

Resource Rich Tribal Poor

Displacing people, destroying identity in India's indigenous heartland

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Executive Summary

As India strives for double digit economic growth, the number of people displaced from land, livelihood, ancestral homes and places of worship is greater than ever. This report assesses the nature, extent and impact of development-induced displacement in four states in India's indigenous (tribal/ adivasi) heartland – Andhra Pradesh, Chhattisgarh, Jharkhand and Orissa.

A continuation of research by Walter Fernandes and his team*, this study seeks to understand the consequences of rampant displacement without adequate compensation or rehabilitation.

The study finds that the culture, language, identity and very existence of vulnerable communities including Scheduled Castes and Scheduled Tribes, is under threat. Ironically, Primitive Tribal Groups, afforded more special protection in India's Constitution than perhaps any other section of society, are amongst the hardest hit.

Mining, dams, industrial plants and a host of other projects backed by state governments in the name of development are failing to address the needs and aspirations of local people. They are also alienating tribal communities from land, forest and rivers they have cared for and depended on for generations.

Indigenous people are excluded from the decision making process in such developments, making a mockery of their rights to self governance as enshrined in the Panchayats Extension to Scheduled Areas (PESA) Act, 1996.

Highlights

Chapter 1 – Introduction

Boom spells doom. Those left out of India's 'miraculous' economic growth are increasingly under attack from it. In

*A study of 'Development-Induced Displacement and Rehabilitation' in Orissa (Fernandes & Asif 1997), Andhra Pradesh (Fernandes et. al 2000), and Jharkhand (Ekka & Asif 2000) covered a period during 1951 and 1995.

the late 1940s and 1950s, large scale evictions of rural and indigenous people were primarily to make way for dams. Today, industry is the key driver of displacement and the old dams are being used by new industries for water. Earlier the state took over land for public sector enterprises. New laws have empowered the corporate sector to take over the land. The state is withdrawing from negotiations with landholders and is facilitating corporate interests through numerous memorandums of understanding signed in the past decade.

Resistance is rising. As the intensity of land-alienation has grown, so has resistance. While hundreds of thousands of tribals, dalits and vulnerable communities are rendered destitute, there has also been a growing consciousness within these groups of their social, historical and geographical identities and their fundamental human rights. Resistance to the state-corporate nexus driving people from their land has taken various forms – from peaceful protest within the framework of democratic process to violent movements for self-assertion and self-determination.

Findings from the four resource rich states studied show a strong correlation between attempts to exploit natural resources, such as minerals, forest and rivers, on an industrial scale and impoverishment of local people. Moreover, the number of protests, both peaceful and violent is on the rise. Alienation of natural resources, marginalisation of local people from development and decision-making processes, has contributed to the expansion of Naxalite/Maoist violence.

Acceleration of economic reforms has facilitated exclusion of the masses and widened the gap between the rich and the poor. What emerges in the study is that the state is using military force to treat the symptoms (unrest and violence) rather than trying to address the root causes.

Displacement. This study looks at the latest government data for the last 10 years in just four states and finds a total of over 1.6 million displaced and affected by development projects (displaced 14,49,423 and affected 1,67,158).

Records show that dams (for irrigation, industrial use and power generation) have displaced 7,49,555; industry 3,04,698; mining 5,39,351; electricity generation plants 926; and defence establishments 22,050.

Of those displaced and affected 79.20 percent belong to scheduled tribes, 20.05 percent belong to scheduled

castes, and other backward castes make up 0.75 percent.

The study area for qualitative data collection was confined to displacement projects in tribal areas, so most of the survey respondents are from the ST category.

Field findings indicate that even though resettled on record, adivasis fail to cope with the new environments and tend to leave in search of forest areas. Arduous journeys and difficulties in establishing settlements in new locations as well as stress of the initial displacement lead to illness, hunger and even death. Adjustment is particularly hard for Primitive Tribal Groups from remote areas who have had previously little contact with wider society.

Such large scale displacement has brought about huge change in indigenous communities with a profound impact on tribal identity. Defined as societies with a distinctive culture, language, territory and governance, this study shows that traditional tribal identities are under threat as displacement and resettlement trigger dramatic shifts in occupation, religion, lifestyle, governance and even thinking process – from how to nurture and perpetuate their way of life to adaptation and survival in an unfamiliar environment.

Chapter 2 – Methodology

Data on numbers of people displaced and affected has been gathered through extensive secondary research across the four sample states: 22,755 gazette notifications (government notification of land acquisition) have been examined and 3630 government documents on major projects involving displacement of people. Primary data collection to understand the impact of displacement and resettlement involved 1717 in-depth interviews, 50 group discussions and gathering of 20 case studies.

Demographic status of respondents indicates a high level of adivasi concentration in the displacement zone with Scheduled Tribes Making up 62% (11% PTGs), other backward castes 20%, others 11% and Scheduled Castes 7%.

