this model of development has disadvantaged more people. What happened, in reality, is that a substantial part of the development gains were cornered by the thin upper crust of society consisting of

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[2] Chakravarti used the term to cover deep-rooted conflict in a society arising from fundamental difference over material interest and ideological issues.

those who controlled the means of production and a new parasitical class grew around it. While the core directing the new economic activity reaped tremendous advantage, the periphery remained untouched. The latter comprised the masses that were at best minimal beneficiaries of the development (Dube 1976: 69).The disappointing Indian economic performance lies in her lacklustre growth for a quarter of a century and inability to remove poverty. The disappointing growth rate has seriously handicapped the alleviation of poverty in India. The development strategy has overemphasised growth and increases in GNP at the coast of social progress. The failure of India on the front of poverty alleviation is not due to the only overemphasis on growth but also due to the inadequacy of growth itself.

Chakravarty (1989) argued that pre-independence debate of India's development centred on the Gandhian approach and the modernising approach of Nehru. The Gandhian approach has been never discussed seriously either by the mainstream economist or by its left wing critics. Both left and the mainstream school accepted commodity centred approach. In the case of India, the principal actors of development are capitalist and development bureaucracy. The Indian state was thinking of development in incremental terms. A modern, capital-intensive industrial sector side by side with private agriculture, with private industrial sector confined to relatively labour intensive and light consumer goods. The industrial process had ignored important issues like effective land reform; it means the agrarian transition was left largely incomplete. The planner's strategy boiled down the traditional thesis of economic development that during the early phase of industrialisation, agriculture contributes to build up industrial sector by providing cheap labour and food. Industrial development of the country has been highly uneven. The average per-capita product of rich state is nearly three-time high compared to the poorest one. In other word areas of rising economy is well accompanied by stagnating economic zones. Chakravarty argues that in a large and heterogeneous country like India a spatial trickle down strategy is unlikely to work. A systematic integration of regional planning and sectarian planning will strengthen the process of attainment of goal growth with equity.

Bhagawati (1993) believe the planner at that time has underestimated the role of health, nutrition, and education. Bhagawati is very critical of post-independent India's development policy. He believes the disenchantment with India's development policy is due to its inadequate performance and from widely shared and justified perception.

He refutes the perception that preference of democracy has any relation with low economic performance and critical of post independent development policy for its preoccupation with growth.

N.G. Jayal (2007) argued that the model of development adopted by Indian state with the core objective of a higher economic growth is "economically inequitable, environmentally unsustainable, and politically less than democratic." The cost benefit analysis which is purely economic and technical failed to identify who are the real beneficiary and on the other hand who are suffering. The development model which is justified on the ground of 'public purpose' and by the cultural argument of 'national mainstream,' needs an urgent fine tuning. Moreover, the definitions of 'public purpose' and 'national mainstream', under which the model is defended, are ambiguous without any clear-cut meaning.

Acoording to Devesh Kapur (2010) Indian economic policy which changed in 1991 liberalise both in external and internal front accelerate the rate of economic growth. On external front steps like economic liberalisation, export incentive, more levelling of exchange rate contribute to productive efficiency. In the internal front the freeing of several sectors for private investment, and investment licensing helps faster industrial growth. In spite of this economic growth, the state failed to provide basic services, which led to reduced life chance for many poor citizens and increased inequality. This has created space for 'uncivil private actors' like the radical religious group to radical left movement and the Maoist. With these issues, several other issues like conflict over natural resources, migration from rural to urban, political community and role of media and the easy making of money in political office and lack of accountability led to the emergence of 'crony capitalism.'

R.Nagarajan (2013) explain India's development story as growth with rising inequality, modest poverty reduction with minimal gain in human welfare and more polarisation. Fruits of economic growth have been unevenly distributed. Economic inequality has been widening despite growing political participation and constitutionally mandated social inclusion.

This short review on development experience of India presents a scenario of a growing unequal society. The development approach which is capital intensive, high technology and based on resource extraction is intensifying economic disparity and social inequality. The reform programmes under the new economic policy, seem to be aggravating this division.

1.4 Mining and Resistance

The industrial sector in Indian is consisting of three sub sectors, among them mining and quarrying sector role is crucial from economic development point of view. As it provide vital raw material for industrial sector. An appraisal of the Indian development experience by taking into consideration of the issue of displacement and re-location caused by mineral based industries is the central theme of this section. This section seeks to analyze the concept of development in the context of vulnerability in mining induced displacement. It takes the possible impact that mining projects is having on society and on human livelihoods. It also helps to explain the spontaneous reaction, which is fuelling among social groups in dfferent parts of India in general and particularly in Odisha.

India is a land with rich in natural resources. Its land, mountains, forest, rivers are full with mineral wealth. In the modern time, mineral plays a very crucial role in development. The history of mineral industry in India is as old as its civilisation. Its past can be traced to as far as 6000 years back or as so. The recorded history of mining goes back to 1774 when an English company was granted permission for mining coal in Raniganja by East India Company (dgms.net/mining industry.htm). After the independence of the country, the impetus to the mineral development was imparted, when its role was realised in nation building. Realising its significance, the industrial policy resolution was promulgated in 1956 to develop industries such as steel, power, fertiliser, cement, non-ferrous metals, etc., which required increasing quantities of minerals. The state has time after time and in a pragmatic manner opened up the mineral sector to steer private investment and infuse funds, technology, and managerial expertise. Finally, the sector was opened for the foreign investor in 1993 after the liberalisation of Indian economy.

In India 80 per cent of mining is done in coal, other 20 per cent in various metal and other raw materials. Of the 89 minerals produced in India, 4 are fuel minerals, 11 metallics, 52 non-metallic and 22 minor minerals. India is the largest producer of mica, third in production of coal, lignite, barites and chromite, fourth in iron ore, sixth in bauxite and manganese ore, tenth in aluminium and eleventh in crude steel. These data shows that a mineral industry plays a significant role in Indian economy (asa.in).It is clear from the above figure that Indian state has a huge deposit of natural resources, which is a big asset and indispensable for industrial development.

There is no point of disagreement that mining is core to industrialisation and crucial for India's economic growth. But it is also true that it is a contentious subject. Mining damages the land pollutes air and water, uproots people and communities and leads to loss of livelihoods. It marginalises and impoverishes affected people. So the inability to reduce the conflicting challenges that mining sector is creating results in the opposition to mining projects. The production and demand of minerals expected to grow more with increasing level of consumption, infrastructure development and modernisation of the economy. As we know mineral resources are limited, these are to be managed in such a way, so that it will be consistent with the long-term goal of development and sustainability.

As most of the mineral resources are located near the habitat of indigenous people or tribal, they suffer most in the case of mining. Mining has not only displaced them but it broke the umbilical link between tribal people and nature. It replaces a simple and content lifestyle with a complex and competitive one. Tribals find it extremely difficult to cope with the situation which strikes at the root of their cultural and value system and push them towards a completely unfamiliar world. Government and companies rarely give importance to these factors which caused dissatisfaction and reason behind the opposition of indigenous people to these mining projects. For the state, mining is a source to increase revenue earning but for tribals or indigenous people, it is something more than that because of their dependency on nature. There are aspects which need to be considered while planning mining operations, whether by government or company like, recognition of tribal's human right and establishment of relationship between peoples and mining based on trust and harmony, need to give them equal chance of participation in planning and implementation of mining projects, and the mining industries must think beyond legal obligation and build relationship which would be mutually beneficial to both side (Ota 2009: 1-20). For Jaganath Pathy (1986) the present approach to study kinship, religion, and other unique socio-cultural practices of tribal, is not problematic but difficulties arise in studying tribal's socio-economic development process.

Studies by Mohapatra (2009), Oliver Smith (2010), Baxi (2008), Oommen (2008), World Commission on Dam (2000), Mathur (2006), Kothari (1996) Chandhoke (2006-07), Fernandes, Das and Rao (1989), and Saxena (2008) shows that tribals are at the receiving end in case of displacement for development projects, whether it is river-dam, mining, industry, sanctuaries, highway projects etc. It is found that

government is following the discriminatory practice of denying legal and law-based right and entitlement of tribals on land, forest, common resources, metal and gems under the soil. The need of the hour is to promote a participatory and inclusive model of development. It is the positive obligation of the state to promote the spirit of partnership with local communities and admit dependence of tribal people on the forest. As most of the minerals and other resources are found in the regions inhabited by mostly tribals, their proportion is high among displaced persons (80% in case of coal and 60% in other mineral resources case). The non-recognition of common property rights of tribals made it easier for the state to deprive them of their livelihood without legal process and proper compensation. This allows them to be deprived of their livelihood without an alternative (Fernandes 2008). It was found in Chhotanagpur area, though the tribals constitute more than 50 percent of the total population, not even 5 percent among them were represented in the industrial work force. Even in large companies like TISCO and Bharat Coking Coal Ltd tribal employment was less than 5 percent (Roy 1982:34).

Then question arises why India is lagging behind in industrial development? Is abundance of natural resources is not enough for development? Here we come across resource as curse thesis, which explains resource abundance is not sufficient for development.

1.4.1 Resource as Curse

Natural resource played important role in economic development. Post-WW-II evidence shows that countries with abundant resources have had lower average growth rates compared to their resource-poor counterpart. The effect of resources is not determined by resource endowments alone, but somewhat by the interaction between the type of resources that a country possesses, and the quality of its institutions. For example, countries like Hong Kong, Singapore, Korea and Taiwan have been some of the fastest mounting economies since a couple of decades in the world. However, certain poorest economic performers have been Angola, Sierra Leone and the Democratic Republic of Congo which are countries with vast resources. However, there is little agreement on this relationship (Anne D. Boschini 2007). Numbers of studies have revealed that countries rich in natural resources tend to perform badly. These studies, includes Sachs and Warner (2001), Brunnschweiler

and Bulte (2008), Dunning (2005), Wenar (2008), Iimi (2007), Reed (2002), Ding and Field (2005), Auty (1995), Weinthal and Luon (2006), and Boschini and Roine (2007) et.al, were among few. Until 1980s abundance of natural resources was perceived as advantageous. In the 1990s influential writing emerged that reached apparently opposite conclusions and termed resource abundance as an obstacle in the path of development and termed natural resources as a curse. The appreciation of natural resources as a driving force of economic development has undergone a dramatic change in the past decades.

Resource extractive industries are as old as human civilisation itself, and also influential factor of our history. The significance of natural resources in human history is reflected in labelling of early human history as Copper age, Bronze age, Iron age. In mid-19th these industries were largely based on small-scale operations that exploited rich and easily accessible deposits e.g., deposits of high-grade ores, surface seepage of oil. But a dramatic shift occurred in the structure of resource extractive industries between the 1860s and 1890s due to significant technological and organisational developments. This led to the establishment of vertically integrated and capital intensive industries characterised by oligopolistic control. A fairly long history of the presence of REIs in developing countries has raised the question whether it has contributed to "development". Development, of course, is a contested notion. Earlier it tends to focus primarily on economic factors, in particular rates of growth and industrialisation. Over the last couple of decades, concepts such as "human development" and "sustainable development" have served to broaden the common understanding of development to include political, socio-cultural, and environmental concerns (Darry Reed 2002:199-200).

Sachs and Warner (2001), explained that resource abundance tends to render the export sectors uncompetitive and that as a consequence resource-abundant countries never successfully pursued export-led growth which in turn made resource as the obstacle in the path of development of the economy. This is why extremely resource-abundant countries such as the oil states in the Gulf, or Nigeria, or Mexico and Venezuela, have not experienced constant rapid economic growth. They refute the common popular impression that many currently rich countries once developed with the aid of their natural resources. Resource abundant countries tend to have small contributions to GDP from export growth in manufactures.

C. N. Brunnschweiler and E. H. Bulte (2008) identified resource curse with slow economic growth and with armed civil conflict. Resource rents empower autocratic and unaccountable rulers to oppress and disengage from people. But slow growth and conflict are not directly caused by resource abundance, rather causality appears to be running from weak institutions and conflict to resource extraction as the default sector. So resource dependence appears as a symptom, rather than a cause of underdevelopment. Brunnschweiler and Bulte also argued that resource abundance have potential to diminish the risk of conflict. Resource abundance raises income, and higher incomes, in turn, reduce the risk of conflict. So, resources are not a curse to development, but rather a safety net to support people and economies even under adverse circumstances. But they fail to explain that high income accompanied by inequality result in poverty and conflict and turned the recourse as a curse for poor because it denies them their share in development.

Thad Dunning (2005) explains that it depends on elites or ruler of countries whether resources will turn into curse or boon. The political stability and economic growth of the country depend on how the ruler manages the conflict around natural resources. Picture of political and economic outcome varies largely among resource-dependent countries. Sometime contrast result can be seen for example the political "stability" enjoyed by the House of Saud in Saudi Arabia with that of the history of post - independence Nigeria is dramatically opposite. The stories of elites in South Africa, the UAE, and other cases lend some insight into the third path from resource wealth to political and economic outcomes. Less developed countries, whose national income comes from extractive resources are subject to three overlapping "curses" (i) more prone to authoritarian governments, (ii) at a higher risk for civil conflict, and (iii) exhibit lower rates of growth. Authoritarian regimes use exploitation of natural resources to increase their power. In rebel zones, groups sustain their armies by seizing some territory and selling off its resources. This is one of the reasons why resource-rich countries are subject lower rates of growth. But it is not always necessary that resource-rich countries will suffer from these malaises'.

The general situation is that standard of living tends to be lower in countries where the economy is dependent on exporting mineral. Resource dependence is correlated; for example, with higher rates of child malnutrition, higher illiteracy rates, higher poverty rates, and lower life expectancy etc. Sierra Leone and its "blood diamonds", the Democratic Republic of Congo and Equatorial Guinea are glaring examples of

countries suffering from resource curse (Leif Wenar 2008). Wenar argues that the resource curse is not a curse that falls on poor countries because they have abundant resources. Natural resources are by definition valuable. The negative effects are the result of defective allocation and control over resources. The fault is in the human institution more particularly in the market mechanism not in nature. Tyrants and insurgents turn the blessing of resources into curse by selling off country's resources and use it in a way that makes the people worse off. The resource curse results from failure of institutions, failure to enforce property rights, defects in the system of global commerce that allows authoritarians and insurgents to access the global market.

Atsushi Iimi (2007) arguues that how resource abundance will affect growth is largely depends on governance. In particular, the quality of regulation and anticorruption policies are most important for effective natural resource management and growth. The argument that resource-abundant economies tend to grow less rapidly than resource-scarce economies is universal. Some resource-rich countries might have failed to transform their natural wealth into growth, but not all of them. Though theoretically resource abundant countries should promote growth and attain higher growth rates. Limi put forward various reasons for failure of resources abundance countries (1) the Dutch disease, (2) insufficient economic diversification, (3) rent seeking and conflicts, (4) corruption and undermined political institutions, (5) overconfidence and loose economic policies, and (6) debt overhang. So what is crucial to economic development is governance. Good governance-specifically a strong public voice with accountability, effectiveness, regulation, and powerful anticorruption policies tend to link natural resources with high economic growth.

Darryl Reed (2002) highlighted the correlation between extractive industries and continuation of non-democratic government. By giving the example of Myanmar, oil producing states of Saudi Arabia, Kuwait, Bahrain, etc. explained how it helps in continuation of non-democratic government rather than lead to democratic reform. This problem is also related to other questions like civil and political rights, local autonomy and the problem of indigenous and ethnic minorities. Ethnic minority and indigenous groups have been directly affected by extractive industries without having effective opportunity to represent their interest. Many such groups are, the U'wa in Colombia and Ecuador, the Ogoni in Nigeria, various groups in Sudan, Adivasis in India. Adverse environmental impact and social and cultural effects on local

communities may include such problems as increased health problems, the break-up of local communities, forced removal, degradation of traditional livelihood opportunities, increased ethnic and racial tension etc.

Ding and Field (2005) distinguished between natural resource dependence and natural resources abundance to answer the question whether natural resource abundance leads to slower growth. Resource dependence has a negative effect on growth rates however resource endowment, has a positive impact on growth. As a measure of resource abundance, primary exports as a proportion of GNP is misleading. It is possible for a resource-abundant country to have a small primary sector (the United States is a leading example), and on the other hand, for a resource-poor country, nevertheless, to have an economy that is heavily dependent on primary sectors (several good examples are in Tanzania and Burundi). Economic growth is a complex process, and the role of natural resources in growth is also expected to be complicated.

Auty (1995) explain the resource curse thesis is not a deterministic law it's a strong tendency. To prove this point, Auty gave two example resource-rich Indonesia and Malaysia. He explains the autarkic development model associated with the resource-rich countries of Latin America and sub-Saharan Africa and with the large market-rich, low-income Asian countries, notably India and China turned resource endowment into the curse. An autarkic industrial policy stresses domestic production and provides infant industries with more generous incentives than the East Asian model's competitive industrial policy. The benefit of the rents makes economic growth becomes erratic and slow. In this way, a favourable natural resource endowment becomes a curse rather than a blessing, and resource-rich countries underperform.

Erika Weinthal and Pauline Jones Luon (2006) explained how in the course of development mineral-rich states turned into rentier states. Rentier state creates and maintains economic dependency among people through their authority to allocate and redistribute income obtained from natural resource rents. This is how rentier state uses resource abundance for social and political control. This resource curse can be addressed by the broad array of policies that include natural resource funds, economic diversification, transparency and accountability, and direct distribution. But the effectiveness of these measures depends on the degree of institutional capacity that is widely absent in mineral- rich countries, and thus they are likely to suffer from the aforementioned negative economic, political, and social outcomes.

So what comes out of this discussion is that natural resources are curse or blessing for a country's development depends on the interaction between institutional settings and, the types of resources possessed. Some natural resources are likely to cause problems than others for economic and technical reasons. This potential problem can be countered by developing institutional quality. Minerals are cursed only if quality institutions are low while the curse is reversed if institutions are sufficiently good (A D. Boschini, and Jesper Roine 2007:593-17). Resource abundance doesn't guarantee development but sufficient improvements in institutional quality have potential to turns resource abundance into an asset rather than a curse.

1.5 Anti-mining Movements

Mining is much more than the just displacement of people especially in the case of tribals; it strikes at the root of their culture and value system. It replaces their simple and content lifestyle with an alien, complicated and complex lifestyle. But State and companies rarely consider these facts as result mining projects in India often evoke the extreme reaction from the indigenous people and run into rough weather. The problem arises when mining is seen only as a means of earning revenue for the country and concerned state. The people who stand to be thrown out of their land and hearth are rarely consulted while planning and executing mining projects. The experience is same all over the world. Local people are generally at the receiving end of mining activity, irrespective of their location and type. In the Indian context, tribals suffer more compared to non-tribals because of their location, dependency on forest and absence of their legal right and low level of awareness. The loss of tribal's 'sovereignty' over their traditional territories and heritage is one of the primary cause of tribal's resistance to mining (Fernandes 2008:89-100).

Amit Prakash (2007) in his study on Tribal Rights in Jharkhand reasoned that basic rights of tribal are under threat from the development process adopted by the Indian State. A more sustainable livelihood pattern of tribals, which is rooted in locally available natural resources, has been threatened by the industry-led development model. He argued the modern form of economic activity have limitations in tribal areas. In the quest for national development tribal's right has been severely compromised by not only destroying their life and livelihood but also dislocating the tribal communities and impacting on their cultural distinctiveness. This often leads to

a conflicting situation in which the state has been using both, violence as well as institutional coercion. The net result of this is the gross violation of the rights of the tribals' in which they often lost their land, liberty, livelihood and sometimes, even their life.

Similarly, for F. Padel and S. Das (2010), anti-mining movements are the reflection of the class of ideas, for the opponent of mining projects, relationship with land and community is more important than money, they see these projects as the destroyer of communities, independent lifestyle, and lower their standard of living. On the other hand for the supporter of development projects, financial profit outweighs every other value. The primary values of a mining company and tribal are clearly quite different.

Ananda Chakravarti (2012) see these conflicts which are going on the mineral rich belt of central and eastern India over the acquisition and use of natural resources as the major test of the commitment of Indian state to its constitution. Mathew Areeparampil (1996) describes this process of industrialisation as a type of 'internal colonialism.' Geetanjoy Sahu (2008) argued state often treat opposition to these projects which involves the use of natural resources like mining as crime and act of aggression by indigenous people. Vindhya Das (2001), A.S George (2005), Sarangi (2005), Noronha et al. (2009) look at these anti-movements as struggle against the plunder and loot of natural resources of many for the benefits of few and result of poor management of local impacts of mineral development and pointer to weak implementation of laws and inadequate oversight of negative environmental and social impact of mining. Behura and Mohanti (2009) uncover that in Odisha several mining operators did not pay adequate attention to the environmental question. And as most of these projects are located in rural and tribal areas affected peoples in such areas put up a hostile situation to these projects due to their intensive inadequacies, such as the limited mental horizon, poor literacy level, ignorance of bureaucratic procedure, credulous procedure, etc. Arun Kumar Nayak (2010) and Oliver Smith (2002) look these protest movements against industrial, mining and dams as complementary to democracy, which calls for greater democratisation and participation of people in decision-making.

Society witness conflict when it fails to arrive at political settlements. If powerful groups are getting a distribution of benefits that are too low given their relative power, these groups will strive through different means including conflict to change

institutions till they are satisfied or they give up. So, it is the dissatisfaction with present institution and distribution of benefits and cost creates conflict. Conflicts are likely to break out either when a group believes that the underlying distribution of power has changed and changes in distributions of benefits do not reflect the perceived distribution of power (Mushtaq 2010). For example, conflict related to mining projects, the changes brought by mining projects result in loss of power of local groups over natural resources. This loss of power creates dissatisfaction and results in conflict. Mining does not face open resistance in all places, but that does not mean that people have accepted or internalised politics of subordination and exploitation or unaware of it. Rather it is the difficulties in organising a collective action which compels them to adopt a different way of resistance. James Scott (1985) calls it every day's forms of resistance like negotiation, gossip, petty theft so on. So when the group opposing mining projects is in a disadvantageous position it adopts this covert form of resistance.

Della Porta (2006) explores globalisation as a factor playing a very important role in the present context of the discussion where we can see her explaining about the fear of as well as hope from the process of globalisation which is unequally distributed across geographical and cultural spaces all over the world. In this, she locates anti-globalisation movements and resistance to being emerging because of the negative outcomes of globalisation. In this, context one can locate the anti-mining uprisings or resistance to mining activity as an example of one such activity. Before we proceed we must know what a movement is and try to find out whether uprising against mining projects can be termed as movement or not.

1.5.1 Social movement

The term the social movement has no precise definition and different actors like the social activist, political leaders and scholars see it in different ways. They assign different meaning to it. Shah (2009) cited the working definition given by Paul Wilkinson, who explained it as a "deliberative collective endeavour to promote change in any direction, by any means, which evince a mixed degree of organisation, may be loose, informal or highly institutionalized, but committed to change and movements' aims or belief and active participation".

It is a collective effort by a number of people together who are of common values or culture for the fulfillment of a certain goal, in order to preserve something important to them, for example, land, or occupation or property can be termed as a social resistance. Hence social movement is defined as a collective action, with shared objectives and ideology; with some degree of organisation directed against state demanding changes in state policy or practice or opposing change (Baviskar 2010: 381-386). Herbert Blumer (1996) elaborates social movements as "collective enterprise to establish a new order of life." So it is a group effort for social change. It begins with the condition of social unrest and dissatisfaction with the current form of life. The fundamental motive behind the group effort is to achieve a new order of life. A social movement may begin with poorly organised collective behaviour but later turns into an organisation and forms a body with its own custom, traditions, established leadership, social rules and values.

For Tarrow contentious collective action is the basis of social movements. It is social networks and local cultural symbols which play an important role in drawing people together for collective action. The sustainability of movement depends on the density of social networks and the cultural value of people, for example, it can be a totem to them in Durkhemian terminology. If the cultural symbols and social networks are more rooted in people's day to day life, then the sustainability of movement is likely to be more. A collective action becomes contentious when people who normally lack regular access to institutions, act in a different way and challenge others. This contentious collective action becomes a social movement when the social actors concert their action around a common claim in a sustained way. It challenges opponents and brings solidarity among people and has meaning to the particular group, situation and political culture. Tarrow defined the social movement as "collective challenges by people with common purposes and solidarity in sustained interaction with elites, opponents, and authorities" (Tarrow 1994:1-8).

Similarly, Tilly (2004) treats social movements as a distinct form of contentious politics. It is a means for ordinary people's participation in public politics. Its rise and fall mark the expansion and contraction of democratic opportunities. A social movement is a kind of counterweight to oppressive power, a kind of popular action against a wide range of suffering. According to Tilly, social movements developed because of synthesis of three elements: one sustained, organised collective claim. Second creation of special purpose association and conditions, public meeting and

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public awareness through rallies, demonstration, petition drive, use of media, etc. and thirdly public representation of worthiness, unity, number and commitment on the part of the participant.

However, all collective actions can't be termed as movements argued T.K. Oommen. Collective action like 'panic responses' and 'hostile outbursts,' which are short-term, unorganised eruption and not necessarily inspired by ideology or provoked by issue couldn't be termed as a movement. So when a collective action "acquires organization and form, the body of customs and traditions, established leadership, an enduring division of labour, social rules, and social values, in short- a culture, a social organization, and a new scheme of life, it becomes a social movement"(Oommen 2010:6). For Tyagi (2011) social movements involve certain feature i.e. collective mass mobilisation, mass support base, some formal or informal organisation committed to movements goal and deliberate collective endeavour towards change. M.S.A Rao (2012) explained three important characteristics of the social movements: collective mobilisation, ideology and orientation to change. A social movement involves sustained effort to mobilise people through a formal or informal organisation to bring change. Rao also warns that when a movement developes into a full-fledged formal organisation with the power to sanction of reward and punishment, it no longer remains a movement.

Why do movements emerge?

There are many theories of why movements emerge. Social movements develop when a feeling of dissatisfaction prevails, and institutions fail to respond the changing need of society. Psychological theory saw social movements as the result of deprivation experienced by the individual in comparison to the other and this result in anger and frustration which is manifested through social movements. Neil Smelser saw social movements as result of the inability of social institution and controlling mechanism to maintain social cohesion. It is society's reaction to the crisis situation. In Tarrow's view, social movements emerge when the political opportunity for social actors open up, and social actors using repertoires and social network and cultural symbol draws people into collective action. In Blumer's view, social movements start with conditions of unrest and dissatisfaction with current forms of life and hopes for a new system of life. The motive behind this group effort is to achieve a better life. There are

different factors behind the emergence of movements. Marxists make the base i.e. the economic structure of society responsible for the emergence of any uprising; whereas non-Marxists look at different other perspectives apart from economy such as the psychological, social-political and cultural factors behind the emergence of movements.

1.5.2 New Social Movements

This section will give a brief critical review of different theoretical perspectives on the social movement and explanation of new social movements by different scholars. Our purpose in this brief review is to evaluate as to what extent these angles are helpful for an explanation of new social movements in general and anti-mining movements in particular. The study of social movements and collective behaviour proliferated in the 1960s. With this new interest, a general social stress or deprivation perspective emerged into a dominant theoretical position. General perspective continues to direct theorists to situations producing individual-level stress or discontent as a major cause of social movement development (Harold R. Kerbo 1982).The major problem with this theory is that ignores the importance of consciousness and the ideological perspective of the participants. The deprivation theorist view movement as temporary aberrations rather than an on-going process of change (G.Shah 2002). Deprivation theory has neglected the problems of mobilisation, the manufacture of discontent, tactical choices, and the infrastructure of society necessary for the success of the movement, while placing emphasis upon structural strain, generalised belief, and deprivation (McCarthy and Zald 1977:1213). The resource mobilisation approach studies the movement proponents' capacity to manipulate resources, to organise, to recruit members, and to use incentives or coercion in motivating participation in the social movement. The resource mobilisation perspective added new dimensions to the understanding of the growth of social movements (Harold R. Kerbo 1982: 645-46). The resource mobilisation approach emphasises both societal support and constraint of social movement phenomena. It examines the range of resources that must be mobilised, the connections of social movements to other groups, the dependency of movements upon external support for success, and the tactics used by authorities to control or incorporate movements (Opcit.1212-41). Traditional social movements have seen it as

forms of collective behaviour encompassing both movements of personal and institutional changes. On the contrast, resource mobilisation theorists have seen social movements as extensions of institutionalised actions and have restricted their focus to movements of institutional change that attempt to alter "elements of social structure and/or the reward distribution of society" (J. C. Jenki 1983:527-53). Many of the criticisms directed toward deprivation explanations by resource mobilisation theorists are valuable, but the inadequacy of resource mobilisation theory leads to the emergence of new social movement theory. It was criticised for being overly concerned with processes internal to social movements themselves and for neglecting other factors more crucial to the success or even survival of social movement. One of the main drawbacks of the theory is that it focuses upon how the movements are organised and neglect the question of 'why' these movements.

The movements which had developed since the late 1960s on issues such as women's rights, gender relations, environmental protection, ethnicity and migration, peace and international solidarity has a strong (new) middle-class basis and clearly different from working class model. There are continuities between present movements and old social movements but the overall pattern of collective action is significantly different. These movements against 'neoliberal globalisation' are heterogeneous and not necessarily connected to each other. They address diverse issues from child labour exploitation, deforestation, human right in developing countries to the military invention by Western powers and address these issues in different ways from the individual utterance of dissent and individual behaviour to mass collective action. There is interdependence between individual, organisation and events (Porta and Diani 2006:1-32). These movements are not raising economic issues nor seeking state power. So these movements are not class based. As these movements are raising the issue of humanity cutting across the interest of the class, in that sense new social movements are social and not political (Shah 2009:1-5).The new social movements are different from earlier social movements in the kinds of issues raised. While earlier social movements using Marxist paradigm raised voice against class domination, the new social movement not only opposes class domination but also against factors like caste, race, gender, ethnicity and community. The earlier social movements were class based and sought to take state power; whereas the NSMs took up various issues of different groups of people and do not intend to take over the state (Tyagi 2011:162-68).

For Olofsson (1988) NSMs ask for an open and broader type of organisation, more stress on participation and responsibility in contrast to hierarchy and efficient expertise. The NSMs become recognised common symbol for the complex and widely varied set of organisations and struggles like women liberation movements, the peace movements, the antinuclear movement, the environmental movements etc. Olofsson found these movements are small, unstable and even short-lived organisations. Sociologists and social theorists explain these movements as the outcome of and new answer to the present crisis of modern civilisation as a whole.

Pichardo (1997) argue that social movements are largely shaped and determined by social structure. In the industrial era, social movements were believed to be centred in the working class and matters of economic redistribution. But contemporary movements (NSMs) are centred on the quality of life rather than redistributive issues. The NSMs are different from social movements of the industrial age in the sense that NSMs are the product of post-industrial economy and unique. NSMs are unique in the sense that, it emphasises on the quality of life and lifestyle concern, question the limited participation of people in governance, focuses on identity, self-reflective in character, prefer to remain outside the political channel. NSMs call for more responsive, open, decentralised and non-hierarchical structure. The participants of NSMs are normally drawn from new middle class and the communities directly affected by the negative externalities of industrial growth.

Andrew Gunder Frank and Marta Fuentes describe NSMs as largely apolitical which seek more autonomy and whose main objective is the social transformation for attaining social justice rather than state power. For Dhanagare and John it is a process of 'de-politicisation of the social realm.' Any kind of collective effort to bring about social transformation involves capturing or influencing political authority (Shah 2009: 23). Therefore NSMs are not only social, but have different dimensions like political and economic.