People who once resided together in one village have often been dispersed across multiple locations destroying the social safety net and making women and girls in particular more vulnerable to violence and abuse. Tribal language is falling into disuse and some of the rituals related to ancestors and mother earth worship are disappearing.

An assessment of the socio-economic status of respondents reveals a marked shift in occupational pattern and deterioration in economic status since displacement. Respondents who once cultivated have lost their land. The number of daily wage labourers has increased. This

has led to growing uncertainty about the future.

Despite best efforts to reach out to all families displaced and affected in the sample project areas, not all have been covered. Many people have apparently left the rehabilitation colonies, some moved to inaccessible areas, and the hostile attitude of government officials, company backed people and other vested interests was a major hindrance.

Chapter 3 – Profiles of the states

This chapter highlights the features of all the four states – Andhra Pradesh, Chhattisgarh, Jharkhand, and Orissa. The states are rich in minerals including bauxite, iron ore, chromite and coal. Water and cheap labour is plentiful. All are home to significant tribal populations. However human development indicators point to poor hygiene, low literacy levels (Andhra Pradesh 47.66% as against 59.17% India, 2001 census) and ill health and death due to unsafe drinking water. More than 500 died of cholera in Kalahandi and Rayagada districts of Orissa in 2007, both areas of adivasi displacement.

Metal roads, electricity and markets have come up in new industrial areas but questions remain over how accessible these facilities are to those displaced and affected by the projects.

Chapter 4 – Trends in land acquisition

Land acquisition and displacement are like two sides of one coin. In each of the four states land acquisition translates directly into people being displaced from their homes and land, or being negatively affected by the project for which the land is acquired. In the process they lose access to forest, water and common land.

Total land acquired across the four states according to government notifications is over 10 million acres (total acres: 10276353.97; AP – 51432.45; Chhattisgarh – 153801.18; Jharkhand 9902065.90; Orissa – 169054.44). Land has been acquired primarily for dams, industrial projects, mining and electricity generating plants as well as defence establishments, environmental protection, farms, urban development and other infrastructure projects.

There are no resettlement and rehabilitation policies in place in Chhattisgarh and Jharkhand. In Orissa which has an R&R policy and Andhra Pradesh which has a government order on R&R, many of those displaced do not have record of rights over land they had been using so they do not qualify for benefits under these schemes.

In the process of land acquisition, the state continues to ignore the rights of the indigenous people over land forest

and natural resources as mentioned in PESA and also in International Labour Organization Convention No. 169.

Further displacement is on the horizon. Across the four states, a total of 77 'Special Economic Zones' designed to encourage industrial and business investment have been formally approved. Another 61 are in the pipeline.

Chapter 5 – The displaced and the deprived

This chapter indicates in detail the number of people displaced and affected in each state due to different industrial and development projects as well as environment protection, defence establishments and other projects causing displacement in all the states. This also spells out the category of people displaced and the category of land acquired for the projects.

Chapter 6 – Impact of displacement and resettlement

The impact of displacement and resettlement on people in the areas surveyed is huge, particularly on adivasis, who make up the majority of those displaced in these areas. Lack of clarity about the project and lack of information about the benefits are prevalent in all states. Fear of losing land (those under threat of displacement) and anger at having lost it (those displaced) were the most common responses when people were asked about their feelings on the sample projects. Over 72 percent of respondents said they opposed displacement while 86 percent said they resist displacement through people's movements. Displacement has often involved violence with the worst cases involving killings (such as in Kalinga Nagar, Orissa) and severe beatings (such as in the evacuation of villages through special police officers of the Salwa Judum 'peace campaign' in Chhattisgarh).

Women end up having to walk far further for essential items like, water, fuel wood, fodder and forest produce. They are also more exposed to violence and trafficking, particularly in border areas.

Chapter 7 – Conclusion and recommendations

Development projects including dams, mining and industry have had a particularly severe impact on the displaced adivasis: They lose (i) their land, (ii) livelihood, and (iii) indigenous culture and collective identity. This is due to their alienation from their traditional land and forest. To earn their livelihood, many displaced tribals are leaving the resettlement colonies and migrating to neighbouring cities despite claims by both government and multinational companies regarding the success of rehabilitation and resettlement of those affected. Pushed to live in the polluted slums, collective histories and

indigenous knowledge of plants, medicine and ecological symbiosis are rendered useless and many families do not even have enough money for their daily sustenance.

Since the education level of these displaced and project-affected groups is very low in comparison to other social groups, the modern industrial jobs are restricted to other social groups. The only work the victims of displacement get is unreliable casual labour under contractors.

Adivasis lose their language and culture in the new set up, which is hostile to their very existence. In the process, not only do they lose their cultural identity and customary practices, but to survive they adopt the new local customs and practices alien to their own culture.

Women in Orissa talk of being afraid to bathe in rivers and streams as they have traditionally done and now move around in groups for safety rather than walking on their own. Rituals practised in forests are often not suited to city living and are looked down on by host communities.

Project officials and government claim that displaced families have been adequately compensated but the landless households who once used common land and forest are not entitled to compensation since they have no record of ownership. The rehabilitation and resettlement policy of Orissa (framed after the Kalinga Nagar killings in 2006) which the state government claims as one of the best in India, excludes landless households. None of the policies address how people will be compensated for loss of pollution free air, clean water, and community land.

The displaced tribal households feel insecure and uncertain about their future. Despite high claims by respective state governments, the majority of displaced people feel they were not adequately compensated for their losses. The majority of those interviewed were not even aware of rehabilitation policies.

The displaced families had to go through a traumatic experience during the period between displacement and resettlement in new locations. They had to search for a house and livelihood for their survival. As per the present study, work is not available to the majority of people after displacement. The resettlement sites lack basic civic amenities which the communities enjoyed before displacement. The shortage of non-timber forest produce such as fruits, leaves and edible flowers at resettlement sites severely affects the livelihood of the adivasis.

The women and children are particularly vulnerable after displacement. Adivasis are angry to lose their sacred forests, places of worship and ancestral lands they have lived on for centuries. Land and forest for adivasis is not only the means of production but these are a part of their composite cultural and social identity.

In short, what emerges is that the model of development adopted by India is failing weaker sections of the society and alienating vulnerable communities from their land and livelihood. The side effects of displacement are impoverishment. The state which has the responsibility of the welfare and well-being of the last citizen of the country is siding with the profit motive of powerful corporations rather than the interests of local people.

State apathy to the people's cause appears to be institutionalising continued marginalisation of the less privileged. Unrest is met by violent response from state forces. A number of Special Economic Zones visited are virtual war zones rather than sites of development and progress.

Recommendations

1. Both the Central and State Government of Orissa (the only ones with R&R policies in place) should direct each of the departments and agencies under their control to develop a comprehensive database on displacement, compensation of each resettlement and rehabilitation project implemented since independence and disseminate on the websites of the concerned departments and agencies. They need to be specific about the indigenous community;
2. PESA, 1996 needs further amendment to ensure the informed consent (in place of mere 'consultation with') of Gram Sabhas in Schedules Areas for land acquisition for any developmental project, be it proposed by the Government or a private company;
3. Signing of an Memorandum of Understanding involving land acquisition, displacement or eco-hazards must be preceded by informed consent of the concerned populations;
4. Include representatives of local people as members in the Technical Committees formed by the government from time to time to assess the status of projects to be undertaken;
5. Strict adherence to the letter and spirit of the laws existing at Central and State levels prohibiting the sale and transfer of tribal land to non-tribal persons under the cover of land acquisition for developmental projects;
6. The Ministry of Environment and Forests, Govt. of India should issue environmental clearance for a project only after the objections raised in the Public Hearing are met and complied with both by the project proponent company and concerned government; no company should be allowed to go ahead with any construction work before getting environmental clearance;
7. Irrigation waters, for which the farmers are paying user charges shouldn't be arbitrarily diverted by the government to industrial or other non-agricultural purposes; if at all such a need becomes unavoidable, then subject the proposal to a public hearing of the concerned user population;
8. The concept of sale of private or government land to a private company in the name of public purposes under the aegis of the Government as implicit in Land Acquisition Act 1894, must be replaced by a concept of conditional and time-bound lease voluntarily agreed upon by the land holder for any public purpose;
9. Introduce Social Impact Assessment of a proposed project by an accredited agency to study the possible impact on public and community properties, assets and infrastructure, particularly, roads, public transport, drainage, sanitation, sources of safe drinking water, sources of drinking water for cattle, community ponds, grazing land, plantations; public utilities, such as post offices, fair price shops, food storage, electricity supply, health care facilities, schools and educational/training facilities, places of worship, land for traditional tribal institutions, burial and cremation grounds;
10. A National Rehabilitation Commission to be set up by the Central Government with the power to exercise external oversight over the rehabilitation and resettlement of affected families covered by this policy. This commission must work in line with Ministry of Tribal Affairs;
11. Under no circumstances can a SEZ Policy of the Government commit itself to give away as much of its natural resources like mines, water, land and forests as is sought for by a private/foreign company;
12. In order to protect the socio-economic and cultural rights of the Indigenous people India must ratify International Labour Organization Convention 169;
13. In order to protect the cultural identity of indigenous community, they should never be displaced from their home land as such environment can not be replicated by any rehabilitation and resettlement package;
14. Protection of indigenous people and continuation of their habitation in the natural environment to be linked to larger implications of factors related to climate change and environmental degradation;
15. Implement the provisions made in the Scheduled Tribe and other Forest Dwellers (reorganisation of forest rights) Act 2006 in all tribal areas;
16. A pro people (marginalised communities) attitude of the state and judiciary is the need of the hour. As equal citizens of this country, indigenous communities need positive discrimination in all forms of decision making by the judiciary, legislative and executive.