The last three decades of this century have seen the steady emergence of new types of social movements- movements of women, tribals, and Dalits, the environmental movement, movements of displaced people and others. These movements have exposed the multi-dimensionality of domination and oppression in society. These

movements are the sign of the emergence of 'creative society'[3]. These movements seek to alter the prevailing structure of power, project values of justice, equality and freedom adding new dimensions to them. Mohanty argued (2010) most of these new social movements lack inter-connection as they are so preoccupied with their own particular issues. Spontaneity, grassroots location, innovation and autonomy, are strong points of these social movements.

NSMs of women, tribal, and rural poor are setting new parameters of development such as livability, sustainability, and equality in place of static indicators of growth. It challenges the role of the nation-state as guardian of the subaltern group. Parajuli (2007) saw the emergence of NSM with the decline of the development hegemony both in the first and third world[4]. The NSM is challenging the state's authority and claims that it represents people's interest. Through these movements local, regional, and ethnic actors are trying to overcome from economic exploitation and political-cultural subordination. These NSM are not uniform and have internal tension. They don't have a code of do's and don'ts and at the core of these movements are a self-critical spirit and a sustained inner struggle. These NSMs are seeking to redefine the entire medium of development and progress, survival and identity. They envisage a different way of achieving equality and democracy.

For Gail Omvedt (1993) new social movements are the result of the crisis of political, economic system and ideologies that occurred due to the collapse of the state socialist society, crisis of Marxism and crisis in capitalism. They are new in ideologies they generate to define their exploitation and oppression and way to end this. They are new in the sense they covered groups ignored by traditional Marxist like Dalits and anti-caste movement, women's movement, the environmental movement and the farmer's movement on market production issue.

The term people's movement connotes expression of people's dissent against different kinds of inequalities and injustice. The change in the political economy results in multi-layered and complex injustice and which in turn created dissatisfaction. The conventional movement failed to accommodate these expressions of dissent within

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[3] Mohanty explain creative society refers to a wider range of class and other social contradictions. He argued newness of new social movement lies in new source of power, new connection, new knowledge, new set of norms, new category to define development and change and from constrain to creativity.

[4] Here the author refers first and third world not as geographical division but section of population divided by equation of power. So the so called first world has its own third world and the third world has its own first world.

their agenda. Thus people's movement or NSMs emerge points the inadequacy of class politics and the failure of the conventional social movement. Deshpande finds that these NSMs "reduced to a marginal position in the present political system. They stand isolated, both from political parties and from one another, and have not been able to pressurise the mainstream politics for the fulfilment of their agenda. The only agencies that remain active in the mobilisation sphere consist of small autonomous groups spread across the country" (Deshpande 2004: 379-400).

These people's movements which have disassociated themselves from mainstream politics and shifted arena of contestations from state to micro levels of civil society looked upon as powerful, autonomous expression of popular dissent. Social movements are being largely shaped and determined by social structure. Following Marxist logic social movements centred on working-class and action concerned with the matter of economic redistribution. However Marxist theories are unable to give convincing explanations of contemporary movements (post-1965) and why these movements' demands are centred on the quality of life rather than redistribution issues. At this point, NSM paradigm comes to explain the present movements. NSM paradigm claims it is the product of post-industrial economy and post-material age. So it is unique from social movements of the industrial age and moved away from the instrumental issues of industrialism to the quality of life issue of post-materialism (Pichardo 1997: 411-27).

The conventional social movements have failed to grasp the multifaceted, complex nature of injustice faced by the people due to changing nature of political economy. Similarly, it failed to accommodate the expression of dissent within their political agenda. So the emergence of these people's movement (NSMs) points the inadequacy of class politics and failure of conventional social movements. This emergence of people's movement signifies proliferation of democratic, transformations claims of people in multiple ways (Deshpande 2004: 400). Different scholars Gail Omvedt (1993), Pichardo(1997), Olofsson(1998), Deshpande (2004), Parajuli (2007), Mohanty (2010), and Tyagi (2011) locate newness of new social movement in its nature, ideology, value, goal, tactic and structure. The participants of new social movements are mostly middle class. All new social movement does not possess all these qualities exceptions are always there as it contains elements of both old and new with its unique features of heterogeneity.

Conclusion

The resistnce movements of tribals in different parts of the country over the use and ownership of natural resources can be seen as part of the new social movement, which is against the system of injustice and exploitation and addressed issues which are much wider in scope and not limited to any class interest only. The anti-mining movement is challenging the established political, economic, and cultural order. These movements raised important issues concerning the relation between ecology and economy, and the relation between humans and their environment. These movements have demonstrated the fallacies of development that it promotes internal equality and economic growth advanced by development make possible the underdeveloped to catch up with developed countries. These movements seek to redefine entire matrix of development and envisage a different way of achieving equality, democracy, autonomy and identity (Parajuli 2007). Similarly, anti-mining movements in India, which can be seen as new social movements, have challenged the present notion of development and participation. Through these movements, people are asserting their right over natural resources and decision making. It is the popular discontent with present policy and practice of mining which is expressed through these movements.

The East Indian state Odisha is rich in mineral resources and these resources are mainly spread in tribal inhabited areas. After the liberalisation of the economy, Odisha emerged as one of the favourite destination for investment for many indigenous and multinational companies. These areas are not only rich in mineral and forest resources but also rich in biodiversity and water catchment for many rivers. As these areas are inhabited by tribals the boom in mineral sector accompanied not only by destruction of natural habitat but also the violation of human rights and environmental degradation. That's why Odisha has witnessed resistance against mining and industrial projects. When people realise that their livelihood and culture is at stake they determine to resist these projects. The resistance in Odisha against mining company to stop taking large track of land should be understood as a vital expression of civil society against forced displacement. These movements are largely non-violent although they face violence from police and company. The majority of the activists in these movements are tribal people whose existence is in question. Large numbers of Dalits and other non-tribals also joined with them and formed a

broad coalition. One of the strengths of these movements is their diversity; people from different classes and walks of life and interest have come together and taken great risk in fighting for Odisha's indigenous culture and environment (Padel and Das 2010:1-35).

From the above literature, we find that many studies, have been done on the impact of mining on local population and environment, hardly any study has been conducted that helps to understand the full nature of anti-mining movements,and why the local response is different in different areas. There is a deep imperfection in the present development and rehabilitation model, which naturally leads to opposition from the affected people. The need of time is to reexamine and reformulate these models to address the shortcomings and make it pro- people. The present study aims at studying anti-mining movement from the new social movement perspective. It intends to study the course of movement, the role of civil society and the problem of tribes and to bring out emergent development discourse between development and displacement causing violent resistance.

CHAPTER -II

MINING AND MINERAL POLICIES IN INDIA

The chapter critically analyses various aspects of India's mining industries (issues relating forest, land, ecology and human right). It seeks to identify the operational principles of mining and examines governmental practices and procedures. As minerals are key to industrialization, this chapter studies how the state is addressing isuues of development and displacement in realtion to mineral industry. The policies and laws are divided into three sections i.e. mineral, land forest and environment.

Introduction

Mining as an economic activity occupies a distinct place in Indian economy. It is one of the sub-sectors of industry. The industrial sector in India consists of three sub-sectors: (i) manufacturing, (ii) mining and quarrying and (iii) electricity, gas and water supply. Mining contributes to India's GDP is 2 to 3 percent, it may seem that its contribution to GDP is negligible, but its importance is evident from the fact that it supplies basic and strategic raw material for the industrial sector and consequently plays a significant role in economic development.

Minerals are not only important for economic growth but also valuable non-renewable natural resources. They constitute the vital raw materials for many basic industries and are a major resource for development. The Mineral industry provides the raw material for the production of industrial, military, communication and transport and consumer products. The factors like wide availability of the minerals and high reserves made India a promising place for growth and development of the mining sector. The country is gifted with mammoth metallic and non-metallic mineral resources. The mining sector is an important part of the Indian economy. Since independence, there has been a noticeable growth in the mineral production both in terms of quantity and quality. India produces as many as 87 minerals, which includes 4 fuel minerals, 10 metallic minerals, 47 non-metallic minerals, 3 atomic minerals and 23 minor minerals (mines.nic.in).

With the advent of independence in 1947, Indian government embraced system of planned development to achieve balanced growth and stability. The Five-Year Plan for economic growth and development began in 1951 with the creation of the

Planning Commission by the Government of India. The importance given to mining industry by the Government of India can be seen, when immediately after independence the government of India introduced several legislative measures like the Mines and Minerals (Regulation and Development) Act of 1948, the Mineral Concession Rules and the Mineral Conservation and Development Rules to promote the development of mining industry. To achieve better control over mineral resources the 1956 Industrial Policy Resolution (IPR) of the Government of India put minerals such as coal, lignite,   mineral oils, iron ore, copper, zinc, atomic minerals, etc. in Schedule A as major minerals, which were reserved exclusively for the public sector, and minor minerals in Schedule B, where the private players allowed to participate in mining activities along with the public sector. Later in pursuance of the policy the Mines and Minerals (Regulation and Development) Act, 1957 was enacted for the regulation of mines and development of minerals.

Then with the change in economic and political scenario nationalisation of mining industry took place in India during the 1970s, mainly in the coal sector. The Coal Mines (Nationalization) Act of 1973 gave complete control to Indian government over coking and non-coking mines (James & Dorian1989). New development in mining industry took place in the early 90s, with the adoption of new economic policy in 1991. The new National Mineral Policy announced in 1993 opened up the mineral sector for private players both domestic and foreign. Again with changed global scenario, the national mineral policy revised in 2008 and later in 2015 the new MMRD Act and Coal Mines (Special Provision) Act was passed to end government monopoly in the sector and to encourage private players' participation (IMYB 2012:1-22).

2.1 Mining Industry in India

India produces many minerals which include fuel minerals, metallic minerals, non-metallic (industrial minerals) and minor minerals including building and other materials. These minerals are not only crucial for industrial development but also for the economy of the country. Federation of Indian Chambers of Commerce & Industry (2013) argued that every one percent increment in the growth rate of mining and quarrying results in 1.2 – 1.4 percent increment in the growth rate of industrial production and correspondingly, an approximate increment of 0.3 percent in the

growth rate of India's GDP. Presently the sector is witnessing negative growth due from 2011-12 to 2012-13 because of policy paralysis. The importance of mining to the economy is suggested by the fact that the Ministry of mine has set the target to increase the share of mining and quarrying in GDP from current 2percent of GDP to 5percent of GDP over the next 20 years. However, the contribution of the sector to India's GDP has been on the decline. The mining sector contributed 3.4 percent of India's GDP in 1992-93. This declined to 3.0 percent in 1999-2000, and further to 2.3 percent in 2009-10. As the sector contracted in absolute terms in the last couple of years, the contribution of the mining sector to India's GDP has come down to 2 percent in 2012-13. But the contribution of mining sector is projected to grow as production will increase with the increase in consumption, infrastructure development and growth in the economy.

Indian Mining Industry is characterised by a large number of small operational mines. The total number of working mines (excluding atomic minerals, minor minerals, crude petroleum and natural gas) in 2013-14 is 3461. Among them, 573 mines belonged to coal and lignite, 626 mines to metallic minerals and 2262 mines to non-metallic minerals.

Table-2.1: Number of Operating Mines

Sector	2011-12	2012-13	2013-14
All Minerals	3603	3691	3461
Coal(including lignite)	573	573	573
Metallic Minerals	682	635	626
Non-metallic Minerals	2348	2483	2262

Source-Annual Report 2013-14, Ministry of Mines, GOI, the figure excludes atomic minerals, petroleum (crude), natural gas (utilised) and minor minerals.

The number of mines which reported mineral production (excluding minor minerals, petroleum, natural gas and atomic minerals) in India was 3461 in 2013-14 as against 3691 in the previous year. Out of 3461 reporting mines, 636 were located in Andhra Pradesh followed by Rajasthan (448), Gujarat (410), Madhya Pradesh (338), Tamil Nadu (315), Jharkhand (258), Karnataka (186), Chhattisgarh (195), Odisha (184), Maharashtra (154) and West Bengal (127). These 11 States together accounted for

93.93% of a total number of mines in the country in 2013-14. So few states have the mammoth mineral reserve and economies of these states are greatly influenced by mining sector (Ministry of Mines: 2014).

2.1.1 Production Ranking

India not only has a huge reserve of many minerals but is also highly ranked in the production of major minerals globally. A list is given below showing India's position in the global mineral production of principal minerals and metals in 2011.

Table-2.2: India's ranking in Mineral Production

Commodity	Contribution to world production (%)	India's Rank
Aluminum	3.7	8th
Barytes	19.1	2nd
Bauxite	5.2	6th
Chromite	14.3	3rd
Coal and lignite	7.5	3rd
Copper (refined)	2.6	10th
Iron ore	5.5	4th
Kyanite, Andalusite and Sillimanite	13.5	4th
Manganese Ore	5.0	6th
Steel (crude/liquid)	4.8	4th
Zinc	6.0	3rd

Source: Annual Report 2013-14, Ministry of Mines, Government of India, New Delhi.

2.2 Structure of Mining Industry in India

Mining is a complex activity in India regulated by different departments and controlled by multiple actors but its overall control rests with the Ministry of Mines.

2.2.1 Survey and Exploration

Ministry of Mines of the Government of India is responsible for survey, exploration, and mining of all minerals except coal, natural gas, petroleum and atomic minerals.

Under the Mines and Minerals (Development and Regulation) Act, 1957, the ministry is responsible for the administration of all mines and minerals other than coal, natural gas, petroleum and atomic minerals. In addition to this, the Ministry administers the offshore area's mineral under the Offshore Areas Mineral (Development and Regulation) Act, 2002. The ministry administers the minerals within the territory of India, underlying the ocean within the territorial waters or the continental shelf, or the exclusive economic zone and other maritime zones of India. Regulation of mines and development of all other metals and minerals such as aluminium, zinc, copper, gold, diamonds, lead and nickel also covered by ministry (Ibid). Similarly, for the exploitation and development of coal, a separate ministry has been created, i.e., the Ministry of Coal. The ministry is responsible for the development and exploration of coal and lignite. The subjects allocated to the Ministry include attached and sub-ordinate or other organisations including PSUs concerned with the subjects under the Government of India (Allocation of Business) Rules, 1961, as being amended over the period (coal.nic.in).

In the year 1851 Ministry of Mines established an attached office called Geological Survey of India (GSI) to explore and measure mineral resources of the country. Its activities in mineral exploration and baseline surveys have increased since independene to sustain the momentum of national economic development. Its geo-scietific data not only heping the country in development sector but also helped it to made the status of an organisation of international repute. Its headquarters is in Kolkata, it has six regional offices at Lucknow, Jaipur, Nagpur, Hyderabad, Shillong, and Kolkata and it has offices in almost all states of the country. The main functions of GSI include creating and updating national geo-scientific data and resource assessment, airborne and marine survey, geo-environmental and natural hazard studies. Functioning and programs of GSI has immense societal value as it is directly related to delivering the public good (mines.nic.in). Along with GSI, Mineral Exploration Corporation Limited (MECL), an autonomous Public Sector Company established in 1972 also helps in the systematic exploration of minerals and to bridge the gap between initial discovery and eventual exploitation. MECL comes under administrative control of Ministry of Mines which aims to provide quality and cost effective service for exploration and exploitation of minerals (mecl.gov.in).

2.2.2 Regulation and Conservation

In the year 1948 Ministry of Mines established a multidisciplinary organization Indian Bureau of Mines (IBM) for conservation and scientific development of mineral resources and protection of the environment. It administers mines and minerals except for coal, petroleum and natural gas, atomic minerals and minor minerals. It is headed by the Controller General. It has six technical divisions with its headquarters at Nagpur and 3 Zonal Offices, 12 Regional Offices and 2 Sub-Regional Offices, 2 Regional Ore Dressing Laboratories and Pilot Plants spread over the Country. It started working as a purely advisory body but later it covered various aspects of mineral industries. Today its functions includes inspection of mines, geological studies, scrutiny and approval of mining plans and mining schemes, conducting environmental studies and related activities, developing technology, technical consultancy to mineral industry, preparation of mineral maps and National Mineral Inventory of minerals resources, and functioning as a data bank for mines and minerals (ibm.gov.in).

2.2.3 Companies in Mining and Processing

Mining and processing of minerals are dominated by a few major public undertakings but after the liberalisation of the economy and subsequent change in mineral policy attracted many private and foreign companies also. Presence of some major public undertakings reflects the importance of the governmental role in the mineral industry. It shows government still continues to play a key role in the mineral industry.

Table-2.3:.Mining Sector and Major Players

Sectors	Public Undertakings
Exploration and Production of Coal/Lignite	Coal India Ltd., Neyveli Lignite CorporationIISCO
Exploration of Metals	National Aluminum Company Ltd. (NALCO) Bharat Aluminum Company Ltd. (BALCO) Mineral Exploration Corporation Ltd. (MECL) Bharat Gold Mines Ltd.

	Oil and Natural Gas Corporation Ltd. (ONGC)
	Hindustan Zinc Ltd.
	Hindustan Copper Ltd. (HCL)
	Sikkim Mining Corporation
Iron Ore	National Mineral Development Corporation (NDMC)
	Kudremukh Iron Ore Company
	Steel Authority of India Ltd. (SAIL)
	Orissa Mining Corporation
Bauxite Mining and Aluminum Production	National Aluminum Company Ltd. (NALCO)
Copper Ore Mining	Hindustan Copper Ltd. (HCL)
Rock	Phosphate and Barytes Mining
	Rajasthan State Mines and Minerals Ltd.
	Andhra Pradesh Mining Development Corporation

Source: India in Business, Ministry of External Affairs, GOI.(2014),New Delhi.

Besides the above public sector players, private players like Tata Steel, Hindalco, Sterlite and global mining companies like Transworld Garnet Co. of Canada, Meridian Peak Resources Corporation of Canada, Pebble Creek Resources Ltd. Of Canada, BHP Billiton, Australia, Rio-Tinto Minerals Development Ltd., UK, Metdist Group, UK, Phelps Dodge Exploration Corporation, USA, De-Beers Consolidated Mines Ltd., South Africa, Anglo American Exploration (India) BV, Netherlands are also major companies in the field. Liberalisation of the economy and subsequent changes in mineral policies attracted both private and foreign companies.

2.2.4 Illegal Mining

India is a destination for rich minerals. It is the largest producer and exporter of mica, second largest producer of barites and third largest producer of coal, fourth for iron ore, fifth for bauxite and so on so forth in the world. The opening of mining to private players in the last two decades has shown mixed results. It is clear from one of the notes of Ministry of mines that "legal and regulatory loopholes and inadequate policing has allowed the illegal mining operations to flourish and grow," So it is clear from this that after deregulation of the economy case of illegal mining has been increased. For the common man, mining becomes the symbol of illegality, looting of

natural resources, and crony capitalism (Guha Thakurta 2015). Indian mining sector is in the news due to illegal mining in Karnataka, Aravali Range, Odisha, Madhya Pradesh and Goa.

The mining sector is characterised by the duality of control and accountability. It vests the ownership of minerals on the state and regulation (in public interest) with the centre. Administration of general mining laws is the primary responsibility of state government agencies. The ministry of mines is in overall charge of mining governance. It has many subordinate offices and IBM is one of them which play an important role in various directions such as approval of mining plans and schemes, mine closure plans and monitoring their implementation, administration of the rules for protecting mines-environment and overseeing progression of reconnaissance and prospecting permits. Various other regulatory measures and institutional arrangements by the central government like the Forest Conservation Act 1980 and the Environment Protection Act 1986 also includes mining areas for environmental protection. Directorate of Mines which is another agency of central government regulates the safety aspect of mines. Mining is a complex activity in India. Multiplicity of state and central government agencies are monitoring and regulating different aspects of mining. This is creating the problem of coordination and regulation. Increasing report of illegal mining in almost all the mineral-rich states of the country indicates that all is not well with the governance-system for the mineral sector. The Planning Commission report (2012) defines illegal mining as mining operations undertaken in violation of the provisions of the MMDR Act 1957, the Forest Conservation Act 1980 and the Environment (Protection) Act 1986. Illegal mining not only leads to the loss of public revenue but also boosts unscientific mining and has adverse effects on ecology, internal security and management of the mining sector.

Some typical form of illegal mining that occurs in areas have been identified in the report include no mining license being obtained by a party, leaseholds for which surface right not being granted, mining being carried out without approved mining or environmental management plans, production and dispatch of minerals in excess quantities than those of approved plan, production and dispatch of unauthorized minerals, and mining without obtaining forest clearance etc. On the part of administration, there is procedural delay in granting lease to areas and if leases have been granted, the execution kept pending again for a long time. Then if areas are held under prospecting licensing then the application for mining is kept pending for a long

time. Unusual delays in the disposal of applications for mining lease or renewal of lease combined with delay in getting environmental clearances further results in illegal mining. Administrative inefficiencies like poor law and order situation in the mining areas, lack of vigilance and action by the forest department officials, poor infrastructure and inspection facilities such as non-functioning government weighbridges and inadequate supervision of private weighbridges, as well as absence of adequate authority of the inspecting staffs in the field agencies of the State mining department and absence of coordinated action among the multifarious state and central agencies responsible for regulation of various aspects of mining further aggravating the situation. Finally, due to the huge amount of money involved in the extraction and trading of minerals, the sector is vulnerable to political interference and corruption (Planning Commission 2012: 61-62).

According to K.L Dutta (2007) illegal mining is an expression, locally, of unjust national mineral laws that fail to address the issue of "who owns the mineral resources, since when and why," "who controls their use," and "who is looting and under what circumstances." Dutta argued that some of the main reasons of illegal mining in general and in coal mining in particular are complexity of laws and land acquisition act, state ownership of resources, socially and environmentally harmful mining by formal mines, absence of safeguard and protection for poor, continuing license raj in Coal India Limited and overall trend of informalization of economy.

2.3 Mineral Acts and Polices

Mines and mineral policies are broadly divided into two categories, one for the regulation and development of mining and other for the safety and welfare of mine workers[5]. Since independence minerals are considered as basic and strategically important for the country. This view reflected in 1948 industrial policy resolution which included coal and oil minerals in the six industry category where the establishment of new undertaking exclusively the responsibility of public sector. Industrial policy resolution of 1956 went a step further and reserved minerals like as coal, lignite, mineral oils, iron ore, copper, zinc, atomic minerals exclusively for the public sector. The restrictive approach of IPR was reflected in subsequent acts like

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[5] The focus of this discussion is on laws and rules regarding regulation and development of mining policies

Mines and Minerals (Regulation and Development) (MMDR) Act 1957, Mineral Concession Rule (MCR) 1960 and the Mineral Conservation and Development Rules (MCDR) 1988 framed under MMDR (Planning Commission 2006: 50).

The Mines and Minerals Development and Regulation (MMDR) Act, 1957

Under the Seventh Schedule of Indian Constitution, the management of mineral resources is the responsibility of both the Central Government and the State Governments. Entry 23 of List (State List) empowers the state governments to make laws relating to "regulation of mines and mineral development subject to the provisions of List 1 under the control of the Union". Entry 54 of List 1 (Union List) dealing with the same subject empowers the central government to make laws relating to the "regulation of mines and mineral development to the extent to which such regulation and development under the control of the Union is declared by Parliament by law to be expedient in the public interest". The conditionality's outlined in clauses (1) to (3) of Article 246 of the Constitution, which deals with the law-making powers of the Parliament and the state legislatures and the formulation of the two entries of Schedule VII, referred to earlier, leave no doubt about the predominance of the central government's powers in the area of regulation of mines and mineral development. The MMDR Act 1957 was enacted by the Parliament in pursuance of this power (Ibid: 40-55).

In line with of IPR 1956 Indian state enacted the Mines and Minerals (Development and Regulation) Act, 1957 (MMDR Act), which laid down the legal frame-work for the regulation of mines and development of all minerals other than petroleum, natural gas, atomic minerals. Mineral Concession Rules 1960 (MCR) and Mineral Conservation and Development Rules 1988 (MCDR) were framed under the Act for regulating grant of reconnaissance permits (RP), prospecting licenses (PL) and mining leases (ML) in respect of all minerals other than coal, atomic minerals and minor minerals (NMP 2008: Para 3.1). The parliament enacted the Mines and Minerals (Regulation and Development) Act for regulating the mining sector (other than Petroleum and Natural Gas). It defined the state government as the owners of the minerals found within the boundary of the respective state and the centre owned of those that were found in the territorial waters of the country and the exclusive economic zones. Under the act, central government had the power to grant

prospecting license and mining lease for all minerals except minor minerals and atomic minerals (Gayathiri 2012: 14).

The MMDR Act, 1957 recognises the significant role of the state governments in this sector. Powers relating to the development and regulation of minor minerals were delegated to the state. In the case of minerals in the first schedule of the Act such as part (A) coal and lignite, part (B) atomic minerals, part (C) 10 specified minerals the states need to take prior approval of the Central Government to grant concessions. The central government retains the power of revision, fixation of royalty etc., in respect of major minerals.Under the Act, all powers of central government over coal and lignite and atomic minerals is exercised by the ministry of coal and the department of atomic energy respectively (Ministry of Mines 2014).

The Act was first amended in the year 1972 for better government control over mining. Measures like premature termination of mining leases, lowering of the ceiling on individual holdings, power to modify mining leases and for prospecting and mining operations in certain areas, removal of ceiling on royalty, inclusion of provision of dead rent and enhancement of penalties were introduced. Again in 1986 amendments were made. First Schedule minerals, in which prior approval of the Central government had to be obtained were increased, the Central government was authorised to reserve areas for Public Sector Undertakings (PSUs), and mining plan approval was made compulsory. In 1988, the MCDR was revised to enable IBM to monitor and regulate mining activity (Planning Commission 2006: 56-70). Thus it is very evident that government control and regulation was very high in this sector. This scenario completely changed with the opening of the sector during economic liberalisation period.

Coal Mines Act

In the Mines and Minerals (Regulation and Development) Act, 1957 coal was listed as a Schedule I mineral. This implies that while ownership of coal resources vests with the state, prospecting, and mining are controlled by central government. The numbers of laws and regulations that govern various aspects of the coal sector either have been extended to coal mining or incidental to the sector. The MMRDA 1957 and Mines Act 1952, together with rules framed under them, constitute the basic laws governing coal mining (Khana 2013:8-9).

The Ministry of Coal has the overall responsibility of determining policies and strategies in respect of exploration and development of coal and lignite reserves, sanctioning of important projects of high value and for deciding all related issues. Other than MMRD 1957 act there are specific acts which guide the development of coal sectors one of such act is Coal Mines Nationalisation Act 1973.Under the Coal Mines (Nationalisation) Act, 1973, Coal mining was reserved for the public sector. The private coal mines were nationalised in two phases during 1971 to 1973. In the first phase, coking coal mines were nationalised. In the second phase, non-coking coal mines were nationalised. With the nationalisation of the coal industry in 1973, formal regulations on coal industry were introduced. The government controlled the production, pricing and distribution of coal.

The 1973 Act was amended several times to allow captive mines for industries like iron and steel, electricity and coal-washing and cement production. The amendment in 1976 terminate all the mining leases on coal held by private lessees with two exceptions viz., (i) to allow captive mining by private companies engaged in production of iron and steel and (ii) sub-lease for coal mining to private parties allowed in isolated small pockets not amenable to economic development and not requiring rail transport. The Coal Mines (Nationalisation) Act, 1973 was again amended in June 1993 to allow coal mining for captive consumption for generation of power, washing of coal obtained from a mine and other end uses to be notified by the government from time to time. Cement production was subsequently notified of a specified end use for captive coal mining. As per the provisions of the Coal Mines (Nationalisation) Act, 1973, a company engaged in product of iron and steel, generation of power, production of cement, and production of gas obtained through coal gasification (underground and surface) and coal liquefaction only can do coal mining in India for captive consumption (www.mines.nic.inon).

Subsequent amendment in 1996 partially deregulated coal industry and introduced reform in pricing and distribution of coking and high-grade coal. In 2000 further changes were made to open up the coal sector for private investment. It deregulated the pricing of non-coking coal. The amedments in the Act allowed the state government companies or undertakings to do mining of coking and non-coking coal or lignite reserves, either by the opencast or underground method, anywhere in the country, subject to the certain condition. The Mines and Minerals (Development and Regulation) Act was amended in 2010 to bring transparency in coal allocation

process. The amended provide for the grant of reconnaissance permit, prospecting license or mining lease in respect of coal or lignite through auction by competitive binding (Naik, 2003: 48).

Further to amend the Coal Mines (Nationalisation) Act, 1973 and the Mines and Minerals (Development and Regulation) Act, 1957. A new Act was passed in 2015; the act replaced the ordinance promulgated in 2014. It enables the private company to mine coal for sale in the open market. It removes the restriction of end use from the eligibility to coal mining except in the case of certain coal blocks. So the Act virtually ends the monopoly of the public sector. It made auction to be the method for allocation of coal blocks. It creates three categories of mines i.e, Schedule I, Schedule II, and Schedule III. Schedule I mines includes all the 204 coal mines cancelled by the Supreme Court in August 2014, any land acquired by the prior allotted in or around the coal mines and mine infrastructure. Schedule II includes 42 Schedule I mines that are currently under production or about to start production. Schedule III mines include the 32 Schedule I mines that have been earmarked for a specified end-use (PRS 2014:1). The act opens up the sector for private and foreign investment and effectively ends government monopoly. It is a step towards commercialization of coal. The Act is also beneficial to state-owned companies which may now bring best technology and practices.

National Mineral Policy, 1993

National Mineral Policy has evolved over the years keeping in view the present and future needs of defense and development of the country. It attempts to strike a balance between indigenous availability of basic and strategic minerals and to avoid disruption of core industrial production in times of international conflict.

National Mineral Policy was announced in March 1993 in pursuance of the reforms introduced by the government of India in 1991 in fiscal, industrial and trade regimes. The National Mineral Policy accepted the necessity for encouraging private investment including foreign direct investment and technology in the mineral sector. The basic objectives of the mineral policy are identification and develop mineral resources considering national and strategic interest, encourage linkage of the mineral industry, to promote research and development in minerals and to develop human resources, minimize negative impact on the forest, environment and ecology through

appropriate protective measures and ensure safety in mining operation (Ministry of Mines, Annual Report 2010-11: 34-36).

The policy introduced the idea of encouraging private investment in exploration and mining. Until now thirteen major minerals – iron, manganese, chrome, sulphur, gold, diamond, copper, lead, zinc, molybdenum, tungsten, nickel, and platinum reserved for the public sector were opened up for the private investor. To bring new technology in mining, foreign participation in exploration and mining were encouraged through the joint venture, and the general limit of 50 percent of foreign equity is also relaxed on the case to case basis. This shows reluctance of the government to go for full-scale liberalisation in the sector. Later a series of reviews in 1994,1996,1997,1999 and 2000 were done to facilitate both private and foreign participation and empower state government in decision making. And finally, in 2006, the mining sector was fully opened for foreign investment, which consequently paves the way for multinational companies in the fiel (Planning Commission 2006:2-8).

With the formulation of new mineral policy, several amendments are made in MMDR Act. Amendment in January 1994 introduced the concept of Large Area Prospecting License (LAPL), whereby the area for a single Prospecting License (PL) for facilitating aerial prospecting enhanced from 25 sq. km to 5000 sq. km, with the provision that the aggregate area held by a single party would not exceed 10,000 sq. km in the whole country. A time-bound framework for gradual relinquishment introduces, whereby detail exploration has to be narrowed down to 25 sq. km at the end of the third year. It removes the restriction on foreign equity while applying for mining concessions, devolved more power to state government by amending the first schedule of the Act and deleting 15 minerals from the list removes the restriction of getting prior approval of central government before terminating the lease of minor minerals, and also ensures stability in mineral concessions tenure. The Act was again amended in 1999 to introduce the concept of reconnaissance operations as a distinct stage prior to prospecting and replaced LAPL by the instrument of reconnaissance permit (PR). Reconnaissance permit holder will get priority in the grant of PLs within reconnaissance areas subject to certain conditions. Further power has been delegated to state government such as power to grant RP/PL/ML for areas that were not compact or contiguous, power to transfer MLs in respect of minerals under part (C) of the first schedule, power to permit amalgamation of two or more adjoining MLs, to

curb illegal mining, power to check, search, entry, power for giving approval to 29 non-metallic/ industrial minerals (Planning Commission 2012: 60-82).

National Mineral Policy (NMP), 2008

The midterm appraisal of the tenth plan showed that 1993 mineral policy failed to attract significant private investment and technology in the mining sector. Then Planning Commission appointed a high-level committee under the chairmanship of Anwarul Hoda in 2005. The committee reviews the existing policies, procedures, laws and made the recommendation in 2006. Based on its recommendation the GOI announced the new mineral policy in 2008 which replaced the previous mineral policy of 1993 (Ibid).The policy treated mining as an independent economic activity, not as an ancillary activity of manufacturing industry. It recognises the importance of mineral resources in future giving a competitive edge to Indian industry and emphasise on developing appropriate linkage between exploitation of minerals and their end use.

The NMP shifted the focus from areas of managing the mineral concession systems to areas of regulating the mineral sector through addressing issues like simplification, transparency in procedure and sectorial best practices in order to attract capital and technology, better management of resources, enhancing the impetus on research and development, developing the human resources in the sector. It set the goal for zero waste mining by adopting proper mining methods, follow-up all necessary procedures and optimum utilisation of minerals. In addition to this, it recognises the importance of bio-diversity, and it ensures that mining must take place along with sustainable measures and interest of stake holders be protected by international best practices. It mentioned measures like social impact assessment, proper relief and rehabilitation. The policy seeks to develop a sustainable framework for the optimum utilisation of resources, industrial growth and to improve the life of people living in the mining area. The policy highlights the importance and need to incorporate provisions in the mining legislation enabling institutional mechanisms for involvement of the local people, in the development of mineral resources (Ministry of Mines, Annual Report 2013-14: 25-27).

The policy recognises private sector as the main source of investment in future. To attract the private investment it makes the regulatory framework favourable by

transparency in the allotment, assured the right to next stage and transferability in mineral concession. The policy further recommends for developing and financing the infrastructure needs of the mining sector, where required the principle of user charges and private-public participation will be the basis. The policy emphasises on the future role of the state in facilitation and regulation of exploration and mining activities of investors and entrepreneurs, provision of infrastructure and tax collection. To give a fair share to the state for extracted mineral, it seeks rationalization of revenues received from minerals, stress on operational and financial linkage with Indian Bureau of Mines to overcome the problem of illegal mining (NMP 2008 Para2-4).

MMDR Amendment Act, 2015

In recent years due to steady increase in illegal mining in most mineral rich states of India and due to various reports and judgments by the court it is underlined that there is the need for effective governance in the mining sector. In order to bringing transparency, to attract private investment and to bring higher revenue for the state, significant changes in procedure, practice and institutional arrangement of the mining sector have been done.

The Act has stricter provisions of penalty for illegal mining. It made auction the sole method of allotment of mineral concession both for notified and non-notified minerals. This would remove discretion, as a result, would bring transparency and ultimately increase in government share. The penal provision has been made more stringent to check illegal mining. Provision of the constitution for special court under Section 21(1) & (2) by the state government, fast track court for illegal mining and higher penalties and imprisonment has been made. The amendment has also increased the period of mineral concession from 30 to 50 years. To give impetus to mining exploration and to reduce delay it removes prior approval of centre and the Act recommend the establishment of National Mineral Exploration Trust (NMET). Prior to the amendment Act 2015 in the case of mineral like iron ore, manganese, bauxite, gold, copper which are in part two of the first schedule, state government needed prior approval before granting the mineral concession. But now, the Act made the procedure simple, removes this clause of prior approval of central government (except Atomic Mineral, Coal, and Lignite). To address the present mining lease problem of the sector the subsection 5 and 6 of section 8 (a) read that mining lease in case of

captive purpose and in case of where mineral used other than captive purpose be extended subsequently from the date of last renewal to 31/03/2030 and 31/03/2020 or till the completion of renewal already granted whichever is later. To address the concerns of people who are affected by mining and to safeguard their interest the Act provides provision for the establishment of a trust called District Mineral Foundation (9:b) in the district where mining takes place and mining lease holder would contribute a fixed percent of royalty to the trust (Press Information Burea 2015:1-3).

2.4 Environmental and Forest legislations

Mining has affected the society in two ways, on the one hand, it has brought economic development, and on the other hand, it has brought significant damage to forest and environment and misery to the communities by forcing them into displacement from their home land, snatching their culture and livelihood. The Indian state has tried to address the problem by legislative measures general to all industries and laws and regulation specific to the mining industry. Industrial and mining policies and laws have concern for the environment but environmental provisions are secondary compared to the objective of promotion of mineral development. So environmental and forest conservation laws impinge on mining sector to protect environment and forest and interest of those dependent on forest resources. Policies and Acts like Forest Right Act and Environmental Impact Assessment are not only addressing various aspects of environmental challenges but also emphasising the need for sustainable development through the incorporation of environmental concerns in social and economic development activities.

 Indian Forest Act, 1865

Forest management and utilisation of resources rested with forest communities prior to British arrival. It was managed through the informal social mechanism, religious rituals and cultural practices. To fulfill their colonial interest and to control forest resources British rulers started monopolising forest resources and the process of monopolisation began with reservation of Malabar Teak wood for British in 1906. The systematic controlling of forest resources started with the enactment of Forest Right Act 1865 which enabled the British government to acquire forest land which has potential for supplying timber to railways and to arrest anyone who encroaches

upon the area reserved for such purpose. The Act was replaced by a new Act in 1878 which gave British ruler absolute control over certain valuable track and simultaneously recognised the customary right of villagers. The Act also provided flexibility in the management of remaining areas by recognising socio- political variance and difference in land tenure system. British Indian state clearly got full control of Indian forest in 1927 act, which extended its jurisdiction to both public and private forest. The act divided public forest into three categories namely reserve forest, village forest and protected forest.. This act prohibited activities such as grazing, cultivation, charcoal-burning, timber cutting and stone-quarrying in a protected or a reserved forest without prior permission of state government (Guha1983: 1882-96).

As a consequence of such notification, previously exercised individual and community rights were extinguished and got converted into privileges. This meant that access to a reserved forest and its products could not be obtained without the prior permission of the forest officers. This kind of discriminatory policy and legislation of monopolizing and diverting forest resources for non-local use, generated conflicts. From the earliest days of forest administration, there have been revolts in different parts of India centering around the question of forests (Ibid).

National Forest Policy Resolution, 1952

The National Forest Policy of 1952 was more or less, an extension of the old British policy of asserting state monopoly rights over forests and diverting forest resources from local to national need. It classified forest resources into four categories on functional basis such as protection forest, national forest, village forest and tree-lands. It emphasizes on preservation and management of forest on scientific and business line for maintaining sustainable supply of timber and other forest product for defense, communication, industry and for other public purpose. It also stressed on the need for the realization of maximum annual revenue in perpetuity. Forest policy 1952 seems clearly in the line with IPR 1948 and gave paramount importance to industry and defense interest in forest management (http://forest.ap.nic.in).

Wild Life (Protection) Act, 1972

The Government of India enacted Wild Life (Protection) Act 1972 with the objective of providing protection to the listed endangered flora and fauna and ecologically important protected areas. It strives to control poaching, smuggling and illegal trade in wildlife and its derivatives. More stringent punishment and penalties are introduced in the act by an amendment in 2003. The act restricts use of sanctuary for education, scientific research and management and collection of specimen. Any activity other than the mentioned category needs satisfaction of state government in consultation with board (Wild Life (Protection) Act 1972: No.53).

Forest Conservation Act, 1980

The forest conservation Act 1980 gave central government an upper hand in matters related to forest resources. Under it, to declare a reserved forest as unreserved and to allocate it for the non-forest purpose the state government needs prior approval of central government. Activities, like the breaking up or clearing any forest land or portion thereof for the cultivation of tea, coffee, spices, rubber, palms, oil-bearing plants, horticultural crops or medicinal plants and any purpose other than reforestation were defined as a non-forest purpose in the Act. State government does not need prior permission of central government with regards to work related to conservation, development and management of forests and wildlife, namely, the establishment of check-posts, fire -lines, wireless communications and construction of fencing, bridges and culverts, dams, waterholes, trench marks, boundary marks, pipelines or other like purposes.

As the provision of the Act were limited to reserve forest, it made it possible for state government to declare protected and village forests as non-forestland and thereby allocating such land for non-forest purpose. Later in 1988 amendment was made and unreserved forest also included in the provision where prior approval of central government is needed for non-forest purpose (Kulkarni 1989:859-62). The act gave absolute power to central government in controlling forest resource and to impose restriction on state government.

National Forest Policy Resolution, 1988

The forest policy in 1988 brought about a radical change by shifting the focus from revenue generation to conservation with a view to secure the subsistent needs of the local communities. It acknowledged the fact that life of tribal and local people revolve around the forest (Sarker 2009:15-17). The policy underlines that development works like construction of dams and reservoirs, mining, industrial development and expansion of agriculture ought to be in consistent with the need for conservation. Any projects which involve such diversion have to provide in their investment budget, funds for regeneration/compensatory afforestation. The policy specially mentioned that mining and quarrying activities are allowed only when a proper mine management plan appraised from the environmental angle and enforced by adequate machinery (MoEF, No3/86FP).

Forest Right Act (FRA), 2006

The Act is also known as Schedule Tribes and Other Traditional Forest Dwellers Act. The Act ensures individual and community right over forest and provides structure for communities to govern them[6]. The Act recognize and vest the forest rights and occupation in forest land in forest dwelling Scheduled Tribes and other traditional forest dwellers who have residing in such forest for generation but could not be recorded. The Act tried to achieve two goals simultaneously i.e. strengthening of forest conservation regime and ensuring livelihood and food security of forest dwelling community. The FRA 2006 only gave legal recognition to lands that people has already been farming prior to 2005 and, in the case of the non-STs, for the past 75 years. It states that people will only receive rights to "land under their occupation" prior to 13th December 2005, up to a ceiling of four hectares. No one will receive rights to new lands. Moreover, the titles recognized under this Act cannot be sold or transferred to anyone. But it is silent about quality of land and what about when a family grows in size (Press Information Bureau 2014: 1). Savysachi (2011) argued the

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[6] It makes consent of gram sabha compulsory for any kind of developmental work. Any kind of diversion of forest land for building of schools, hospitals, anganwadis, fair price shops, tanks, drinking water supply pipelines, minor canals and roads shall be allowed if forest land to be diverted is less than one hectare in each case and clearance shall be subject to the conditions recommended by the gram sabha.

Act only regularizing tribal encroachments and created private property to legitimize the right to dispose them in the name of public interest.

Environment Protection Act, 1986

The decision for environmental legislation was taken in the backdrop of United Nations (UN) conference on the human development held in Stockholm in June 1972. It all starts with the formulation of water Act 1974. The Act provides for the establishment of central and state pollution boards and made it mandatory to get its previous consent before establishing any industry, operation or process or an extension or addition which is likely to discharge swage or trade effluent into the stream, or well or land. Similarly, under the Air (Prevention and Control of Pollution) Act 1981 previous sanction of State Pollution Control Board (SPCB) is necessary before establishing any industry in air pollution control areas and industry have to comply with condition laid by SPCB. The Environment (Protection) Act was enacted in 1986 with an objective of protection and improvement of the environment. The Act gave the environment a comprehensive meaning, It read "environment includes water, air, land and the inter relationship which exists among and between water, air, land and human beings, other living creatures, plant and micro-organism and property". The Act gives central government absolute authority in the matter of protection and improvement of the environment. It empowers the central government to establish authorities [under section 3(3)] charged with the mandate of preventing environmental pollution in all its forms and to tackle specific environmental problems that are peculiar to different parts of the country. It empowers central government to take all necessary and expedient measures for the purpose of protecting and improving environmental quality and preventing environmental pollution. Under the Act, the central government can close prohibit or regulate any industry, operation or process. Under section 10, 11 and 12 any authority empowered by central government can enter inspect, can take the sample or seize any equipment or industrial plant for the purpose of administering various provisions of the Act. Section 3 and 5 of the Act empower central government to impose the restriction on various activities in fragile areas sensitive zones i.e., Doon valley, Aravallirange, Coastal zones and ecologically sensitive zones etc (Planning commission 2012:71-82).

Under the Environment (Protection) Act, 1986, the Ministry of Environment and Forests set up National Environment Appellate Authority (NEAA) to address issues related to environment clearances in areas of operations or processes of industries, subject to certain safeguards under the Act. Later the NEAA was replaced by a specialized body of expertise called National Green Tribunal under the National Green Tribunal Act 2010. The Act provides for effective and speedy disposal of cases (within six months of the filing of the case) relating to environmental protection and conservation. It also deals with the enforcement of legal right relating to the environment, giving relief, compensation for damages to persons and property and for matters connected therewith or incidental thereto. The Tribunal is guided by the principle of natural justice and not bound by the Code of Civil Procedure, 1908 (http://envfor.nic.in).

Environment Impact Assessment Notification, 1994

Development needs to be harmonised with ecology and environment conservation. It has been realised that environmental impact assessment is an important mechanism for achieving this aim of sustainable development. To achieve this, the Ministry had notified that thirty-two categories of developmental projects (including mining) could be taken up only after prior environmental clearance from the Ministry under environmental regulations such as Environmental Impact Assessment (EIA) Notification and Coastal Regulation Zone (CRZ) Notification. The Notification was revised twice in 2006 and 2009 and the developmental projects have been re-categorized into category 'A'(industry, thermal power, infrastructure, river valley, mining) and category 'B' depending on their threshold capacity and likely pollution potential. Further, the notification provided for screening, scoping, public consultation and appraisal of project proposals. The exempted projects are the biomass-based power plants up to 15 Mega Watt (MW), power plants based on non-hazardous municipal solid waste and power plants based on waste heat recovery boilers without using auxiliary fuel. In 1995 the Central Government established the National Environment Tribunal to provide for strict liability for damage arising out of accidents caused by the handling of hazardous substances with a view to giving relief and

compensation for damages to persons, property and the environment and for matters connected therewith or incidental thereto (Opcit :79-82).

National Environment Policy (NEP), 2006

NEP, 2006 incorporated environmental concern into the development process by underlining the need for the protection and conservation of ecology with emphasis on ensuring equitable access to natural resources for all particularly for the poor communities. It continues with the mechanism environmental impact assessment as the principal method of appraising projects. Section 5 of NEP-2006 reads, projects where large scale prime agricultural land would be diverted need the environmental appraisal and in case the of dense natural forest and areas of high endemism of genetic resources only specific case of vital national interest will be considered. It restricts further regularisation of encroach forest areas and diversion of forest area will be done only for minimum need of the project. It ensures provision for environmental restoration after decommissioning of industries, in particular, mines, closure in all approvals of mining plans, and institutionalises a system of post-monitoring of such projects. It introduced the concept of polluters pay, which means in principle the polluting industries would bear the cost of pollution, with due regard to the public interest, and without distorting international trade and investment. While all other Acts related to forest and wildlife claim state as owner of natural resources, this policy for the first time declared that state is not an absolute owner but a trustee of all natural resources, which are meant for public use and enjoyment, subject to reasonable conditions, necessary to protect the legitimate interest of a large number of people, or for matters of strategic national interest (NEP 2006, Section1-4).

2.5 Land Acquisition Acts and Policies

For development land is at the center stage all over the world. Land is required for any kind of development be it industrialization, dam creation, township project, infrastructure development, mining operation, tourist resort and for other large-scale uses. Land acquisition is highly a debatable issue not only in India but also all over the world as land is scarce resource. And conflict on the issue of use of land became inevitable as scare lands are shifted from primary agricultural use to industrial use. Acquisition of land for mining has become a debatable issue in India as many mining

projects are facing peoples' organized resistance all over the country. The most vibrant form of resistance can be seen in eastern part of India mainly in Odisha. Resistance is going on against POSCO at Jagatsinghpur, against TISCO at Jajpur, against Vedanta at Lanjigarh, against Utkal Alumina at Kashipur and in different areas of the state. So in order to understand the problem we need to analyze the laws and legislations related to land acquisition and how the legislation from time to time has tried to incorporate changes.

Land Acquisition Act, 1894

First time British enacted law for land acquisition in 1824, this was mainly applicable to Bengal provinces subject to presidency to Port William, later in 1850 it extended to Calcutta. Then 1839 Act and 1852 Act were introduced subsequently in cities of Bombay and Madras. It was only 1857 Act which had applicability for whole British India. Then again 1870 Act and finally land acquisition Act of 1894 was introduced which continued not only up to independence but also for a long period even after independence. The main concern for the colonized British India was to acquire land swiftly and to minimize the compensation to reduce the drain of wealth from the state exchequer. At the same time large amounts of land needed to be acquired from the people for expanding railways and other services that would help them in the administrative works. The act uses public purpose and urgency clause indiscriminately to take away land (Mookherjee 2012: 46-47).

Though the Act was amended several times after independence but its basic philosophy remained same. It regarded that the state has the power of eminent domain. The state may directly own lands through acquisition, purchase, etc., or by default. That means all lands which are not privately owned are owned by the state and even in respect of privately owned lands, the state has the power of eminent domain. The act was constructed around individuals; it neglected the village or communities which are being uprooted due to land acquisition. It took a very narrow view of ownership or dependence on land; it recognises only legally recognised tenants and silent about those who are dependent on land both directly and indirectly (Desai 2011: 95-100).

The Panchayats (Extension to the Scheduled Areas) Act (PESA), 1996

The Act provides for the extension of the provisions of Part IX of the Indian constitution relating to the Panchayats to the Scheduled Areas. This Act called the Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996[7]. The PESA-1996 give power to Gram Sabha to safeguard and preserve customary law, social and religious practices and traditional management practices of community resources, their traditions and customs, cultural identity, and the customary mode of dispute resolution in addition to developmental works. Gram Sabhas or Panchayats has given mandatory power of consultation in matters of land acquisition; resettlement and rehabilitation and prospecting licenses/mining leases for minor minerals; power to prevent alienation of land and restore alienated land; regulate and restrict sale/consumption of liquor; manage village markets, control money lending to STs; and ownership of minor forest produce. Looking at the detail list of the power provided to the Gram Sabhas under PESA, it can be deduced that this Act guarantees the safeguard of culture and traditions of the tribal ethnicities of India and thereby preserving the rich heritage (Press Information Bureau 2014:1).

The overlapping power of Ministry of Panchayati Raj and the Ministry of Tribal affairs is a matter of concern as it makes co-ordination and responsibility a problem. Governor is given the power to transfer Scheduled land to the government and allot to non-tribals, which undermines the very purpose of the act[8]. The act is applicable to only those areas which are declared as scheduled areas though important numbers of tribals are living in areas not covered in scheduled list.

The Special Economic Zones (SEZ) Act, 2005

The Special Economic Zones Policy was announced in April 2000 with the objective of making the Special Economic Zones an engine for economic growth,

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[7] PESA Act is applicable in 108 districts of 10 states. The states are Andhra Pradesh, Chhattisgarh, Gujarat, Himachal Pradesh, Jharkhand, Madhya Pradesh, Maharashtra, Odisha, Rajasthan, and Telengana. It covers seven districts of Odisha Mayurbhanj, Sundargarh, Koraput, Malkangiri, Rayagarha, Nabarangapur, Kandhamal in full and Keonjhar, Gajapati, Kalahandi, Balesore, Sambalpur and Ganjam districts partially.

[8] The 1997 Samatha case judgment Supreme Court bared any entity other than state-owned to purchase tribal land for mining activity. This judgment leads to opposite reaction by ministry of mines and subsequent appeal from Andhra Pradesh government on the ground of adverse impact on economic development. This led to unrestrained power to governor to transfer tribal land.

supported by quality infrastructure and an attractive fiscal package both at the Central and State level with a single window clearance. The idea of the special economic zone is not new one altogether, both Asia's and India's first economic processing zone was set up in Kandla in 1965, and few more after it. But these zones failed to give the desired result on account of the multiplicity of controls and clearances, the absence of world-class infrastructure and unstable fiscal regime. With an eye to impart stability to SEZ regime, new features are incorporated in the policy in 2000 and a comprehensive Special Economic Zone Act passed in 2005.

The policy aims to promote domestic and foreign investment, increase export of goods and services, to develop infrastructure and to create employment opportunities. The new SEZ law covers activities other than manufacturing, service and trade. A SEZ has been defined as a "duty-free enclave" that is to be treated as a foreign territory for trade operations, duties and tariffs. The minimum land requirement is 1000 hectares for multi-product, 100 hectares for the service sector, 10 hectares for single product zones. There are also provisions for relaxation for special category projects. There is very possibility that these areas can be used for potential tax heaven by diverting new investment in the grab of SEZ (Editorial 2006: 1300-1). The act creates a separate geographic entity within the country governed by the distinct regulatory regime for economic purpose. There is ample possibility for the developer to use land acquired for industrial purpose for other uses. The power of democratic institutions such as Panchayat and Municipality bodies is severely curtailed in these areas (Aggarwal 2006:4533-36).

National Rehabilitation and Resettlement Polic, 2007

It aims to strike a balance between the need for land for development activities and protection of the interest of landowners and dependent. The policy recognised the fact that use of state power under the principle of eminent domain had traumatic psychological and socio-cultural consequences. The policy recognises rehabilitation and resettlement as part of development process and looks for compensation beyond monetary term. It also included the cause of people who are dependent on land without having the legal right to it, like the landless peasant, daily labourer. The 2007 policy goes beyond the national policy on resettlement and rehabilitation for project affected families in 2003 and emphasises on participatory and transparent approach.

The policy aims at minimising large-scale displacement by limiting total area of land to be acquired for the project by restricting the acquisition of agricultural land for non-agricultural purpose and avoidance of multi-cropped land. It has provisions for compulsory social impact assessment in case of large-scale displacement; it also broadens the definition of affected families by including agriculture, non-agriculture labourer, rural artisan and small traders. The policy provides for land for land provision, employment for at least one person in the project and special provision for SCs and STs. But it has its own limitations. No benefit can be claimed under R&R in the case of small-scale displacement, peoples' participation in decision-making is limited only in case of R&R and not in the process of development of the project, and national project and public purpose project are treated as the exception. It is inadequate in the framework; there is no adequate check and balance, the process is open to abuse these raises serious question. The process wholly excludes the affected groups from a say in their future. No benefits are given in case of small-scale displacement. There is no provision for the inclusion of affected people in decision making and survey. The 2007 R&R policy reflects that the India state is yet to understand the relationship between the application of its policies and the constraint and conflict rises across the country. The policy should provide an environment where development can flourish and give equal opportunities to all the players to derive reward not to favour the powerful, force land acquisitions and to disempower the weak and most vulnerable (ACHR 2011).

An analysis of Odisha Government resettlement policy also gives same picture. The Government of Odisha framed a comprehensive resettlement and rehabilitation policy in May 2006 which is known as the Odisha Rehabilitation and Resettlement Policy 2006. Most principles of 2006 policy are an improvement on those of the previous rehabilitation policies. The 2006 policy accepts the necessity to minimise displacement. The policy acknowledges the consequences of displacement and deprivation of resources is traumatic for the weaker sections like the tribals. It also recognizes limitations of monetary compensation and goes further affirming resettlement and rehabilitation intrinsic to the development process. It acknowledges the plight and the need to rehabilitate those who do not have legal rights over land. An equally heartening inclusion is the one that makes Social Impact Assessment (SIA) mandatory for the projects that lead to displacement. It thus recognises that the displaced/ project affected people should pay not merely an economic but a social

cost as well. It adds that where a large number of displaced peoples are tribals, 'a tribal development plan should be put in place'(Rout 2011: 80-90).

However the policy suffers from serious limitations. The Odisha R&R Policy 2006 identified displacement by six types of projects: Industrial Projects, Mining Projects, Irrigation Projects, National Sanctuaries, Urban and Liner Projects and any other. For industrial and mining projects, it provides onetime cash assistance highest up to Rupees 5 lakhs for displaced families, who lost everything including homestead land. This Act failed to address the fact that state government has been acting as broker and profiting from the lands of the peoples by exercising its sovereign power. There is no provision for land as rehabilitation benefit. Only in case of displacement by Irrigation Projects, National Parks and sanctuaries assistance for agricultural land has been provided for. Since majority of displaced people comprised of indigenous and tribal peoples whose primary occupation are agriculture and forest related activities, their livelihood would be adversely affected in the absence of mandatory provision for land. The R&R Policy also does not make it mandatory to include representative of the displaced families and NGOs in Rehabilitation and Periphery Development Advisory Committee (RPDAC). The wording "……….it (the government) may include" suggest that the government may or may not include the displaced peoples representative and NGOs. The policy also provides that "effective participation of the displaced communities will be ensured in the process". But there is no clearly defined mechanism for ensuring such "effective participation" of displaced people. The Odisha R&R 2006 seems failed to reconstruct the pre-displacement livings of affected people. There is lack of clear accountability, lack of proper monitoring and evaluation system, lack of proper grievance redressal mechanism and non-recognition of customary land rights of the tribe's. The policy is also not free from gender bias (sons of 18 years of age and above and, unmarried daughters of 30 years of age and above are treated as displaced family for the purpose of R&R Assistance). There is no provision for the occupationally displaced person on account of the project (Ota 2009). The new R&R Policy 2006 doesn't address the displaced but will certainly be used as an instrument for further displacement.

Land Acquisition, Rehabilitation and Resettlement Act 2013

The land acquisition Act 2013 otherwise known as the Land Acquisition, Rehabilitation and Resettlement Act replaced the age old Act of 1894. It has provision to provide fair compensation and bring transparency to the process of land acquisition; it ensures consultation with local bodies, human, participatory, informal and transparent process of land acquisition. It not only focuses on providing them just and fair compensation but also aims at improving their post-acquisition social and economic status. It is a step ahead compared to piecemeal policies approach of previous policies. It took into consideration both pre and post-acquisition situation. It treats public and private project differently. In the case of public and private partnership project consent of 70 per cent of affected families is required and in the case of private companies 80 per cent of affected land owners consent is required. It also hiked the compensation up to four times and twice to the market value in rural and urban areas respectively and made social impact assessment mandatory for both kinds of projects. But the project for the public purpose is excluded from these provisions. Later in the year 2014, the Act was again amended and some changes were made by an ordinance to speed up developmental and security related projects. Previously excluded 13 statutes like Atomic Energy Act 1962, Metro Railways Act 1978, National Highways Act 1956, Petroleum and Mineral Pipelines Act 1962 etc. were included in the category of rigorous payment of compensation. The ordinance expanded the number of projects which are exempted from the requirement of consent and social impact assessment and included projects in defense and defence production, rural infrastructure, affordable housing, industrial corridors, and social infrastructure projects including PPP in which ownership rest with the government (The Hindu, December 2014).

Conclusion

All these subsequent mineral policies and environmental policies sought to address issues of mineral management, social and ecological concern related to the mineral industry. Subsequent mineral policies have gradually opened up the mining sector for private players and foreign companies and the role of the government has been seen to reced over the years, although till now government holds a substantial portion of the mineral production. But Padel and Das (2010) found that the mining companies flout

regulation and the law at will, while the tribals who are trying to protect their land and basic rights; law comes down heavily on them. So a double standard is maintained while applying the law. The mining companies are not only subverting Indian laws but they are also changing them through Acts such as SEZ (2005) and the new National Mining Policy(NNMP 2006-08), which are heavily influenced by the company interest in getting hold of the key mineral deposits in India. Policies are reframed to further the interest of mining companies and weaken the law and regulatory bodies that are supposed to ensure the well-being of affected people and check environmental pollution. It seems as if the policies have not been proved very successful in bringing transparency and accountability in mineral management. Similarly various aspects of ecological and social concerns are address by these acts separately and combinedly with Environmet and land acquisition acts. These acts emphasize the need for conservation of natural resources and their sustainable development through the integration of environmental, social concerns in economic development activities.

CHAPTER-III

MINING INDUSTRY IN ODISHA: AN OVERVIEW

The present chapter provides basic introduction and understanding to Mining in the state of Odisha with available statistical materials. Its relationship with the economy and ecology of the state is taken into consideration. It discusses displacement as a result of mining based projects and various issues and concerns like Rehabilitation, socio-economic conditions and the rights of the people in different parts of Odisha. Here, the discussion would be on how mining projects have displaced the indigenous people from their home land, and how affected people have reacted to these projects.

Introduction

Displacement is a painful process and it is more painful when one is displaced without alternative resettlement. This pain is aggravated if the process of displacement is violent and forceful. This experience of displacement is more heart-rending for Adivasi people, for whom their land is not only just an economic resource but also basis of their spiritual and cultural existence. A conservative estimate shows big projects such as mines, dams, industries, wild-life sanctuaries, field firing range etc., have displaced approximately 2 crores 13 lakh people during last 50 years in the country. Among those displaced, at least 40 percent (around 85 lakh) people are indigenous Adivasi people. Out of these more than 2 crore displaced people, only one-fourth has been resettled and the rest are given some cash as compensation and forgotten (Sanhati 2012). Historically tribals have been dependent on natural and common resources for their survival. Tribal ethos and ways of life are based on these resources. Displacement in such massive scale due to mining projects adds serious dimension to the problem. These development projects are not only depriving them of their land and livelihood but also have serious psychological and socio-cultural consequences.

Protest movements against development projects in Odisha became common after the 1990s due to growing awareness of negative consequences of displacement and failure to provide a viable alternative source of livelihood to locals in place of threatened traditional pattern of livelihood. This confrontation between state and tribals and opposition to almost all development projects became continuous and

intense due to continuous shrinkage of common property resources. Walter Fernandes (2008) pointed out that in India mining alone has displaced more than 1.5 million people over the last fifty years. Other sources estimated the scale of mining-caused displacement in India at more than 2.55 million people between 1950 and 1990. Mining-induced displacement and resettlement is a global problem, occurring more intensively in countries like India, China, various African countries and even Indonesia and Papua New Guinea. Although mining-induced displacement is a phenomenon worldwide, problems experienced by the displaced people in many parts of the world vary significantly. Beyond economic, social and the environmental rights of local communities, mining's effect on health and deforestation are the big problems (Terminski 2012:1-5).

3.1 Mineral and Mining in Odisha

The state of Odisha lies along the eastern coast of India. It is located between the parallels of 17.49N and 22.34N latitudes and meridians of 81.27E and 87.29E longitudes. It is bounded by the Bay of Bengal on the east; Madhya Pradesh on the west and Andhra Pradesh on the south. It has a coastline of about 450 km. It extends over an area of 155,707 square km. It accounts about 4.87 of the total area of India. On the basis of homogeneity, continuity and physiographical characteristics, Odisha has been divided into five major morphological regions: the Odisha Coastal Plain in the east, the Middle Mountainous and Highlands Region, the Central plateaus, the western rolling uplands and the major flood plains. As per the report of the Forest Survey of India using remote sensing techniques, the forest cover in the State is 48,855 sq. km of which 7,073 sq. km is very dense forest. The moderately dense forest extends over 21,394 sq. kms while open forest is over 20,388 sq. kms. The forest cover in the State constitutes 31.38% of the geographical area. Besides this, there exists tree cover outside the forest over 2.85% of the geographical area of the State. Thus the forest and tree cover in the State is 34.23% of the geographical area (odisha.gov.in). Odisha has one of the largest concentrations of the tribal population around 9590756 (22.85%) out of total population of 41974218(Census 2011). Most of them are dependent on agriculture and forests for their livelihood. Map-3.2 and 3.3 shows Odisha occupies a sizable portion of the mineral rich zones which are inhabited by tribals and in close proximity to forest areas (See Appendix-I).

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Odisha Political Map-3.1

Source: Official portal, Government of Odisha, odisha.gov.in accessed on15.11.2015.

Odisha Mineral Map-3.2
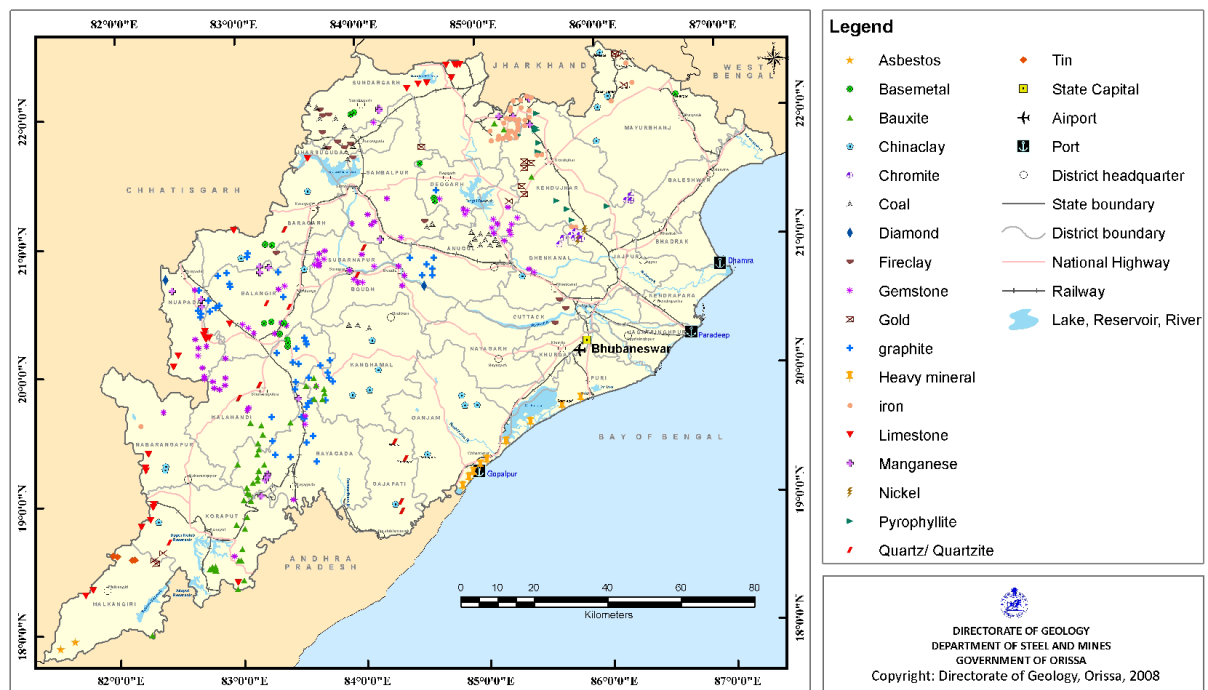
Source: Director of Geology, Government of Odisha, odisha.gov.in, accessed on 23.02.2015

Odisha Forest Cover Map-3.3
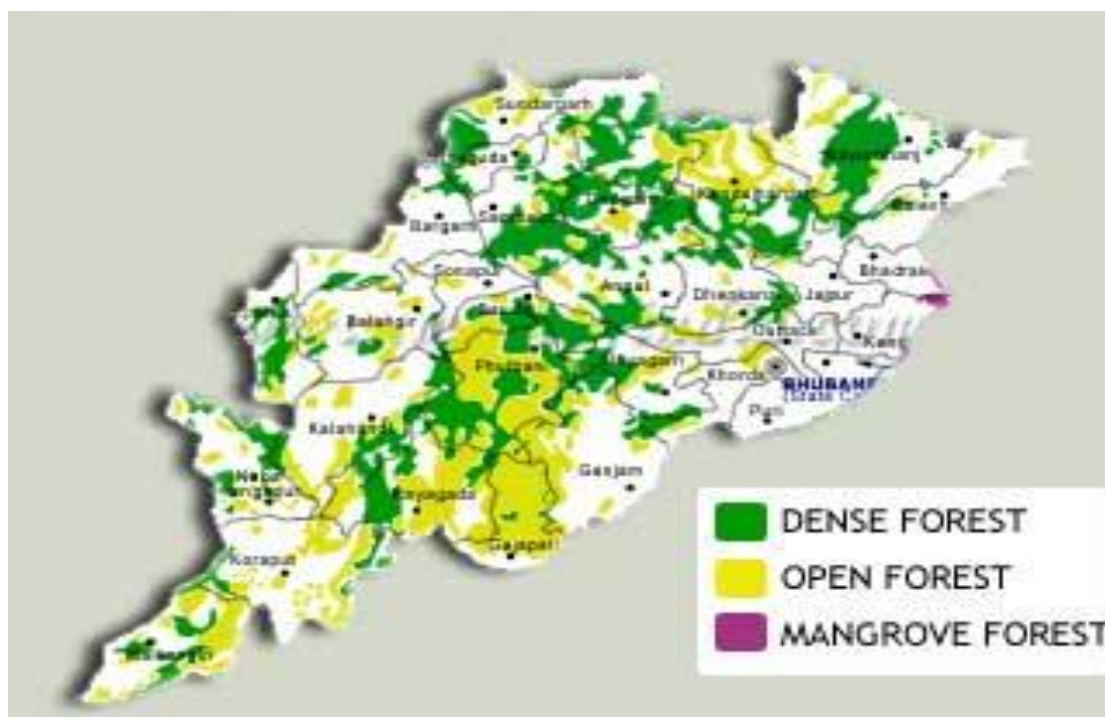
Source: Odisha Forest development Corporation, Government of Odisha, forest.odisha.gov.in, accessed on 22.11.15.

The State of Odisha Environmemt Report (2006) explains how mining of minerals and extraction of metals were practiced in ancient Odisha. In modem times the mining started as per available records in 1909. When coal was first excavated in the Rampur area of Ib valley. The TISCO mines for iron ore at Gorumohisani and manganese mine in Goriajhar (Gangpur State) were started in 1910 followed by dolomite and limestone mining in 1914 at Panposh and Bisra respectively. Mining of chromite in Baula area started much later, in 1942. After independence, the rapid growth of mining activities in the state was witnessed. Iron and manganese ore mining spread over extensive areas in Keonjhar and Sundergarh districts to meet the demands of new industries and for export. Chromite mining at Saula and Sukinda increased with establishment of ferroalloy industries and scope for export. Bauxite mining in large scale started at Panchpatmali hills in Koraput district in 1984. Besides the growth of limestone and dolomite mining in Sundergarh district, new limestone mines came up at Dungri in Baragarh and Sunki in

Koraput district with new cement plants. Beach sand mining at Gopalpur, lead ore mining in Sundargarh and mining of tin ore in Koraput started in 1980's, while the lead and tin mining has stopped later on. Other minerals mined in the state are graphite, china clay, fire clay, quartz etc. Besides mining of gemstones, small mines for minor minerals like morrum, decorative and dimensional stones and stone quarries with crushers came up at many places in the state in a very unorganized manner. During the period of 1985-2000, when mineral development in the state was very slow, bauxite production by NALCO in Koraput and coal mining by MCL in Ib valley and Talcher area have increased. But even without development of new mines, sudden increase in production of iron ore, chromite, coal and bauxite have been seen recently (Orissa State Pollution Control Board 2006).

The state of Odisha is gifted with abundant natural resources like minerals, forest, marine and water resources. Odisha is India's one of the major supplier of valued minerals such as chromites, nickel ore, coal, bauxite, iron ore and manganese. About 30% of its forest cover area not only provides livelihood and habitat to its growing tribal population but also these forest areas are covered with rich mineral deposit, richest biodiversity regions, and water catchment of major rivers. Large numbers of investors, both national and multinational companies have been attracted to invest in the state after liberalization of Indian economy. This process of investment gets accelerated during post-2000 leading to the opening of more mines. In the past several years, Odisha has emerged as a dynamic state by using its mineral sector as a major driver and self-confident to turn around its development fortunes by utilizing its mineral resource (See Appendix-II). So naturally, the state is attracting many national and international mineral based industries (Planning Commission 2012; 85-90). It is clear from the below chart (Figure-3.1) that the share of mining to GSDP has been continuously increasing since the 1990s after liberalization of the economy.

Figure-3.1

Percentage Share of Mining to total GDP and GSDP at 2004-05 base Price
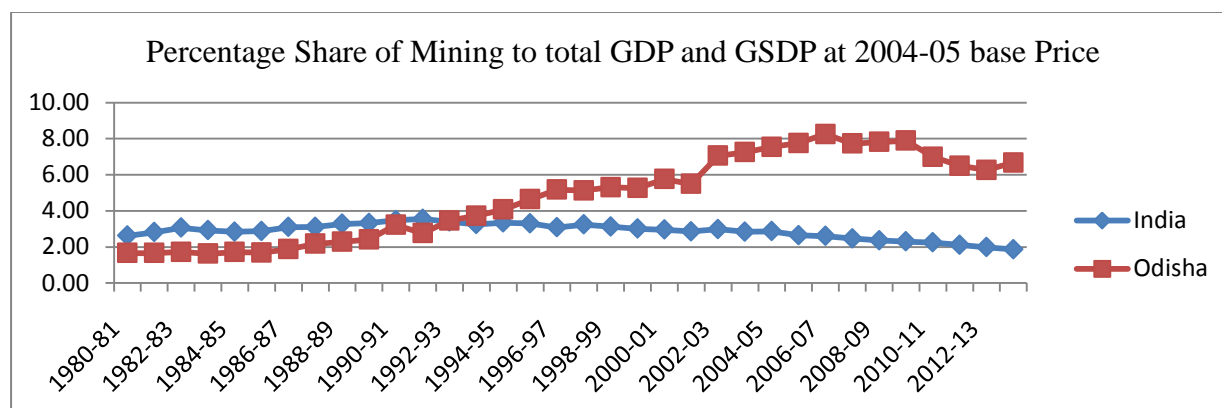
Source: Central Statistical Organisation, Government of India.www.mospi.gov.in, aceesed on 17.12.2015.

Geologically, two-thirds of Odisha is covered with Pre-Cambrian rocks which have been known to harbor many metallic and non-metallic minerals. On the basis of geological classification, the mineral resources of Orissa can be categorized into eight distinct categories: (i) Achaean sedimentary, (ii) Granite Gneisses, (iii) pegmatite, (iv) other veins in Achaeans, (v) Cuddapah system, (vi) Gondwana system, (vii) Laterite and (viii) Alluvium. Abundant reserves of high-grade iron ore, coal, bauxite, chromites along with other minerals such as limestone, dolomite, manganese, tin, nickel, vanadium, china clay, gemstone, granite, graphite, lead, gold etc., are extensively available in the State. This has paved way to immense possibilities for setting up industries that are mineral based and manufacturing units along with other auxiliary and ancillary downstream industries. According to the Directorate of Mines, Governments of Odisha, there are more than 26 types of minerals available in the state. Out of these, the state government has identified 13 minerals such as iron ore, bauxite, chromite, coal, limestone, dolomite, fireclay, china clay, nickel ore, quartz/ quartzite/silica, mineral sand, graphite and manganese as major minerals. Besides some exceptions like Kendrapada, Jagatsinghpur, Bhadrak, Balasore and Gajapati districts of Odisha where no minerals have been identified till yet , mineral resources of the state are widely distributed covering as many as 25 out of the 30 districts in

Odisha. (Vasundhara 2008:6).). At the movement major industries in Odisha include integrated steel plant at Rourkela, Kalinganagar, Angul, Jharsugarda; NALCO with its Alumina plant at Damanjodi and Alumina smelting complex at Angul; power plant at Talcher and Ib valley in addition to number of Fertilizer plants, Paper industries, Ferro ally plants, Cement factories in different parts of the state. Most of the industries are located in the areas where raw material, water, and power are available.

Mineral Industries Map-3.4
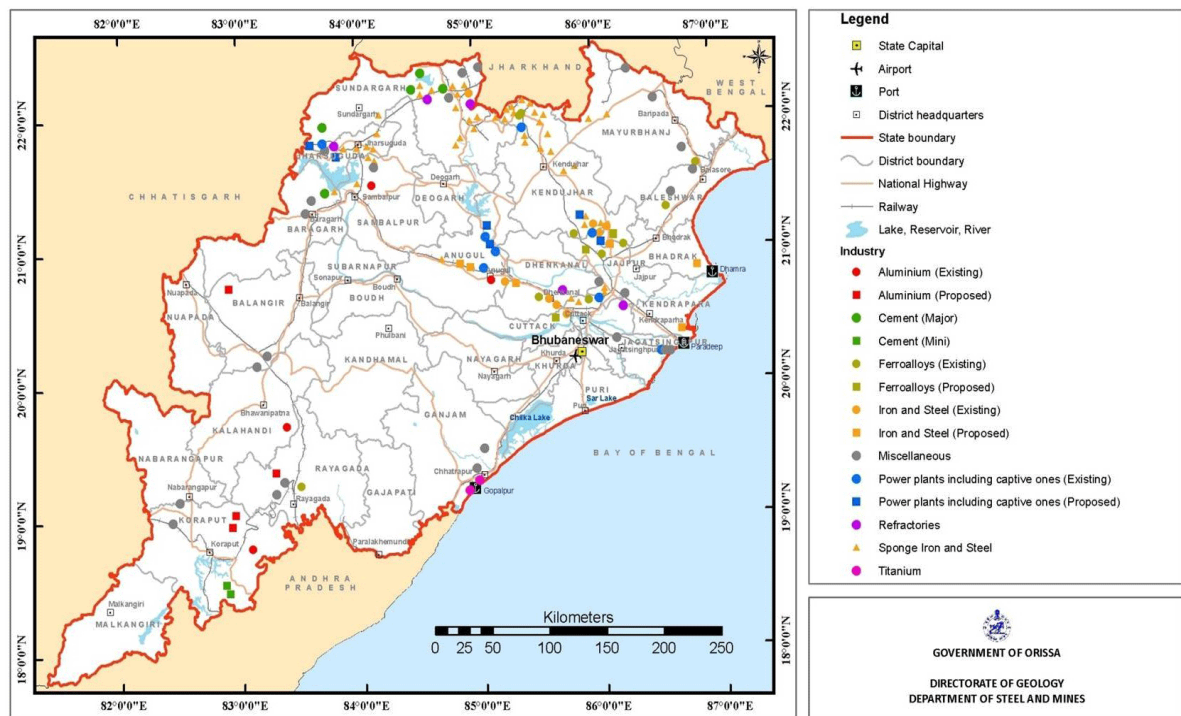
Source: Director of Geology, Government of Odisha. odisha.gov.in, accessed on 23.02.2015.

Figure-3.2: Distribution of Mining area in different districts of Odisha.
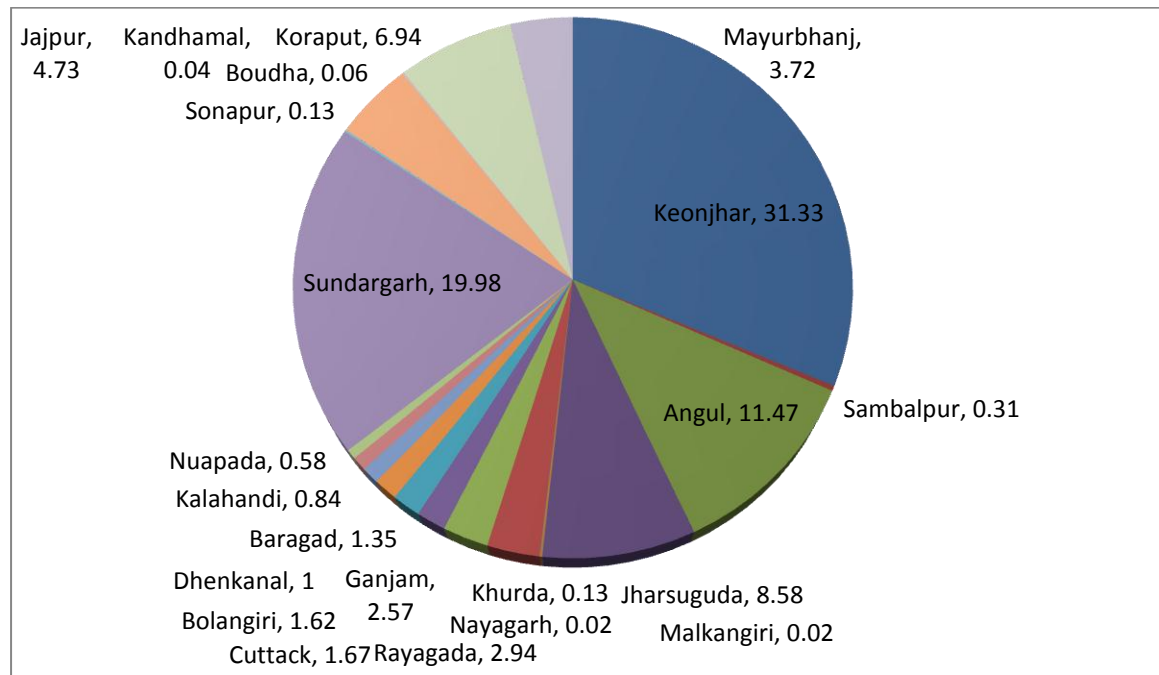
Source: *Ministry of Mines and Steel, Government of Odisha accessed on 22.05. 2016*

Despite of its abandunant mineral, Odisha occupies one of the lowest positions on the human development indicator when compared to the rest of India. Odisha ranks 22 out of 23 states in Human Development Index (2007-08) and 37 percentage of its population lives below poverty line, in Global Hunger Index it ranks 12 in 2007 (UNDP 2011). A comparatively weak economic performance is reflected in a high incidence of poverty, high levels of illiteracy and inadequate sanitation, a large section of the population lives below the poverty line etc. In recent years, the state's growth has accelerated, but it still lags behind the rest of the country. Poverty is further exacerbating along the lines of social groupings. Odisha's marginalized sections, specifically tribals, scheduled castes and other forest dwellers worst in terms of poverty levels and incomes, access to productive assets, education, heath etc. For instance 72 percent of Odisha's tribals live below poverty line. They live in conditions of subsistence dependence on agriculture and forests, and are linked to the larger economy through greedy and extractive market linkages (Vasundhara 2008).

Most of the mineral deposits of the state are in the forest areas that are inhabited by tribal populations including a number of tribal groups, who are dependent on forests

for their livelihood and have the lower adaptive capacity to social change. For tribal people of the schedule districts like Keonjhar, Sundergarh, Koraput, Kalahandi, and Raygada, the takeover of their lands for mining purpose is depriving them from their basic livelihoods. The tribals who are dependent on various NTFP for their livelihood are the major looser due to the transfer of the forest for mining activity.

Table-3.2: District and Percentage of Tribal Population

District	Major Minerals	Percentage tribal population
Koraput	Bauxite, Chinaclay, dolomite, Limestone, Mica etc.	50.56
Mayurbhanj	Irone ore, Coal, Manganese, Fireclay, Chinaclay, Gold, Magnetite etc.	58.72
Malkangiri	Limestone, tin ore, Quartz	57.87
Nabarangapur	Chinaclay, Irone ore	55.79
Rayagada	Bauxite Graphite, Manhanese, Quartz etc.	55.76
Sundargarh	Lead, Copper, Coal, Irone ore, Bauxite, Manganese, Limestone etc.	21.56
Sambalpur	Coal, lead, Copper, Chinaclay, Fire clay etc.	34.12
Keonjhar	Iron ore, Chromite, Manganese Dolomite Quartz, Limestone, Asbestos etc.	45.45
Kandhamal	Graphite	53.58
Jajpur	Chromoite	6.90

Source: Department of Steel and Mines, and Deparment of ST&SC, minority &Backward Class Welfare, Government of Odisha. odisha.gov.in, accessed on 23.02.2015.

Odisha ranked very high in terms of reserve and production of some mineral resources. The state accounts for 95 per cent of chromite, 92 per cent of nickel, 55 per cent of bauxite and 33 per cent of iron ore (hematite) resources of the country. It is also rich in other minerals like coal, dolomite, fire clay, manganese, graphite, and

lime stone, apart from having a host of minor minerals (Planning Commission 2012:83).

Table- 3.3: Mineral Resources of Odisha (In million tonnes)

Minerals	Odisha	India	Percentage share in India
Chromite	202.96	213.06	95.25
Nickel	174.48	188.71	92.46
Bauxite	1808.27	3289.81	54.96
Manganese Ore	152.96	378.57	40.40
Iron Ore	4760.63	14630.39	32.54
Fire Clay	175.48	704.76	24.89
Coal	61999.26	253301.66	24.48

Source: Planning commission report (2012) Government of India.

In the year 2008-09 Odisha ranked third among all the states in terms of the total value of the mineral production, accounting for 13.06% of the value of country's mineral production (excluding atomic minerals) (IBM 2011). Odisha contributes significantly in iron ore and chromite in terms of value. The contribution of mineral sector to the net state domestic product is higher compared to India. So it occupies an important position in the state economy. While "Mining and Quarrying" contributed 8.55% to the Net State Domestic Product (NSDP) at factor cost and current prices during 2009-10 (Base year1999-2000). The equivalent figure for the country is 2.5%. In fact, over the past ten years, the sector's contribution to the net state domestic product at factor cost (at current prices) has grown steadily (Planning Commission 2012:84).

Table-3.4: Mineral Production in Odisha (Quantity tonnes)

Minerals	2006-07	2007-08	2008-09
Chromite	3722633	3284100	2794392
Bauxite	4667508	4685998	4734529
Manganese Ore	686783	667780	905907
Iron Ore	65886005	74504876	77195160
Coal	81281053	89686365	97786646

Source: Department of Steel and mines, Government of Odisha and Planning commission report (2012) GoI.

Table-3.5: Mineral Revenue

Year	Target Revenue	Revenue collected (in Crore rupees)
2005-06	860	805.00
2006-07	950	936.55
2007-08	1,045	1126.09
2008-09	1,250	1,380.59
2009-10	1,600	2020.71
2011		1476.42(till September 10)

Source: Department of Steel and Mines, Government of Odisha. *odisha.gov.in, accessed on 23.02.2015.*

Though revenue from mineral industry is increasing each financial year but this mineral industry based growth model has been creating different kinds of response in different areas. Here we sought to explore how local communities have been responding to this mineral based growth model and impact of mining on the most vulnerable sections of society. Tribals of Odisha and other marginalized groups have been protesting against these mineral industries and involuntary displacement caused by it. These protest movements by tribal and other marginalized groups have caused delay and uncertainty with regard to the projects lined up in the region. Protests by the tribal group and the reaction of civil society organizations and the political parties to the present form of industrialsation are affecting the advancement of mining projects. It has also put the state government into an uncomfortable situation because of turbulence like police firings. In recent years, protest movements by the tribals in different parts of the state have often resulted in extreme violence in the form of bloodshed and killings of the innocents tribals in police bullets. Almost the entire tribal belt is now in chaos and disorder (Meher 2009:457-80). As estimated by Felix Padel and Samarendra Das (2010) in Odisha alone three million people have been displaced by industry since independence, and about one-half of these are Adivasis, and one-quarter are Dalits.

As according to Neera Chandhoke (2006) in the name of public purpose the local people have been disposed of their homes, their access to means of substancebeing snatched. It is not less than a systematic violation of human right i.e. the right to move

and live free in any part of India and the right to livelihood and the right to culture and community. Michael M. Cernea (1998), G. Satyanarayan (1999), Mohammed Asif (2000) and Shankar Venkateswarna shows in their study how rehabilitation and resettlement policies are based on complete lack of understanding to the livelihood relation with land. According to World Commission on Dams (2000) highlights how compensation has primarily being addressed as the loss of assets and property and not rights. The basis of compensation has thus been legal ownership and individual claim. The totalities of rights that are violated such as traditional right, common property resource, and socio-cultural rights are not compensated. The most serious of these are the customary rights of people to natural resources that are vital to livelihood and food security and secondly, the loss of the common property resources which constitute a valuable shared productive base of the community. This highlights the need for compensation to be relocated in a framework of compensation of rights, both community, and individual. In this context it is important to study how tribal and other marginalized groups are responding to these projects people.

3.3 Development Projects and Resistance

The growing awareness among the communities who face displacement has given rise to a wide range of protest all over the country. This resistance is not new. In numerous part of the country, by the middle of the 19th century itself, communities had mobilized to oppose colonial policies of resource extraction. This opposition was significantly manifest in tribal areas where these communities did not acquiesce quietly in the face of external intervention (Kothari 1996:1476). Even if there are protest movements, pressure from civil society, multilateral donor agencies like the World Bank, Asian Development, etc.; the states continue to displace people in the name of development. Further, the judiciary has been at best inconsistent and rarely sensitive to the issue of displacement.

As a result of protest movements, construction of many projects has been delayed, leading to a huge escalation of costs and raising the question of economic viability. Protest movements have forced the respective governments to reexamine the problems of displacement and take necessary measures for resettlement and rehabilitation of the displaced people in the country (Rout & Panday 2004:13).

Development projects have raised questions of equity, fairness, justice, and equality before the law, in matters of distribution of benefits and burdens.Today the affected people are no longer ready to accept displacement along with its attributes like occupational degeneration, social disorientation, pauperization, loss in dignity and cheated of the compensation amounts, that makes the experience a trauma. These protest movements have created a national awareness of the problem. These protest movements have played an important role in making displacement a key issue in the debate of development. In the recent years due to the adverse effect of displacement and complex nature of their rehabilitation procedure, there is mounting agitation against these projects, questioning the present form of development policies. Participants in the movements outright reject the construction of projects which displace a large number of people from their habitat. Certain sections of people assume that displacement is inevitable. Hence they claim for better rehabilitation programmes and policies, along with higher compensation. But the state on the other hand, considers the people's resistance movement as law and order problem and try to suppress the agitation by brute force.

So in the face of efforts to displace them, the poor, indigenous peoples and other marginalized groups are increasingly choosing to resist development-induced displacement and resettlement in the hope it will prove more effective in protecting their long-term interest. This shows displacement is no more being taken for granted by the affected persons. The demand and struggle were not to remain confined only to the resettlement aspect. People started questioning the displacement itself. Why displacement? For whom? What is public purpose? Who decides the public purpose, the propriety of displacement? Whether the evaluation of resources of affected people, which includes their social, cultural and other aspects of life, could re-compensate them adequately? The consent of people becomes an important factor (Patkar 1998). According to Medha Patkar the peoples movements in all corner of India have brought forth number of serious issues related to the rights, resources and life of the people, particularly the deprive sections of the population. All these relate to an alternative approach towards development projects, policies and paradigm itself. The struggle by tribal, peasant, backward classes, laborers and other section of the population against the displacement have added an important aspect in the exploration of the alternative. So she defines these peoples' movement as struggle for paradigms change, for an alternative model of development.

In resistance movement two domains- human rights and science, play key role. Local people and their human rights allies question the development projects based on the fundamental concept of sacrifice and justice. They attack the government for the dishonesty and hypocrisy that call upon the poor's to sacrifice for the benefit of the richest. Another key theme in the human rights discourse involves an evocation of commitment to cultural heritage. Leaving one's land is equated with separation from and the loss of the right to express one's identity and practice one's religion. Accepting resettlement is linked with betraying everything that stands for tradition. Secondly, NGOs have developed their cadres of scientific experts, to research and generate both data and perspective to meet the argument displayed by developers. Mostly, environmental issues are taken by NGOs combined with human right.

From the perspective of NGOs, social movement allies and transnational networks, stopping the project is a major goal in itself, but not the end of the goal. It is is just one battle in a war with many fronts against certain models or approaches to development and the institution associated with. The issue of displacement is also being taken up by many community-based organizations (CBO)/local organisations. The increasing availability of outside support from national and international NGOs and social movements has also supported the growth of these local organizations/CBOs. This resistance to displacement involves an extremely wide range of peoples, organizations, levels, contexts and relationships that call for greater democratization and more participation of local populations in the decision and projects affecting them. Resistance to displacement not only means to refuse relocation or claim compensation or better conditions, but also helps to initiate and became part of a multi-sect oral effort to critique and re-conceptualize the development process (Oliver Smith 2002:2-10).

National Aluminium Company Ltd. (NALCO)

Odisha industrialisation history cannot be written without mentioning the name of National Aluminium Company Ltd. (NALCO). NALCO an integrated multi-locational aluminium complex was established in 1981 keeping in target to exploit the bauxite deposit reserve in the Koraput and nearby Anugul distruct. It has three operation areas, one bauxite mines at the Panchpatmali hills of Koraput district, second alumini refinery at Damanjodi of Koraput district and third a smelter plant in

Anugul district (Stanley 1996). The NALCO project is located in Schedule V area; the company has obtained around 10,000 acres of land most of which are remained unutilized. Nalco has displaced 83,586 people from 353 villages. This figure included people displaced by dam and power projects namely Upper Kolab Dam and Talcher Super Thermal Power Project, construction of the refinery at Damanjodi, smelter in Anugul. Only coal mine operation resulted in the displacement of around 53 villages comprising of 9,700 people. NALCO paid compensation of a total of rupees 148, 73, 474.52, only to those who had land patta alone, no compensation was paid to those who were landless or daily labourer, and dependent on the common property resources (Khatua & Stanley 2006:145-148).

Displaced people have already seen the tragic consequence of displacement due to big projects. The Hirakud Dam displacement experience was still in memory. Initially displaced people resisted the project but they are very much aware that they don't have the political backing or popular support to stall the project. At that time national consensus was in favour of large scale industrialization. Their reaction was mixture of fear, helplessness, anger, misery, uncertainty. NALCO promised agitators a better compensation package and offered job assurance and better deal for land. Realizing their limitation agitating people also limited their demand for better rehabilitation and fulfillment of promised by NALCO. In NALCO protest movement case, there is no taker for and displaced people lacked confidence in influencing policies of the state. After more than 30 years of displacement, the local tribals are now demanding to rectify past injustice and to get proper compensation. This change is not all of sudden. The tribals have got new inspiration from recent ongoing movements against mineral industries going on all over Odisha and India (The Hindu, February 2008). After many years of experience with NALCO, people have realised the direct and indirect consequences of mining. So NALCO experience and post-NALCO protest movements influenced each other.

Bharat Aluminum Company (BALCO)

The resistance offered by locals at Gandhamardhan to Bharat Aluminum Company (BALCO) popularly known as the Gandhamardhan movement, is considered the pioneer of anti-mining movements. BALCO is a Government of India undertaking. It entered the Gandamardan hills in the district of Sambalpur and Balangir (both

undivided) by a lease of 9.6 square kms of the hill range, which carries 213 million tonnes of bauxite worth of 1500 crores. In 1983 the then Chief Mininster of Odisha laid the foundation of BALCO mining project in Gandhamardhan. The Gandhamardhan mountain range is home to thousands of aboriginal tribes like Kondh, Binjhals, and Gonds. The region comprises of tribal and schedule caste peasants, who constitute 55 percent of the population. The local tribals Khonds and Binjhal of Balangir, Nuapada and Bargarh district treat this mountain range as sacred grove. The mountain range comprises of 22 streams, and 150 perennial springs is home and source of livelihood for local populous (Padhi & Panigrahi 2011:38-39).

Initially people were not opposed to the project. Local response was mix with hope and apprehension. But later on after witnessing ill effects of mining and deforestation for two years local dissatisfaction started to take the shape of movement. A few incidents like collapse of Garuda Stambha, cracks in the ancient Nrushinghnath temple due to blast while mining, submerged of around 30 acres of land and famous orchards of Madhuban by the catch mate dam made by BALCO and subsequent disappearance of idol of Shri Nrusingnath and then automatic return widened the gap between BALCO and local populous and created an atmosphere of distrust and disturbance (Pegu 2011). Since the inception of the project local political representatives were in the favour of project but blasting due to mining and the subsequent damages of temple changed the scenario. Viswa Hindu Parishad by taking lead channelized people's religious sentiment against the mining. It organized people under the banner of Harishankar-Nrusinghnath Surakhya Samiti (HNSS) to oppose BALCO which attacked at the root of cultural and religious sentiment of the local people (Padhi & Panigrahi 2011:39). Arya Samaj also got actively involved in the movement as its Ashram was located in the mountain range. The faculty and students of Sambalpur University took eager interest to take forward the movement with proper organization. They sent letters and charters of demands to senior officials, politicians and chief minister but no significant change happened. In such a situation, to intensify the movement students and local activist formed village committees. Under this background on 24th August in 1985 people formed the Gandhamardhan Suraksha Yuva Parishad (GSYP) under the leadership of seven youth committee to sensitize people against the ill effects of mining and to build up the movement. After failure of prayer and petition method the agitators under the banner of GSYP started *Satyagrah* to close the BALCO office. More than 1000

people gathered at Paikmal and government to suppress the Satyagraha arrested 67 agitators and 12 young boys. In retaliation protester blocked all the ways leading to mining area. The movement continued till 1989. The direct action led by tribals forced BALCO to shut down its operation in 1989. In the BALCO protest movement tribal women played very important roles. They even laid their children in front of the vehicle to stop it. The movement was mostly non-violent because local tribals believed that they were soldiers of God. So they could not use violence. Development of indigenous leadership kept the movement aloof from outsider influence. The credit for success of movement goes to proper utilization of religious and cultural links. Mythology says Asur Monsik lives in Gandhamardhan hill. So BALCO create narrative that it is there with the blessing of lord Nrushingnath to destroy Asur but the locals developed counter narrative that BALCO was Asur and Lord Nrushinganath was their leader against fight with BALCO (Pegu 2011). BALCO movement, popularly known as Gandhamardhan movement is considered as one of the pioneer anti-mining struggles which could successfully resist the designs of BALCO who had then sure to mine the hills of Gandhamardhan.

Utkal Aluminium International Ltd (UAIL) at Kashipur

In 1993 Odisha government proposed to establish an export oriented bauxite alumina project named Utkal Aluminium International Ltd (UAIL) in Kashipur block of Rayagada district. Utkal Aluminium International Ltd (UAIL) was a joint venture of Hindal, Tata, Hydro Alumina and Alcan with technical support from Alusuisse. The project involved coast around 24 billion (Padhi & Panigrahi 2011). The project proposed to produce 1 million tons of alumina per annum and expand to 3 million in future. UAIL proposed to mine the Baplimali hills for buxite and refinery at Doraguda (Meher 2009). The project required 2,865 acres of land, out of which includes 1,000 hectares of land used for years for cultivation, forestry and shifting cultivation. The land requirement of UAIL project is estimated around 2,800 acres of land including forest land, grasslands, agricultural land and homestead (IPT Report 2006). The plant was to affect 2500 people directly in the 24 villages in three Gram Panchayat of Kucheipadar, Hadiguda and Tikiri. However company contradicted and claimed only 147 families would be affected. In addition to plant 42 villages would be affected by open caste mining at Baphlimali, however company claimed not a single village

would be affected. Rayagada district carry almost one third of bauxite deposits of India. The mountain tops and plateaus of Rayagada and nearby Kalahandi district have thousands of perennial streams and considerable tree coverage. The major tribal communities in the region are Praja and Kondhs (Padhi & Panigrahi 2011:41).

The local tribals were not in the favour of project from the beginning. In the year 1993 when the project was first proposed 18 tribal representatives met the then chief minister of Odisha and demanded cancelation of the project. But when the state government did not take any steps to allay tribals fears and in 1994 when company started survey work, the villagers opposed the survey and took all the survey instruments and set fire in the survey camp as a result 15 tribals were arrested. As the tribals are not properly organized the protest took violent turn. The movement took organised form when locals formed Prakrutik Sampad Surakshaya Parishad (PSSP) to fight against UAIL in 1995 (Ibid).To win confidence and good will of people UAIL formed an NGO called Utkal Rural Development Society to help in socio-economic development work. It has also done some development work like setting of eye camps, seed distribution and construction of road at mining site but PSSP opposed and demolished its construction on the ground that it is state government's duty to do these work. In January 1998 local people of Kucheaipadar created barricade at the entry point to prevent entry of company vehicles. Police demolished the barricade by using tear gas and lathicharged nearly 50 people got injured. To create political pressure an all-party committee was formed in 1999 composed of local BJD, BJP and Congress members. The movement took ugly turn in December 16, when police fired on people protesting against mining project at Maikanch village, which resulting in death of 3 tribals and injury of many more. After this incident people were determined to oppose the project by every means. In 29th December 2000 meeting of Gram Sabhas 22 of the 24 elected officials passed a resolution opposing the project. The very next day the collector of Rayagada organised meeting of *gram sabhas* of Maikanch, Kucheaipadar, Kodipari, Tikiri, and Gorakhpur where people asserted their opposition to the project. Then movement grew stronger. In a bid to mobilize international public opinion against the project a solidarity conference was organized in Montreal, including participants from India and Norway in September 2004 (IPT 2006). To suppress the opposition to the project Tikkri police tried to set up an outpost and barrack near to Kucheipadar, which was seen as an attempt against the local people's opposition to the project. Nearly, 300-400 people gathered on the street

opposing the plan. To disperse the gathering police blank-fired three rounds and then lathicharge the protestors. The state government started treating the area as a sensitive zone and deployed paramilitary forces near to plant area in the name of anti-naxalite operation. In 2004 Central Reserve Police Force (CRPF) battalions stationed at Rayagada. Two platoons of police are stationed at Karol-Kucheipadar (very close to UAIL's proposed alumina plant area). Another police outpost was set up at Maikanch (the entry point of UAIL's bauxite mining hill called Baphlimali) (Debaranjan 20005). Due to large scale opposition and resistance by local tribals and incident of firing in 2000 at Maikanch two partners Norsk Hydro of Norway and TATA Sons withdrew their share from UAIL. This share was purchased by ALCAN in 2003. Later on Alcan of Canada sold its stake to Hindalcoin in 2007. So now Aditya Birla Group is sole owner of UAIL (IPT 2006). Repeated appeal and demonstration and international pressure yield result when most of partners of UAIL project disinvested their share but it did not stand on the way of the completion of the project. In spite of such huge opposition UAIL was able to complete the construction of the refinery by 2012. Later on villagers accepted their defeat and in the year 2014 August villager went to mining site to demand for work (Debranjan 2014).

3.3.4 Tata Iron and Steel Company (TISCO) at Gopalpur

In 1995 Tata Iron and Steel Company (TISCO) signed a memorandum of understanding with the Government of Odisha for setting up a steel plant at Gopalpur in Chhatarpur block of Ganjam district. It holds Mining lease of iron ore at Mankadancha and Beliapahar in northern Odisha. The project involves acquisition of over 7000 acres of land. The project would displace 11 villages for steel project and 3 adjunct villages for township programme. According to 1991 census data over 19000 people faced displacement. The villages have mixed population of Oriya and Telgu and 30 percent of total population are scheduled caste. Agriculture is the main source of livelihood; it provides livelihood to 78 percentage of main worker out of which 44 percent are cultivators and 34 percentages are agriculture labourers. The project site located in the south of national highway no-5 and south-eastern railway and on the eastern side located Gopalpur port and 12 kilometer away from Berhampur town in the west (PUCL 1997). The proposed plant site was fertile area covered with coconut groves, plantations of jack fruit, pineapple, banana, mango, cashew nut, date,

blackberry, rose, papaya, tamarind and lime, etc., but the primary source of income was the kewra (Pandanus fascicularis), which grows wild and the base of the economy of this region (The Hindu, February 2000).

Government of Odisha to meet land requirement of company offered compensation at rate of 1 lakh per acres of land and separate additional compensation for coconut and other trees, and those who cultivated in government land would be compensated at same rate up to maximum 1 lakh rupees and for those who don't have homestead land would be paid 15,000 for construction of house on government land. Providing land for land and job to displaced family was not considered at all. Local people formed Gana Sangram Samiti in Agust 1995 to oppose the project. Leading role was played by CPI to form the Samiti and all the members of GSS including leaders were from villages. Communist Party of India has presence in the area since pre-independence period. In 1930s CPI mobilized local people and had formed Ganjam Zila Kushak Sabha which later on became part of All India Kisan sabha in 1936 (PUCL 1997).

Since 1995, people from 25 villages have opposed the plant under the Gana Sangram Samiti (GSS). The protest took violent turn from the beginning as the government was not in support of any discussion and support project with slogan 'TISCO bachao, Gaon hatao'. So division between political parties was clear. GSS members decided to block entry of Government and Company officials into villages. The district administration cracked down on the protesters and a large police contingent deployed in the area in 1996. In this process of crack down two women agitators died and leaders went underground. The protests reached a flash point in June 1999 when police resorted to a lathicharge and firing on protester in Sindigaon village resulting in killing of one policeman in a hand bomb attack. TISCO put its plan in cold storage and till now it has acquired 4,000 acres for the plant in an area between Gopalpur and Chamakhandi and 1,000 acres for a rehabilitation colony in Luharjar village in Berhampur tehsil (The Hindu, February 2000). Twist in movement story came when after 15 years of protest in 2015 TATA is planning to start a new project in the name "Gopalpur Industrial Park", support coming from the N. Narayan Reddy president of Gana Sangram Samiti, who had spearheaded the agitation against the Tata project in mid 90s (Business Standard, August 2010).

3.3.5 Pohang Iron and Steel Company Limited POSCO at Paradeep

Among many iron and steel companies who have signed Memorandum of Understanding with Odisha government the Pohang Iron and Steel Company Limited (POSCO) managed to seize largest chunk of these reserve about 600 million tonnes. On June 22, 2005 the Odisha government signed a MoU with the South Korean steel giant POSCO. This is India's largest foreign direct investment (FDI) involving the building of a 12-million tone integrated steel plant and port in Erasama block of Jagatsinghpur district. The land required for the railway, road expansion and mines is not included in this figure (MoU 2005). The proposed plant and port located about 10kms from Paradeep port, would affect 8 villages from three Gram Panchayats of Erasama block in Kujang tehsil (Jagatsinghpur district). The total land area sanctioned by the state government for the project was 4,004 acres, of which 3,566 acres was exclusive government land and the remaining 438 acres were private land. In all, 471 families would be affected, as per official statistics: Dhinkia (162 families) and Gobindapur villages (90 families) in Dhinkia Panchayat, and Nuagaon (10 families) and Jatadhar villages (the latter is uninhabited) in Nuagaon Panchayat, and Polang (62 families), Bhuyalpal (12 families) and Noliasahi villages (135 families) in Gadkujang Panchayat. The 2001 census shows that the three Panchayats have 3,350 households with a population of 22,000 out of which a third belongs to the Scheduled Castes (Samal 2012:28).

In January, 2009 Government of Odisha had recommended Khandadhar hill for POSCO. The proposed mine estimated to displace 42,493 people alone in Sundargarh district and out of these 32,044 people are tribal, Dalit and Christians. The Kandhahar hill is not only famous for its water fall but also inhabitated by primitive tribal groups like Paudi Bhuiny tribes, recognized among 13 primitive tribal group exists in Odisha. Besides, the area is inhabited by other tribal communities such as Munda/Mundari, Bhumija, Gond and OBCs such as Chasaa, etc (Odisha Sun Times, June 2014).

Opposition to the plant began when the news of the project spread, While initially reaction was mixed, later when the communities realized that they are going to lose their land and their livelihood without gaining anything substance in return. Three Panchayats came together under an umbrella organisation called POSCO Khatigrasth Sangharsh Samiti (PKSS) to oppose the project. Many of the members were

supporters of the Biju Janta Dal, the ruling party which signed the MoU. So it was natural that the PKSS failed to win the trust of villagers because of its party link. This resulted in split of the PKSS by January 2006 (Asher 2009). But opposition to the project continued under banner of different organizations. The most prominent among them has been the Posco Pratirodh Sangram Samiti led by Communist Party of India (CPI) with strong hold in Dhinkia Panchayat. For the PPSS the primary cause of protest was not to hand over their home, land and other sources of livelihood, The Forest Right Act, the environment issues are secondary issues which are inter related to their lives and livelihoods. The other groups opposing the project on different grounds were Bhita Mati Bachao Andolan with political affiliation to congress. This organization was not able to play significant role as the state congress had not cleared standing on POSCO project. Another group called Nav Nirman Samiti (NNS) a voluntary effort spearheaded by the Rashtriya Yuva Sangathan the youth wing of the Sarvodaya Movement that follows Gandhian principle. The group was active in Nuagaon locality. NNS was against the project which is going to take away the livelihood of villagers but it believes in non-violent and Gandhian ways of protest. Another major group called United Action Committee which was dubbed as pro-POSCO group favoured establishment of the steel plant as it would improve socio-economic condition of the people who were virtually staying in an island surrounded by rivers. The movement saw successful involvement of women and children and use of non-violent method of opposition. The locals have used every method of democratic dissent-petitions, demonstrations, rallies, strikes, picketing and *gheraos*. So far they have successfully stalled the work of this project and POSCO is even considering relocate its project.

In Kandadhar local people organized themselves under Khandadhar Surakhya Sangram Samiti (KSSS) to oppose mining. Jual Oram and Laxman Munda (the then local local MLA) Communist party and Jharkhand Mukti Morcha party extended support to the ongoing struggle of KSSS to save Khandadhar. KSSS has put demands not to allow mining operation within 25 km radius of the Khandadhar waterfall and national natural heritage status to the site, implement Forest Rights Act, 2006, recognition of community forest rights, community rights over Community Forest Resources (CFR) and recognition of habitat rights of the Paudi Bhuiyan. The movement saw active involvement of local people, members of civil society and different political actors like CPI, CPM, Congress, BJP, JMM etc. (Odisha Sun

Times, June 2014). As per present status the movement is still going on and POSCO – India Company yet to receive land and forest clearance for setting up the 12MTPA plant.

3.3.6 Hindalco at Koraput

Hindalco is an alumina plant in Uttar Pradesh part of Aditya Birla Group Company. In the year 2007, the company got 20 years of bauxite mining lease to raise 6 lakh tonnes of bauxite per annum at Mali Parbat near Doliamba, about 20 km from Semiliguda. The raw bauxite mined and transported to a depot near Tentuliguda, from where it was sent to Hindalco plant in Uttar Pradesh. The hill ranges have a reserve of around 17 million tonnes of bauxite with 44 percent average alumina content. Mining started in the area in May 2008 through contractors. Mining was facing periodic protest and resistance by locals on different issues since starting of the poject but it took rigid form since 2010. The operation was disrupted time and again due to the agitation by the locals. (The Hindu, June 2008).

Inspite of betrayal by leaders in the initial phase of protest movement the villagers most of whom are tribals from the affected 22 villages stood together and continued their protest against the mining activities. The villagers are not going to lose any land directly as mining would be varied out at the top layers of the mountain. But due to indirect effect of mining furtile farm land are going to turn into desert. None of the villagers would be able to cultivate once the mining takes place as the water sources in the area would dry up. Villagers are not in favour of mining as the mountains had given them the opportunity to live a progressive life. Villagers formed Mali Parbat Surkhya Samiti (MPSS) to fight for their cause. MPSS activists alleged that around 40 villages under Sorishapodar, Hundi, Dalaiguda and Pakhajhola panchayats in Semiliguda block would be affected by the mining. MPSS demands immediate cancellation of the mining lease of the company as the area would dry up if mining is allowed at Mali Parbat, and it would affect farming activities of the local villagers. On other hands, the pro-mining groups said, their livelihood is threatened due to stoppage of transport of minerals from Mali Parbat.The villagers from local area were engaged in the loading and unloading operation and wanted the mining to continue (Ibid). Clashes are occurring in regular interval between police, and MPSS members and opponent and supporter of the mining. Hundreds of villagers from Kankada Ambo,

Maliguda, Tentuliguda, Mugunaguda and Dekapar villages in Semiliguda block have marched into the police station in Semiliguda in 2008 to press their demands to take action against the company engaged in bauxite mining from the mountains near to their villages. But what brought Mali Parvat movement to news is not its protest march rather its unique way of protesting. Villagers protesting against the mining have offered to compensate the state government loss in revenue from royalty. Forty one villages from the district, two thirds of whose largely tribal population live below poverty line, have proposed to soon pass Panchayat resolutions promising to pay Rs 35 crore, or what they estimate will be the royalty Hindalco is likely to pay the state over 15 years of the project's life (The Times of India, August 2015).

Conclusion

In all these projects, the least thought out aspect is organization and implementation of rehabilitation and resettlement programme. Any change or improvement in R& R had been made only after pro-longed protest and opposition. The major problem with these big projects is that the bigger the project the lesser the right of locals to articulate their voice, so these large development projects resulted in the deprivation of weaker section of society from resources and decision making. In large development projects big landlords, farmers, bureaucrats, politician and corporate are gainers and tribals and other weaker sections are the losers (Mohanty 2015:1318-20). New Economic Policy and accompanying processes of privatization and globalization followed by the Odisha government with a desire to bring development have not only caused great damage to the environment, but also worsened the condition of tribals. It denied them their right to livelihood and sustenance, culture, land, common property resources, participation and disrupts their social network. Thus, development projects have impoverished and violated the basic human rights of the people in the area. The real issue of human rights is lost in these anti mining movement struggles due to politicization of these movements. Parties in power and opposition creating faction and cleavage at grassroots level instead of addressing real issues. In many case two groups emerge on political line one supporting and another opposing the project. Most of time political party support is superficial. The movements which have no political voice or are less organized are vulnerable to high-handedness of the state.

Anti-mining movements in Odisha are not united movements. They come into existence on a particular issue and most of the movements are short-lived in the sense that they cease to exist once the issues disappear. Another feature of these movements is that most of them are non-violent in nature. Most of the anti-mining movements are taking place in the tribal areas. In almost every case there are complains that officials have used various fraudulent mean and misinformation to get peoples consent. The participants are mostly tribals who actively participate in such movements and often sacrifice their lives. In spite of continuous anti mining movement and opposition to the projects Odisha government did not initiate any major move or develop any holistic approach to address project affected people's concerns and build confidence between the project affected peoples (PAPs) and the government. Instead use of force and violence on tribals and locals to suppress opposition to the projects and making the already complicate issue more complex.

CHAPTER-IV
ANTI-MINING MOVEMENTS IN ODISHA

The chapter deals with two tribal movements against mining based heavy mineral industries, i.e. TATA Steel Ltd.at Kalinganagar of Jajpur district and Vedanta Aluminium Ltd. at Lanjigarh of Kalahandi district of Odisha. Based on both primary and secondary data the study attempts to explore the nature and extent of displacements caused by the two projects and how the projects lead to turbulence in the tribal livelihood and culture. How the turbulence and threats to livelihood and culture leading to different resistance movements are dealt with in this chapter. Further the chapter also explores how politics and civil society are influencing the course of movements.

Introduction

Much of the mineral resources which are attractive to modern industries lie unexploited under indigenous lands. Every passing day pressure is built to gain access to these lands. Indigenous people's experience with mining is not pleasant. It is associated with loss of sovereignty, loss of traditional wealth and multiple impoverishment risks. Mining industries are charged for catastrophic and avoidable forced relocations, abuses of human rights, under-compensation for damages, and lack of benefit sharing, though mining has the potential to empower indigenous population by provisioning community and individual services and sharing of the project benefits. By and large, the meeting of tribals and mining industries results in the creation of a new form of suffering and exploitation. Tribals have suffered loss of land, short and long-term health risks, loss of access to common resources, homelessness, loss of income, social disarticulation, food insecurity, loss of civil and human rights, and spiritual uncertainty. The most serious threats from mining are those that challenge tribals' rights to their culture and legacy[9].

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[9] T.E. Downing termed tribal culture and heritage as indigenous wealth and argued non-tribal populous have little concern or understanding of this "indigenous wealth". It is not a matter of dollars and cents. It is exists within their understanding of social and environmental surrounding and behavioral pattern that sustained over years.

Mining and Tribals

Indigenous or tribal populations are found in almost every part of the world, and the largest concentration of tribal population is found in India. Tribals are understood to be the earliest settlers of India. They are generally called the *ADIVASIS* implying original inhabitants. Even the ancient epics, mythologies and sources including the Vedic and the epic literature mention about tribes viz. the Bharatas, the Bhils and the Kotas (Pankajdeep 2002:34). Etymologically, the term tribe derives its origin from the word 'tribuz' meaning three divisions. For Romans, the term tribe meant a political division. The term has totally different connotation in India and western world from what is prevalent now. The tribe was the highest political unit comprising several districts which in turn were composed of clans. It occupied a definite geographical area and exercised effective control over its people. Permanent settlement in a particular area gave geographical identity to a tribe. The territory under the domain of a particular tribe was generally named after it (Verma 1990).

Herbert Risley, Lacey, Verrier Elwin, W.V. Grigson, A.V. Thakkar and others have described them as 'aborigines' or 'aboriginals'. Hutton called them as primitive tribes. G. S. Ghurye described them as 'so-called aborigines' or 'Backward Hindus'. T. C. Das and others designated them as 'submerged humanity'. D. N. Majumdar calls them 'degenerate race of mankind'. The Constitution of Indian Union has accepted the term 'Scheduled Tribes' for the community[10].

According to the 2011 census of India, the ST population was 10.45 cores accounting for 8.6 per cent of India's total population. Decadal growth of ST population is 24 percent in 2011 as compared to 2001. The ST population is unevenly distributed in several states of India, except for Haryana, Punjab, Delhi (NCT) and the union territories of Pondicherry and Chandigarh. Scheduled Tribe communities live in about

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[10] For full references about the authors mentioned above, see Desai, A.R., Rural Sociology in India, Popular Prakashan, Bombay, 1969, p.223 as the focus of the study is not on the definition of tribe we will go with the definition of the state 'schedule tribe' prescribed in the Indian constitution. The term 'Scheduled Tribe' denotes a constitutional and legal category; the term is appeared along with the birth of the Constitution of India on 26 January 1950. During Constituent Assembly debates some of the representatives in the Assembly favoured the use of the term 'Adivasi', but finally the term ST was accepted by the framers of the Indian constitution, with the justification that 'the term Adivasi is a general term, with no specific legal de jure connotation, whereas "Scheduled Tribe" has a fixed meaning as it enumerates the tribes'. Article 366 (25) defined scheduled tribes as "such tribes or tribal communities or parts of or groups within such tribes or tribal communities as are deemed under Article 342 to be Scheduled Tribes for the purposes of this constitution". For more detail visit Ministry of Tribal Affairs website tribal.nic.in.

15 percent of the country's areas, in various ecological and geo-climatic conditions ranging from plains and forests to hills and inaccessible areas. Different tribal groups are at different stages of social, economic and educational development. While some tribal communities have adopted a mainstream way of life, at the other end of the spectrum, there are certain Scheduled Tribes known as Particularly Vulnerable Tribal Groups (earlier termed as Primitive Tribal Groups)[11] who are far away from the mainstream way of life. Even though tribal in India is such a small percentage, the population facing the problem of displacement in development related projects i.e. 40-50 percent in statistics (Colchester 2000). And the present cases are even special examples of the worst affected population among the displaced groups as they share an intense emotional relationship with their natural age old habitat.

The Development-Induced Displacement and Rehabilitation (DIDR) literature on mining is scant compared to that on dams and development projects. This is because mining projects causes only limited displacement compared to large infrastructure projects and displacement caused by such projects is often indirect – for example, drinking-water contamination and the destruction of farmland, leading families to abandon their homes and lands for safer conditions elsewhere, later expansion of mining lead to further more displacement. In comparision to the direct displacement such indirect forms of displacements are less apparent and hardly ever lead to formal resettlements.

Chatty (1994) in his study on members of the Harasiis tribe, a pastoral nomadic group in Oman, discussed the case of petroleum exploitation that led to physical and livelihood displacement. Human Rights Watch's (HRW) report (1999) discuss in details the tussles between the Nigerian government and participating corporations on the one hand and locals on the other to crush opposition to the extraction projects. It also discusses the projects' environmental impacts, and the construction of roads and canals, which add to the displacement. Similarly Amnesty International's report (2000) discussed human rights violation in Sudan, including the forced expulsion of people from their homes. It even discussed how government troops have used for bombings, helicopter gunships, and mass executions as to ensure that people flee the region. Downing (2002, 2014) explains how mining induced displacement is unique.

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[11] Particularly Vulnerable Tribal Groups are characterized subsistence level of economy, pre-agriculture level of technology, stagnant or declining population, and very low level literacy. Presently number of PVTG is 75. See appendix –III-IV.

The tendency in mining is to move human settlements on a piecemeal basis, a strategy as "stepwise mining expansion and land take". So in case of mining the displacement is an incremental phenomenon. Fernandes (2007) in his study "Mines, mining and displacement in India" discussed socio-economic impact of mining led displacement from the perspectives of minority and marginalized groups. Madebwe et al. (2011), Buzoianu and Toc (2013), and Herbert and Lahiri-dutt (2004) through their studies highlight the plight of mine-affected people and focuses on MIDR in Zimbabwe, Romania and Asia and the Pacific region respectively. Lahiri-Dutt argues that gender-blind policy treats the interests of powerful men to the disadvantage of diverse types of women, their families, and mine-affected communities (Owen and Kemp 2015). Hilson and Yakovleva (2007), finds source of conflict arising between company and community is because of land acquired by company but not utilised. The land which is of value for locals, that company would neither put to productive uses nor relinquish. According to Terminski's (2013) study on Mining Induced Displacement and Resettletment are located within the Development-Induced Displacement and Resettlment (DIDR) literature and runs the risk of generalizing resettlement dynamics in mining contexts as distinct sub category of DIDR. Similarly study of Bennett and MacDowell (2012) on displacement in India from coal mining is buried in DIDR study.

Contexualising; the case in Odisha

The state of Odisha has always taken an important, distinct position on the national map by harbouring various culturally unique ethnic groups from time immemorial. There are over 700 Scheduled Tribes notified under Article 342 of the Constitution of India, spread, over different States and Union Territories of the country. The largest number of communities listed as Scheduled Tribes are in the state of Odisha. In 1956 the President of India declared 62 different tribal communities in Odisha to be 'Scheduled Tribes' (STs), of whom 13 communities are considered Primitive Tribal Groups (PTGs), and were assigned special treatment. Almost 44.25 percent of the total land area in Odisha has been declared as Scheduled Area[12]. As per 2011 Census,

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[12] The full districts viz. Mayurbhanj, Sundargarh, Koraput (which now includes the districts of Koraput, Malkangiri, Nabarangapur and Rayagada) , Kuchinda tahasil of Sambalpur district, Keonjhar, Telkoi, Champua, Barbil tahasils of Keonjhar district, Khondamal, Balliguda and G.Udayagiri tahasil of Khondamal district, R.Udaygiri tahasil, Gumma and Rayagada block of Parlekhemundi tahasil in

the ST population of the State of Odisha is 95, 90, 756 which constitutes 22.85 percent of the total population of the State and the State holds 3rd position in terms of total ST population. The major tribes of Odisha in terms of their numerical strength are the Kondh, Gond, Santhal, Saora, Bhuiyan, Paraja, Koya, Oraon, Gadaba, Juanga and Munda. There are also several smaller tribal communities living in the state. They are the Chenchus, Mankiridia Kharia, Baiga, Birhor and Ghara. Tribal communities such as the Santhal, Gond, Munda, Ho, Birhor, Koya, Lodha, Khonds, Bhumija, Kharia and Oraons cut across state boundaries and are found in the neighbouring states of Jharkhand, Chhatishgarh, Andhra Pradesh and West Bengal, while tribal communities like the Juanga, Bonda and Didaye are found in the region of their origin in the districts of Keonjhar and Malkangiri, respectively. These tribal communities can be classified on the basis of geophysical zones, geographical regions, ethno-language, and crude techno-economic development. They have rich social institutions, dwellings, natural habitats, folk dance, folk music, musical instruments, festivals and festive occasions, folk art and artefacts, a nature-based economy and life skills (Padhi and Panigrahi 2011).

Ever since the independence of India mining-based industrialization has grown rapidly. For planners industrialization is the best way to fuel economic growth and to bring social revolution in the backward regions. However past experience tells a quite different story of social, cultural, economic disintegration, and displacement, marginalization and environmental pollution. These negative effects of mining-based industrialization have been aggravated with the restructuring of the Indian economy during new economic reforms period. It was further opened for foreign equity participation during 1994–99. The industrialization process of Odisha has displaced thousands of population most of them are tribals and other marginalized communities. From 1950 to 1993 officially 81,176 families from 1,446 villages were displaced due to the acquisition of 14,82,626 acres of land for development projects. Most of the time, the real victims of this process of industrialization are tribals as the tribal areas of Odisha are nothing but the mining map of the state. Odisha is expected to earn Rs.12.6 million per annum through the present process of mining-based

Parlakhemundi Sub-division and Suruda tahasil (excluding Gazalbadi and Gochha Gram Panchayats), of Ghumsur sub-division in Ganjam district, Thuamul Rampur and Lanjigarh blocks of Kalahandi district and Nilagiri block of Balasore district are Scheduled Areas of the state. After reorganisation of districts in the state, 7 districts fully and 6 districts partly are covered under the Scheduled Areas of the state.

industrialization. In return, the state government has taken a loan of Rs.300 million from the World Bank for the construction of the infrastructural development, such as constructions of railway lines and roads linking the mining, industry and the ports. In addition to that, the state has taken another Rs.900 million loan from the World Bank to provide power to these mining companies. The other side of this process of industrialization has given rise to the growth of many resistance movements in different mining and industrial sites. There is a great deal of debate going among the anthropologists, economists, and public policy-makers on the impact of mining- based industrialisation. Some have termed mining-based industrialization as ''resource wars'', while others called it the vehicle of ''development and economic growth'' (Nayak 2007:89-98).

THE KALINGANAGAR MOVEMENT

(CASE 1)

4.1 District profile

Jajpur district was formed by 'Jajati Keshari', the Somavanshi King in early 10th Century. The district takes its name from its head quarter town, Jajpur. Jajpur district earlier a sub-division of the erstwhile Cuttack district was formed a separate district in 1993 located in the eastern region of the state of Odisha. The district consists of 2899 square kilometers of area. The Jajpur District located in between 20 degree 30' to 21 degree 10' North Latitude and 85 degree 40' to 86 degree 44' East Longitude (www.odisha.gov.in). As per 2011census total population of the district is 18, 26,275 out of which 373,513 is SC and 125,989 ST. Though district economy is agrarian in nature, mining is playing a crucial role in the district economy. In recent years, Jajpur district has taken major steps in industrial development. The most industrially developed area of the district is Kalinganagar, situated in Sukinda and Danagadi Block.

4.2 Background

The Kalinganagar Industrial complex comprises of 13,000 acres of land and rest 17,000 acres for the township and other civic amenities. The Odisha government has acquired a total area of 30,000 acres of land for Kalinganagar Industrial Complex. The area was covered with green dense forest spread over 75 sq.kms. The forest was once home to rich and diverse wild life like leopard, deer, anteater, python, cobra etc. the forest comes under Saranda Sal forest range known for elephant corridor (Nayak & Kujur 2007).The proposed industrial area Kalinganagar spreads over Sukinda and Danagadi blocks of Jajpur district. Kalinganagar is about 100 kms from the state capital, Bhubaneswar, and about 30-40 km from the district headquarters. In the early 90s, the then the late Chief Minister of Odisha Mr Biju Pattnaik named this area Kalinganagar and aimed to make the area one of the big industrial hub of the state and also aimed to attract the Foreign Direct Investment (FDI). Around 13 villages[13] come directly under Kalinganagar industrial complex area mainly inhabited by STs

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[13] Jakhapura, Mangalpur, Dasmania, Kacherigaon, Khuruntia, Gadapur, Chandia, Nuagaon, Gobarghati, Dhuligarh, Bargadia, Sarangapur, Godigotha.

(Scheduled Tribes) and SCs (Scheduled Castes). All these villages fell under the administrative jurisdiction of Sukinda Tehsil and two Blocks namely, Sukinda and Dangadi of Jajpur district. The reason behind selection Kalinganagar (previously known as Duburi) is its locational advantages, which are essential for the establishment of heavy, medium and small scale industries. It is close to the nearby mineral zones located at Kaliapani, Barabil, Balhani, Daitary, Tamka etc. The second biggest river of Odisha, the Brahmani, flows nearby and it is also close to an excellent road and rail transport network like the National Highway 200 connecting the iron ore/chromites belt of Jajpur and Keonjhar districts with the Paradeep Port, which runs through the area and close to the East Coast Indian Railways.

4.2.1 Tribal History

The uniqueness of the Sukinda tribal community made their response to the mineral based projects comparatively different from other places. Ho/ Munda communities who are the predominant tribal groups in the study area are not basically the indigenous tribal groups of that place. These tribal communities, in fact, had migrated from the areas of Saraikala and Kharasuan, the two places belonging to the state of Jharkhand and also some of them had come from the district of Mayurabhanj in Odisha. The migration was basically the result of the marital ties and links between the then king of Sukinda of Odisha and Saraikala, Kharasua of Jharkhand (Sharma 2006).The Madox Settlement Report 1897 also point toward their settlement. This group of tribes is also present in other parts of the state, mainly in Mayurbhanj district as well as in other parts of the country such as in Madhya Pradesh, Jharkhand, and Bihar. In the earlier period, hunting and gathering were their main occupation and they use to lead a nomadic life. Ho, Kol (in Ho language kol means tiger), Kolh (having black skin colour) and Munda (in Ho language Munda means a rich person or head of the community) are together known as Ho. In Ho Language, the term Ho means human being (Mishra 2010:28).

It is believed that these tribal groups had been brought to clean the forest lands to make the lands suitable for farming as these groups were already familiar with cultivation. But as most of the arrangement was informal these tribal groups could not have any legal documents of the lands they cultivated and are still cultivating. These tribal groups have been depending predominately on farming as well as pastoral

economy and they are also partially dependent on the forest for forest products. Their major source of livelihood, however, is farming. The forest resource at that place is not very dense now. Besides farming, most of them have also been working as daily labours at the mining site as they do not get work in the agriculture round the year. The women folk working as laborers in the mining area used to sell 'handia' (a local drink made of rice), forest products and vegetables near the mining site. From the economic point of view, it looks like the tribal groups of Sukinda are among the groups that are more drawn towards the mainstream economy than the usual primitive tribal groups in other places. Sukinda tribal groups do not have a very strong sense of belongingness to their land as well as to their habitat. They are more concerned with their livelihood and survival. It seems like they are partly dependent on mining as it gives them money on a daily basis.

The Ho community is not unknown to mainstream civilization; their myth relates them to Hindu culture from the time of Ramayan. The Ho is divided into three different sub-groups, namely, Ramjangia, Chao and Kalan. In Ho community, the word Ramjangia means a man who uses bow and arrow. They believe that as in the Indian epic Ramayana lord Rama used bow and arrow to defeat the army of Ravana, they drove out the British army from the country by using bow and arrow. For this reason, they call themselves as Ramjangia. Chao is the group who maintained a good relation with the British and rendered service to them. Along with the British, they also took wine and mutton and as the British use the word cheers while drinking wine the Ho group who were serving them tried to imitate the British but instead of cheers it became Chao. That group of people and their offspring are termed as Chao. There was another group who did not come in contact with the British, and the British asked Chaos to call on these groups of people and, thus, the rest of the Ho are termed as Kalan. The Ho are divided into different clans and accordingly, they worship different ancestral gods (Ibid:28-30).

4.2.2 TATA at Kalinganagar

TATA Steel Ltd. is one of the investors who had signed Memorandum of Understanding (MoU) in 2004 with the Government of Orissa to set up a 6.1 MMTPA (Million Metric Tonnage Per Annum) integrated steel plant in 3470 acres land in the Kalinganagar Industrial Complex area with an investment of Rs.1, 54,000

million(tatasteel.com). The District administration had taken over the land for TATA and the first attempt to start construction on May 9, 2005, was halted due to the resistance of the local Adivasis (tribals). The Adivasis came to know that the TATA again was planning to construct boundary wall with the help of government officials on January 2, 2006. But this time resistance took an ugly turn and the violent clash between police and protesters, ends with death of 13 tribal and one police man and many more injuried. After the 2nd January, the TATA decided to drop the construction of industry in Kalinganagar for some time(Pandey 2008:609).

Map- 4.1 Kalinganagar Industrial Complex Location
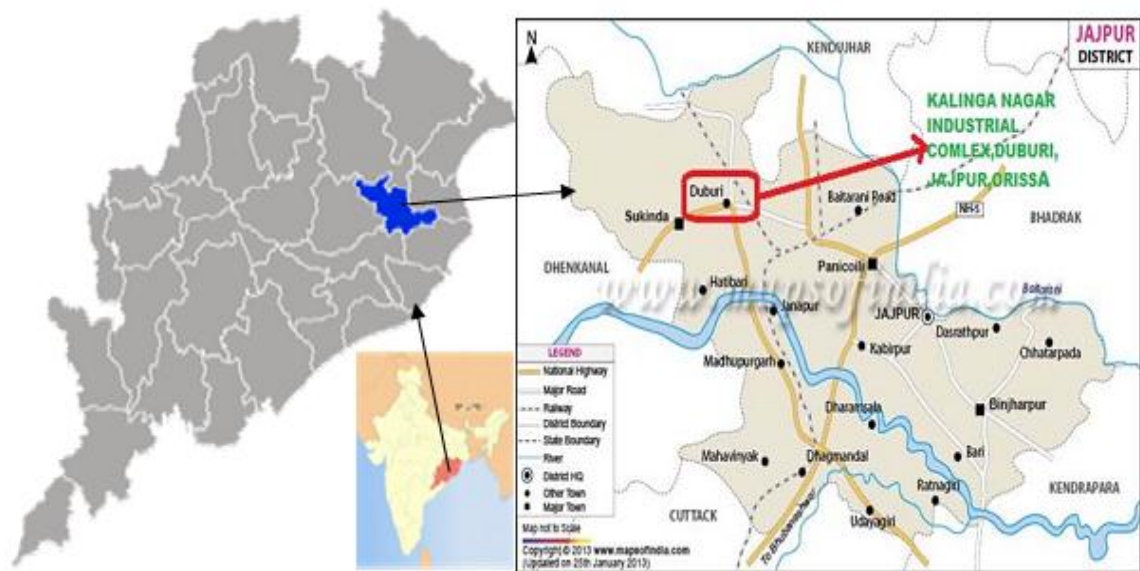
Source: International journal of Plant, Animal and environmental sciences, July-Sept 2013, Vol-3, Issue-3.

Map- 4.2 Kalinganagar Industrial Complex Plan
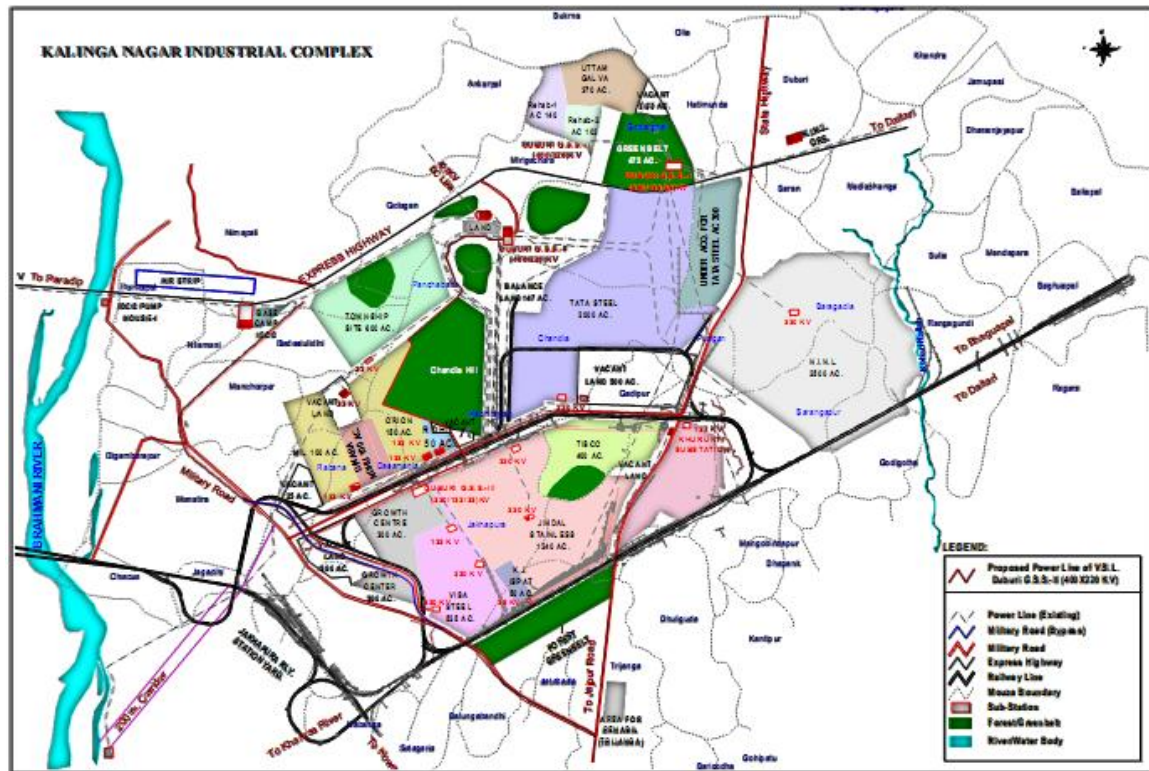
Source: *Availale at http://ssrn.com/abstract=2362868, accessed on 16.02.2015.*

4.3 The Field Site

The sign board of mega industrial park at Kalinganagar with phrase 'Welcomes you to Kalinganagar Industrial Complex' greets visitors at their first sight when anyone enters into the area, also known as the Steel Capital (Ispaat Rajdhani) of India. But ironically Kalinganagar represents a very conflicted picture of itself where beneath the land it conatains abundance of mineral resource, above the land many industries and yet examples of poverty, malnutrition, hunger and infant deaths are crudely prevalent in areas like Nagada[14]. Even while surrounded by factories, industries, development and mining projects like Tata's six million tonne steel plant and the common corridor road, the poor local tribe/adivasis here are struggling for their age old home land, clinging to their cuture and tradition, refusing to move or quit the locality for industrial plants and projects to exist. It is a place of resistance and movement more than just an Industrial Complex. This is the story of Kalinganagar.

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[14] Last year the village was in news because of infamous death of 19 Juang infant deaths due to malnutrition. The village comes under Sukinda block which posses vast mineral wealth and number of industries. The village is under Kaliapani Tahasil, where TATA has mining lease.

The land acquisition process for Kalinganagar started in 1980s. The government of Odisha started acquiring land in advance to meet the future land need of industrial house when time arise. The demarcation of land for this purpose started in 1984. When soil testing and other operations were done to identify land for the industrial hub, people were misguided by saying that it is part of government routine operation (Sharma 2006). In the beginning, lands were acquired to start a steel city under public sector. But in the year 1997 the Government of Odisha changed its plan and decided to set up a steel hub for the private sector on this acquired land. As on today, there are 12 industries at different stages of construction/operation in Kalinganagar, such as Nilachal Ispat Nigam Ltd, MESCO, Jindal Stainless, VISA, Maharashtra Seamless, Uttam Galva, Orion, Mittal Rohit, Dinabandhu and others (Mishra 2010:17-18).

Land & Livelihood

The government of Odisha acquired 10, 000 acres of land in 1991-92 and another 15,000 acres of land in 1995 through Industrial Development Corporation of Odisha (IDCO). The problem arose with the new phase of land acquisition, with a larger area than before in the post 2004 period. The local tribals of Sukinda have no land record (patta) even if they have patta it is in the name of their great grandparents. Some of these lands have been sold, purchased and mortgaged informally. As the population increased more forest area were brought under cultivation without land records. So most of the tribals in Sukinda Valley are practising agriculture and living on their land without land records.

In the course of discussion, we have learnt stories on the issue of people's discontent towards the industry induced eviction in the locality. As narrated by them "some of the households had been cultivating and living on unrecorded land, for generations, over which they did not have the propoer document (patta). The land survey and settlement was not done since 1928. The Orissa State Estate Abolition Act was passed in the year 1951 and thus the Estate of the then king of Sukinda (under whose jurisdiction the now extinct villages fall) was vested with the state of Odisha. But tenancy rights were not conferred upon the local people who had been in possession of the government land since generations. The matter of tragedy is that, even after the passing of the Orissa Survey and Settlement Act in 1958, no settlement and land

reform was done in the locality. Thus, some of the households, who are mostly from ST, SC and a few from OBC remained only as the encroacher of the government, land. In fact, compensation was given to those households who had land ownership document (patta) with them. This kept the large part of the population out of compensation and rehabilitation scheme as they don't have the land record.

Even the tribals who were disposed of their land and properties in 1992 were not adequately compensated. On behalf of the companies, people were asked to surrender their land for the purpose of the forthcoming industries and accept compensation of rupees from 15000 to 30000 per acre. Later on, an extra gratia amount of 25000 per acre was paid in different phases as a measure of benevolence. However most of the tribes continued to hold the acquired land. Unsure of alternative livelihood they protested whenever land acquisition started for any new project. Until 2nd January firing incident, the dispute was over compensation. Tribals were never satisfied with the compensation package. The resettlement camp Gobarghati Colony also presents a gloomy picture for the relocated tribals. Baring few pucca houses, tiny thatch and mud huts meet one's eyes. Only 120 families out of total 639 families (displaced from the villages, Khandiapusi, Madhapur and Sarangpur for the Nlachal Ispat Nigam Ltd.) are residing in the colony. Local activist S. Patnaik explains about people staying in the colony among whom only few got jobs in NINL. Others do work as stone crushers, and daily labourers. There is no other work opportunity available in the nearby area. The tribals are living in the valley for generations. They used to gather food from the forest, practice agriculture and drink of Handia. Tribals of Sukinda earn their living by agriculture, agricultural labour, non-agriculture Labour, collection of Minor Forest Products (MFPs), by selling of Handia, in transport sector, loading and unloading truck, stone crush work, as daily labour and rearing of livestock's like cattle, goat, sheep and poultry birds were sources of their sustenance. Sikandar Banra asks

> "After establishment of so many factories in the area, how developed are we? Since 2006 villagers are being displaced but almost all of them are given neither homes nor jobs. When villagers are asking company for jobs, Company responds with its requirement of experience. We are farmers what other experience would we have other than farming? There is nothing for the adivasis in industry, everything is still in farming" (5th December, 2015, Morning on his way to work).

The topography of the area is marked by undulating landmass interspersed with hillocks and jungles. Nallas and rivulets form one of the water sources for the area that provide fish and crab. Brahmani, one of the major rivers of Odisha, runs around 5-6 kilo metre away from the Kalinganagar Industrial Complex. In the Khapuria-Kumbhiragadia locality, there is a large area for grazing exists, which supports hundreds of Gauda (milkman) families for cattle rearing. In agriculture, rice cultivation is the main source of living for majority of local populace, predominantly scheduled tribes, and it is largely rain-fed. In some villages, people grow pulses (black gram, masuri, etc) after harvesting rice. The staple diet of tribal is rice and dal (pulses). Vegetables like potato, tomato, brinjal (eggplant), beans, yams, etc., and non-vegetarian items like mutton, chicken, fish, crab and rabbit are consumed by them. They also make a special kind of chutney from giant ants found especially in big trees, and also eat the white ant flies found in rainy season. In rituals and ceremonies, they prefer to take goat and cock/hen which are sacrificed.

Culture

The Ho and other tribal communities are fond of taking Handia (rice beer), which is mainly made from rice. They are experts in preparing this liquor and this community is well known for making Handia. It is regarded as a traditional drink and sacred to the community. All the people in the community – men, women and children – drink Handia. For most of the Ho, the day will never be complete without drinking Handia. Sanju Majhi is selling Handia on roadside to both farmers who are working in fields and daily labourers working in industries. To her, Handia is an important factor for most of villagers and they use to have it twice daily before and after work. She earns almost 50 to 100 rupees per day depending on weather conditions. In addition to this, smoking of beedies, cigars, and chewing of tobacco, pan and gutkha are quite common among men, women and youngster. The religion of Ho(s) is known as Sarana Jim. The term Sarana is the combination of two words that is Sara means Arrow and Aasara means Bow. The explanation given by them is that, when they were living in the forest, Sara and Aarsara were used by them for the protection of their family. Sarna Jim is relief from the sin or saving one's own life. But when the population census started the Ho community was kept in Hindu religion

as they did not belong to any major existing religions. They also connect their religion to Lord Jagannnath Cult. They worship nature. They also worship gods like Koa (male god), Erra (female goddess) and Gaja (combination of both male god and female goddess). The Ho observes many rituals and ceremonies but there are certain ceremonies which are important for the community. They are Mage Parab, Baa Parab, and Herra Parab. Mage Parab is observed between late January and early march, where they offer worship to their God or Goddess according to their own clan (Kili). They worship the land and the agricultural instrument. This ritual is performed in the middle of their agricultural land followed by sacrifices of goat or cock. They sprinkle the blood of that sacrificial animal in their fields for better crops it happens before sowing the seed to get good crop. Jatara parab is mainly observed in the forest or hilly areas where both unmarried boys and girls are allowed to dance together by holding each other's hands. If a boy and girl are able to dance for the whole day and night and if both of them are interested to marry each other, no one can stop them, including parents as well as community (Mishra 2010). Beside all these festivals Dussehra, Diwali, and Raja Sankranti are also celebrated with great joy and merrymaking. The value systems of the tribals have also undergone some changes. Minati Soy said

> "Due to industrialization villages lost their unity, fraternity, relatives are divided. The time has gone when at the time of both festives and crisis, relatives, neighbours used to come forward altogether. Now relationships and bonds are defined among people by taking sides in matter of factory and industrial establishments. Company and government are interested in grabbing tribal land for their own interest. None has ever tried yet to understand the importance of our culture and how integrated it is with nature" (2nd December, 2015. Morning).

Traditionally, Ho men and women have been wearing different dresses. Men wear only a white cloth (Dhoti) and a white turban (pagidi), and women used to cover their entire body with one long saree. At present, the dressing can be differentiated on the basis of gender and age. Boys and youth can be seen wearing shirts, tea-shirts, vest, jeans, and pants (trousers) and aged men wearing lungi, dhoti, and pajama. Girls and women are wearing blouse, frock, saree, salwar chudidar, skirts, long nighties, etc. Though most of them are leading simple lives they are now more disposed to the modern life styles. It's not very rare to find these tribal youths using modern appliances like motor bikes, televisions, radios, mobile phones in their day to day

lives even when they are semi-educated and mostly uneducated. The Ho language is specified the in the 8th schedule of Indian constitution. But most of the tribals in the area can speak and write in Odia, and few are able to speak Hindi, Bengali and Telugu.

Identity

Before 2nd January incident, the resistance of tribals was over the issue of compensation and better rehabilitation. But the incident of firing and chopping hand of six dead bodies taken by police brought tribal identity into the front. The tribals who have been killed in police firings are declared as martyrs and the place is named as Birbhumi. At Ambagadia village 13 stone pillar erected in memory of martayr and every year on 2nd January martayr day celebrated near the memorial to recall their sacrifice and to fight for tribal right over jal, jangal and jamin (water, forest, land). Sini Soy from Gobarghati village who lost his son in police firing told that

> "Government became the puppet of company. We did not get any justice. Company provides job to any one of the family members of the deceased of poloice firing in the factory but what about punishing people who are responsible for the killings and deaths? The government has no concern for tribals' life. The company and government consider us only hurdle in the industrialization process" (2nd December, 2015, Morning).

After the incident Odisha Adivashi Mahasabha the apex body of tribals protested the killing of tribals by observing muted Makar Sankranti festival just by lighting lamp without merry making. On 30th januar 2006 over 15000 tribals from the different part of the country gathered at Kalinganagarto pay homage to tribals who died in police firing.

4.4 The Resistance Movement

The area Kalinganagar has a significant tribal and Dalit population. The two Blocks – Sukinda and Danagadi – under which the area falls, has a Scheduled Tribe population of 36.06 per cent and 28.19 per cent and Scheduled Caste population of 11.89 per cent and 22.31 per cent, respectively. The Scheduled Tribe population in the acquired area is much higher than the Block average. Of the tribes, people belonging to Ho (Munda)

community constitute nearly 80% and rest of them belongs to Santal communities (PUCL 2006).

By all accounts, initially, the local people welcomed the idea of the industrial complex, believing that the new industries would usher in development in the area, give employment to the local populace, and improve their standard of living. Hence, the promises made (jobs, fair compensation, etc.) were accepted in good faith by the tribals. So when the land acquisition took place between 1992 and 1994 by IDCO, people accepted the compensation at the given rate. They believed the verbal assurance given by the government officials that jobs would be provided to them when the industries would start. They continued cultivating the acquired land as before till around 1997 when the first batch was displaced. When the land was physically acquired in 1997, to be handed over to the companies, the promises failed, and the Adivasi were impoverished and were reduced to poor for the rest of their lives.

The trouble started mainly due to following reasons: One, majority of the households were not willing to give up their ancestral lands to the companies and leave the villages; two, some of the households were not ready to part with physical possession of their land, which was sold two years back at a very low market value; three, these households demanded job in the company before they would leave their hearths and; four, some households were uncompensated, as they did not have land document (patta) over the land they cultivated and lived since generations. Out of total 30,000 acres, there were land papers only for 13,000 acres. Rest of the land partly belonged to tribal families and partly was common land. The compensation for land was given to only those who had patta of the land. This left a huge section of people uncompensated, as they had no patta over the land they possessed. Hence, one section of people, who cultivated land as sharecroppers, didn't receive any compensation. After acquiring land from people, IIDCO has been selling the land to different industries at a much higher price. Later IIDCO has sold land to the TATAs at the rate of Rs.3.5 lakhs per acre (Dash & Samal 2008:630).

The tribals remember the broken promises and the beggary-causing displacement from the industries nearby are resisting TATA Steel, which now wants more of their land. When TATA steel began leveling Kalinganagar land the tribal protested and the work stopped for few years. The tribal organized themselves and formed an organization called Sukinda Upatyaka Adivasi-Harijan Ekata O Surakshya Parishad,

which was later renamed, and remains such till date, as Bisthapan Birodhi Jan Manch (BBJM), Sukinda. In an open later issued in October 2004 BBJM put forth its demand before Chief Minister of the state. In the letter, it not only expressed its concerns and apprehension about the complex but also the hardship faced by locals. The demands consist of concerns of both the people to be displaced and people who are already displaced. The main demands included are i) to stop further construction in agricultural land; ii) to give patta to the people settled before 1980; iii) land acquired, but unused, to be returned to the original owners; iv) to stop deliberate targeting of tribal/Dalit villages for land acquisition; v) the homestead land to be raised to one acre per displaced family; vi) the parishad to have a say in rehabilitation matters; and vii) to have one job per displaced family, etc.

Things changed during 2004, people were heard complaining betrayal of leadership belonging to different mainstream political parties. When asked about that period, they said that it took them time to understand the extent of the danger that was hanging over their lives and livelihood. This realization compels tribals to organize themselves to protect their right. This is how the Bisthapan Birodhi Jan Mancha, came into existence in Sukind (PUCL 2006). During 2005, the BBJM resisted all kinds of activities, like land-survey, bhumipuja, leveling, boundary wall construction, etc., relating to setting up of industries in the Kalinganagar Complex. They organized protest meetings and sit-in demonstrations in front of construction sites. On April 2005 the government had issued the notice to conduct a family survey. But BBJM decided not to cooperate with the government to do this survey, as their demand for issuing patta for their land was not met. It needs to be noted that the last family-wise survey was done in 1996.

The tribal at Kalinganagar complain that IIDCO has been acquiring their lands either through force or at a low price and selling the same land to various companies at a high price. They also allege that they were not consulted or provided with access to information, and were excluded from the decision-making processes that affect their lives. Despite protests in 2005, TATA Steel started to build a masonry wall around the site, which they attempted several times but was stopped each time. The road was upgraded in October 2005. On January 2nd TATA Steel starts again leveling both crop land and terraced land with the presence of 27 platoons of armed police without giving any prior notice to the villagers.

TATA Steel had planted land mines which dismembered first villagers arriving to see the resumption of construction on their lands. Police firing killed 13 tribal and maimed 38 others. One policeman was also killed in the violence during the protest. The tribals then blocked the highway to TATA steel traffic. Dead bodies of four tribal which remained in the custody of the tribal, which police couldn't recovered. Immediately after the 2nd January incident, under the banner of BBJM, Sukinda, tribal sat on a dharna at Madhuban Chhaka, on the NH-200. As the shock and grief gave way to outrage and a new resolve to thwart the designs of the government, the ever-swelling numbers of agitators blocked the highway, with seven-point demands. After the remaining bodies were handed over to the families, on 4th January 2006, mass cremation was held at Ambagadia village (the place of cremation got renamed as Veer Bhumi). It was discovered that out of the 12 bodies handed over by the police, 5 had their palms chopped off. This added more to the outrage and anger. Although the compensation has been received by the kins of those who died in police firing on 2nd January, it failed to suppress the Kalinganagar tribal agitation. The state government's ex-gratia offers were summarily rejected by BBJM, as they were not satisfied with the State and Union Governments' offer of monetary compensation for the families of the victims of the police firing. Following the adoption of the Odisha Rehabilitation and Resettlement Policy 2006, the TATA Steel implemented the same and provided jobs to 29 displaced people in Gobarghati Transit Camp, Kalinganagar, who were trained in welding technology by the steel company. According to a release issued by TATA Steel, displaced families have been allotted 1/10th acre of land. Each family got Rs 1.5 Lakh for building houses and a maintenance allowance of Rs 2,000 per month for one year (Mishra 2010). Recalling the incident, Rabindra Jarika general secretary of BBJM told "IDCO have acquired 3,470 acres of land in Sukinda and Danagadi block. The problem started when TATA tried to build wall in Champakoili village. On that day over three thousand people gathered and 500 to 600 police force were present with arms. Villagers have built memorial for those who died in firing at Ambagadia village". Jarika arugued that this incident made the villagers realize the consequences if they are divided. Jarika also questioned on the report of the commission (Justice P K Mohanty) which was formed to enquire about the firing incident. The report held no one responsible for the firing and the committee report concluded that total 13 people had died in the incident. However ironically the compensation was given to 14

families. The tribals are aware of the history of displacement and problem of resettlement in the state. They clearly understand it is impossible to revive their pre-evicted life. Their experience shows that big industries serve the interest of industrialist and some politician. So tribals find no motivation to support the big industrial project. Even if some among them support coming of industry it is only with the hope that it will improve their standard of living.

In the case of Kalinganagar government never consulted the tribal Gram Sabhas before land acquisition. Tribals were divided on the basis of who support and oppose displacement. Political parties have changed voice once they come to power. Local elites, contractors, transport owners, politicians, educated middle class and prospect beneficiaries have played their role well in depicting tribals as the hurdle in national development. According to activist Sudhir Patnaik

> "We are yet to recognise the understanding of the tribals about development. If the tribals do not accept concept of development with industries and plants, we say they do not understand the concept of development at all! When they say that their land provides them with food, shelter and necessary requirements for generations and will continue to do so, hence why don't we consider that as development?" (28th November, 2015 around11.30 a.m).

The problem for Kalinganagar tribals is unsettled claims to land i.e., village land, pasture land, poorly delineated aboriginal boundaries, lack of deeds, proper patta and non-recognition of the surface. Common used lands may or may not be recognized as eligible for the compensation, being considered vacant or government lands. This restricts the compensation to land only with the legal document and gives scope to the state claims ownership of common property under eminent domain. Tribals were terrorized regularly by the presence of large contingents of the police force. People who have not been displaced were targeted for demolition. Villages have been demolished by the district administration and IDCO with heavy deployment of police force and extreme terror.

Discussion with tribals used as a method to divert media and people attention from the issue. Before construction of common corridor road in the area, a meeting was held with the tribal representative and administration promised not to start work till the matter resolved through dialogue. But road construction started without further discussion. People's protest was met with indiscriminate rubber bullet firing and lathi charge on protester including women and children. The protester complaint their

opposition to the construction work met with the attack by policemen and company goons, random arrest, framed under false charge, midnight attack. They even complain of the murder of tribal leaders of the movement[15]. Land acquisition for Kalinganagar industrial complex was done gradually through the help of the administration, local party supporter and company supporter through the use of a limited scale of violence with intension not to attract further wider attention. Mayadhar Nayak, a labour leader, finds that problems are due more to the faulty process of industrialization. CSR is not followed properly, local complaints of housing, employment are not taken seriously and companies are openly violating rules and regulations.

Dabbar Kalundia one of protesters said "If your mother is being mistreated, insulted, are you going to tolerate? No child will tolerate it. Our land is our mother and company is trying to take it forcibly from us". He even alleged that Amin Banra one of the activists of the area murdered by company goons and many of activists and villagers who are opposing company are being harassed and attacked by company supported goons and party members. Dabbar told "We are fighting to save our land; we are common people not maoists'. Newspapers are also printing false reports in favour of the company. Our fight is to save our land. Police, government and administration are helping the company. If government does not listen to us even after repeated efforts what will we do except fighting on our own?"

The above-discussed situation compelled the people to come out in an organised manner to democratically fight against such type of state and company sponsored injustice and exploitation and that resulted in the formation of different organizations to protect the interests of the people affected by the process of industry-induced displacement. A continuous denial of the demands by the state and companies added to discontent and dissatisfaction of the people. Apathetic attitude of state towards problem of tribals made them active and aggressive, resulting in frequent sit-in-strike (dharana), blocking of the Paradip Port-Daitary mines Express Highway (National Highway no. 200), prohibition of entry of the suspicious people and the state-company officials into the villages, and holding secret meetings during night hours to achieve the goals. Because of the continuous and meticulously designed methods of democratic protests, the Maharastra Seamless left the locality in 2005, even after

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[15] EPG Orissa: 24 Platoons armed police for Kalinganagar tribals: Updates, one such attempt caused death of Amin Banara of Baligotha. See Samadrusti TV "Tata steel bullets" on youtube.com.

completing all the required formalities to set up a plant. This incident provided a big boost to the morale and confidence of the members of BBJM and the public to struggle. Meanwhile, another organization namely, the Sukinda Vikas Parisad (SVP) emerged to sort out the eviction and rehabilitation related problems in the locality and also to counter the growing popularity and acceptability of the BBJM in the public. The SVP was constituted with members from some of the potential future victims from the nearby villages, some of the households from the resettled colonies and some people from the locality.

In fact, two organisations, such as Bisthapan Birodhi Jan Manch (BBJM) and Sukinda Vikas Parisad (SVP) were spearheading two parallel movements at Kalinganagar with two contradictory goals.The primary goal of BBJM was to halt the ongoing process of industrialisation, forcible displacement of people from the locality and protection of the democratic rights through organized peaceful protests. The objectives of SVP, on the other hand, were to promote industrialisation and bargain with the companies and the State for the best rehabilitation package. The BBJM was large in size involving members from the resettled colonies, potential victims of displacement from the nearby villages and some of the evicted households from the now extinct five villages, but not resettled in the rehabilitation colonies. However, SVP was a comparatively small group consisting of some members from the resettled colonies and others from the households from the nearby villages, who supported industrialization and would not mind being evicted in the future if proper compensation and rehabilitation package is offered to them.The organisations raised certain issues which, according to them, were crucial for their life, livelihood and community. The primary objective of the Bisthapan Birodhi Jan Manch was to halt the process of industrialization, which causes involuntary eviction of innocent households and depletion of the environment, while compensation and rehabilitation were the basic issues of Sukinda Vikas Parisad. Similarly, another organistion called Kalinga Nagar Surkshya Committee (KNSC) formed consist of those who are in favour of the construction of Plant, and accepted the rehabilitation and resettlement package formed one community known as Kalinga Nagar Surkshya Committee (KNSC), and stood against the Bisthapan Birodhi Jana Manch (BBJM). In this division, the tribals of Sukinda lost the neighbourhood relationship, the cooperation of their kinsmen as well as their community. The basic purpose of resistance is to highlight the issues before the public and the world and to create a strong public opinion against such industrialisation,

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which may compel the government and the companies to rethink about the possible alternatives. In fact, continuous democratic ways of agitation by the BBJM and prayer- cum-petition type approaches of the Sukinda Vikas Parisad (SVP) forced the state and the companies to evolve some strategy so that the spread of the protests could be contained. The protest movement was not well coordinated and sporadic failed to come to a united forum. Multiple organizations with a different set of goals created division among tribals and weakened tribals' protest movement. Acceptance of compensation by the family members of firing victim gave the signal that some kind of compromise can be reached. And it also created internal disturbance in BBJM as some supported and some opposed to the acceptance of compensation. Hence it ultimately weakened the movement.

2nd January firing and killing of 13 tribals brought Kalinganagar into national news. Different civil society organizations protested against it in different forums. On 3rd January 2006, Jharkhand Mines Areas Coordination Committee (JMACC) demonstrated against police firing. They criticized Odisha government for following pro-industry and anti-people development model of development. On 7th January 2006 activist of Socialist Unity Centre of India (SUCI) protested at Jantar Mantar in Delhi. SUCI demanded the end of police interference in the mass movement and proper compensation for the poor. Kalinganagar Surakhsya Samiti called for a protest on 7th January and political parties like Congress, Odisha Gan Parishad, Communist Party of India (Marxist), Jharkhand Mukti Morcha, Samajwadi Party and Janata Dal (S) RJD announced their support to the protest. Shutdown call was also given against firing in Jharkhand and Chattisghar by tribal leaders and supported by parties like Congress, CPI, CPI (M), CPI (ML) JMM, RJD. Kalinganagar became front page news for many national and regional newspapers after the firing incident. The incident of firing was given wide coverage both in regional and national, even BBC gave coverage to the incident. However, media did not suggest any alternative except highlighting the incident and condition of tribals. After 10 to 15 days national media lost interest and hardly covered any news about Kalinganagar but regional media used to report continuously on the issue. Even electronic media stoped reporting about Kalinganagar.

The Kalinganagar firing incident is an upshot of the liberalization process started by the Congress in the 1990s and continued by BJD and BJP. Not a single party including the left opposed the industrialization process when started in the area. The

incident of 2nd January created a rift in ruling coalition as the then BJP state unit president criticized the state government and rumor were heard then BJP may break away from the coalition on Kalinganagar issue but nothing of the sort happened. Mainstream political parties criticized Kalinganagar firing incident but not the industrialization process and demanded better compensation package. So the BBJM agenda of halting industrialization process did not have support neither from political parties nor from mass media. Establishment, opposition parties and public opinion are in favour of making Kalinganagar industrial hub. Odisha government immediately after the incident framed new Rehabilitation and Resettlement policy 2006 and TATA immediately followed it and improved its rehabilitation scheme. The land was given to displaced families and training was given to local youth for employment in factory and allowance given to displaced families. So TATA succeeded in creating the impression that tribals' demands are being met by taking these steps. Most of the political parties halfheartedly supported the movement. Even the left parties who played a crucial role in organizing and strengthening Kalinganagar movement formed an alliance with ruling BJD during assembly election. Finally, the first phase of TATAs integrated steel project was commissioned in November 2015. Opposition parties failed to overcome political differences and were more interested in their narrow political goal. Political parties have given only lip service to the movement and done nothing to strengthen the movement except condemning the incident of firing.

The rapid industrialization of the state is in the election campaign of almost all major political parties in the state including BJD, BJP and congress all these political parties have facilitated industrialization process in their tenure. All these parties seem to have the opinion that industrialization is necessary even at the cost of tribal suffering. The Kalinganagar episode shows as far as self-gain and political profit concerned all political parties are ready to mute despite their difference.

Conclusion

Locals and tribals were not against industrialization from the beginning. From the starting their demand was for fair compensation and proper rehabilitation. The protest was never against a particular company, rather against the policy of land acquisition and compensation. The protest was already going on and it only busted into a violent

event during TATAs land acquisition process. The incident of 2nd January has formed a collective determination to get more compensation into a strong resistance movement. Main reasons for dissatisfaction were meager compensation and rehabilitation along with involuntary eviction. For most of the tribal involuntary removal was the cause of discontent. The tribal were not unaware of the sufferings and perilous conditions of evicted people from the earlier development projects. Those families who used to cultivate on encroached Government land were also apprehended of losing of land as well as compensation. Sometimes the degree of success of the movement depends on the ability to forge the alliance with different stake holders and internal cohesion of the group. In the case of Kalinganagar, the locals were clearly divided into two separate groups, one completely opposing displacement and other group supporting displacement with conditions.

THE NIYAMGIRI MOVEMENT

(CASE-II)

4.5 District profile

Kalahandi District derives its name from "Gudahandi Caves". Kalahandi district cover geographical area of 7920 sq km lies in between 19.3 to 21.5 N latitude and 82.20 to 83.47 E longitudes. The district occupies the south western portion of Odisha, bordered to the north by the Balangir district and Nuapada district, to the south by the Nabarangpur district, Koraput district and Rayagada district, and to the east by the Rayagada, Kandhamal district and Boudh district (odisha.gov.in). As per 2011 census, the Kalahandi district has a total population of 15,76,869 out of which 2,86,580 SC and 4,49,456 ST population. ST constitutes 28.50 percentage of total population of the district.

4.6 Background

Niyamgiri a hill range consists of about 250 sq. km. area. It is situated in Lanjigarh area which is near about 600 km away from Bhubaneswar and is more than 60 km away from its district head quarter Kalahandi. The hill range extends to adjunct district Rayagada.The hill range is also known as Dongria country or Niyam Dongar. Though from the administrative point of view Niyamgiri comes under three districts viz. Kalahandi, Rayagada and Koraput, but from the socio-cultural, anthropological and geographic point of view it is a single unit.

The Niyamgiri hill range is ecologically and culturally very rich. It is the source of two important rivers of the region i.e. Vansadhara and Nagavali. Its pristine forest is home to a number of wildlife like the tiger, leopard, sloth bear, pangolin, mouse deer, langur, sambhar, palm civet, giant squirrel and mouse deer etc. The corridor of elephants and territory of Royal Bengal Tigers also fall in the hill range. The area was proposed as Wild Life sanctuary in the Kalahandi forest division working plan. The State Wild Life Organization in its order vide memo no. 4643/3WL (Cons)34/04 dated 20.08.2004 proposed to declare the area as South Odisha Elephant Reserve (IEP 2010).

The first steps to establish the Lanjigarh Project were taken in April 1997 when Sterlite Industries and government of Odisha signed an agreement to mine bauxite from Niyamgiri Hills. In 2003 Vedanta Resources signed a Memorandum of Understanding (MoU) with the government of Odisha for the construction of a refinery for aluminium production, an integrated power plant and related mining development at Lanjigarh. In 2004, the MoEF gave permission to Vedanta to set up the alumina refinery. The problem started in 2002 with the compulsory land acquisition for refinery projects and public hearings were conducted for the project[16].

4.6.1 Tribal history

According to the census 2011, the Khond tribe with its population forms constitutes one of the major tribes of Odisha among the 62 tribes of Odisha. They constitute 20 % of the total Scheduled Tribe population of the state. The Khonds, (Kui as they call themselves) have cultural heritage and values which respect nature. According to the study of K Majumdar in 'Changing Tribal Life in British Orissa'(1988), Khonds possess a great love for liberty. In any time in history, Khonds were never under complete subjugation or control of any ruler neither Hindu, Muslim nor under British rule. The Kondhs are Dravidian tribe but it is hard to find any clue to their origin or place of descent. It is popularly believed that they were driven by Aryans towards eastern India. But Khonds believe that they are original inhabitants of Odisha and they are here since the beginning of human civilisation. Their Kui language is Dravidian and spoken with only slight regional variations.

Though there are many types of Khonds for our study purpose, following division is helpful; Desai Khond who live in the plain area, the Kutia Khond who live near the mountain or mountain slope and the Dongria khond who lived on mountain slopes or mountains. Among them, the Dongria is least exposed to modernization process. Kutia Kondhs inhabit remote hills in the extreme south-west of Kandhmal district. The Kutia Kondhs who are staying in close proximity to Hindus in course of time acquired or influenced by Hindu religion but still retain their primitive tribal customs.

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[16] Special Gram Sabha at Batelima Gram Panchayat, Gram Sabha at Lanjigarh Gram Panchayat and Lanjigarh Panchayat Samiti meeting in 2002. Public hearings for Alumina Refinery & Bauxite Mining Project at Lanjigarh and for Bauxite Mining Project at Muniguda in 2003. Special Gram Sabha at Lanjigarh, at Chhatrapur Gram Panchayat, at Champadeipur Gram Panchayat for acquisition of land for Alumina Refinery Project in 2004. Special Gram Sabha at Paikranipinda, at Ambodala and at Nutan Batelima for acquisition of land for Alumina Refinery Project in 2006. 121 families were physically displaced to establish refinery.

The word Kutia means one who breaks or blows. This particular group of khonds i.e. Kutias used to break the skulls of animals when they killed them for food. Dongria Kondhs inhabit the steep slopes of the Niyamgiri Range of North-West Koraput (undivided) district and over into the Kalahandi district. Their living entirely depends on the steep slopes. The Niyamgiri Range provides perennial springs and streams which greatly enrich Dongria cultivation and forest resource meets their other needs of life (orissadiary.com). In the case of Khonds of Kalahandi, there is a vibrant history of resistance. They were never under the complete subjugation of any ruler and during British period they resisted violently to protect 'Meria practice' (Human sacrifice). It is popularly known as Khonds uprising. As per the report of the Saxena committee (2010) 5148 people from 28 villages are going to be affected directly by the proposed mining lease. But Dongria argued since all 104 villages around Niyamgiri range are linked with marraige and other cultural link, it is going to affect them all. The proposed mining project will cover around 700 acres of area on the top of Niyamgiri hills; where about 9000 Dongria Khond lives.

4.6.2 Vedanta at Lanjigarh

The Niyamgiri hill ranges of Kalahandi district reserve metallurgical grade bauxite. Recently due to the increase in demand for aluminium in the international market, it assumed immense commercial importance. Bauxite mining in developing countries like India provides the maximum profit that is highly rewarding and requires almost no pre-requisites for investment (IEP 2010:4).Vedanta Resources signed a Memorandum of Understanding (MoU) with the state government of Odisha in 2003 for the construction of a refinery for aluminium production, an integrated power plant and related mining development at Lanjigarh in Kalahandi district.A refinery with a capacity of 1.0 million tonnes per annum(tpa) production basically for export was proposed to be set up by M/s Sterlite Industries (India) Limited (SIIL), fully owned and controlled by Vedanta Resources.The MoU proposed to extract bauxite from the area adjoining to the refinery. The mining was proposed to be undertaken on the top of the Niyamgiri hills in Kalahandi and Rayagada districts of Odisha. The Proposed Mine Lease (PML) site was between 900 to 1000 metres above the sea level and estimated to have the reserve of approximately 73 million tonnes of mineable ore. The site would have been spread over an area of 7 sq. km. Vedanta proposed to extract 3

million tpa of bauxite from the reserves which have projected lifespan of 23 years (N.C Saxena, et.al, 2010).

Vedanta Resources is a London-based metals and mining company. Though its mines and production centres spread to Australia and Zambia its major operations are in India. Sterlite India Limited is a public listed company in India since 1988. It's headquarter are in Mumbai. Vedanta Resources owns 59.9 per cent of Sterlite Indias share and has management control of the company. Vedanta Aluminium Limited (Vedanta Aluminium) is another company which is operating at Lanjigarah Odisha. 70.5 per cent share capital of Vedanta Aluminium is owned by Vedanta Resources and remaining 29.5 per cent share of capital by Sterlite India. Vedanta Aluminium headquarter is located at Lanjigarh.So Vedanta is operating in different names in different part but ownership of these companies exclusively lies with Vedanta Resources Private limited. The minig patner of Vedanta Aluminium Limited (Headquarter is located at Lanjigarh) in this project is Orissa Mining Corporation (OMC). OMC is completely owned by the government of Odisha, it mines chrome, iron and manganese, and has joint ventures with major mining companies to mine iron ore and bauxite. To mine Niyamgiri OMC and Sterilite India had formed a joint venture called South-West Orissa Bauxite Mining Corporation in 2009. In which Sterlite India would hold 74 per cent shares and Orissa Mining Corporation 26 per cent to mine Niyamgiri bauxite for 25 years (Amnesty International 2010:6).

Map-4.1 Niyamgiri Hill Range

Source: Down To Earth, 2013, www.downearth.org.in, aceessed on 23.07.2015.

Map 4.2 Vedanta Lanjigarh Project Map
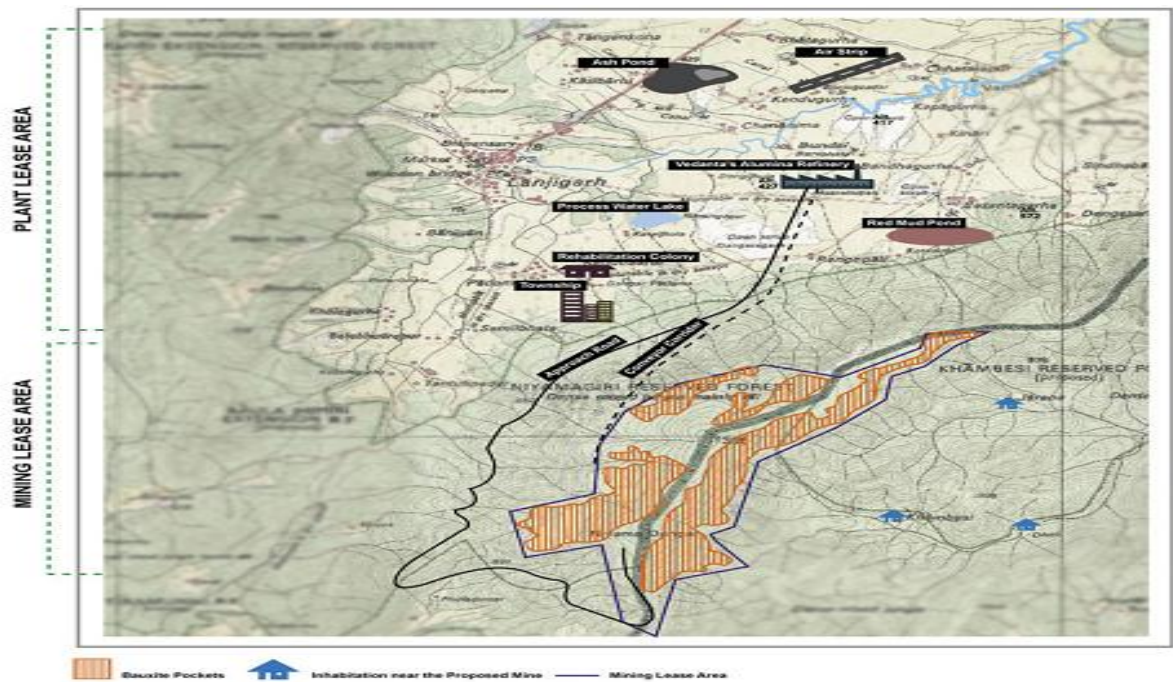
Source: *http://lanjigarhproject.vedantaaluminium.com/lanjigarh-project.htm, accesed on 23.07.2015.*

4.7 The Field Site

Niyamgiri, Vedanta, and Dongria, these three words became popular in news since 2002. It became a national headline when in 2007 the Supreme Court of India ordered that the Gram Sabhas will decide wehther Dongria's livelihood and their religious-cultural rights are affected by mining activities or not. Relation between Dongria and Niyamgiri is of a century old, it is a bond of irrevocable interdependency. For the Dongria life begins and ends in their Niyamgiri Hill. Niyamgiri is their supreme God. A Dongria's day begins with offering prayer to the Niyamgiri. Dongria's life, livelihood, culture, religion and existence all owe to Niyamgiri. It is both mother land and sacred land for them. Also, for them word Dongria and Niyamgiri is synonymous. This distinctive relationship is evident from protest song of Dongria.

*"Ame ta pahad jharan (*We are the hill, We are the streams)*,*

*Ame tare payen paban (*We are the water, We are the air)*

*Ame Adivashi Dalit Chasi (*We are Adivasi, Dalit, peasant),*

*Ame hela maa buhen (*We are mother, sister)*

*Ame kheta ame khala, (*We are Crop, soil)*

*Ame matir mulki hasa (*We are smile of the soil),*

*Ame sabu gote gachar dahi re (*We are branches of the same tree)*

*Re gaja muga tora bina nai pare rahi" (*O dear, we can't live without each other).*

Livelihood

The Hills are being adored and worshipped by the Dongria Kondh and the Kutia Kondh. They believed in the sanctity and the sacredness of the hills. Their livelihood practices in the area are agriculture, grazing and the collection of minor forest products (MFP). Their strong bond and emotional tie with the Hill forest is associated with the firm dependence on the natural resources that the mountains provide them. Also, the Kutia Kondh use the foothills to cultivate cereals such as *mandia, kosla, kango and kedjana*, pulses such as *kandlo*, *biri*, *kulath* and *jhudungo*, as well as oilseeds like castor and linseed (*alsi*). With small land holdings that average 1-2 acres,

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the Kutia Kondh depends considerably on the hill forest for their livelihoods. The forest resource gratifies most of their essential needs.

The dependency of the small communities of Dongria Kondh, who lives in the highland areas of the Niyamgiri hills, is more intense. The patches of land cultivated by Dongria Khonds are alternate in each interval to maintain soil fertility. Since their population is very small, they regard land as bountiful and leave most of it forested. The skill that they are well-known for is horticulture: pineapple, banana, orange, lime, mango, jackfruit, turmeric and ginger. This produce grown on forest plots fetch them a handsome income throughout the year. In addition, they collect a variety of forest produce: all the ones mentioned above as well as edible mushrooms and honey (both these items are important sources of nutrition in the Kondh diet as well as act as marketable commodities that fetch them a good income), edible leaves and tubers, grasses for making brooms, and herbs for medicinal use. Dandu Sihaka said "Niyamgiri is giving them the needs of their life. It is fullfilling all their requirements from roots and fruits and helping them to survive. Hence, they worship Niyamgiri as their God". They also rear chickens, pigs, goats and buffaloes. Livestock is not reared for milk but for draught and meat. Buffaloes are highly valued for ritual purposes, religious and wedding-related festivities which involve the animal sacrifice like buffaloes. Their biggest festival Meria is celebrated every three years in the month of 'Magh' (January-February). During this festival, buffaloes are offered to Niyam Raja and their blood is allowed to seep into the earth. Buffalo meat is eaten fresh and dried for later use. Bride price is a usual practice among the tribes in which payments of bride-price also usually include gifting buffaloes. Hence the customary rights of the villagers to graze livestock in the forest are crucial for their living. Some 20 species of orchids are found in and around the PML area. These plants are used by members of the Dongria Kondhs to treat different ailments; like curing scorpion and snake bites, stomach disorders, arthritis, tuberculosis, paralysis, cholera, acidity, eczema, tumor, menstrual disorders, wounds and sores, diahorrhea, dysentery, bone fractures, rheumatism, asthma, malaria, etc (Saxena, et al 2010:18).

Mining is also likely to adversely affect other vulnerable communities particularly the Dalits, majority of whom belong to the Dom scheduled caste. The Dalits their living by providing various services including trading in the horticultural produce grown by the Dongria Kondh. Most of the Dalits are landless. They are migrants to the area, with most now living here for past several decades. They are also dependent on forest

for fuel, fodder and other MFP but there is no administrative record of their rights. But their living among the Dongria Kondh is a clear indication of the fact that their lives are as intertwined with the forests as that of the Kondh. The disruption of Dongria Kondh agriculture is likely to result in the Dalits also losing their means of livelihood. Tadijhola is a villege of mostly non-tribal forest dwellers. Most of the people are *Gauda* (pastoral community). Ramesh Gauda from the village said "They are living under Niyamgiri foothills from many generations. They have neither school nor hospital under foothills but they have sustained life with the help of Niyamgiri roots and fruits. It is giving them water, air, and life and it would be impossible to survive here without Niyamgiri".

Similarly Labanya Gouda from Ejrupa village said

> "They have been living here since 80 to 90 years with the blessing of Niyam Raja. Their requirements of life have been met by it. She said "We face no difficulty in spite of living in the forest; we eat fruits and roots, cultivate land and live happily. The forest is full of medicine plant and roots. If we ignore all this and gave it for mining then it is going to be disastrous for us. If we left Niyamgiri, it will die so will us" (4th February 2016 around 11a.m).

As stated already, the two communities believe that that the hills are sacred, and that their survival is dependent on the integrity of this ecosystem. Gata Majhi argued "Anywhere you mine Niyamgiri will collapse. We get everything from it except salt and oil (kerosene). It has enough to feed our future generations as it has given to our past generations. It has evolved on its own for the Dongria.

The lands that are cultivated by the Dongria tribe lie in close proximity to the PML area. Mining-related activities such as tree-felling, blasting, removal of soil, road building, and the movement of heavy machinery restrict them to access their lands that they have used for generations. Further, the mining activities will also adversely affect the surrounding slopes and streams that are vital for their cultivation. Given the almost total dependence of these villages on the eco-systems of the Niyamgiri hills, mining operations will threaten the livelihoods and existence of the Dongria Kondh.

As many as 1, 21,337 trees will have to be removed if the mining lease is granted. Of this total, 40 percent will be in the PML area and the remaining 60 percent would have to be removed for roads and other planned activities (Wildlife Institute of India 2006). So mining will not only result in widespread resource displacement but also would permanently undermine the survival of the Dongria Kondh and poses threat to

their cultural integrity and their ability to survive as a distinct social group. The Niyamgiri hills are the sole and unique habitat of this small community.

Culture

The forested slopes of the Niyamgiri hills and the many streams that flow through them provide the means of living for Dongria Kondh, Kutia Kondh, and scheduled tribes that are notified by the government as 'Primitive Tribal Groups'. While the Kutia Kondh inhabits the foothills, the Dongria Kondh lives in the upper reaches of the Niyamgiri hills which are their only habitat. The word Dongria comes from the word Dongar or mountain and that they were the people of the hills. The Dongria Kondh practise shifting cultivation on the Niyamgiri hill slopes, though families traditionally had rights over individual patches that they cultivated. The mountain belonged to everyone collectively. The mountain is the community resource and stands for community identity. The Dongria Kondh communities speak languages, called Kui exhibiting a different structure and vocabulary than Oriya. Kui language has similarity with Dravidian language. Art and craft of Dongria Khond are also influenced by Mountain, the recurrence of triangular shape on the walls of village homes and shrines and in colourful stoles displays the importance of mountain in their life. All the 104 Dongria Kondh villages are linked by marriage since the member of a clan must seek a spouse from another clan. The circulation of women and bride-price between villages is essential for maintaining the social and economic integrity of the community as a whole. It is clearly indicated that if the economic and social life of one-fifth of Dongria Kondh population is directly affected by the mining, it will threaten the survival of the entire community (Amnesty International 2010: 21-40).

In the worldview of the Kondh, the hilltops and their associated forests are regarded as supreme deities. The highest hill peak, which is under the proposed mining lease area, is the home of their most revered god, Niyam Raja, 'the giver of law'. Jana Majhi said

> "Niyamgiri has several hills, forest, Ghatis. If this hils are sold we don't have a future. We are there as long as they are here. We offer *puja* (worship) to Niyam Raja from dawn to dusk. We offer goats, sheep, hens, baraha to it. Next offering is given to village deity. What will we get by selling it (the Mountain)? We are living here because of Niyamgiri. If we move to alien land we won't survive. When the season changed we eat different seasonal foods, we are earning living by selling ginger, turmeric and other fruits. What more

do we need! That's why we don't want to leave Niyamgiri" (7th February 2016 around 9 a.m).

They worship the mountain (Niyamgiri) along with the earth (Dharini). This male (Mountain) and female Gods (Earth) come together to grant the Kondh prosperity, fertility and health. The Niyam Raja *Penu*, the male deity is symbolised in the form of a sword, believed by Dongrias to be living on the top of the Niyamgiri hills. They believe that this male deity provides water that help sustain all plants, animals, human life in the hills and reaches the earth. They worship the earth, a female deity embodied in a wooden structure. Every month they do a special puja (prayer ceremony) for Niyam Raja. Dongrias do not cut down trees on top of the hill, they only remove branches if needed, because they believe that the trees provide shade to the Hill. Dongria*s* know it well if they leave these Hills because of the mine, they will end up in poorly paid jobs in towns and in the plains (Ibid: 25). Nima Kutruka questions the impact of mining on Niyamgiri. He asks "Can Niyamgiri walk, if you break his legs, hands, nose or any part of body? How far he can walk?" The mining project would affect their traditional way of life, culture, their language, the way they dress, songs, marriage rituals, worship of Niyam Raja, their livelihood and ability to retain their distinct identity as all linked to these Hills and the way they live here.

Identity

Their day to day activities begins with the prayer to the Niyamgiri Hill. All their rituals, customs, traditions revolve around Niyamgiri. Without Niyamgiri there will be no Dongria Khonds at all. Dongria Khond and Niyamgiri are synonymous in Dongria term. The word Dongria comes from word Dongar which means mountain, thus they are primarily mountain people. They are inseparable and one has no existence without the other. According to their popular belief, Niyamgiri was created for Dongria Khonds and its deity is the one who takes care of them. Kundu Jakasika said "Niyamgiri is our God and it is also our temple. It is nature's property. If man has not created it then who is he to destroy it? All temples are created by men and only men can destroy it. But Niyamgiri is there since time immemorial. Nature erected this temple for Dongria. It is not any one's personal property".They believe that Niyamgiri is watching over the pain and pleasure of the entire Dongria Khonds community, so it is now their turn to protect it. To understand why they are opposing mining at

Niyamgiri range it is important to understand the crucial role that Niyamgiri plays in their daily life.

Kutruka Gund said "Niyamgiri is evolved from nature. It is not built of cement, sand and mixed of bricks. God gave it to us. It came out of earth spontaneously. Niyamgiri has protected Dongria and now its Dongria's turn to protect it. Nature has given them life now they will give life if necessary to protect Nature".Their worshipping is just a way to express their love and respect, gratitude and reverence to Niyamgiri for nurturing the tribe since time immemorial. As Dongria people are primitive tribe groups and away from modernity, their religious belief formed their world view and constitutes the crux of their day to day lives. But this worldview is not irrational. Observation shows how all physical, social, cultural needs of these people are met by Niyamgiri hill ranges. Dongria Khonds's physical, economic, cultural and spiritual existence depends on Niyamgiri. Dongria lives in small huts, though the whole forest is available to them. Dongria believes in the peaceful coexistence with all that belong to the Hill with minimum possible extraction from nature. This strong understanding that the existence of both Dongria and Niyamgiri are for one another inspires the Dongria to struggle.

Ecology

Niyamgiri hills are a part of the northern Eastern Ghats hill ranges. The PML site itself is largely grassland surrounded by Sal forests. Fires are an annual feature important to the establishment of grasslands which leads grazing both by wild herbivores and by cattle. The Niyamgiri hill range links forests of Kandhamal district to forests of Rayagada, and forest of Kalahandi to Koraput districts. It also connects Karlapat Wildlife sanctuary in the North West (Kalahandi district) with Kotagarh wildlife sanctuary in the North East (Kandhamal district). It provides an uninterrupted forest track.

These forests have high functional value as a continuous forest tract outside the protected area. Such tracks are particularly important for the conservation of wildlife species like elephant and tiger found in this region. The wildlife productivity of this habitat is particularly high because it provides wild animals with open grasslands as feeding space and the neighbouring trees for shelter and escape. The extremely low density of population of Dongria Khonds, low level of resource extraction due to

minimum material needs and cultural values of the tribal's are responsible for the preservation of the forests. Kutruka Arji told us there are many caves like elephant caves and tiger caves. "We survive today because of Niyamgiri. It has tolerated all pains just like our parents. Niyam Raja is everywhere from Rayagada to Kalahandi. Destruction of Niyamgiri means destruction of Dongria". The Dongria thinks beyond them. They think of all living beings in the forest like tiger, bear, deer, hens and other who will die if mining is allowed. Dongria never asked anything for himself from Niyamgiri, his dance, song, poetry talked about welfare of all. Their traditional wisdom is to conserve the environment and for sustainable development. Dongria worship symbolises this love for Niyamgiri. Because of this love they live for each other and without this love there would be neither Niyamgiri nor Dongria.

Mining will increase human presense in the area. The increased presence of humans would not only disturb the wildlife population but also there will be lot more consumption needs that would burden on the surrounding bio-diverse forests and wildlife. Activities like extraction for firewood and other MFP including rare medicinal plants and poaching of wild animals would upsurge several-fold. Further mining operations such as blasting and digging will be accompanied by tremendous noise, pollution and disturbance generated by the constant vehicular movements of large trucks, transporting labourers and material connected to the mine would perpetually disturb wildlife populations and the undisturbed jungle.

Around 41 streams flow from Niyamgiri range and it is the source of two important rivers i.e. Nagavali and Vansadhara. The streams which originate from the top of the hills are the only source of water for communities who live in the Niyamgiri hills and a major source for others who live lower down the hill. Mining would drastically alter the region's water supply, affecting both ecological systems and human communities dependent on this water. The Wildlife Institute of India assessed that mining operations might result in drying or reducing the flow of the Vamsadhara and Nagavalli rivers and cause increased erosion and pollution of the water systems, which in turn would result in deteriorated water quality and damage to riverine habitats. The mining project would cause soil erosion and changes in the hydrological regime which would adversely affect the flora and fauna in the entire region. There is no record of discussions on the company's projected water usage during the public hearings on the project held as a part of the environmental clearance process. Wildlife Institute of India (WII 2006) apprehend in its documentation that mining posed threats

of environmental degradation of the Niyamgiri hills ecosystem by land degradation, geo-hydrological drainage change, air and water quality reduction and public health hazard. In the words of WII, 'the threats posed by the proposed project to this important ecosystem will lead to irreversible changes in the ecological characteristics of the area.'

4.8 The Resistance Movement

In April 1997 Odisha Mining Corporation signed an agreement with Sterilite India to mine bauxite in the Niyamgiri Hills. The agreement also allows for the establishment of an alumina refinery at Lanjigarh. The first phase of compulsory land acquisition for the Lanjigarh refinery started in 2002. The land acquisition took place in 12 villages-Bundel, Borbhata, Kothadwar, Bandaguda, Sindbaheli, Basantapada, Jagannathpur, Kinari, Kappaguda, Belamba, Boringpaddar and Turiguda. Notice for land acquisition was mainly sent to land owners going to be affected by the project. Landless labourers and daily workers were not notified about the consultation process. Two public meetings were held at Lanjhigarh and Baterlima of Kalahandi district. Within two weeks of these meetings, land acquisition took place (Amnesty International 2010: 34-36).

Odisha State Pollution Control Board (OSPCB) conducts two public hearings in 2003 on the refinery-mining project. These hearings were surrounded with controversy as they were conducted in faraway place and people were not informed about this adequately. Notices for the public hearing were published in English and Odia, and not in Kui language and no officials visited the place to inform locals about the hearing. One of the hearings was held 20 km away from mining site and no one from Dongria Khonds hamlet attended. As controversy surrounded these public hearings, Sterlite filed the application to the MoEF for environmental clearance for Aluminium refinery only, when the whole project is an integrated mining project. Originally the bauxite mine and alumina refinery were conceptualised as one project. In 2004 Orissa Mining Corporation had signed the agreement with Vedanta Alumina for an integrated project, where the bauxite would be mined in Niyamgiri and transported to the foothills to be refined at the Lanjigarh refinery. In the application, it was categorically stated that no forest land was involved in the project and that there was no reserve forest within a radius of 10 km of the project site but 59 hectares of

communal land and forest land acquired for the refinery. In 2004, environment clearance was granted by the MoEF for refinery project with the fact that no forest land is involved in the project. The validity of the environmental clearance granted by the MoEF questioned in the Supreme Court. The Supreme Court established a Central Empowered Committee (CEC) and ordered the Ministry to withhold the forest clearance on the project till the issue is examined by the CEC. A site inspection carried out by the MoEF's Regional Office in 2005 found for the first time that forest land was involved in the aluminium refinery project. The MoEF directed that construction of the aluminium refinery be stopped until clearance was obtained under the Forest (Conservation) Act 1980. But later on the request of Vedanta and the state of Odisha the MoEF allowed the forest clearance proposal to be withdrawn and the stop-work order of the ministry was cancelled and Vedanta resumed refinery work in the same year.

The CEC submitted its report in September 2005 recommending that the mining operations should not be granted forest clearance since there had been the violation of the FC Act. The Supreme Court, later on, gave conditional forest clearance to the Vedanta in 2008. Following the order of forest clearance by Supreme Court, MoEF also granted environmental clearance for the mining project. Similarly, Odisha State Pollution Control Board (OSPCB) halts the expansion of refinery on the ground that it doesn't have proper clearance. But later on, OSPCB wrote a positive report to MoEF regarding the expansion of refinery and sent the report that in public hearing local communities are in favour of the project, despite significant opposition, questioning and protests by locals. The MoEF decision to grant environmental clearance for the mining project met with severe opposition. Local communities in Niyamgiri, with the help of civil society members, filed a petition in the National Environmental Appellate Authority (NEAA) against the MoEF decision (Ibid). In 2013, the Supreme Court of India asked the tribal people to take the decision in village council meetings. Following Supreme Court directive environmental referendum was conducted to find out whether mining in Niyamgiri infringed the religious, community and individual rights of local forest-dwellers. Vedanta Aluminium Limited (VAL) received a severe blow when 12 Palli (Gram) Sabha voted against mining at Niyamgiri (The Hindu, 20/08/13). Following the resolution of Gram Sabha Ministry of Environment and Forests has turned down Vedanta proposal for bauxite mining at Niyamgiri hills in Odisha.

Dongria Khond's of southwestern Odisha are classified as "particular vulnerable tribal group". Their world view, forms of knowledge, practices is very different from mainstream society. They retained age-old view and their society is characterised by absence of literacy, simple levels of technology, shifting cultivation, animism, lack of schools and hospitals, kaccha road, no electricity, and so on which is considered backwardness (Kothari 2015). The initial resistance to Vedanta was linked to land acquisition for the refinery in 2003 as many affected people and activists campaigned against compulsory land acquisition for the refinery and faced intimidation following protests at Basantpada against land surveys. In March 2006, several Adivasi residents of Bandaguda staged a protest against the company's moves to acquire the common lands of their village. Local police arrested 32 young men, including a 16-year-old boy. Of the arrested, the 31 young men were released on bail after spending three days in prison at Bhawanipatna. However as per Amnesty International (2010), upon their release, police officers in plainclothes forcibly took them on a week-long pilgrimage to the famous pilgrim town of Puri, stating that their prison term had "polluted" the Adivasis. When the Adivasis returned to Bandaguda, they found that the refinery had annexed the land over which they had been protesting, including burial grounds, located on public land and a new boundary wall had been erected.

With the passage of time as it became clear that Niyamgiri Mountain itself was threatened by mining, its protection also became a key issue. A "Niyamgiri Surasksya Samittee (Save Niyamgiri Committee)" was formed as a local forum of the affected local people with the facilitation of activists. A network of local people who were affected by displacement emerged, drawing on kinship and community ties. The Niyamgiri Suraksya Samitee and the activists used the narratives of livelihoods and place, life-giving Niyamgiri and its sacredness, present and future environmental devastation to mobilise local people. Tambura Majhi said

> "Government is tricking them by promising forest land. They are trying to fool us. Let government take patta but let our God be with us. *Dhanga Bata, Damna Bata and Amla Bata* are the most sacred place or place of worship of Dongria. They promised not to let anyone hurt Niyam Raja whether it is company or government. It gave us life but mining will make its streams and water sources dry" (4th February, 2016 afternoon).

Tambura reaffirms that they will continue to fight. "We are with Niyam Raja in sorrow and happiness. If you let mining happen, thinking as if we are fools and

ignorant, we want to remind you that our ancestors are Rindo Majhi and Birsa Munda. We fought then and will fight now if necessary".The Dongria Kondhs, outraged by the possibility that sacred Niyamgiri could be mined, also became involved in the struggle. The local administration, committed to Vedanta, portrayed the resistance as anti-development and used draconian legal provisions to arrest and harasses those involved in the resistance. Intimidation and physical violence by criminals and local mafia and beatings also occurred. Jakasika Rupu asks "In the past was there any government or company? We are living in the forest, did any government live here? We have been living here with animals like tigers, bears, elephants and many more. Now they want to grab our forest forcibly". She said "they were threatened not to oppose Vedanta but we do not care".

The struggle to save Niyamgiri started in 2007, almost immediately after Vedanta set up the alumina refineries in Lanjigarh. Affected communities were not consulted in advance and forced to part with land. The affected communities relocated to place far away from their land, river and forest. After learning the hard way, the tribals in Lanjhigarh started opposing Vedanta and used this opportunity to reach out to the villages lying in the hills. Through past experience tribals also realise that a movement against such powerful company wouldn't survive long if they depended on external leadership. According to the villagers, the concept of private ownership is alien to them. They work and share harvest together. Circulation of money is very low as forest meets most of their basic needs. When asked about importance of Niyamgiri in their life Jakaiska from Serkepadi village said "Niyamgiri is our supreme God. We have been staying under the protection of Niyam Raja since the time of our ancestors. Niyamgiri is our only God. Our future generation will also survive on it. Therefore we will not leave it. We will fight till the end to protect it". He refutes the government view that Niyamgiri hill is different from the entire hill range or any part of the hill range is separate entity."The ways human have ears, eyes, hands, and limbs similarly Niyamgiri has its organ stretching across the entire hill range". Gobinda Sikaka intervened and said with anger "Whether it is government or company or anybody else who ever will try to take it away from us we will fight against them. To protect it we will give our life and shed our blood". He again said "like river flowing in Niyamgiri, our blood may flow but we won't let Niyamgiri go".

Discussion with tribals and members of surrounding villagers reveals that a dominant reason for rejection of mining project is both spiritual and rational. The territory is

governed by law of Niyam Raja, sacredness of territory (for Dongar it is not only their land of birth but also holy land, Niyam Raja exists for them and they are for Niyam Raja), protection of forest and rivers, natural resources are common property no individual property right, believe in sharing sorrow, happiness and labour. Laxmi Gauda narrated how Vedanta promised many things to them like roads, house, hospital and money. They also gave us some money for a day or two. "The money will one day exhaust, but if we go to any new village for resettlement we will be treated as outsiders. They will chase us away saying Vedanta chased you why do you come here? Where do we go then?" Gajendra Gauda told "Vedanta said to give us tin, rice, cloths. Are we going to live on his alm? We don't want the company give us alumin sheet; we are happy with our mud houses. When company approached the hill from the villages we erected barriers to stop them. Then company created many paths in the forest; how can you trust such a company" asked Gajendra. "If we left Niyamgiri we will be like fish out of water. Company and government are spreading nets to catch us and want us to die without water".

Few tribals like Laddo Sikaka who visited Bhubaneswar and other towns are not very much impressed by city life. Rather they have very negative perception of city life[17]. Lingaraj Azad, Niyamgiri movement leader argued as Dongria Kondh people considers Niyamgiri Mountain as their god how can one by God with money. What Mecca is for Muslims, Jerusalem for Israeli and Palestine people, Niyamgiri is same for Dongria people. Every year they climb Niyamgiri Mountain and celebrate the Niyamgiri festival to worship the mountain. Ideologically, tribal see themselves not as titleholder, but as a natural extension of the Niyamgiri hills itself. Jilu Majhi claims "Neither union government nor state governmemt has given them Niyamgiri. It is their property not anyone else's. Even if officials deny land record or title of Niyamgiri to us, yet it will remain ours totally. We have inherited it from our ancestor and our God is genuine". "Our culture, our tradition, our religion, our work all will destroy, if Niyamgiri is mined. Money is useless, life is everything. We want to live with each other not alone, not only with men but also with all other life forms in the hill". The loss of Niyamgiri means, to them, that their entire culture is threatened, including their ways of being and doing their shared expectations, and shared

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[17] In cities the water cannot be drunk and the air cannot be breathed without falling sick, houses have to be locked when people go out, most of people are corrupt, one can't get basic needs of life without "Gandhi note "money".

understandings of the nature of their environments and their pasts, presents, and futures.

In many areas of Odisha there exists antagonism between tribals and Dalits over the land issue, but in the case of Niyamgiri Movement tribal have shown their confidence in Dalit activists. Lingraj Azad one of chief leader of the movement is a Dalit from Kalahandi district. The youth of Kalahandi formed a group called Sachetan Nagrik Manch and supporting the movement since 2004. Also, lawyers in Kalahandi extended their support to the movement. Local leaders of Congress including former central minister Bhakta Charan Das supported the movement through an organisation called Green Kalahandi. All organisations, activists and individuals are working together under the banner of Niyamgiri Suraksha Samiti. When the Vedanta refinery started working, pro-company people turned against it as they did not get promised benefit. They started agitating against the company. Subsequently, they joined Niyamgiri movement and then Niyamgiri Surakshya Samiti put strength against Lanjigarh alumina refinery also.

Sometime the movements of the tribals were linked with Maoist.Tribal leaders Ladda Sikaka was arrested on suspicion of having Maoist link but was later released. There were a number of occasions when tribals of the Niyamgiri hills were accused in fake cases. Movement leaders complains that detention, arrest, and false charges are being used as pressure tactics to silence tribal's voice of opposition and their struggle to preserve their forests. For an instant, a local tribal leader Haribandhu Kadraka, was arrested and intimidated by the police in October 2014 without any charges being filed. Kadraka had raised voice against the project and in support of the movement in many public forums. After, managing to get back to the village, he committed suicide in November 2015. Locals believe it was because of the trauma that he was subjected to while in custody[18]. Ladda Sikha complains his name has been deliberately omitted from voters list and explains how they are being harassed by security forces and company goons. How their savings being looted, food items and traditional weapons were stolen in the name of checking and many more stories of tortures. He said that Vedanta even offered bribes to locals in many cases, but locals not only accepted money but also donated the same to the movement. When bribing, arrest and false charges methods did not materialise, goons were sent to intimidate the villagers into

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[18] See http://www.dailyo.in/politics/vedanta-loses-niyamgiri-forest-rights-act-tribals-adivasi-odhisha-mining-land-acquistion/story/1/10627.html.

agreeing to part with their land. Kumuti Majhi alleged how government officials took villagers signatures on blank papers and distributed individual lands to them as per company convenience and did not understand how the whole Niyamgiri range is a home land to the locals/ villagers where as the FRA 2006 made it clear that Gram Sabha is the final authority to decide on individual and community claim of land use and the role of administration is only to help Gram sabha in the matter.

In the process of establishing the plant at Lanjigarh, proper procedures were also not followed. Notices for the public hearing were published in English and Odia, and not in Kui language. No officials visited the place to inform locals about the hearing and hearing was held 20 km away from the plant site. When the whole project is integrated project consists of plant and mining. Sterlite filed the application for environmental clearance only for the Aluminium refinery. In 2004, environment clearance was granted by the MoEF for refinery project with the fact that no forest land is involved in the project. When MoEF's Regional Office in 2005 found that forest land was involved in the aluminium refinery project.

In 2004, activist (all non-locals) filed petitions in the Indian Supreme Court asking for cancellation of the environmental clearance for the alumina refinery on grounds of violation of forest and environmental laws.The petitions also pleaded that no mining be allowed on Niyamgiri on biodiversity and environmental ground. Individual activists keep close contact with the local actors in Lanjigarh/ Niyamgiri through visits and phone calls and also serve to act as the information sharing nodes with national and international actors. Some of them participate in the mass programs organised at local levels. Others have been instrumental in filing the legal petitions with the Supreme Court, and to link the SC lawyers in Delhi to the Niyamgiri case. Some of the activists are also linked to human rights organisations such as PUCL and Amnesty International, and in the case of repression, could appeal to these human rights organisations to issue national and international appeals on grounds of human rights. Organisations like Loka Shakti Abhiyan and Samadrusti both national and international organisations supported through regular visits, raising the issue at all scales, filed the petition in Supreme Court, facilitating information flow including creating and sharing films, slide shows, websites, facebook groups on Niyamgiri. The movement got critical support from civil society in terms of positive media exposure. The national level activist tried to use the Forest Conservation laws and the Environmental Protection Act to challenge Vedanta legally at the national level.

Environmental lawyers based in Delhi argued the Niyamgiri case in front of the CEC and the Supreme Court. The CEC, after hearings and field visits, recommended to the Supreme Court that no mining be allowed in Niyamgiri. The NEAA held in late 2010 that the environmental clearance for the proposed mining was illegal.

International anti-mining activists started taking interests and documenting Vedanta's poor environmental and human rights history as they became aware of the resistance to mine Niyamgiri. The international activists visited Niyamgiri and were in close contact with local activists. Action Aid initiated a campaign in the UK against proposed mining of Niyamgiri. Survival International took up the narrative of the Dongria Kondhs as a threatened indigenous people and launched a sustained international campaign. Amnesty International took up human rights issues. Tactics of the international campaigners included documenting and publicising the human rights and environmental violations by Vedanta, participation in Annual General Body Meetings, demonstrations and rallies and online campaigns in cities abroad. The international campaigning led to increasingly negative coverage of Vedanta in the international press. The campaigners based in Europe were able to push the Norway Pension Fund, which had invested in Vedanta, to take up an independent assessment of Vedanta's record. The report by Norwegian Ethics Committee recommended de-investment by Norway Pension Fund in Vedanta in view of human rights and environmental violations. Other ethical investors such as Church of England, the Joseph Rowntree Charitable Trust, the Millfield House Foundation and the Marlborough Ethical Trust also disinvested publicly from Vedanta on ethical grounds. In terms of finances, these withdrawals were insignificant, but they received media coverage and damaged Vedanta's reputation. The local resistance against Vedanta is relatively powerless and fragmented in face of the forces arrayed against it. The ability to reach out to other scales, primarily through local and state level activists, provides its constituents with some protection.

Apart from Niyamgiri Suraksya Parishad, an organisation called Green Kalahandi supported by the local Congress-I MP has been a key factor in the local movement, drawing its strength from his existing political networks. The Loka Sangram Manch, a left grassroots organisation, has been another important local actor, trying to inform and mobilise the Dongria Kondhs through sustained local presence in the Niyamgiri hills. BJP's support to the movement lacks coherence and clarity compared with that of Congress. But tribal leaders of the party extended support to the movement. One of

its prominent leaders Juel Oram being tribal himself supported Niyamgiri people's right to oppose the project and made it clear that he has been opposing the mining plan since the beginning. In few cases, different political parties have joined together to oppose the project. In a joint conference Congress, CPI (M) and CPI, have joined hands to oppose Vedanta Alumina Limited's (VAL) plan to extract of bauxite from ecologically sensitive Niyamgiri hills and demanded CBI probe into all agreements signed by the State Government with the Vedanta Group. The cancellation of mining lease of Vedanta was related with the visit of the then Congress general secretary to the area. One senior BJD leader in an interview dismissed Gram Sabha resolution as politically motivated and accuses Congress of double speak with the example of POSCO project being opposed by local Congress leaders and supported by central leadership (Tehlka, 31 August 2013).

In spite of political partie's tactical support, the real strength of movement lies at the local level with tribals. Report of Congress and BJP receiving illegal donations from Vedanta by violating Foreign Contribution (Regulation) Act (FCRA) raised question about political party's commitment towards the movement[19]. It is only when political parties realised that tribals are determined to oppose the project and ready to suffer for the cause they came forward to support it. An intense campaign by national and international civil society members against human rights violation and ecological consequences forced political parties to support people's movement. So it is not the political party which influenced the movement rather it is the people's movement which drew political parties into it as junior partner.

Conclusion

Tribal have understood the crucial role played by NGOs in peoples' movement and at the same time are aware of the danger of being movement hijacked by outside agencies. So they never hand over the streering of the movement to the outsider. The Dongria Khonds understood support from outside is ideology based; they don't share the worldview of Dongar. Niyamgiri Suraksha Samiti does not give credit for the success of cancellation of mining lease to any political party or NGO or any group or

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[19] For more detail see http://www.governancenow.com/news/regular-story/vedanta-funding-can-land-congress-bjp-soup#sthash.1zK38xlB.dpuf. The report says Between 2003-04 and 2011-12, three Vedanta Group firms – Sterlite Industries India Ltd, Sesa Goa Ltd and Solaries Holdings Ltd – have contributed a total of Rs 9.78 crore to the Congress and of Rs 19.41 crore from two firms – Vedanta Madras Aluminium Ltd, Sesa Goa Ltd to BJP.

actor. It is a victory of the people in whole, outside actors played the supportive role. Dongar is not ready to give any credit to others actors. Cancellation of mining does not constitute victory, the goal of struggle is to close down the refinery argue one of the movement leaders. The issue of Niyamgiri cannot be dealt with the binary of development. Dongars understanding of development needs to be understood.

CONCLUSION

In the past, dams and other public infrastructure were the dominant reasons for displacement of people from their lands. Now it is POSCO, Vedanta, Tata Steel at Kalinganagar, and Tata Motors at Singur and Special Economic Zones in different parts of India "the engine of Indian's growth" which need large tracts of land, minerals and hence these are displacing people. Not only have the actors changed, but also the role of state which has taken upon itself the task of acquiring land for these private investments is claiming "public purpose". State has been playing an increasingly repressive role. In the name of development, economic growth, the national elites through the institution of the state and market, often in collaboration with foreign capital, have appropriated natural resources such as land, mineral, forest and water for their own benefit. The idea of eminent domain still exists in different forms in new acts like FRA 2006, LAAR 2013. State claims that these development activities have improved the living condition of people but a critical look at the impact of various development projects shows a different picture. Development projects lead to the impoverishment of displaced people. Benefits of development projects hardly reached the masses. Rather the development project renders powerless, impoverished and marginalized majority of people, especially the poor and unprivileged.

It is clear from the present study that development projects have done little to alleviate existing inequalities in society. On the contrary, they have further aggravated social arrangements in favor of the socially, economically and politically powerful ones. In the entire process of development the economic dimension is given primacy, whereas social, political and cultural dimensions of development are considered as peripheral.

Mining or mineral extraction is part of above-said development activity which triggers conflict in different parts of the globe. And conflict is mostly over different claims and ways of utilizing resources. Mining involves a variety of issues like livelihood, environment, culture, public health, quality of life, human rights etc. These conflicting claims over mineral resources have resulted in the emergence of anti-mining movements which are interrogating present development practices. The study examined different responses to the projects with the help of the impact on livelihood, the question of identity, political dynamics and role of civil society.

The first chapter discussed how, in the post-Second World War era, development became a major theme in economic and political discourse. The chapter discusses the present theory and practice of development symbolizing political and cultural dominance of the single region and highlighted the problem of equating development with economic growth and modernization. The present development practice in India is being challenged by anti-mining movements and people's discontents with present policies and practices of development are expressed through these movements. Studies on new social movements make anti-mining movements a fit under this category. The newness of these new social movements is explained in terms of its nature, ideology, value, goal, tactic, knowledge, norms, structure and participants

The second chapter focuses on the shift in the development model during liberalization. With the independence Government of India adopted state controlled growth model like centralized planning, protectionism, import substitution, large public sector, and regulated private sector which was shifted in 90s with giving major role to private actors. To meet the balance of payments crisis in 1990–91, and subsequent structural adjustment program, the liberalization policy was being implemented with increased intensity and scope. The impact of this shift is obvious in the mining sector. Till 90s mining sector was controlled by Public Sector. With the introduction of new economic policy in 1993, mining sector was opened for the participation of both private and foreign companies. Since then liberalization of mining sector has been gathering pace, with the new National Mineral Policy 2008 and Mines and Minerals (Development and Regulation) Amendment Act 2015. Subsequent mineral policies have gradually opened the mining sector for private players and foreign companies and the role of the government has been seen to retreat over the years, although till now the government holds a substantial portion of the mineral production.

The concerns of environment and indigenous communities residing in mineral rich areas are addressed through different policies and acts like Environment Impact Assessment Notification 1994, PESA 1996, FRA 2006, and LAAR 2013. However, loopholes in policies, lack of proper administrative mechanism, manipulation and top-down approach act become barriers for proper implementation of Acta and policies.

The third chapter discusses in detail the failure of the legal mechanisms to address the concern of the displaced raising and turning into resistance movements across India and in this study particularly giving the example of places in Odisha. Studies by

Michael M. Cernea (1998), G. Satyanarayan (1999), Mohammed Asif (2000) and Shankar Venkateswarna, World Commission on Dams (2000), Meher (2009), Rout 2011) explain about the government policies lacking understanding for local needs and the relation of most helpless men with their land. These laws are also heavily loaded against poor, Dalit and particularly tribal groups.

Further the phrase 'the bigger the project lesser the right of locals' is elaborated in the context of mining based projects and local resistance. In large development projects, the big landlords, farmers, bureaucrats, politician and corporates are mainly in the gaining side where as the tribal and local community are the sufferers. Opposition to these projects is not prompting the government to initiate any major move or to develop any holistic approach to address the affected people. Rather continuous use of force and violence on the tribal with the intention of suppressing resistance and opposition to the projects making the problem more complex and rigid.

The perception of mining projects differs very significantly between tribal and non-tribal populations. The non-tribals expect tribal to passively sacrifice themselves and their culture for the so-called national interest. The economic or social impact and financial threat faced by the locals are insignificant in relation to risks taken by industry, financiers and developers according to the non tribal. The issue of cultural difference will gradually disappear as tribal must move along with the mainstream. The mainstream understanding is that mining affects only individuals, not any group or community, and the loss is measured only in monetary terms. The content of tribal development is essentially different from the mainstream one. The tribes, mostly living in hills, have insignificant degree, integrated with the mainstream economy, so any attempt towards a sudden exposure of the tribal areas to the national economy will be counterproductive. Mining projects have taken away lands and forests that were the source of livelihood to the tribal hence put them into a situation of vulnerability as they are illiterates and unskilled to survive in a new economic order.

The problem pertains to the project appraisal which is mainly economic and technical in nature, leaving aside, more often than not, the aspects of social and environmental cost-benefit analysis resulting in socio-economic disparity. While the issues of displacement and resistance are becoming unmanageable the measures to deal with the problems of the displaced people have remained largely piecemeal and ameliorative. The study finds that neither the concerns of Lanjhigarh tribal nor the tribal of Kalinganagar have been addressed properly.

No doubt violation of economic rights acts as a strong motivation for protest but the addition of culture also gives high moral content to the opposing voices. This is clearly visible in case of Lanjigarh. It is evinced through the movement that land (here it is the mountain) is not a distinct marketable commodity. Traditional values, beliefs and religious practices are under threat in case of Lanjigarh. However in the case of Kalinganagar, tribal have been practicing their traditional customs and rituals side by side with the existence of modern economic activities. In the latter case the protest is approached from mostly an economic perspective. In the case of Lanjigarh, the issue was not only about forceful land acquisition but it became an issue of identity, an instance of right to exist as indigenous community and internationalization of the issues. So, the struggle in Niyamgiri is not only against land acquisition, it is about the right to exist as distinct people. It highlighted the dark side of mining and present industrialization and compared it with the sustainable way of living of Dongria. In a way, it interrogated the present industrialization led development model. In Lanjigarh it is for the conservation and protection of the source of traditional livelihood interwoven with identity. On the other hand in Kalinganagar, it is for the rational and sustainable use of mineral resources based on the principle of socio-economic equity. The protest movement in Kalinganagar is questioning the displacement, but in Niyamgiri the movement is questioning the present development practice. In the case of Dongria khonds, their whole life revolves around Niyamgiri hill range, their day to day need and social and cultural life is unthinkable without it. Dongria as a community has no existence without Niyamgiri hills. So not only their identity but their existence depends on it.

Displacement due to mining implies the uprooting and dismemberment of the social, moral and economic webs of life built over generations. It is a process of dispossession of the displaced, economically, socially, culturally and politically. In case of mines in comparison to direct displacement, indirect effects are much more. This effect is less apparent and hardly leads to formal resettlement. In both our cases we saw how loss of common property resource and access to natural resources affecting communities. Mining led displacement leads to occupational degradation, social disorientation, pauperization, loss of dignity, loss of customary rights, loss of CPR, loss of sovereignty, social, political and cultural loss.

If mining is allowed in Niyamgiri then the self-sufficient community is going to turn into community of wage labourers. Not only their economic needs but their

community existence depends on the Niyamgiri hill. In the case of Dongria they do not have any alternative source of livelihood. In Niyamgiri, movement is a struggle over the control of natural resources. In case of Kalinganagar the independent farming community members have already turned into laborers, wage labourers, truck driver, loader and seller of handia. As we already know, their main traditional occupation was agriculture but with the growth of mining activity in the area, they shifted their occupation and started working in mines. The Kalinganagar case shows that only improvement in rehabilitation and resettlement policy may not be sufficient. No compensation package can compensate for the psychological, social, cultural and emotional losses.

Weaker sections of society suffer the most in the case of mining. Most of them depend to a large extent on forests, lands and water bodies in which they have their traditional and customary rights. But they have to forfeit these rights at the time of land acquisition. As we see in case of Kalinganagar, most of the tribal and pastoral communities don't have proper land records. Their traditional rights and loss of livelihood remain uncompensated. In both Kalinganagar and Niyamgiri cases the loss of common property resource remained out of rehabilitation plan.What emerges from our analysis is, the mining industries in Kalinganagar are taking over the resources of the ecosystems of tribal people and poor peasants without providing them with an improved means of making a living. But in case of Niyamgiri the mining project is threatening the very existence of tribal community.

The study show framing legislation is not enough. The case of Niyamgiri is evident how loopholes in laws are used to favour big industrial house. For example while applying for environmental clearance Vedant did seek clearance only for the plant, while both plant and mining are part of the integrated project. The public hearings were held at faraway places in Odia language when most of the tribals' mother tongue is Kui. The forced displacement often took violent turns to violent amidst police repression as evident from the Kalinganagar movement.

Different anti-mining movements of indigenous groups have different outcome some succeeded in halting projects and some failed several factor influence not only process but also the outcome of the movements. A local resistance movement in order to be effective need strong internal cohesion, external support, a willingness on the part of the authority to listen to the protestor, local and international activism, support of

political parties. Any understanding of these movements will remain incomplete without understanding how natural resources are socially and politically constructed.

The discourse and practice of resistance was influenced by different factors like traditional values and liveihood, perception towards mining project, internal cohesion of group, scope of negotiation, role of identity, civil society and political dynamism. How long the locals can resist depends on the internal capacity of a group and its ability to forge alliance with NGOs and other sympathetic communities. In Kalinganagar, the tribals are divided into different groups holding different world views and there exist multiple organizations both supporting and opposing mining projects. In the case of Lanjigarh, the tribals – both Dongria and Kutia – share the same world view and multiple organizations worked under *Niyamgiri Surkhya Samiti*. The quality and volume of propaganda in case of Lanjigarh is ferocious. However Kalinganagar got national and international attention only after the firing incident.

In case of Kalinganagar, the mainstream political parties like BJD, BJP and Congress were in support of industrial projects in the area. Kalinganagar incident shows intense mobilization and violence leading to more politicization of the movement. It was only after the firing incident that political parties and sympathizers come clearly in support of tribals' rights. In case of Lanjigarh local Congress and radical left groups are active in opposing the project. The project provoked political conflict between ruling and opposition parties.

To sum up, the thesis has provided a brief study and analysis of mining and mineral projects in general in the frame of development paradigm and also from the socio-cultural perspective. The study in the present context has provided examples of two case studies in Odisha where the mining projects have attracted conflict and resistance by the local inhabitants who are tribal and backward mass. The study claims that the lives of the poor and backward tribes in the area have further marginalized through the process. The mining based industries are not only destroying natural resources and forest land but also resulting into the natives of the forests losing their habitat and culture.

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